

HOUSE BILL ANALYSIS

HJM 4023

Title: An act relating to salmon recovery.

Brief Description: Requesting federal support for Washington's efforts toward salmon recovery.

Sponsors: Representatives Buck, Doumit, Sump, Regala, G. Chandler, Anderson, Ericksen, Rockefeller, Clements, Stensen, Eickmeyer, Lovick, Edwards, O'Brien, Linville, Parlette, Mulliken, Dickerson, Conway, Mitchell, Wolfe, Edmonds, Veloria, Santos, Skinner and Kagi.

HOUSE COMMITTEE ON NATURAL RESOURCES

Meeting Date: February 1, 2000.

Bill Analysis Prepared by: Carole Richmond, Analyst (786-7114)

Background:

The Marine Mammal Protection Act was enacted in 1972, due in part to a high level of dolphin mortality in the eastern tropical Pacific tuna purse seine fishery. The act established a moratorium on the taking— of marine mammals in U.S. waters and by U.S. nationals on the high seas. Under the act, the Secretary of Commerce, acting through the National Marine Fisheries Service (NMFS), is responsible for the conservation of whales, dolphins, porpoises, seals, and sea lions. The Secretary of the Interior, through the Fish and Wildlife Service, is responsible for other marine mammals. The Marine Mammal Protection Act shifted marine mammal management authority from states to the federal government.

Several stocks of salmon in the Pacific Northwest were listed as threatened or endangered in 1998 and 1999. Several species of groundfish are also proposed for listing. Concurrently, population of California sea lions and Pacific harbor seals have been increasing. The NMFS conducted a scientific investigation in 1997 to determine the effect of pinniped (seal and sea lion) predation on salmonid populations and west coast ecosystems. In 1999, NMFS issued a report to Congress that included the findings of the investigation and a set of four recommendations to address the adverse impacts of pinniped predation that were developed through discussions among NMFS, the Pacific States Marine Fisheries Commission, and the fish and wildlife agencies from Washington and Oregon.

The National Marine Fisheries Service found that predation by pinnipeds was not a principal factor in the listing or proposed listings of salmon under the endangered species act, but that it was a factor that may affect the recovery of depressed salmonid populations.

The report's recommendations were:

- Implement site-specific management for California sea lions and Pacific harbor seals;
- Develop safe, effective non-lethal deterrents;
- Selectively reinstate authority for the intentional lethal taking of California sea lions and Pacific harbor seals by commercial fishermen to protect gear and catch; and
- Develop additional information about pinniped predation.

Summary of Bill:

The state of Washington is acknowledged as having invested a great deal of effort and funding to recover salmon populations. Predation by pinnipeds is viewed as a significant issue for recovery of listed fish species. The Marine Mammal Protection Act is viewed as ineffective in managing harbor seal and California sea lion predation on salmonids. Therefore, the President and Congress are requested to enact legislation that amends the Marine Mammal Protection Act of 1972 to be responsive to the recommendations contained in the report to Congress entitled Impacts of California sea lions and Pacific harbor seals on Salmonids and West Coast Ecosystems.— Congress is also requested to fund joint research on pinniped interactions with salmonids and to provide at least limited management authority for state and federal agencies to remove pinnipeds preying on listed fish species at areas of restricted fish passage.