



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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June 12, 2013

Honorable Doc Hastings, Chairman
House Natural Resource Committee
1324 Longworth House Office Building
Washington, DC 20515

Re: The Endangered Salmon and Fisheries Predation Prevention Act (H.R. 1308)

Dear Chairman Hastings:

The Columbia River Inter-Tribal Fish Commission (CRITFC) was formed in 1977 by resolutions from the four Columbia River treaty tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and Nez Perce Tribe. CRITFC's mission is to ensure a unified voice in the overall management of the fishery resource and to assist in protecting reserved treaty rights through the exercise of the inherent sovereign powers of the tribes. CRITFC provides coordination and technical assistance to the tribes in regional, national and international efforts to ensure that current and outstanding treaty fishing rights issues are resolved in a way that guarantees the continuation and restoration of our tribal fisheries into perpetuity.

California sea lion problems exist in many waters along the Pacific coast but perhaps nowhere more problematically than in the Columbia River. We support *The Endangered Salmon and Fisheries Predation Prevention Act* and encourage swift passage into law. This legislation will help us employ new alternatives to help us deal with select animals responsible for the greatest impact to endangered salmon and other species at risk. This legislation can ease the depredation occurring on our treaty protected resources as well as help curb predation on ESA listed species over the next five critical years. We should not be forced to stand back as sea lion predation leads to other species, such as sturgeon and lamprey, becoming listed under ESA.

The tribes, along with the states and NOAA, estimate 18,000 to 25,000 adult salmonids are lost to sea lions annually between Bonneville Dam and the mouth of the river. Salmon are concentrated at the Bonneville Dam fish ladder entrances making them particularly vulnerable to sea lion predation. In addition, impacts by sea lions are disproportionately distributed on the early portion of the run. During March and April there are many days when the take by sea lions exceeds the fish count in the ladders. The annual sea lion take is higher than our tribes' combined spring ceremonial and subsistence harvest. In spite of

containment efforts a few sea lions have passed above the Bonneville Dam lock and established themselves year-around. The Columbia River Inter-Tribal Fisheries Enforcement headquarters has a detailed inventory of reports from tribal members chronicling sea lion damage to fishing gear and lost salmon. Attached for your information are three pages of documented reports in the Bonneville pool since March.

Sampling data from 2001-2012 shows that an average of 29% of the spring salmon passing through Bonneville's fish ladder have suffered some form of injury caused by marine mammals. Those salmon that escape with harsh wounds are less likely to survive their upstream journey and may not successfully spawn. Tribal and non-tribal fishermen who harvest these injured fish cannot fully utilize them for their subsistence, sport and commercial value.

There are provisions for de-listing species under the ESA; something we all aspire to achieve with salmon. The same consideration should be given to marine mammals who have achieved their optimum sustainable populations as provided under the MMPA. We agree with the legislative language calling for the Secretary of Commerce to issue Congress a report on the issue of marine mammal predation on ESA listed species. MMPA is overdue for reauthorization and we urge Congress and the Administration to take this matter up and reconcile the disparity over one species being caught in the middle when two environmental protection laws clash.

The U.S. made many promises beginning in 1855 with our treaties and subsequently when the dams were constructed. The treaty rights are meant to preserve our physical, cultural and economic livelihood. The U.S. committed to protecting these rights. We were further promised that any harm done to our fisheries attributed to the dams would be mitigated. Bonneville Dam created an artificial situation the sea lions have learned to exploit. It is not our interest to select one species over another. Rather, we do accept the responsibility to strive for balance in a radically altered system. To that end we particularly endorse the inclusion of tribal management in H.R. 1308, the lack thereof being a weakness in the original Marine Mammal Protection Act that persists today.

We need effective management tools to deal with the growing sea lion depredation timely solutions to protect our ceremonial, subsistence and commercial harvests for salmon, lamprey and sturgeon. Therefore we support H.R. 1308 and encourage its timely passage into law.

Sincerely,



N. Kathryn Brigham
Chairwoman

Attachments



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Upstream of Bonneville Dam

We believe that 4 California sea lions are in the Bonneville pool. One animal has been upstream of Bonneville Dam for 3 years. Sightings of these animals range from The Dalles Dam tailrace to the Bonneville Dam forebay.

Table 1. Reports of sea lions in the Bonneville Pool in 2013.				
Date	Observer	# sea lions	location	notes
3/1/2013	Phillip Watlamet & Michael McConville	1 CSL	Washington Point near Nav Marker 60	Eating a large sturgeon
3/13/2013	Tribal member	2 CSL	Islands below The Dalles Dam	
3/27/13	Tribal member	CSL	West of Thunder Island	
4/4/2013	Tribal member	CSL	I-84 MM57 on Oregon side	Est 400-500 lbs
4/4/2013	Tribal member	CSL	Oregon side across from Cooks In-Lieu site.	Haul out site for CSL
4/6/2013	Phillip Watlamet	CSL	Washington point across from the Discovery Center to Lyle Landing	
4/6/2013	Phillip Watlamet	CSL	Scaffolds near the Dalles Dam	
4/8/2013	Officer Daniel	Sea lion	West end of Mayer State Park	Minor net damage
4/9/2013	Tribal member	Sea lion	West end of Mayer State Park	
4/10/13	Gary Morris (Lyle, WA)	Large sea lion	¼ mile east of the Discovery Center, near the small island.	Eating fish from a gillnet.

4/10/13	William Zack YN12354	Large black sea lion	Near the Stevenson Cemetery	Sea lion was messing with gillnets. Observed that the animals hauls out on the middle island near the Stevenson Cemetery.
4/10/13	Albert Kalama WS2172	4 sea lions	Near Stevenson Landing and Stevenson Cemetery.	3 animals 400-500lbs and 1 smaller 150lb animal. Observed eating salmon and sturgeon. One had blood in its teeth.
4/6/13	YIN tribal member	Net damage from sea lions	I-84 MM56	
4/15/13	Francis Tulee	Observed a sea lion swimming	Port of Stevenson	
4/1/13	Francis Tulee	Observed a sea lion swimming	Port of Stevenson	
4/18/13	CTUIR employee	Sea lion	Stevenson Cemetery 0730 to 0800 hr	
4/17/13	Tribal Fisher	Sea lion	Sternwheeler dock in Stevenson	Seen at 1845hrs
4/15/13	Tribal Fisher	Sea lion	Port of Stevenson	Animal was about 10 feet long
4/19/13	Officer Journey	Sea lion	Hamilton Island	
4/30/13	Tribal Fisher	Net damage	Oregon side MM56	2 large holes in net
4/30/13	Preston Bronson	Sea lion	Stevenson sternwheeler dock	In the area the past 2 mornings
5/2/13	YN tribal member	Sea lion	below The Dalles Dam. It is feeding in the area near the bucket, on the South west side	

			of the dam. He stated that it was very large and dark in color. He could not see any markings or brands on it.	
5/4/13	Tribal Fisher	4 sea lions 3 adults and 1 juvenile.		Juvenile animal was eating a salmon and the largest individual was eating a 5 ft sturgeon
5/8/13	Preston Bronson	1 or 2 animals generally seen around 0730 and 0800.	Receiving reports of sea lion sightings near Ash Lake.	
5/8/13	Preston Bronson	1 animal in the area.	Receiving reports of sea lion sightings near the old locks at Cascade Locks	
5/18/13	Officer Journey	1 sea lion	Lone Pine	

The states deployed a portable trap at The Dalles Marine in April. They moved the trap once and replaced barricades on two docks two or three times during their weekly visits. Reports continue to indicate that a sea lion is still using the docks at the marina. The field camera stationed on the trap shows the animal has not used the trap yet. They plan to deploy a large trap near the Stevenson Cemetery this week.