



## Pacific Fishery Management Council

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Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

June Draft, 2015

Dear :

Thank you for your interest in and your staff's request for Pacific Fishery Management Council (Pacific Council) comments on H.R. 564, the Endangered Salmon and Fisheries Predation Prevention Act. At its June 2015 meeting, the Pacific Council and its Legislative Committee reviewed H.R. 564 and the Pacific Council directed me to convey the following comment.

The Pacific Council is committed to sustainable West Coast salmon fisheries and the recovery of salmon stocks listed under the Endangered Species Act (ESA). The Pacific Council is encouraged by the success of the Marine Mammal Protection Act (MMPA) in restoring healthy marine mammal populations, but is concerned about marine mammal predation on salmon and other stocks at critical migration areas of the Columbia River basin. The Pacific Council is appreciative of your efforts to balance the important statutory requirements of the ESA and the MMPA through H.R. 564's measured and cooperative approach to salmon predation issues on the Columbia River and its tributaries.

Existing predation control efforts are the result of strong coordination between the Oregon, Washington, and Federal natural resources agencies and the Tribes. The Pacific Council believes that this coordination is critical for future management decision and is supportive of H.R. 564's continuation of this cooperative environment. Although lethal removal of California sea lions has occurred in the absence of new legislation, the current process is cumbersome, requiring a lengthy approval process that results in limited and/or delayed removals. The Pacific Council is generally supportive of H.R. 564 as a means of simplifying and streamlining the permitting process go allow a more rapid response to time-sensitive conservation situations. The Pacific Council offers the following specific comments on the bill:

1. The states and Tribes have conducted and documented extensive field studies on salmon predation by marine mammals and have demonstrated sound and responsible stewardship. Therefore, the Pacific Council recommends the permitting process afford greater management flexibility and authority to the States and Tribes. The Pacific Council remains supportive of reasonable Federal oversight, but believes more decisions could be delegated to the permitted State and Tribal entities.
  2. Under the current version of H.R. 564, issued permits would be valid for up to one year. The Pacific Council believes this time interval is appropriate and will eliminate the need for repetitive renewals.
  3. H.R. 564 does not require the States and Tribes to document predation by individual animals before lethal removal permits can be issued and it does not limit the area where
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removal can occur to the immediate tailrace area of Bonneville Dam. The Pacific Council believes that these natural resource management entities have considerable experience and expertise in determining when and where lethal removal is appropriate.

4. The Pacific Council notes that analyses in compliance with the National Environmental Policy Act (NEPA) have been conducted for previous efforts to manage marine mammal predation. In the interest of streamlining the permitting process and to allow a more rapid response to urgent predation issues, the Pacific Council is supportive of the provisions in H.R. 564 that would exempt the proposed process from NEPA so long as this exemption would not delay or diminish the program's effectiveness.

Thank you again for requesting Pacific Council comments on H.R. 564. Should you or your staff have any questions about this letter, please contact me or Ms. Jennifer Gilden, the lead Staff Officer on this matter at 503-820-2280.

Sincerely,

D. O. McIsaac, Ph.D.  
Executive Director

Cc: