



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

700 NE Multnomah Street, Suite 1200
Portland, Oregon 97232

(503) 238-0667
www.critfc.org

Submitted via email Hannah.Garrett@mail.house.gov

December 22, 2025

The Honorable Harriett Hageman
Chairwoman, Water, Wildlife and Fisheries
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

RE: Questions for the record, from 12.03.25 Water, Wildlife and Fisheries Subcommittee oversight hearing

Dear Chair Hageman:

The Columbia River Inter-Tribal Fish Commission (CRITFC) appreciates the opportunity to provide responses to questions for the record, from 12.03.25 Water, Wildlife and Fisheries Subcommittee oversight hearing. Please find the responses below the italicized questions.

Q: Ms. DeCoteau, from your experience, what modifications to the Marine Mammal Protection Act (MMPA) could help with current and future fisheries/pinniped interactions?

Congress should modernize the Marine Mammal Protection Act (MMPA) by expanding conservation and management authority to include federally recognized tribes to respond to current and future fisheries/pinniped interactions. Currently, tribal management is only recognized under Sec 120(f). However, tribes, such as the four Columbia River Treaty Tribes, have proven that they possess the natural resource management capacity and expertise to deliver results independently and as managers alongside federal and state agencies. Modernizing the MMPA by recognizing federally recognized tribal authority expands collaborative capacity and promotes NOAA, tribal and state partnerships to remove marine mammals more effectively and efficiently.

MMPA Section 120 currently requires the capture, marking, release, and observation of individual animals having a significant negative impact on listed salmonids. Removal can be conducted at this point when the animal is captured a second time. This is too restrictive given complex river geographies, pinniped intelligence, and the sheer number of animals. We recommend that management should be population-based and specific to particular areas to be effective and efficient. This change would give the MMPA the flexibility needed to address new and emerging fisheries / pinniped interactions. Our primary goal in the Columbia River is to address the groups of habituated male animals via lethal removal and disrupt learned behaviors within the sea lion populations. The responsibility to develop and implement the larger scale management actions of the larger eastern Pacific pinniped populations is an essential task for NOAA as the federal management agency.

A dedicated management section in the MMPA should be developed reflective of the statute's management goals which mandates an ecosystem-based approach to marine

resource management. MMPA Section 2 states “(6) marine mammals have proven themselves to be resources of great international significance, esthetic and recreational as well as economic, and it is the sense of the Congress that they should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem. Whenever consistent with this primary objective, it should be the goal to obtain an optimum sustainable population (OSP) keeping in mind the carrying capacity of the habitat.”

Some pinniped stocks, including California sea lions, have surpassed OSP and need population management actions which consider the full ecosystem, particularly at-risk fish populations. California sea lions exceeded OSP in the early 2000’s and have hovered near carrying capacity since about 2008. Carrying capacity for California sea lions is double the value of OSP.

An amended Section 120(f) should provide authority for federally recognized tribes, states, and NOAA to develop and implement management plans for marine mammals, especially in cases where a marine mammal population has clearly recovered or is demonstrating substantial annual population increase.

In addition to MMPA authorizations, we should not overlook congressional appropriations that fund essential sea lion removal implementation and management actions for NOAA, tribes and states to ensure success. We urge this Subcommittee to support Appropriations Committee efforts to fully fund management actions designed to deliver effective implementation and success in managing pinniped populations. Furthermore, we urge Congress to make pinniped management a clear priority for NOAA-Fisheries. NOAA-Fisheries must put more resources into developing sea lion assessment and management tools including estimates of population abundance, optimal sustained population, potential biological removal, carrying capacity, sea lion predation estimates on all life stages of salmon in the lower Columbia River, and pass through funding to tribes and states for removal efforts. NOAA-Fisheries developed assessments are a necessary component to the creation of management actions that address long term needs and sustainability.

The Columbia River Inter-Tribal Fish Commission welcomes the opportunity to assist with developing amendments to modernize MMPA. Additionally, we invite you, other subcommittee members, and your staff to visit the Columbia River to see first-hand the impacts and our efforts to address the pinniped effects on fishery resources in the Pacific Northwest.

Q: Ms. DeCoteau, looking at the amendment to MMPA Sec 120(f) for the Columbia River, what modifications are needed to rely on lessons learned in overcoming ongoing pinnipeds predation challenges?

To effectively address the ongoing Columbia River pinniped predation challenges, several modifications to MMPA Sec 120(f) are essential.

First, we need flexibility to adapt to changing pinniped behavior. For example, the current removal authority allows for tributary removals. Our recent experience however is that the bulk of the haul out locations for sea lions predating on fish within these tributaries are in the adjacent mainstem Columbia River. This creates a situation where we are unable to

effectively trap animals for removal and unable to implement the intent behind the creation of Section 120(f).

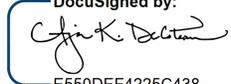
Second, Congress should amend the MMPA to enable the states and tribes to exercise maximum professional judgement developed from years of pinniped management. For instance, the exclusion of firearms in Sec 120(f) overlooks the fact that they are considered a humane method of euthanasia by professionals. All aspects of the removal process are dictated by the associated Institutional Animal Care and Use Committee (IACUC). Decisions on effective take methods would be better handled by each project's IACUC than in legislation.

By incorporating these modifications, we can create a more adaptive and effective management strategy to address the evolving challenges posed by pinniped predation on the Columbia River.

In anticipation of future challenges, such as sea level rise potentially forcing sea lion rookeries northward and increasing pressure on Columbia River salmon stocks, it is important to have a flexible real time management process rather than developing site-specific legislative amendments.

We appreciate the tribal authority Congress provided under 120(f). We urge this Subcommittee to support efforts in the Appropriations Committee to fund sea lion removal actions in order to deliver effective implementation and increased success in managing pinniped populations. Providing removal authority without funding makes implementation challenging and decreases the likelihood of success. With adequate funding we could more effectively implement the intent of the amended MMPA Section 120(f) and protect the Endangered Species Act listed Columbia River salmonids.

Sincerely,

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Aja K. DeCoteau
Executive Director