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April 30, 2020

Barry Thom  
Regional Administrator, West Coast Region  
NOAA Fisheries  
1201 NE Lloyd Boulevard, Ste. 1100  
Portland, OR 97232

Dear Regional Administrator Thom,

I am writing to inquire about the status of the application Washington State and the other eligible entities submitted in June of 2019 to the National Marine Fisheries Services (NMFS or NOAA Fisheries) under the new expanded Section 120 authority that allows for the authorization to lethally and intentionally remove sea lions on the Columbia River and its tributaries. Furthermore, I am writing to request that NOAA Fisheries update my office on what steps the agency is taking to mitigate the potential impact of COVID-19 on NMFS and the ability to approve the new Section 120 application.

In 2018, I helped lead the passage of H.R. 2083/S. 3119, the Endangered Salmon Predation Prevention Act, to expand the states' and tribes' ability to lethally remove sea lions that are decimating salmon and steelhead runs. The states' and tribes' subsequent Section 120 application seeks to fully utilize the authority granted by this legislation to conduct sea lion removal activities across the expanded geographic area and across pinniped subspecies. I understand that prior to the issuance of an authorization, NOAA Fisheries is required to convene a Pinniped-Fishery Interaction Task Force and consider its recommendations. I emphasize that the intent of the legislation is to provide greater flexibility to the states and tribes to proactively deter habituation and predation throughout the Columbia River, and it is important to recognize the investments by the applicants who are counting on a timely permitting process.

In anticipation of the new authorization's issuance, the states and tribes have responded by dedicating funds to the future removal program. Specifically, the Washington State Legislature recently recognized the importance of the new authorization by providing a \$462,000 supplemental appropriation for the Washington Department of Fish and Wildlife to adequately staff and operate increased pinniped removals. Full implementation of the removal program outlined in its application is critical to building on current sea lion removal efforts, which have produced very promising results in nearby waterways.

For example, at Willamette Falls 33 California sea lions were removed and wildlife managers have witnessed no sea lions return to that location since August of 2019. Prior to these removals in 2017, only 822 winter steelhead made it to the upper river system. This year, 2,400 have returned and wildlife experts project that 3,200 will have made it back by the end of this season. While very encouraging, this success has been limited due to restrictions in current law, underscoring the need for the quick implementation of the Endangered Salmon Predation Prevention Act. The California sea lion population in the Columbia River has increased to 4,000 as management efforts are currently

limited to Bonneville Dam and Willamette Falls. Further, because the states are unable to remove Steller sea lions under the current authorization, their numbers and presence at Bonneville Dam are increasing every year. In 2018, a minimum of 66 Steller sea lions were observed at the dam during a single day, and this species is now present 11 months out of the year.

Given this growing threat to fish survival, it is critical that your agency is anticipating and mitigating for any potential COVID-19-related impacts on the application process. States and tribes must have an authorization in place that fully reflects the scale of program requested in their application so that they are able to proactively remove those animals contributing to the decline of our salmon and steelhead.

I appreciate your attention to these important issues. If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jaime Herrera Beutler". The signature is written in a cursive, flowing style.

Jaime Herrera Beutler  
Member of Congress