

# SENATE BILL REPORT

## HJM 4023

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As Reported By Senate Committee On:  
Natural Resources, Parks & Recreation, February 23, 2000

**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.

**Brief History:**

**Committee Activity:** Natural Resources, Parks & Recreation: 2/23/2000 [DP].

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### SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

**Majority Report:** Do pass.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Hargrove, Morton, Oke, Rossi, Snyder, Spanel and Stevens.

**Staff:** Ross Antipa (786-7413)

**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.

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, the population of California sea lions and Pacific harbor seals has been increasing. The National Marine Fisheries Service conducted a scientific investigation in 1997 to determine the effect of pinniped (seal and sea lion) predation on salmonid populations and west coast ecosystems. The National Marine Fisheries Service (NMFS) 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.

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. 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.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** Marine mammals are preying upon endangered salmon and trout in situations where the fish must migrate through areas of restricted passage. Additional options are needed to control problem— marine mammals that have learned to exploit endangered fish stocks.

**Testimony Against:** None.

**Testified:** PRO: Norm Winn, The Mountaineers; Rocky Beach, WDFW; Frank Urabeck, Northwest Marine Trade Association/Trout Unlimited; Wayne Beckwith; Steve Robinson, NW Indian Fisheries Commission.