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July 22, 2015

The Honorable John Fleming  
2182 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jared Huffman  
1630 Longworth House Office Building  
Washington, D.C. 20515

Dear Chairman Fleming and Ranking Member Huffman:

On behalf of The Humane Society of the United States and our millions of supporters nationwide, we are writing in opposition to H.R. 564, the “Endangered Salmon and Fisheries Predation Prevention Act.”

While ostensibly aimed at protecting endangered salmon stocks, in reality this bill creates an open season on sea lions in the Columbia River. The bill would allow for the killing of any sea lion there seen eating a fish—normal behavior for sea lions, whose diets are fish-based—whether or not that fish is listed under the Endangered Species Act (ESA). Not only would this legislation dangerously undermine the Marine Mammal Protection Act (MMPA) and the National Environmental Policy Act (NEPA) by creating a piecemeal exemption, it could set the stage for continued erosion of these laws through additional exemptions of this nature. In exempting the bill from complying with NEPA, this bill also seeks to bypass public input, allowing lethal permits to be granted by the states in the absence of public scrutiny.

Perhaps even more dangerously, H.R. 564 simply distracts attention from the government’s failure to address the much larger and real problems facing salmon recovery. Salmon runs in the Columbia River began to decline following construction of the Bonneville Dam. Other problems facing the fish include degraded spawning habitat, loss of water due to agricultural drawdowns in drought years, poorly operated hatchery programs that actually compete with the wild salmon, and fishing by commercial, recreational, and tribal fisheries that can take up to 17 percent of the ESA-listed fish each year. The states have also stocked the river with non-native bass and walleye to please sport fishermen, even though the government estimates these “invaders” consume up to 2 million juvenile salmon each year. In contrast, sea lions have been documented eating only between one and five percent of the ESA-listed spring run of fish. Listed salmonids comprise only 20 percent of the spring run, so most of the fish consumed by sea lions are not in fact in an ESA-listed run.

Far from declining, the National Marine Fisheries Service has reported to Congress that the spring salmon runs in the Columbia are “stable or increasing” in recent years, with some recent years showing record-sized runs. Predation is not adversely impacting the runs. In fact, in 2015, there were so many surplus fish returning that the news reports document that the states discarded “upwards of 750,000 excess fish” that were not allowed to spawn.

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We agree that the Columbia River salmon must be protected, and we hope you will set aside H.R. 564 and focus instead on a supporting sustainable long-term solution for salmon stock recovery.

In closing, H.R. 564 would seriously erode the MMPA and NEPA, and if passed could have long-lasting and damaging implications not only for sea lions, but potentially for all species protected under the ESA. The Humane Society of the United States opposes this bill, and we urge you to oppose it as well. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Nicole Paquette". The signature is written in a cursive, flowing style.

Nicole Paquette  
Vice President, Wildlife  
The Humane Society of the United States