



May 1, 2018

Stephanie Solien and Les Purce, co-chairs
Washington Southern Resident Killer Whale Task Force

RE: Recommended Actions for the Southern Resident Killer Whale Task Force to Discuss

Dear Ms. Solien, Dr. Purce and Task Force Members:

Thank you for serving on the Southern Resident Killer Whale Task Force. We are thrilled and hopeful you will develop significant policy and program recommendations and support meaningful actions necessary to recover Southern Resident orcas. Not only are these whales one of the most endangered marine species in the world, they are of great personal and cultural significance, ecological importance, and research and economic value to many communities in our region. Restoring these orcas and preventing their extinction is of the utmost importance to many people throughout the Pacific Northwest and the nation.

We write to you as members of the Orca Salmon Alliance, which is comprised of fourteen regional and national organizations working to prevent the extinction of the Southern Resident orcas. The Orca Salmon Alliance's immediate objective is to prevent the extinction of the Southern Residents by recovering the Chinook salmon populations upon which the whales depend for their survival. Several of our members will be participating in the Task Force's working groups, and we all look forward to actively engaging with you in this process over the upcoming months and year.

As the Task Force explores legislative and budgetary recommendations and actions, the Orca Salmon Alliance respectfully requests that the Task Force address a set of threats that are critical to recovering these critically endangered whales. There is no time to lose, and the state must direct its resources to addressing the most pressing threats affecting Southern Resident orcas. Failure to do so may result in the continued decline of its population and its foreseeable extinction. **The Task Force must be guided by an overall goal of growing and managing healthy, resilient, connected, and functional ecosystems. Continued and expanded reliance on technologies and human interventions – rather than on ecosystem restoration – will unlikely meet the needs of salmon, orcas, or people to produce the desired outcomes.** It is imperative that the Task Force urgently addresses the following threats if we hope to prevent the extinction of the Southern Resident orca and begin to rebuild its population:

Increase Key Prey Populations. Lack and reduction of prey have been unequivocally identified as the primary reason that Southern Resident orcas are in decline. Southern Resident orcas primarily rely on Chinook salmon, although new research has shown that the orcas will also consume Chum and Coho salmon (especially during the fall). Restoring Chinook and other salmon is of paramount importance for the long-term recovery of Southern Resident orcas. As such, we recommend Task Force provide recommendations on the following items:

- Prioritize salmon habitat restoration projects – including river connectivity and shoreline armoring removal - in watersheds with the greatest potential to benefit Southern Resident orcas. Consider and evaluate the timeline for expected benefits from habitat restoration to help ensure that increased prey is expected before it's too late for the orcas.
- Identify priority projects to remove human-made fish barriers, such as dams and culverts, and recommend a timeline for their removal. Projects should target watersheds that support priority salmon runs for orcas and watersheds with the greatest salmon recovery potential.
- Recommend that the governor support efforts to modify water quality standards up to 125% total dissolved gas in order to allow higher levels of 'spill' over the federal dams on the Columbia and Snake Rivers during the juvenile salmon out-migration. This measure would increase salmon survival and adult returns to the mouth of the Columbia River.
- Work with Columbia Basin sovereigns—the State of Oregon as well as the Columbia Basin Tribes—to develop policies that ensure plentiful and sustainable Chinook salmon runs from this critical source of prey.
- Identify essential, healthy river and estuarine habitat and make recommendations to ensure it is protected from new development and/or degradation in the future.
- Consider the needs of Southern Resident orcas when developing recommendations that address or modify hatchery and harvest management.

Decrease Pollution Entering the Salish Sea Food Web. Southern Resident orcas are considered among the most polluted marine mammals in the world. Toxics bioaccumulate up the food chain from micro-organisms to salmon to orcas. These pollutants can cause health problems and have been linked to depressed population growth in orcas. Because of this, the Task Force should provide recommendations for the following:

- Identify legislative fixes to ensure the rapid cleanup and prevention of further contamination of our waters by known bioaccumulative toxins that impact orcas, including but not limited to PCBs and mercury.
- Identify legislative fixes that would improve derelict vessel prevention and enforcement efforts.
- Recommend funding sources that would permanently support the Department of Natural Resource's creosote removal program.
- Recommend additional funding strategies to expand green stormwater infrastructure grants.
- Recommend legislative action to phase out use and release of persistent toxic chemicals of emerging concern in the Puget Sound basin and expand the state's chemical action plan to include phthalates, PBDEs, and pesticides.

Reduce Noise Disturbance in the Salish Sea. Like many marine mammals, Southern Resident orcas rely on sound to communicate, navigate, maintain social cohesion, and to find food. The acoustic environment of the Salish Sea is already highly degraded. Significant vessel noise carries a high ecological cost. Vessel presence and noise exposure are associated with a substantial reduction in foraging activity, limiting the whales' food acquisition abilities. Due to underwater noise from vessels, the Southern Residents can lose 62 percent of their opportunities to communicate and forage under typical conditions, and 97

percent during periods of high traffic. The Southern Residents cannot tolerate additional noise, and present acoustic conditions are not sustainable. To reduce noise levels, the Task Force must address the following:

- Identify and commit to meeting an ecologically relevant noise reduction goal. The Scientific Committee of the International Whaling Commission has recommended an initial global target for the reduction of shipping noise of 3 dB within 10 years and 10 dB within 30 years. Bioacousticians and Southern Resident experts have recommended a noise reduction target for the Salish Sea that is greater than the global target.
- Identify regulatory or legislative actions to ensure no net increase in noise, and oppose any actions or activities that would increase overall noise levels in the whales' habitat.
- Establish a timeline and identify potential funding sources to transition Washington State's fleet (ferries, state vessels, etc.) to quiet technology. Incentivize or require quiet ship design for all commercial vessels in WA State waters.
- Identify a permanent funding source to support the Department of Fish and Wildlife's on-water patrol efforts to enforce boater compliance with vessel regulations.
- Recommend the adoption of biologically relevant no-go, shipping lanes, and slow-go zones around the whales to further reduce acoustic and physical disturbance.

Oil Spill Response and Preparedness. Our region experiences relatively small oil spills on a regular basis, which cumulatively impact the health of the Salish Sea. In addition to these iterative spills, the threat of a catastrophic spill is only growing as fossil fuel transportation expands throughout the Salish Sea. During the Exxon Valdez oil spill in Alaska, a local population of orcas was severely impacted by the disaster, and today, they are functionally extinct without any reproductive females in the population. With only 76 Southern Resident orcas left, and only 26 currently breeding, an oil spill in the Salish Sea could cause the irreversible loss of these regional icons. In response, the Task Force should:

- Develop review criteria that would assess the impact that new and/or expanded fossil fuel projects in the Salish Sea would have on orcas. These criteria should be incorporated into the decision-making structure of those projects. Work with the Northwest Area Commission to identify particularly dangerous hazardous materials and products, such as heavy tar sand oils, that could have an especially catastrophic impact on the orca population if released in our waters. Identify where there are no feasible risk mitigation measures, and where there are feasible risk mitigation measures, to address a potential spill. Develop recommendations to implement all feasible risk mitigation measures.
- Assess the impact of cumulative oil spills on the health of our water quality and the orca population and identify measures to address this impact.
- Develop recommendations for enhanced safety measures for oil transportation that should be adopted by the legislature to help protect the orca population. Work with the Department of Ecology to incorporate these recommendations into the report to the legislature. Examples of such measures include tug escorts for oil barges and Articulated Tug Barges, a rescue tug at Haro Strait, speed restrictions, and temporal restrictions on oil transportation.

Orca Recovery Coordinator. Governor Inslee requested funding from the legislature to hire a recovery coordinator, but that request was unfunded. Given the breadth of issues involved with orca recovery, it is essential that the state hire a single point person to manage, direct, and coordinate orca recovery efforts. Without a recovery coordinator, we are concerned that recovery efforts will be disjointed and unfocused.

The Orca Salmon Alliance looks forward to working with the Task Force, its working groups, and the Governor's office to recover the Southern Resident orcas and the salmon they rely on. We plan to monitor the efforts of the Task Force and communicate its progress with our members and the public. We hope that the Task Force addresses the above issues and delivers meaningful recommendations for actions to the Governor in October that will help the Southern Residents on a meaningful timeline. Sincerely,

The Member Groups of the Orca Salmon Alliance:

Center for Biological Diversity
Defenders of Wildlife
Earthjustice
Endangered Species Coalition
Natural Resources Defense Council
Oceana
Orca Network

Puget Soundkeeper Alliance
Save Our Wild Salmon
Seattle Aquarium
Sierra Club
Washington Environmental Council
Whale and Dolphin Conservation
Whale Scout