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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

Opening Statement of
Chairman Doc Hastings

Committee on Natural Resources

On Thursday, November 14, 2013

1324 Longworth House Office Building

Full Committee Markup on

H.R. 1308, H.R. 2798, H.R. 2824, H.R. 3008, H.R. 3188 and H.R. 3189

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H.R. 1308 ensures and clarifies that the Secretary of Commerce has the necessary authority and flexibility to issue permits to the States of Washington, Oregon, Idaho and Columbia River tribes to control predatory sea lions that prey on endangered salmon and other fish resources in the Columbia River and its tributaries.

In September, I was pleased that the Ninth Circuit Court of Appeals upheld the National Marine Fisheries Service's limited authority under the Marine Mammal Protection Act to control certain predatory California sea lions.

This followed seven years of states applying, but failing to obtain authority to control predatory California sea lions, including three requests that were approved by the National Marine Fisheries Service, went through careful and extensive NEPA review and the Pinniped-fishery Interaction Task Force, and extensive public comments.

From 2006 until this year, continual lawsuits blocked reasonable efforts to control sea lions, the sea lions in the Columbia River grew in numbers and ate more endangered salmon and other fish species.

However, the Ninth Circuit's ruling merely affirms the current, unwieldy NMFS process that allows for control only of certain sea lions under certain conditions, and follows years of litigation, motions for injunctions, appeals. The ruling does not impact another population of sea lions in the Columbia River that also are a huge threat to salmon.

Last month, with the support of the states of Washington, Oregon and Alaska, NOAA de-listed a population of Steller sea lions that had grown so large in population that it had perhaps, become an even greater threat to endangered Columbia River salmon than the California sea lions the states have sought so long to control.

Unfortunately, the current law as written will require states to go through a whole new, lengthy reapplication process just to control these newly de-listed Steller sea lions, likely resulting in renewed lawsuits and delays.

H.R. 1308 would remedy this problem by ensuring that NOAA has needed authority to address all healthy sea lion populations that prey on endangered salmon, and allow the states the ability to protect other fish species from being listed under ESA.

In addition, H.R. 1308 allows not only the Northwest states, but also qualified tribes to also obtain permits—something not now provided for under current law.

This bill—rather than relying on lawyers and uncertain courtroom rulings—clarifies and underscores that the Secretary of Commerce has authority to do what is necessary to protect the Northwest's valuable endangered salmon resource.

I have two letters dated June 12, 2013, one from the Directors of the States of Oregon and Washington, and the other from the Columbia Intertribal Fish Commission, both in support of H.R. 1308, and I would ask unanimous consent that they be admitted into the record. I would also note that this measure has the bipartisan support of several of our Northwest colleagues, including Congressmen Walden, Simpson, Schrader, and Congresswoman Herrera Beutler.

I recommend the Committee approve this bipartisan bill today.