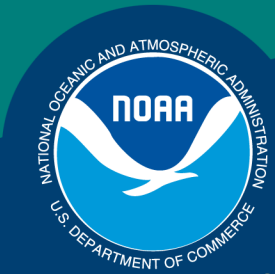


Science, Service, Stewardship



Marine Mammal Protection Act Section 120–Pinniped Removal Authority

Status of the Marine Mammal Protection Act Section 120(f) Application

NOAA

**NOAA
FISHERIES
SERVICE**

April 3, 2020

Robert Anderson
National Marine Fisheries Service

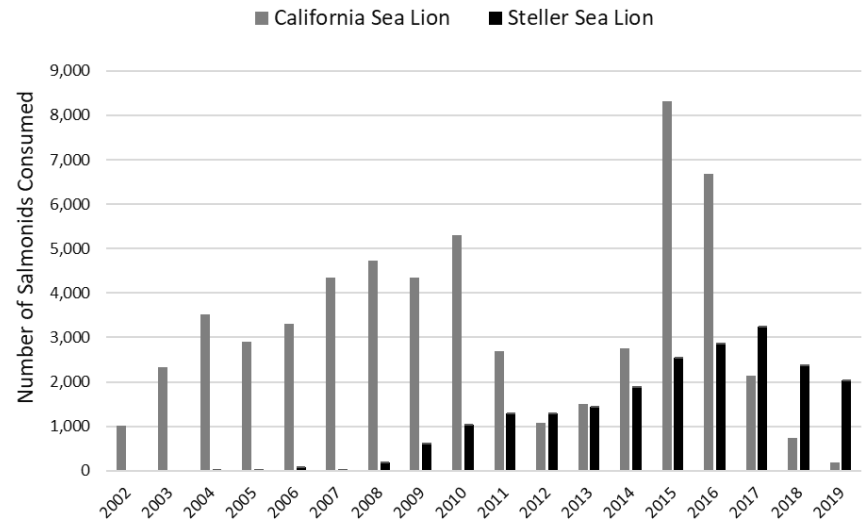
Bonneville Dam MMPA §120 Program Summary

Year	Bonneville Dam				Willamette Falls	Astoria		Total
	Placed in captivity	Accidental mortality		Euthanized	Euthanized (spring)	Euthanized (spring)	Euthanized (fall)	
		On list	Qualified					
2008	6	2	1	2				11
2009	4				10		1	15
2010					12		2	14
2011						1		1
2012	1				11		1	13
2013	2				2			4
2014					15			15
2015	2			2	30			34
2016					59			59
2017					24			24
2018					28	1		29
2019					19	(3*)		19
Total	15	2	1	4	210	1	4	238**

Summary of California sea lion removals under States' Bonneville Dam MMPA §120 removal authorization. Removals are categorized by location, season, and outcome. Accidental mortalities are further categorized by whether animals were on the list for removal or had qualified to be on the list (Steingass et al. 2019)..

Year	California Sea Lions			Steller Sea Lions		All pinnipeds	
	Bonneville Dam Salmonid Passage	Adjusted Salmonid Consumption Estimates	% Run	Adjusted Salmonid Consumption Estimates	% Run	Adjusted Salmonid Consumption Estimates	% Run
2002	284,732	1,010	0.4%	0	0.0%	1,010	0.4%
2003	217,934	2,329	1.1%	0	0.0%	2,329	1.1%
2004	186,771	3,516	1.9%	7	0.0%	3,533	1.9%
2005	81,252	2,904	3.5%	16	0.0%	2,920	3.4%
2006	105,063	3,312	3.1%	85	0.1%	3,401	3.1%
2007	88,474	4,340	4.7%	15	0.0%	4,355	4.7%
2008	147,558	4,735	3.1%	192	0.1%	4,927	3.2%
2009	186,056	4,353	2.3%	607	0.3%	4,960	2.7%
2010	267,167	5,296	1.9%	1,025	0.4%	6,321	2.4%
2011	223,380	2,689	1.2%	1,282	0.6%	3,970	1.8%
2012	171,665	1,067	0.6%	1,293	0.7%	2,360	1.4%
2013	120,619	1,497	1.2%	1,431	1.2%	2,928	2.4%
2014	219,929	2,747	1.2%	1,874	0.8%	4,621	2.1%
2015	239,326	8,324	3.3%	2,535	1.0%	10,859	4.3%
2016	154,074	6,676	4.1%	2,849	1.7%	9,525	5.8%
2017	109,040	2,142	1.9%	3,242	2.8%	5,384	4.7%
2018	100,887	746	0.7%	2,368	2.3%	3,112	3.0%
2019	63,591	176	0.3%	2,022	3.1%	2,201	3.3%

Adjusted consumption estimates on adult salmonids (including adults and jacks) by California and Steller sea lions at Bonneville Dam during the spring sampling period from 2002 to 2019 (Tidwell et al. 2020).



Adjusted estimates of salmonid consumption by California and Steller sea lions at Bonneville Dam during the spring sampling period from 2002 to 2019 (Tidwell et al. 2020).

Amendments to the Marine Mammal Protection Act Section 120(f)

In 1994, Congress amended the Marine Mammal Protection Act (MMPA), adding section 120, which established a process for authorizing the intentional lethal take of individually identifiable pinnipeds that have a significant negative impact on the decline or recovery of salmonid fishery stocks (16 USC § 1389).

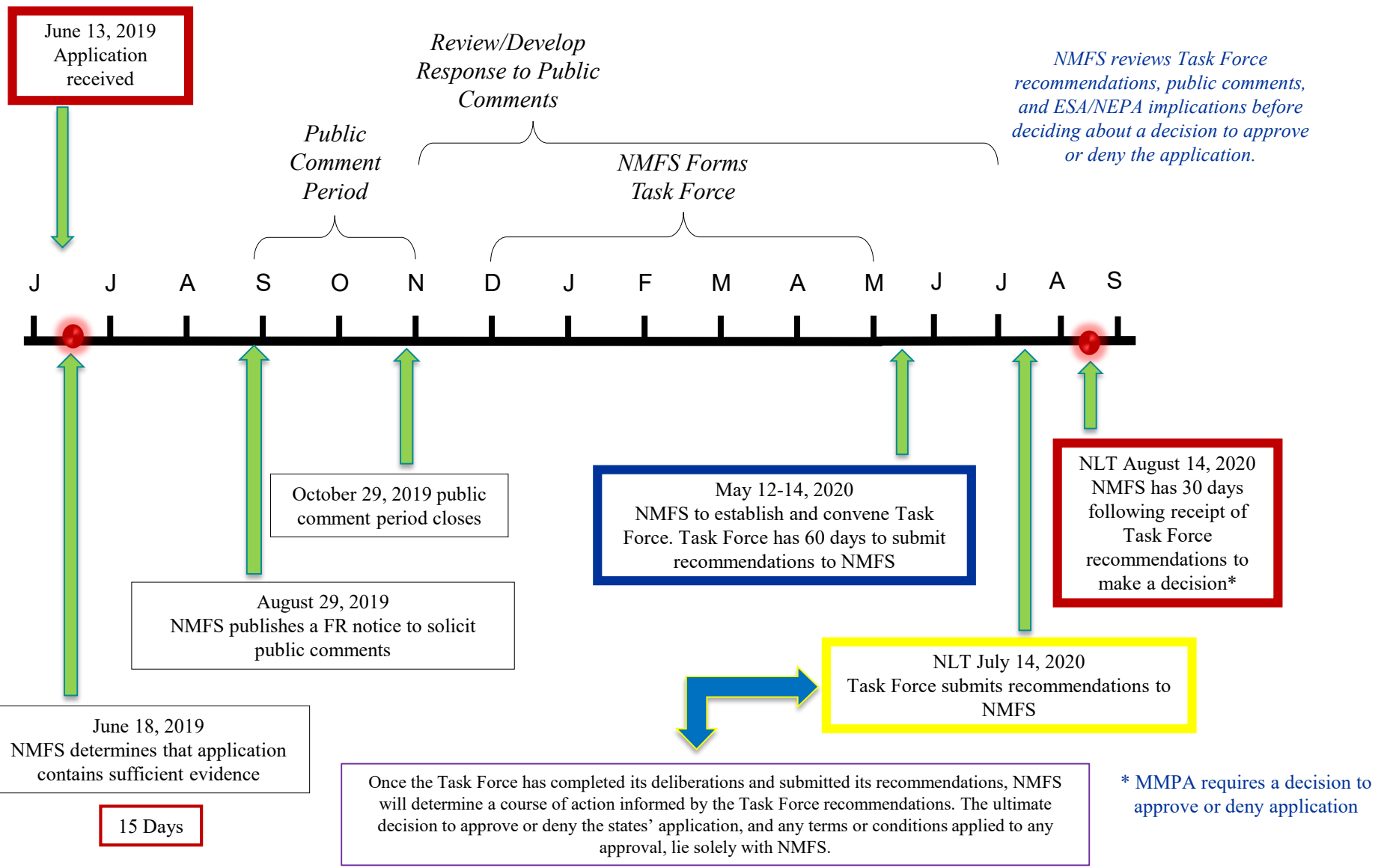
Public Law 115-329, the Endangered Salmon Predation Prevention Act of 2018, amended Public Law 103-238, the MMPA Amendments of 1994, by replacing section 120(f) of the MMPA with a new subsection (f). Section 120(f) of the MMPA authorizes the intentional lethal taking of sea lions, for the purpose of protecting species of salmon, steelhead, or eulachon that are listed as endangered species or threatened species under the Endangered Species Act, and for species of lamprey or sturgeon that are not so listed as endangered or threatened but are listed as a species of concern; in the mainstem of the Columbia River from river mile 112 (I-205 Bridge) to river mile 292 (McNary Dam), or in any tributary to the Columbia River that includes spawning habitat of threatened or endangered salmon or steelhead is deemed to be having a significant negative impact, within the meaning of subsection (b)(1).

Application

On June 13, 2019, the Oregon Department of Fish and Wildlife, the Washington Department of Fish and Wildlife, the Idaho Department of Fish and Game; the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation; and the Willamette Committee* (hereafter called – “eligible entities”) submitted an application pursuant to section 120(f) of the Marine Mammal Protection Act to the National Marine Fisheries Service requesting authorization to intentionally take, by lethal methods, California sea lions and Steller sea lions that are located in the main stem of the Columbia River between river mile 112 (I-205 Bridge) and river mile 292 (McNary Dam), or in any tributary to the Columbia River that includes spawning habitat of threatened or endangered salmon or steelhead.

*MMPA section 120(f)(6)(D) Committee.

MMPA Section 120(f) – Decision-Making Process and Prospective Timeframes



Questions?



Richard Devlin
Chair
Oregon

Ted Ferrioli
Oregon

Guy Norman
Washington

Patrick Oshie
Washington



Northwest Power and Conservation Council

Bo Downen
Vice Chair
Montana

Jennifer Anders
Montana

Jim Yost
Idaho

Jeffery C. Allen
Idaho

April 7, 2020

MEMORANDUM

TO: Council members

FROM: Mark Fritsch

SUBJECT: Update on the Marine Mammal Protection Act Section 120(f) Permit Application

BACKGROUND:

Presenter: Robert Anderson, National Marine Fisheries Service, West Coast Region, program manager for pinniped-fishery interactions on the West Coast will provide an overview and status update on the application requesting authority to remove, by lethal means, California sea lions (CSL) and Steller sea lions (SSL) that are located in the Columbia River and select tributaries.

Summary: In June 2019 the IDFG, WDFW, ODFW, NPT, CTUIR, CTWSRO and YN requested authorization for more flexibility in effectively managing CSL and SSL predation, and proposed to reduce the existing habituated population and to manage proactively by not allowing new animals to habituate within the mainstem Columbia River and select tributaries. The expected benefit of sea lion removal program in the Columbia River basin is to reduce or eliminate this significant source of mortality to listed and non-listed fish species, e.g., salmonids and eulachon, and lamprey and white sturgeon, respectively.

Relevance: One of the Council's emerging priorities from the 2014 Fish and Wildlife Program addresses "preserving program effectiveness by supporting expanded management of predators"

Workplan: Fish and Wildlife Division preliminary work plan 2020; Program Implementation (2014 Program and 2020 addendum); Other program implementation.