



DEPARTMENT OF THE INTERIOR

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AUTHORITY LACKING TO WITHDRAW SUBMERGED LANDS FOR ALEUTIAN REFUGE

The Department of the Interior announced today its legal determination that it does not now have authority to withdraw tidal and submerged lands as an addition to the Aleutian Islands National Wildlife Refuge in Alaska. Simultaneously, the Department asked that the State of Alaska take steps to join with the Federal Government to provide complete protection for sea otters in waters adjacent to the Refuge.

Secretary Fred A. Seaton said the ruling was made in view of the extension to Alaska by the Statehood Act of provisions of the Submerged Lands Act of 1953, vesting title in the States to tidal and submerged lands within three geographical miles of their coastline.

In his letter to Governor of Alaska William A. Egan, Secretary Seaton said:

"Our biologists have made studies of the behavior of these sea otters. These studies and any other information we have on this subject will be made available to the Alaska Department of Fish and Game on request. And I assure you that we will be willing to discuss any arrangement which will lead to a cooperative management and protection program for sea otters.

"My only plea is that you consider the matter as soon as possible. I am informed that these animals constitute a resource which could, once again, prove a valuable resource with commercial possibilities if properly managed. And I feel certain that it is not only in the national interest, but also the Alaskan interest, to see that the necessary steps for such protection are taken as soon as possible."

The Department's Bureau of Sport Fisheries and Wildlife applied in October, 1958, for the withdrawal of "all tidelands and all adjoining areas of water

extending 3 miles beyond mean low water" adjacent to the Aleutian Refuge. This application was still pending when Alaska was admitted to the Union on January 3, 1959.

The purpose of this proposed withdrawal of tidelands and submerged land was to aid the Bureau in the protection and management of the expanding sea otter population inhabiting the coastal waters of the Aleutian Refuge.

A legal opinion by the Solicitor's Office advised the Secretary that the temporary segregation of these lands under this application did not under all the prevailing circumstances transfer the areas from the jurisdiction of the Bureau of Land Management to the Bureau of Sport Fisheries and Wildlife.

The withdrawal may not now be made, the ruling declared, since the lands are within the areas to which the Submerged Lands Act applies, and the title to those lands has passed to the State of Alaska.

Secretary Seaton expressed the hope that Alaska will promptly take the necessary steps to protect this valuable natural resource with its potential commercial possibilities, whether such steps involve State action only or a cooperative State-Federal approach.

Sea otters once were numbered in the tens of thousands in Alaskan and North Pacific waters. During the Russian occupation of Alaska, they were the object of intense hunting because a silky black sea otter pelt was worth its weight in gold. (In 1804 a single shipment of 15,000 skins valued at more than \$1 million was made from Sitka, Alaska.) At the time the United States acquired Alaska in 1867, these valuable fur-bearing animals had been reduced to the point of commercial extinction by heavy exploitation.

Since 1910 the killing of sea otters has been outlawed, except for limited hunting by Alaska natives beyond the 3-mile limit. Sea otter protection by the Federal Government for nearly 50 years has paid off to the extent that about 30,000 of these sea mammals are now reported to live along the Alaskan and Aleutian Islands coast. A census of the animals in the Aleutian Islands area in May 1959 revealed a population of between 8,000 and 9,000--a very substantial increase over five years ago.

In studies carried on by the Bureau of Sport Fisheries and Wildlife, biologists have found that sea otters cannot live except along certain shorelines, in an area where the water is comparatively shallow, and where sea urchins--their principal food--are found. Kelp beds, where they may rest, play, and hide from killer whales, are also essential to their existence.

Bureau officials are greatly encouraged over the fine increase shown by the sea otters. However, because the animals spend most of their time offshore, they feel it is vitally important to be able to give them protection in the tidal areas.

The Aleutian Islands National Wildlife Refuge was established by Executive order in 1913. The 2,720,235-acre refuge extends throughout most of the island chain. It provides habitat for Emperor geese, ducks, sea birds, ptarmigans, brown bear and caribou in addition to sea otters.

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