

AMENDMENT TO H.R. 2083

OFFERED BY MR. HUFFMAN OF CALIFORNIA

In section 4, insert “California” before “sea lion” and “sea lions”, respectively, each place that term appears.

Page 5, strike lines 14 through 25 and insert the following (and redesignate the subsequent quoted paragraphs accordingly):

1 “(1) DETERMINATION OF NONLETHAL ALTERNATIVE MEASURES.—

2 “(A) IN GENERAL.—The Secretary shall
3 determine whether non-lethal alternative meas-
4 ures to reduce sea lion predation of salmonid
5 stocks in the waters of the Columbia River or
6 its tributaries listed as threatened species or en-
7 dangered species under the Endangered Species
8 Act of 1973 (16 U.S.C. 1531 et seq.) ade-
9 quately protect the salmonid stocks from Cali-
10 fornia sea lion predation.
11

12 “(B) DEADLINE.— The Secretary shall
13 make such determination not later than 90 days

1 after the date of the enactment of this sub-
2 section.

3 “(C) PUBLIC COMMENT.—The Secretary
4 shall, within such 90-day period, provide 30
5 consecutive days for the submission of public
6 comments on the determination.

7 “(D) FEDERAL REGISTER.—The Secretary
8 shall publish the determination in the Federal
9 Register.

10 “(2) REMOVAL AUTHORITY.—In addition to
11 other authority under this section, and notwith-
12 standing any other provision of this Act, the Sec-
13 retary may issue a permit to an eligible entity to au-
14 thorize the intentional lethal taking on the waters of
15 the Columbia River and its tributaries of California
16 sea lions if the Secretary determines under para-
17 graph (1) that non-lethal alternative measures to re-
18 duce sea lion predation on salmonid stocks in such
19 waters listed as threatened species or endangered
20 species under the Endangered Species Act of 1973
21 (16 U.S.C. 1531 et seq.) do not adequately protect
22 the salmonid stocks from California sea lion preda-
23 tion.

Page 6, beginning at line 12, strike “, but may be
renewed by the Secretary”.

Page 6, after line 13, insert the following:

1 “(D) CONSULTATION.—In issuing a permit
2 to an eligible entity, the Secretary shall—
3 “(i) consult with other eligible entities
4 and such other entities as the Secretary
5 considers appropriate, including the Corps
6 of Engineers; and
7 “(ii) consider the number of other
8 permits issued under this subsection to
9 other eligible entities authorizing takings
10 in the same time period in which takings
11 will be authorized by the permit.
12 “(E) REPORTS.—Not later than January
13 31 following the end of each year in which a le-
14 thal taking occurs under a permit under this
15 subsection, the Secretary shall publish a brief
16 report describing the implementation of this
17 subsection and the effect of all such takings in
18 such year on Columbia River salmonid stocks
19 and on the California sea lion population in the
20 area where each taking occurs.

Page 6, line 18, strike “100” and insert “10”.

Page 6, line 23, strike “10” and insert “one”.

Page 6, after line 25, insert the following:

1 “(C) LIMITATION ON ANIMAL AUTHORIZED
2 TO BE TAKEN.—

3 “(i) DETERMINATION REQUIRED.—A
4 California sea lion may not be taken under
5 a permit under this subsection unless the
6 permit holder has determined that—

7 “(I) such sea lion has preyed
8 upon salmonid stocks in the Columbia
9 River; and

10 “(II) with respect to such sea
11 lion, nonlethal alternative measures to
12 prevent preying on salmonid stocks
13 have in general not been effective.

14 “(ii) CONSULTATION.—In making
15 such determination, the permit holder shall
16 consult with the National Marine Fisheries
17 Service, and may consult with any other
18 Federal agency or eligible entity as appro-
19 priate.

Page 7, strike lines 9 through 14.

Page 8, strike lines 7 through 12 and insert closing
quotation marks and a following period.

