Pending Columbia River Legislation

Michael Gosliner
General Counsel
Marine Mammal Commission
Current bills

• H.R. 2083 and S.1702
• Virtually identical
• Would amend MMPA section 120
• House Bill was reported out of Committee
• Both bills still in flux
Key provisions

Would allow NMFS to issue permits authorizing lethal removals of non-depleted sea lions to 3 States and 6 Tribes/Tribal entities.

Limit of 100 sea lion per permit with annual total not to exceed 10% of PBR

PBRs

California sea lions = 9,200
Eastern stock Steller sea lions = 2,498
Key Provisions cont.

- Revises “individually identifiable” criteria
  - Upstream of river mile 112
  - In any tributary that contains spawning habitat for Endangered or Threatened salmon or steelhead
- Eliminates “significant negative impact” criterion
- Protects ESA listed salmon and other non-listed fish species
Procedures

- 30 days to approve or deny a permit
- 5-year exemption from NEPA
- Permit authority could be delegated to other eligible entities
Questions

• How many pinnipeds occur in areas subject to removals?
• What evidence is there that all sea lions in these areas are significant predators?
• Why use river mile 112 as the cut-off?
• How would removals be accomplished?
• Are proposed removal entities appropriate?
• Why have multiple entities if permits can be consolidated?
• How will permit holders coordinate their activities?
• What non-listed fish species warrant removals of pinnipeds?