



State of Washington

DEPARTMENT OF FISH AND WILDLIFE

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Main Office location: Natural Resources Building - 1111 Washington Street SE - Olympia, WA

DETERMINATION OF NONSIGNIFICANCE (DNS) AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENTS

Name of Proposal: REDUCING THE IMPACT ON AT-RISK SALMON AND STEELHEAD BY CALIFORNIA SEA LIONS IN THE AREA DOWNSTREAM OF BONNEVILLE DAM ON THE COLUMBIA RIVER, OREGON AND WASHINGTON

Description of Proposal: There has been an increasing level of California sea lion predation on federally listed threatened and endangered salmon and steelhead species at the Bonneville Dam in the Columbia River Basin. This predation has a significant negative effect on salmon recovery as it is a new, growing, and unmanaged source of mortality, while other sources of on-river mortality are actively managed and are stable or decreasing (e.g., through harvest reductions, fish passage and habitat improvements, and hatchery reform,); and the hydro-modification of the river has altered the natural predator-prey relationship to artificially favor predatory California Sea Lions.

In an effort to reduce or minimize the effect of predation, non-lethal activities have been implemented from and below the Bonneville Dam over the past 3-5 years (e.g., hazing, sea lion exclusion devices, etc.). These efforts have not reduced the predation by California sea lions. Therefore, Oregon, Washington, and Idaho (states) applied for authority to remove sea lions under section 120 of the MMPA. A Task Force was convened to assess and provide recommendations to NOAA regarding the states' application. Following Task Force recommendations, NMFS wrote an Environmental Assessment to consider the environmental consequences of alternative actions to reduce seal and sea lion (pinniped) predation on salmon and steelhead (salmonids) listed as threatened and endangered under the Endangered Species Act (ESA) below the Bonneville Dam. With this authority, the states would implement a removal plan as identified and described as Alternative 3 by NMFS in the Environmental Assessment: *Lethal Removal of Individually Identifiable Predatory California Sea Lions after Active Non-lethal Deterrence*. This alternative would be implemented while continuing to pursue other non-lethal technologies and techniques to address this impact. As described, plan implementation would be in conjunction with the continuation of non-lethal hazing activities pre-removal and during removal activities.

The removal would abide by and meet the conditions as described in the authorizing letter from NOAA to the WDFW Director and as described in the NMFS EA Alternative 3. Implementation of these conditions would follow a tiered approach under supervision of an Animal Care Committee to ensure the humane handling of sea lions at all times:

- Trap and relocate to NOAA approved zoos/aquariums for permanent captive display: The states will use traps that are currently used for research purposes to catch, mark, measure, and release sea lions. As a first approach, individually identifiable predatory sea lions will be captured and transferred to NOAA approved permanent captive facilities throughout the United States.
- Trap and euthanize: Once all approved captive facility options have been filled, individually identifiable predatory sea lions will be captured and euthanized by lethal injection.
- Free ranging removal: If individually identifiable predatory sea lions do not haul out on the

traps, the last approach will be to lethally remove free ranging individually identifiable predatory sea lions by gunshot. All reasonable efforts would be made to retrieve carcasses that have been shot.

The number of animals removed would not exceed 1% of the potential biological removal or the number necessary to achieve an observed average percent predation rate of 1% of the adult salmonids tallied by fish counters over 3 years at Bonneville Dam, whichever is lower. Removal of animals will occur in the boat restricted zone of the Bonneville Dam hauled out below the dam, in the water adjacent to the shore or dam, or from floating traps. Sea lion carcasses will be disposed of in accordance with state and local laws and ordinances or transferred for use in scientific research or educational purposes.

All safety and security elements will be implemented by WDFW Law Enforcement and Oregon State Police. This removal effort will continually be monitored to evaluate the impacts of predation, the effectiveness of non-lethal deterrence, and the effectiveness of permanent removal of individually identifiable predatory seas lions as a method to reduce adult salmonid mortality.

To view the NMFS final Environmental Assessment for further details on the states proposal, please refer to: <http://www.nwr.noaa.gov/Marine-Mammals/Seals-and-Sea-Lions/Sec-120-Authority.cfm>

Proponent/Applicant: Washington Department of Fish and Wildlife, Guy Norman, Regional Director, Region 5, 2018 Grand Boulevard, Vancouver, WA 98661

Location of Proposal, including street, if any: The site for this proposal is in the vicinity of the Bonneville Dam facilities located on the Columbia River at river mile 146, approximately 42 highway miles east of Portland, Oregon. According to WAC 173-18-340: Skamania County the legal description for Bonneville Dam is: from an approximate point NW1/4 of Sec. 16, T2N, R7E downstream through Greenleaf Slough to mouth at Hamilton Creek Sec. 20, T2N, R7E. The Oregon-Washington state boundary lies along the main Columbia River Channel, dividing the project area between the two states. The Bonneville Lock and Dam facility includes two navigation locks, two powerhouses, a spillway, fish passage facilities, a fish hatchery, shore facilities, and two visitor complexes administered by the U.S. Army Corps of Engineers. The proposed action would occur in the section of the Columbia River starting at navigation marker 85 (approximately river mile 140) continuing upstream to the immediate vicinity of the tailrace and dam. See site map in Appendix A.

Lead Agency: Washington Department of Fish and Wildlife (WDFW)

Adoption of Existing Environmental Document: After independent review, the lead agency has identified and adopted the following two (2) documents as being appropriate for this proposal.

The document(s) meet our environmental review needs for the current proposal and will accompany the proposal to the decision maker.

WDFW has determined that this proposal likely will not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

Title of document being adopted:

1. Reducing The Impact On At-Risk Salmon And Steelhead By California Sea Lions In The Area Downstream Of Bonneville Dam On The Columbia River, Oregon And Washington
2. Finding of No Significant Impact (FONSI)

Agency that prepared document being adopted: NOAA Fisheries Service

Date adopted document was prepared: March 12, 2008

Description of document (or portion) being adopted:

1. Environmental Assessment (EA) titled: Reducing The Impact On At-Risk Salmon And Steelhead By California Sea Lions In The Area Downstream Of Bonneville Dam On The Columbia River, Oregon And Washington
2. Finding of No Significant Impact (FONSI)

The document is available to be read at:

Washington Department of Fish and Wildlife - Natural Resources Building,
1111 Washington Street SE, Olympia, WA, Monday - Friday 8:00 am - 5:00 pm.

This document is also available for review on-line at: <http://wdfw.wa.gov/hab/sepa/sepa.htm>
And at: <http://www.nwr.noaa.gov/Marine-Mammals/Seals-and-Sea-Lions/Sec-120-Authority.cfm>

Name of agency adopting the document: Washington Department of Fish and Wildlife

Contact person if other than responsible official: Guy Norman, Regional Director, Region 5
Phone: (360) 696-6211

Agencies, affected tribes, and members of the public are invited to comment on this proposal.

We issued this DNS/Adoption according to state rules.² We will **not act on this proposal for 14 days** from the date we issued the DNS/Adoption. If you have comments about this DNS/Adoption or the proposal, you must send your comments to us so that we receive them within 14 days. This means we must receive your comments by **April 4, 2008**.

When you send us your comments, please provide the name of proposal in your comment letter, and mail the letter to:

Responsible Official: Teresa A. Eturaspe

Position/Title: SEPA/NEPA Coordinator, WDFW Regulatory Services Section

Address: 600 Capitol Way North, Olympia, WA 98501

You can also send your comments via e-mail to SEPAdesk2@dfw.wa.gov, or via fax to (360) 902-2946.

If you have questions about this DNS/Adoption or the details of the proposal, contact Teresa Eturaspe at the address, e-mail, or fax number above; you can also call her at (360) 902-2575.

DATE OF ISSUE: March 21, 2008 **SIGNATURE:** 

Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 08 -012. dns/Adoption

Distribution of Environmental Document:

Department of Ecology, Environmental Review Section, Olympia

Department of Natural Resources, SEPA Center, Olympia

U.S. Army Corps of Engineers, Seattle

U.S. Fish and Wildlife Service, Western Washington Office, Lacey

NOAA - Fisheries, Seattle

Skamania County Planning Department, Stevenson

Columbia River Inter-Tribal Fisheries Commission, Portland, Or

Yakama Indian Nation, Toppenish

State Parks and Recreation Commission, Olympia

Dept of Archaeology and Historic Preservation

WDFW, Habitat Program, Region 5, Vancouver

WDFW, Fish Program, Region 5, Vancouver

WDFW, Wildlife Program, Region 5, Vancouver

WDFW Commissioners (Susan Yeager)

Skamania County Commission

Loughline, Mcpherson, Vecchio, Mariott, Buckmaster, Righey, Oatman, Scheeler, Calica, Ward,

Hatch, Williams, Willis, Dornbush, Delong

Reader File