

**Puget Sound's Killer Whales to Remain Protected
by Endangered Species Act, NOAA Says**

California Farmers argued they were part of larger population

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NOAA's Fisheries Service has rejected a call from a consortium of farmers in California's Central Valley to remove Puget Sound's killer whales from protection under the Endangered Species Act.

The farm groups – Empress Del Bosque and Coburn Ranch – had petitioned the Fisheries Service a year ago to delist the killer whales, known officially as Southern Residents, arguing that they should never have been listed because they are part of a much larger killer whale population that plies the Pacific Ocean and is healthy and robust.

The Fisheries Service listed Southern Resident killer whales as endangered in 2005. The whales spend summers and early fall in Washington's Puget Sound, where they attract tourists and locals in large numbers. They spend the rest of the year in the open ocean.

Their population has always been small. It peaked at close to 100 in the mid-1990's and now stands at 82 animals. The agency released a recovery plan for them in 2008, with actions to address threats from pollution, vessel traffic and noise, and a limited food supply, mainly Chinook salmon.

The agency said the scientific evidence supports the Southern Resident killer whale listing under the ESA, which was not in error, as the petitioners had maintained. Agency scientists said these killer whales have their own language and preferred food sources, don't interbreed to any significant degree with other killer whale groups and are genetically distinct. That means, the agency said, they meet the ESA's standard for a "distinct population segment," and should remain protected.

The farm groups, which were joined by the Center for Environmental Science Accuracy, were represented by the Pacific Legal Foundation.

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