

# SENATE BILL REPORT

## HJM 4008

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As Reported By Senate Committee On:  
Natural Resources, March 31, 1995

**Brief Description:** Requesting modification of the federal Marine Mammal Protection Act.

**Sponsors:** Representatives Basich, Pennington, Johnson, Quall, Kremen, Fuhrman, Chappell, Hatfield, Backlund and Sheldon.

**Brief History:**

**Committee Activity:** Natural Resources: 3/30/95, 3/31/95 [DP].

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### SENATE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** Do pass.

Signed by Senators Drew, Chair; Spanel, Vice Chair; A. Anderson, Hargrove, Haugen, Morton, Oke, Owen, Snyder, Strannigan and Swecker.

**Staff:** Ross Antipa (786-7413)

**Background:** Congress enacted the Marine Mammal Protection Act in 1972 to conserve and protect marine mammal species.

The Marine Mammal Protection Act provides protection for some 29 species of marine mammals that live in or pass through Washington's waters, including whales, porpoises, and sea otters. Seals and sea lions are also protected by the act. Some marine mammal species, notably the Pacific harbor seal and the California sea lion, have shown marked population increases since the 1970's. As the abundance of these seals and sea lions has increased, so has their interaction with commercial fishers. While seals and sea lions feed on a number of different types of fish, they also feed on salmon and steelhead. This causes particular concern in the face of dwindling anadromous fish stocks and the listing of fish stocks as threatened or endangered.

The federal act was amended in 1994. The amendments included new provisions to govern interactions between protected mammals and commercial fisheries. The amendments also established a process for seeking permission for the lethal removal of seals or sea lions under certain conditions. The state Department of Fish and Wildlife recently used this new procedure to request permission to lethally remove some sea lions at the Ballard Locks.

**Summary of Bill:** Seals and sea lions are identified as active predators of anadromous fish such as salmon and steelhead. In order to allow certain salmon and steelhead populations to recover and be sustained at viable levels, the memorial finds that it is necessary to have more flexibility to manage seals and sea lions in identifiable areas where they cause unacceptable mortality levels in specific fish runs. The memorial asks Congress to again amend the Marine Mammal Protection Act to allow for a more common-sense approach to managing predacious seals and sea lions, including provisions for reasonable, balanced, and

prudent population levels, and provisions for active management of abundant populations including lethal removal when and where necessary.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** Sea mammal predation is excessive upon salmon and steelhead stocks and a more practical approach is needed for seal mammal population control.

**Testimony Against:** None.

**Testified:** Rep. Bob Basich.