

## **Ruling lets sea lions be killed**

### **Criterion is damage to protected salmon**

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PORTLAND - A federal agency has authorized the killing of some California sea lions that prey on migrating salmon and steelhead at the base of Bonneville Dam on the Columbia River.

The lethal removal is limited to sea lions deemed to have a significant effect on the decline or recovery of federally protected salmon and steelhead stocks, and the offenders must have been seen eating salmonids between Jan. 1 and May 31 of any year, the National Marine Fisheries Service said in an order obtained by the Associated Press late Monday.

Sea lions are protected under the 1972 Marine Mammals Protection Act, and the allowable kill would be limited to about 85 animals.

The ruling, scheduled to be released today, identifies about 60 sea lions "authorized for immediate removal." Sea lions captured in traps must be held for at least 48 hours before they are euthanized. In that time, it will be determined if a permanent holding facility can be found, such as a zoo, aquarium or research facility.

An amendment to the 1972 act permits the killing of sea lions if Columbia River states ask for and get federal permission. Oregon and Washington asked for permission in 2006, and Idaho offered its support.

Permission was granted only once before - in the 1990s - for sea lions in the Ballard Locks in Puget Sound, where five animals were identified as offenders who drastically diminished a steelhead run that has yet to recover.

Three were taken in by an aquatic park before they were killed. The fate of the other two has not been made public.

The list of sea lions specifically authorized for immediate removal includes the one branded C404, who became something of a celebrity because of his ability to work his way into the fish ladders of the dam, and even into the window where upriver-bound salmon are counted to determine the size of later runs. Many sea lions have been coming to the dams for years during the spring chinook run. Some are identifiable by brands - the "C" designation means the Columbia River - and others by scars or markings.

The letter announcing the decision was sent to Roy Elicker, director of the Oregon Department of Fish and Wildlife. The ruling followed three meetings of a task force composed of commercial and sport fishermen, treaty tribes and animal rights interests.



A sea lion catches an endangered Chinook salmon just below the Bonneville Dam spillway last April. Associated Press (File Associated Press )

By some estimates, the sea lions at the base of the dam take up to 4 percent of the spring chinook run headed upriver to spawn.

Opponents of the kill have said sea lions are a highly visible and politically convenient target when the real problem lies elsewhere, such as the hydroelectric dams. The Humane Society of the United States and other groups also cite other hurdles facing fish, such as the deterioration of spawning grounds, bird predation of salmon smolts headed to the ocean and agricultural runoff and other pollution.

Nonlethal attempts to keep the sea lions away from the dam, such as rubber buckshot, loud noises and pyrotechnics, generally were deemed failures. Some sea lions trapped and taken to the mouth of the Columbia River 140 miles downriver returned to the dam in two or three days.

The authorization is valid until June 30, 2012, and can be extended for five years; it can be also revoked by the National Marine Fisheries Service with 72 hours notice.

It says the states must appoint a standing committee of biologists and veterinarians to determine how to capture, hold and, if necessary, euthanize sea lions. Moreover, the states must do what they can to retrieve the carcasses.

The order says the sea lions can be killed by a qualified marksman, who may shoot the animals at short range with shotguns loaded with 00 buckshot or at greater distances using a hunting rifle with ammunition of a minimum caliber of .240.

Sea lion populations have soared since they and other marine mammals were covered under the 1972 act. Though no longer endangered, they remain protected except under the amendment that allows removal at the request of states.

Steller sea lions, which are larger and tend to feed on sturgeon instead of salmon, are endangered and are not subject to lethal removal under the decision.

The National Marine Fisheries Service is to reconvene the task force after three years to evaluate the effectiveness of the lethal takings.