



Pacific Fishery Management Council

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

June 25, 2015

The Honorable Jaime Herrera Beutler
U.S. House of Representatives
1130 Longworth HOB
Washington, DC 20515

Subject: Requested Pacific Fishery Management Council Comments on the Endangered Salmon and Fisheries Predation Prevention Act (H.R. 564)

Dear Congresswoman Herrera Beutler:

Thank you for the June 15, 2015 request from your office for review and comment on H.R. 564, the Endangered Salmon and Fisheries Predation Prevention Act by the Pacific Fishery Management Council (Pacific Council). 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. The Pacific Council is encouraged by the success of the Marine Mammal Protection Act 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 appreciates your efforts to balance the important statutory requirements of the Endangered Species Act and the Marine Mammal Protection Act 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 generally supports H.R. 564 as a way to simplify and streamline the permitting process to allow a more rapid response to time-sensitive conservation situations. The Pacific Council offers the following 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
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Council supports 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 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 supports 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

JDG:kma

Cc: Pacific Council Members
The Honorable Kurt Schrader
The Honorable Dan Newhouse
The Honorable Cathy McMorris-Rodgers
The Honorable Michael Simpson
Salmon Technical Team
Salmon Advisory Subpanel