



# SPORTFISHING ASSOCIATION OF CALIFORNIA

1084 BANGOR STREET  
SAN DIEGO, CALIFORNIA 92106  
(619) 226-6455 FAX (619) 226-0175

ROBERT C. FLETCHER  
PRESIDENT

W. A. NOTT  
PRESIDENT-EMERITUS

June 13, 2002

**TESTIMONY OF ROBERT FLETCHER, PRESIDENT, SPORTFISHING  
ASSOCIATION OF CALIFORNIA, BEFORE THE SUBCOMMITTEE ON  
FISHERIES CONSERVATION, WILDLIFE & OCEANS  
REGARDING H.R. 4781, THE MARINE MAMMAL PROTECTION  
ACT AMMENDMENTS OF 2002**

Dear Chairman Gilchrest & Members:

My name is Robert Fletcher, and I am the President of the Sportfishing Association of California (SAC). SAC is a non-profit political organization that for thirty years has been representing the interests of the commercial passenger fishing vessel (CPFV) fleet in southern California. The SAC fleet of local and long-range sportfishing & whale watching boats carries close to 750,000 passengers a year, and the SAC bait harvesting boats provide live bait to the huge private boat fleet that fishes off the California coast.

On October 11, 2001, I testified before your Subcommittee (testimony attached) and described in some detail the California sea lion interaction problems that the sport and commercial fishing fleets have been enduring over the last twenty years. I talked about the relatively few, rogue or nuisance, animals that have caused the great majority of the problems, and encouraged the Subcommittee to develop amendments to the MMPA that would address these issues. I also pointed out that the development of non-lethal deterrent devices should be a high priority. Clearly you listened and for that I want to thank you. H.R. 4781 raises these issues and is therefore an excellent start.

I said an excellent start, because the provisions in the bill just don't go far enough. Until there is separate, dedicated line item funding for the development of these non-lethal devices in the NMFS budget, the programs will linger without solid direction. Until the federal government accepts responsibility for the success of the MMPA and the resulting problems associated with the robust population of California sea lions, we in the sport and commercial fishing industries on the west coast will continue to be harassed and at times injured by these increasingly aggressive hoards of pinnipeds.

To underscore the magnitude of the problem, the National Marine Fisheries Service (NMFS) recently announced that, "...the last (California sea lion) size estimate reported by NMFS in its 2001 Stock Assessment Report estimated the U.S. population at 204,000 – 214,000. Based on **new** (emphasis added) life history data that NMFS has collected on California sea lions at San Miguel Island, NMFS has advised that the previous assessment **underestimated** (emphasis added) the population size by about **a third**. A revised population estimate, which will likely show **a population exceeding 250,000** (emphasis added), is expected to be reported by NMFS in next years 2003 Stock Assessment Report." Mr. Chairman and members, the problem just got bigger, by about a third, and that doesn't count an additional 100,000 sea lions south of the border!!

I talked earlier about injuries, and as the population increases and the aggressiveness of the problem animals increase, the injuries increase. Last month, a female deck hand was walking up the dock from her boat when a 500 lb. sea lion came out of the water and grabbed her by the finger, perhaps thinking she had a fish. Her finger was lacerated and required treatment. Earlier this year, a deckhand scooping bait on the bait receiver was grabbed by a sea lion and dragged part way off the receiver, because the deckhand was blocking the sea lion's access to the bait in the net. Members of Congress, we have a problem, and it is going to get worse.

Appropriation of funds to encourage private sector companies to begin work on development of non-lethal deterrent devices holds out the best hope for relief, and I urge the members of the Subcommittee to add language to H.R. 4781 to create incentives for that development. With the stock of California sea lions exceeding historic levels, the focus on these robust populations of marine mammals should shift from protection to management, and with management comes intervention when necessary. I think the system begins to break down when it allows management of prey species, but not management of healthy populations of predators.

There have been no substantive actions to address problems with California sea lions and their interaction with fishermen since the MMPA was authorized, and the time is past due when Congress should begin to focus on creative solutions to the west coast's seal and sea lion predation of anglers fish! Thank you for H.R. 4781 and please consider strengthening the language to assure private sector funding & involvement.

I'll leave you with a portion of a story one of my skippers related. A father brought his young son and daughters on a fishing trip. The dad hooked a nice 15 lb. yellowtail. Near the end of the fight, when you could see the fish below the boat, a **HUGE BLACK SEA LION** came from under the boat and grabbed that fish. The line went limp and the arched rod shot back up. As the sea lion started tossing the fish around, tearing it apart, the innocent ones, with tears in their eyes, asked the skipper the most **COMMON SENSE** question: "Why can't you do something?"

SAC hopes you can do something. Thank you for this opportunity to testify.



# SPORTFISHING ASSOCIATION OF CALIFORNIA

1084 BANGOR STREET  
SAN DIEGO, CALIFORNIA 92106  
(619) 226-6455 FAX (619) 226-0175

ROBERT C. FLETCHER  
PRESIDENT

OCTOBER 11, 2001

W. A. NOTT  
PRESIDENT-EMERITUS

**TESTIMONY OF ROBERT FLETCHER, PRESIDENT, SPORTFISHING  
ASSOCIATION OF CALIFORNIA, BEFORE THE SUBCOMMITTEE ON  
FISHERIES CONSERVATION, WILDLIFE AND OCEANS  
REGARDING THE  
MARINE MAMMAL PROTECTION ACT**

Chairman Gilchrest & Members:

My name is Robert Fletcher, and I am the President of the Sportfishing Association of California, (SAC), which is a non-profit political organization representing the interests of the commercial passenger fishing vessel (CPFV) fleet in southern California. SAC represents about 175 boats operating from 23 different Sportfishing landings. Member-boats operate in all major ports between Morro Bay and San Diego, and carry close to 750,000 passengers a year on sportfishing, sport diving and natural history excursions.

29 years after passage of the MMPA, the population of California sea lions has rebounded beyond anyone's expectations, and today the population probably exceeds historic levels. The result of this expansion has been an ever-escalating battle between sport and commercial fishermen and sea lions that the fishermen are losing. These robust populations of sea lions are constantly learning new ways to interact with the boats in the SAC fleet, and over the last few years a small number of individual animals have learned to identify the boats in the fleet. They lay in wait near the harbor entrance, and then follow these boats to the fishing grounds. It makes no difference how many moves the Captain makes, the sea lions just follow in the wake and then ambush the passengers' fish once they hook them. In total frustration, one skipper reported to the outdoor editor of the local paper that he had had great day fishing but a poor day catching, thanks to the sea lions! His report included 38 fish *heads* and two whole fish! Sea lions 38 - anglers 2!

Another escalating problem concerns the bait receivers, which are underwater boxes in most of the harbors along the coast where the bait companies hold their live bait for later sale to the commercial sportfishing boats, as well as the large fleet of private recreational boaters. A relatively few problem animals have learned that if they blow bubbles under these bait receivers, the bait will panic and scatter out through the openings in the boxes, and thus become easy prey. On average, the bait receiver operators indicate that less than 50% of the bait placed into the boxes is later available for sale. This problem is not an isolated one, but occurs in most harbors along the California coast. As if these losses were not enough, the harvest of live bait along the coast can be seriously affected by

'packs' of sea lions that wait until the bait is encircled in a net, then pour over the cork line and feast on the trapped bait fish, damaging most of it in the process. In other cases on these bait docks, sea lions have become so aggressive as to lunge at crewmembers in an attempt to get by them and into the nets holding bait that is being readied for sale. I have also included an article from this August's Western Outdoor News to show you just how aggressive these animals can become with recreational anglers on small boats.

So far I have talked about recreational fishing problems with sea lions, but commercial fishermen face the same conflicts and predation. Drift gill net swordfish fishermen complain that in the last few years, sea lions have destroyed more than half the swordfish in their nets before they can bring the nets on board, and these nets are being fished at times more than 100 miles offshore. Lobstermen claim that a group of rogue animals have learned that they can get a free meal if they smash the trap apart so they can get at the bait inside. At times the losses by these fishermen exceed half the traps they set out. Set gill net fishermen fishing white seabass and halibut outside three miles have told me that on occasion they have lost their entire catch to predation by sea lions.

Finally, the salmon troll fishery in Central California, Oregon and Washington continues to have severe problems with loss of catch to sea lions. Once again a relatively small group of sea lions have learned to follow in the wake of these troll fishermen, watching the activities of the crew on deck. When they see the crewmember go to the gurney to bring in a hooked salmon, they dive down, approach the hooked fish from behind and rip it off the hook. One long-time, highly respected fisherman, Dave Danbom, told of a day where he lost 68 salmon in a row before returning to the anchorage in disgust.

Mr. Chairman, I would also like to comment on the 1999 NMFS *Report to Congress on Impacts of California Sea Lions and Pacific Harbor Seals on Salmonids and West Coast Ecosystems*, and specifically on several of its recommendations. I am an advisor and past Commissioner on the Pacific States Marine Fisheries Commission (PSMFC), and was involved in a cooperative effort with NMFS to develop the Report, which is an outstanding treatment of this controversial subject. By far and away the most important recommendation was that Congress, "Develop Safe, Non-Lethal Deterrents". SAC has worked for years and spent tens of \$1,000s in an effort to find just such a device. So far we have been unsuccessful, although NMFS has supported our efforts through S-K grants, and more recently our efforts and NMFS' have stalled due to the environmental communities' concern for the possibility that such a device may accidentally cause some negative impact to the pinnipeds as we attempt to redirect their attention away from our catch and gear. These are intelligent marine mammals and don't discourage easily!

Notwithstanding these problems, I strongly encourage this Subcommittee to make development of non-lethal devices a high priority, and within your fiscal limitations make funds available to create incentives for private-sector development of an effective device. I am sure the technology is out there; we just need the stimulus that federal grants would provide. Australia has similar problems and could also bring some expertise to the table.

A second important recommendation would, "Implement Site-Specific Management for California Sea Lions and Pacific Harbor Seals." A common thread that runs through most fisheries-pinniped interactions is that a relatively few animals, rogue animals if you will, are creating the majority of the problems. Unfortunately, over time these few are teaching others to, for example, lie in wait at the mouth of spawning streams or fish ladders and "ambush" listed salmonid adults as they return to spawn; follow along behind commercial or recreational salmon boats to 'rip off' hooked fish; follow commercial passenger fishing boats as they leave the harbor and then grab and eat or damage the passengers' catch. If state or federal resource agency officials could be given general authority for limited lethal removal in those specific areas or in those instances where a documented nuisance animal is operating, the magnitude of the interactions would decline dramatically.

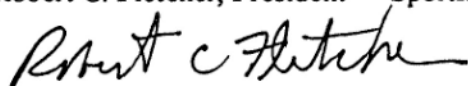
Chairman Gilchrest and members, recreational and commercial fishing on the west coast provides significant economic activity for the coastal communities, but will continue to struggle as long as problem sea lions are allowed to have free rein in our coastal waters. Pacific harbor seals are a lesser problem but with populations on the increase these pinnipeds will also create difficulties, mainly in central California. I would again encourage you to become familiar with the NMFS Report on Seal and Sea Lion Impacts, as it has a wealth of timely information and well thought out recommendations that are even more on target today than when released two years ago.

I haven't touched on the Report's final recommendation, so I would like to make a few remarks on the importance of 'Information Needs' before I close. The last few years have seen a significant increase in the population of California Sea Lions and Pacific Harbor Seals, as well as reports of new levels of interactions between seals and fisheries, and some disturbing reports of cases where sea lions came close to, or did in fact, injure anglers. I had a sea lion jerk a yellowtail out of my hand as I was attempting to release it from a lure, and in the process narrowly missed being hooked myself. An angler in Monterey Bay was bitten in the forearm by a sea lion as he netted a salmon he had just brought to the boat.

This new information is critical in order to follow the changes to marine mammal populations on the west coast, as well as to better understand how these intelligent animals are learning to more effectively live off the efforts of commercial and recreational fishermen, and how they are affecting listed salmonid stocks. As a result, it is of utmost importance that Congress continues funding the collection of timely data on the status of these robust stocks, as well as collecting timely information on the kinds of pinniped-fisheries interactions that are occurring.

Chairman Gilchrest, thank you for the opportunity to provide comments to the Subcommittee on issues of such critical importance to my industry, and I will of course be glad to answer any questions that you or members may have.

Robert C. Fletcher, President -- Sportfishing Association of California.







# SPORTFISHING ASSOCIATION OF CALIFORNIA

1084 BANGOR STREET  
SAN DIEGO, CALIFORNIA 92106  
(619) 226-6455 FAX (619) 226-0175

## **FISHERIES MANAGEMENT EXPERIENCE**

**Bob Fletcher, President**

**SPORTFISHING ASSOCIATION OF CALIFORNIA**

**JUNE 1, 2002**

ROBERT C. FLETCHER  
PRESIDENT

W. A. NOTT  
PRESIDENT-EMERITUS

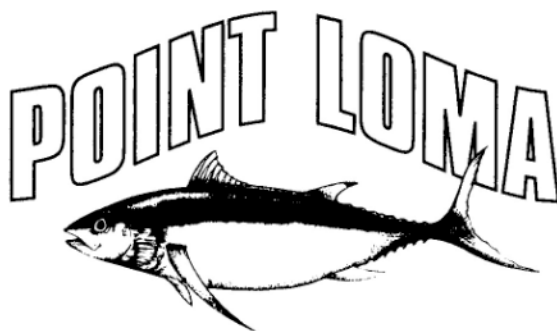
I have spent my whole life in the marine fisheries arena. I was born and raised in San Diego, and grew up on, in or under California's coastal waters. I graduated from Stanford University in 1965 and then spent four years as an officer in the US Air Force, where I was awarded a Bronze Star for my time in SE Asia. After returning to San Diego I earned a Captain's license to operate sportfishing passenger boats, and spent the next 12 years as a skipper and boat owner. During that time I owned and operated two 65-foot charterboats, both named **CAT SPECIAL**. I have also fished commercially for tuna and have commercially harpooned swordfish. In 1983 I was appointed by then-Governor Deukmejian to the California Department of Fish & Game and spent the next six years as Deputy Director, and later Chief Deputy Director. During that time I represented the state on the Pacific Fishery Management Council (PFMC), and was its' Chairman for 1 ½ years. I also represented California as a Commissioner on the Pacific States Marine Fisheries Commission (PSMFC), was the first Chairman of the Klamath Fisheries Management Council, and was the California representative on the U.S./Mexico Fisheries negotiating group known by the acronym, MEXUS/PACIFICO.

In 1989 I left the DFG to return to the private sector and became the President of the Sportfishing Association of California (SAC). At present I represent close to 175 commercial passenger fishing vessels (CPFVs) berthed between the ports of Santa Barbara and San Diego. I also represent 23 SAC Landings and the majority of the live bait harvesting fleet. The Sport fleet carries close to 750,000 passengers a year on fishing, sport diving and natural history excursions. One of my key jobs with SAC is to negotiate access agreements with the Mexican government. In 1991 I was reappointed to the PFMC to serve as an At-Large member from California, and in the summer of 1995 I was elected to become the PFMC's Chairman. I was reappointed to the Council in July 1997, and completed my term as Chairman at the September 1997 meeting. I am still involved with the PSMFC as a California fisheries advisor, and with the PFMC as Chairman of the Highly Migratory Species Advisory Committee. I concluded my third term with the Council in June 2000, and retired as a voting member due to term limits. Finally, I was a member of the Marine Reserves Working Group (MRWG) for the Channel Is. until it was disbanded in late May of 2001, after failing to reach consensus. Marine Reserves are a major controversy at present, and Bob has been appointed to one of the two southern California 'Regional Committees' that will discuss implementation of the Marine Life Protection Act (MLPA).

As you can see, I've looked at fisheries management issues from all sides over a career that has spanned a lifetime. I also love to fish, when time permits!

**LOS ANGELES**  
Catch Report: (310) 289-0754

**SAN DIEGO**  
Reservations: (619) 223-1627  
Daily Catch Report: (619) 223-1626  
½-day and ¾-day: (619) 224-3474



**OUR PEOPLE  
MAKE THE  
DIFFERENCE**

## **SPORTFISHING**

1403 SCOTT ST., SAN DIEGO, CA 92106-2767  
(619) 223-1627 • FAX (619) 223-1591

To whome it may concern; on Friday May 17, 2002 I was bitten on the index finger of my left hand. By a large aggressive sealion. I was standing next to the boat that I have worked on for about 8 years. I did not know that the sealion was there. After it happened I went to a local doctor, I had 3-4 punture wounds the doctor cleaned and dressed it ,he prescribed antibiotics and not to work for 2-3 weeks.

Sincerely;  
Heather Souder

**Subject: Sea Lions**

**Date:** Tue, 28 May 2002 14:21:49 -0700

**From:** "Del Mar Sportfishing" <delmar@concentric.net>

**To:** "SAC" <dart@sacemup.org>

Bob, As you probably know, it could take pages to fully document individual incidents over the last year, much less two! Suffice to say that daily interaction has become a way of life. It is all but impossible here in the bay to even practice the long time typical sportboat tradition of setting up on a spot and chumming up and developing a bite....Dropping the anchor serves now as a feeding call for the sea-lions and in no time it's not unusual to have 4 or 5 of the creatures frolicking around and under the boat, eating the chum as well as deftly plucking the choicest sardines from our very hooks. Of course, with these large predators around, any fish nearby either split or retire to their "holes" to hide until the coast is clear!

I'll relate one of the saddest things I've seen and let it serve as an example....Last year, a man brought his young son and daughters out on the afternoon run. They were a very typical, clean-cut young family, he an occasional fisherman at best, just out for an afternoon with his kids. Well, he hooks a nice 15 or so pound Yellowtail and is ECSTATIC when I told him what he had.. "I've never caught one! I've dreamt of this since I was a kid " and the like were the enthusiastic words spilling out as he fought the fish...We were fishing in deep water and when he got it up and down, I suggested he let his kids, who were cheering him on, get in on the action. Well, they all got to pull on this magnificent fish, the boy, both little girls to feel the weight and power and finally, down in the crystal purple water that day, get a glimpse as we finally got deep color. Pop took over to finish, I grabbed a gaff and as the fish made it's second to last circle, this HUGE BLACK SEA-LION came from under the boat and grabbed the fish..He didn't see it but there was nothing he could have done. " What happened!!???" he asked as his line went limp and his arched rod shot back to straight. I pointed to the seal, now out about 50 feet from the boat with a near dead Yellow in its maw. He wanted to cry, but he didn't. That did not stop his kids though. And, as the Seal started tossing the fish around, tearing it apart, the innocent ones, with tears SQUIRTING from their eyes asked looked up at me and asked " Why can't you do something?????" You cannot fool kids. Even through a fog of heartbroken sobs, they asked me the most COMMON SENSE question. " Why can't you do something" .....

....All of our profit. And I mean all, from the Marina del Rey Bait company last year went to repair damage done to our receivers by SeaLions. ..Simple as that. Although we have finally come up with a way to keep them from tearing through our nets and from killing the bait in the wells by blowing bubbles up from under, the cost of maintaining these devices is huge. They( our receivers) are under a 'round the clock siege by up to 15 seals of all sizes. Nothing can withstand the relentless attacks from these up to what, 400 lb. animals determined to get at the helpless sardines and anchovies contained within. I don't know exactly how to put a dollar figure on losses , but if you put 300 scoops in a well and the seals kill 200 of them, at \$30.00 a scoop..."Do the math" as they say. Not to mention that the survivors are so weakened that nobody wants to buy it or have to try and fish with it. Our live bait fishing here in So Cal is unique in the world and I don't think that people realize the importance of good, quality bait. Or , more likely, don't care...When I complained to the gal at NMFS, ( What's her name?? It'll come to me soon's I finish this.Tina Faye)her boss told her to tell me that " it's just part of the cost of doing business"....

There you go. I have my personal logs dating back to 1979 and I try to keep track of Sea Lion encounters. If you want, you can see them. And that story about the guy and his kids is there in one too....Good Luck! Rick.





*From the Wheelhouse of: the Sea Star*  
CAPTAIN JOE CACCIOLA

FAX MESSAGE

To: BOB FLETCHER, SAC  
Fax Number: 619-226-0175  
Date: 5-30-02  
Time: 1745  
Page: 1 of 1 :

BOB - HERE IS A DESCRIPTION OF A SEALION INCIDENT FROM THE SUMMER OF 2001. I HOPE IT WILL HELP W/ YOUR MMPA TESTIMONY. GIVE 'EM HELL!

- JULY 2001 - (FISHING INSHORE, NORTH OF OCEANSIDE, CA. WITH A CHARTER GROUP OF 20 FISHERMEN ONBOARD) WE ENCOUNTERED A TYPICALLY FEARLESS AND AGGRESSIVE MALE SEALION WHILE ATTEMPTING TO CATCH BARRACUDA AND YELLOWTAIL ON THE ANCHOR. THIS SINGLE SEALION PULLED 28 BARRACUDA OFF OUR HOOKS, RIPPED OFF THEIR HEADS AND SWALLOWED THEM WHOLE! NEEDLESS TO SAY THAT ENDED OUR HOT BARRACUDA BITE. THE HIGHLY PRIZED YELLOWTAIL SCHOOL FLED EARLIER UPON THE FIRST ARRIVAL OF THIS BOULDER PREDATOR. ADDING TO THIS NOT SO UNUSUAL ENCOUNTER, WAS THE FACT THAT I MOVED THE BOAT 5 MILES TO GET AWAY FROM THIS ANIMAL, ONLY TO LOOK ASTERN WHILE SLOWING DOWN TO ANCHOR AGAIN AND HERE COMES THE SAME ANIMAL (IDENTIFIABLE BY DISTINCTIVE MARKS ON HIS BACK) SWIMMING RIGHT UP MY WAKE! NEEDLESS TO SAY WE CAUGHT NOTHING AT THIS SPOT AND HAD TO MOVE

315 Harbor Drive South, Oceanside, CA 92054-1035 ONCE AGAIN.

Telephone: 760-966-0111 / Fax No: 760-433-6017

BEST REGARDS, Capt Joe



# SPORTFISHING ASSOCIATION OF CALIFORNIA

2917 CANON STREET  
SAN DIEGO, CALIFORNIA 92106  
(619) 226-6455 FAX (619) 226-0175

ROBERT C. FLETCHER  
PRESIDENT

W. A. NOTT  
PRESIDENT-EMERITUS

FEBRUARY 1999

## **CALIFORNIA SEA LIONS & SPORTFISHING: ON A COLLISION COURSE !!**

### **REAUTHORIZATION OF THE MARINE MAMMAL PROTECTION ACT (MMPA) NEEDS TO BEGIN CONTROL OF THESE PREDATORS !!**

During 1999 the Congress will discuss the reauthorization of the MMPA. The Sportfishing Association of California (SAC) urges Congress to recognize the proliferation of CA sea lions and pacific harbor seals that has taken place, and begin to incorporate management of these exploding populations into the reauthorized MMPA. These abundant stocks are creating significant problems for coastal residents of California, and are wreaking havoc on sport and commercial fisheries throughout the state.

In early February of 1999, the National Marine Fisheries Service (NMFS) in cooperation with the Pacific States Marine Fisheries Commission (PSMFC), released the final version of a report to Congress on the "Impacts of California Sea Lions and Pacific Harbor Seals on Salmonids and West Coast Ecosystems". Congress must read and understand the recommendations contained in the document, as well as recognize the change in the status of these pinnipeds that has occurred since the introduction of the Act in 1972. From a low of 8-10,000 CA sea lions that existed in the 1930's, the population stands at close to 200,000 animals in the U. S. zone today, with another 100,000 animals off Baja California. In addition, these stocks are growing at close to 11% annually!

Today, sportfishing boat Captains face a "nightmare" scenario with sea lions almost daily, and in many cases have been forced to abandon productive fishing grounds because of the constant harassment of the passengers hooked fish by aggressive sea lions. In many cases herds of sea lions have taken over live bait receivers, and resisted employees' efforts to chase them off. In addition, these animals have repeatedly damaged the receivers themselves, forcing the owners into expensive repairs and additional deterrence fences.

Attached you will find a series of letters from the sportfishing fleet, the states and the media that describe in graphic terms the kinds of problems that pinnipeds present to the west coast. We in the sportfishing industry simply cannot continue without some changes to the MMPA. Continuation of the present policy of "benign neglect" is not an acceptable alternative. Please take seriously the recommendations in the NMFS/PSMFC Report!

SAC is not looking for a return to the days of unlimited lethal removal. Our passengers would never allow that. We are only seeking ways to eliminate the few, documented animals that are the majority of the problem. We are also looking for ways to coexist with pinnipeds and 'share' the fishing grounds. To date, SAC has spent thousands of dollars and committed years of effort to develop, so far without success, methods to non-lethally re-direct the animals from preying on our catch. In 1997, working with the PSMFC and the CA Department of Fish & Game, we were able to convince the NMFS to grant us over \$300,000 for the development of a new, patented, non-lethal deterrent device developed by a company called Pulse Power Technology, Inc. (PPTI). Unfortunately, there have been delays on the completion of the environmental documents required prior to testing, and so we have yet to initiate the series of tests that will be necessary to determine if this will be an effective device, and one that pinnipeds will be unable to 'habituate' to over time.

SAC would encourage the Congress to support reasonable changes to the MMPA that would recognize those populations in those regions that no longer require the same level of protection (Regional management). We also hope that members will recognize the value of the recommendations found in the NMFS/PSMFC Report to Congress. Clearly, the most politically realistic solution is the development of a non-lethal deterrent device that will allow us to co-exist with these pinniped populations. While we have much optimism for this unit from PPTI, we still need the Congressional support through funding to encourage others to look into development of other potentially effective systems.

The Sportfishing industry is discouraged and frustrated, and we can not continue to absorb the losses from sea lions that have taken place recently. Your assistance is urgently requested. Please amend the MMPA and help west coast sport and commercial fishing industries to survive!!

Sincerely,



Bob Fletcher, President

## SPORTS WEEKEND

## Sea Lion Hordes Bucking Ecosystem

To most, they are fascinating creatures, among the cutest and most playful in the sea.

To casual saltwater fishermen, they are usually welcome at first, but wear out their welcome in a hurry.

To serious fishermen, they are nuisances, and to anyone in the business of saltwater fishing, they are about as welcome as a 50-knot wind.

They are California sea lions, brazen dogs of the sea that are breeding out of control and

## OUTDOORS

PETE THOMAS

running amok off our coast, threatening already embattled salmon and steelhead runs and wreaking havoc on fishermen who are helpless to stop them from stealing their catches, and landing operators who can only watch as the whiskered mammals devour their bait supplies.

Such is the prevailing attitude on the waterfront, anyway.

Estimates put the sea lion population off the California coast at about 200,000, with an additional 100,000 off Baja California. In 1972, when the Marine Mammal Protection Act was passed, protecting all marine mammals from harassment of any kind, there were only about 30,000 sea lions.

Before then, they were hunted for use as dog food and for "trimmings," or male genitals, which were dried and shipped to Asian markets where they were powdered and sold as an aphrodisiac.

Today, not only are there more of these savvy pinnipeds than there have been in several decades, they seem to be bolder than ever, almost as if they know they aren't to be harmed by humans.

For fishermen engaged in, say, a fast-action barracuda bite, it is easy to detect the presence of sea lions, even if they aren't visible. Someone will reel in only the head of a fish. After that, with every hookup the challenge is not so much with the game fish but getting it to the boat before the sea lions bite it in half.

"It continues to get worse because new generations of [sea lions] have learned from their older relatives that this is an easy way to make a living," said **Bob Fletcher**, president of the Sportfishing Assn. of California (SAC), which represents 23 landings and about 200 vessels from San Diego to Santa Barbara. "They have learned to watch for somebody to hook up, because they know that it makes for an easy meal."

At the Coronado Islands just south of the border, long a popular spot for the San Diego fleet, skippers are afraid to even drop anchor because to the sea lions loitering on the rocks, the noise from the anchor serves as a dinner bell.

To anglers, who pay \$20-\$100 for a day of fishing, this can be a major frustration. But to landing operators, the problem doesn't end there.

Sea lions, they say, have begun following the bait boats that net anchovies and sardines for the their fleets and, in some instances, wait for the crew to make a circular set around a school of bait, then leap over the cork floats and devour as much bait as they can before the nets close in on them. Then they dive back over the floats and swim away, all the fatter.

The live bait that does make it back to the harbor, where it is placed inside receivers surrounded by steel and nets within the steel, and sold to both commercial party boats and private boaters, is not safe, either.

The sea lions have learned to dive beneath the receivers and blow air bubbles that suffocate and float the anchovies and sardines, which then wash out through the holes in the netting and are promptly devoured.

Or they just power their way through the steel to get to the fish.

"I've got a 600-pound bull and a 700-pound bull just taking the wire and bending it so they can get into our nets," said **Russ Harmon**, owner of Cisco Sportfishing in Oxnard. "They keep on hitting cages with noses, and after so many rams they will take one receiver and tear it apart and it releases the bait. It's so bad, it's incredible. I've got these nets protected with 16-gauge steel, but it isn't enough."

Harmon said he is losing \$5,000 to \$10,000 a year and that landing operators up and down the coast are suffering similar losses.

What's being done?

Nothing in the way of knocking down sea lion populations, which is what some fishermen would like to see. What politician in his or her right mind is going to lead a movement to start killing these cute, puppy-faced pinnipeds?

Nobody knows how many sea lions there were historically in the waters off California, but biologists believe they have not yet peaked because their population is still increasing, by about 10% annually.

The National Marine Fisheries Service, responsible for monitoring marine mammals, has issued a report to Congress detailing some of the problems (harbor seals also are creating problems, primarily up north) and has written a series of recommendations for when the Marine Mammal Protection Act comes up for reauthorization in 1999.

Chief among recommendations is to implement a "site-specific management for California sea lions and harbor seals."

As part of this plan, lethal removal of pinnipeds preying on salmon and steelhead that are listed or proposed for listing under the Endangered Species Act would be allowed. Lethal removal would also be allowed as a last resort "in situations where California sea lions and Pacific harbor seals conflict with human activities, such as at fishery sites and marinas."

Another recommendation is "to develop safe, effective nonlethal deterrents."

To that end, work is already under way by a San Diego company, Pulsed Power Technologies, which recently received a federal grant. The company has patented an experimental unit that emits a high-energy ultrasonic pulse that, it is hoped, will keep sea lions away without affecting the fish.

"It's the latest and the greatest device we've seen in a while," said Doyle Hanan, a senior biologist with the Department of Fish and Game who will be involved in the testing of the device. "Very little has been done with deterrents. This is the first device that shows promise."

The electronic pulse, a brief concussive wave of energy that affects the inner ears of mammals close enough to be affected, already has proved to be effective during testing with a bulky prototype in 1995.

"We tested it on two different occasions," said Fletcher, who has been involved with the project from the beginning. "On one occasion, we had a great barracuda bite going. There were fish jumping all over the place and we were catching them on jigs and baits. And then these two big knotheads [sea lions] came and shut us down. We turned on the unit and they took off like scalded dogs. The fish stopped biting momentarily and two minutes later they came back and started feeding. But the sea lions never came back."

"The second time another boat was having the same problem with sea lions and we turned on the unit and the animals behind that boat took off too."

That was with a 300-pound model. Pulsed Power will use the funding to develop a smaller, more practical model that will undergo a series of out-of-water tests, supervised by various fisheries experts, and will then be tested in the ocean on SAC boats to determine the possible short- and long-term effects on fish and other marine mammals, and to determine whether the sea lions will get used

to it, as they have to "seal bombs" and other ineffective deterrent devices.

Eventually, it is hoped, 50- to 100-pound units—costing \$500 to \$700—will be available to skippers and landing operators alike. It is also hoped they can keep the sea lions and seals from the mouths of rivers where they ambush runs of salmon and steelhead.

When testing begins, though, it is sure to be controversial.

Said Dick Ayres, president of Pulsed Power Technologies, "The fur huggers [animal lovers] won't be happy with anything that annoys marine mammals, but this is by far the most effective and least intrusive device that has come out."

COMMISSIONERS  
Richard T. Thieriot, President  
San Francisco  
Ted Weggeland, Vice President  
Riverside  
Douglas B. McGeoghegan  
Maxwell  
Frank D. Boren  
Inverness  
Michael Chrisman  
Visalia

PETE WILSON  
Governor



ROBERT R. TREANOR  
EXECUTIVE DIRECTOR  
1416 Ninth Street  
Box 944209  
Sacramento, CA 94244-2090  
(916) 653-4899  
(916) 653-5040 Fax

STATE OF CALIFORNIA

## Fish and Game Commission

October 16, 1998

Mr. Rolland A. Schmitten  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
Silver Spring, Maryland 20910

Dear Mr. Schmitten:

The Commission continues to receive public comments regarding the negative impact marine pinnipeds are having on our state's marine ecosystems as well as many of its coastal fishery facilities and marinas. At our last meeting in Monterey, a large number of speakers from the public requested that the Commission write to you regarding this. It was pointed out that Congress has already recognized the problem: in 1994 it directed your agency, pursuant to the Marine Mammal Protection Act (MMPA), to work with the west coast states and the Pacific States Marine Fisheries Commission in conducting a scientific investigation of the status of California sea lions and Pacific harbor seals.

The west coast report was completed in March 1997, but has not yet been released by your office to Congress for their use in addressing this multitude of problems that has beset our State stemming from burgeoning marine mammal populations. The Commission strongly urges you to do your part in the process of properly managing our nation's fishery resources by addressing the impacts which expanding populations of marine mammals are having on them. In particular, it is important that NMFS consider the impact marine mammals are having on the various west coast salmonid populations that have been listed by your office as Threatened or Endangered under the Federal Endangered Species Act (FESA).

NMFS has determined that California populations of steelhead trout and coho salmon should be listed, and thereby given special protection under the FESA, yet your office has been reluctant to release to Congress a report that specifically addresses a mechanism for controlling the rapidly increasing marine mammal impacts on those same listed species. Seals and sea lions are very abundant in the areas inhabited by our Federally listed salmonids which are declining rapidly. The



Mr. Rolland A. Schmitten  
October 16, 1998  
Page Two

adverse impacts that these pinnipeds are having on the runs have been repeatedly chronicled in the media and reported to both of our offices. Also, at-sea interactions between marine mammals and recreational and commercial fishermen continue to increase in frequency and intensity as the animals grow bolder in these encounters due to the fishermen's inability to protect their gear and catch.

On the positive side, funding was made available through your office this year for use in documenting the impact marine mammals are having on west coast fisheries and the marine ecosystem. Our thanks to you and your staff for that effort. Please let the Commission know if it can provide additional input on this important issue; our fishermen, and the public in general, would appreciate any comments from you on the status of the west coast pinniped report.

Sincerely,



for Richard T. Thieriot  
President

cc: All Commissioners  
Department of Fish and Game  
Pacific States Marine Fisheries Commission  
✓ Sport Fishing Association of California  
Golden Gate Fisherman's Association

JOHN A. KITZHABER, M.D.  
GOVERNOR



May 7, 1998

Rolland E. Schmitten  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
1315 East-West Hwy, 13<sup>th</sup> Floor  
Silver Spring MD 20910

Dear Mr. *Rolland* Schmitten:

I am writing to express my growing concern over pinniped predation on salmon and steelhead in Oregon. As you know, coho salmon in southern Oregon have been listed under the federal Endangered Species Act (ESA) and your agency has formally supported recovery efforts for coho stocks on the remainder of the Oregon coast under the Oregon Plan for Salmon and Streams. Various salmon and steelhead populations in the Columbia River are now listed, and upper Willamette River Basin winter steelhead and spring chinook are currently proposed for listing under the ESA. The co-occurrence in estuaries and rivers of abundant predators, such as California sea lions and Pacific harbor seals, with state or federally listed salmonid stocks must be addressed.

The State of Oregon is aware of the options under the Marine Mammal Protection Act (MMPA) for non-lethal harassment of nuisance pinnipeds (Sec. 109) and very selective lethal removal of known individual animals (Sec. 120). However, based on our experience, and on that of California and Washington, we believe these options are not sufficient to assure the needed protection to salmonid stocks in critical condition. All available non-lethal deterrents have been shown to be largely ineffective or useful for short periods of time only. In discussions with the State of Washington, we have learned that the Section 120 process is cumbersome, costly and time consuming. In many cases, we simply don't have the time to repeat the studies and deterrents testing required under current law, while the affected salmonid stocks continue to decline or fail to recover.

As directed by Congress in the 1994 amendments to the MMPA, the states of Oregon, California and Washington participated in the development of a set of recommendations on the problems of pinniped predation. Your agency completed that draft report in March of 1997, but to our knowledge it has not been made final and sent to Congress for consideration and action. Those recommendations identify concern for predation impacts on state and federally listed salmonid stocks as the highest priority, and they provide a new management framework for dealing with

Rolland E. Schmitten  
May 7, 1998  
Page 2

pinniped predation on these fish stocks. The proposed authority would allow state and/or federal resource management agencies, without unnecessary delays, to remove small numbers of pinnipeds (from abundant and healthy populations) that are preying on depressed stocks of salmonids. This type of action would insure the best options for the continued viability of both pinniped and salmonid populations concerned.

In cooperation with the NMFS Northwest Region Office, we have been monitoring the loss of salmon and steelhead to California sea lions at Willamette Falls, 128 miles up river from the ocean. This year to date, the majority of fish taken by just four sea lions have been Upper Willamette Basin wild winter steelhead. As mentioned, NMFS recently proposed this stock for listing under the ESA. In our view, we can not wait and watch as a few sea lions take fish from this stock, which is considered by Oregon to be in critical condition. We also know from a recent NMFS news release that after removal of three sea lions at Ballard Locks, the problem of predation at that site is almost non-existent this year. This observation supports the position that removal of small numbers of animals exhibiting learned feeding behaviors can be effective. Finally, these situations at Ballard Locks and Willamette Falls are likely to be just the first of many similar problems all along the West Coast, where protected pinnipeds are foraging on threatened or endangered fish species.

We urge NMFS to act immediately to submit to Congress the "Recommendations for Addressing the Impacts of California Sea Lions and Pacific Harbor Seals on Salmonids and West Coast Ecosystems." I assure you that Oregon will support NMFS in seeking Congressional action to amend the MMPA to implement these recommendations as soon as possible.

Sincerely,



John A. Kitzhaber, M.D.

JAK/NR/sm

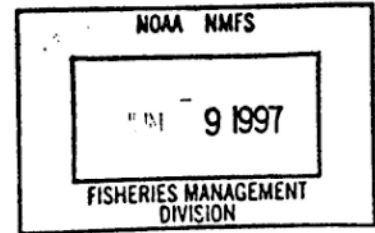
- c: All Oregon Congressional Delegation  
Honorable Governor Locke, Washington  
Honorable Governor Wilson, California  
Honorable Governor Knowles, Alaska  
Senator Ted Ferrioli, Oregon Legislature  
Representative Ken McSserle, Oregon Legislature

Co-Chair:  
Sen. Ted Ferrioli  
Co-Chair:  
Rep. Ken Messerle  
Staff:  
Judith Gruber, Policy Analyst  
Debra Scott, Admin. Support



69th LEGISLATIVE ASSEMBLY  
Joint Committee on  
Salmon and Stream Enhancement  
Room 453-D  
Salem, OR 97310  
(503) 986-1688  
FAX (503) 986-1814

Members:  
Sen. Joan Dukes  
Sen. Bob Kintigh  
Sen. Veral Tarno  
Rep. Jeff Kruse  
Rep. Terry Thompson



June 2, 1997

William Stelle Jr., Regional Administrator  
National Marine Fisheries Service Northwest Regional Office  
7600 Sand Point Way NE  
BIN C15700  
Seattle, WA 98115-0070

Dear Mr. Stelle:

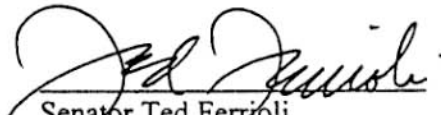
On behalf of the Oregon Joint Committee on Salmon and Stream Enhancement, we are writing to strongly support the recommendations outlined in the National Marine Fisheries Service (NMFS) draft Report to Congress advocating the need to better manage pinniped predation on sensitive salmon stocks. The citizens of Oregon have made an unprecedented commitment of time, energy, and resources to the Oregon Plan to recover Oregon coastal coho (*Oncorhynchus kisutch*) populations. Pinnipeds are not only at historically high population levels, but also currently increasing at a rate that could cause their numbers to double in ten years. This fact, coupled with very low populations of some salmonids, makes it a high priority issue to be addressed. To ignore the known negative impacts of increasing populations of California sea lions and Pacific harbor seals is unacceptable. We understand that more research is necessary to scientifically assess the magnitude of that negative impact, however, we feel that the legislative authorization for immediate action in certain situations is one critical component to the success of the Oregon Coastal Salmon Restoration Initiative.

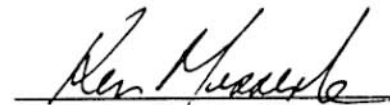
As you are aware, under the federal Marine Mammal Protection Act (MMPA) of 1972, authority to manage seal and sea lion populations was removed from the state and transferred to the NMFS. In 1994, amendments to the MMPA added Section 120 allowing the lethal removal of individual seals and sea lions shown to have a significant negative impact on a threatened salmon stock. The Oregon Department of Fish and Wildlife has been working with your staff and marine mammal scientists at the National Marine Mammal Laboratory to identify and implement needed investigations of the impacts of pinniped predation on declining salmonid stocks in Oregon. Despite these efforts, lack of federal funding and current policy implementation of the MMPA

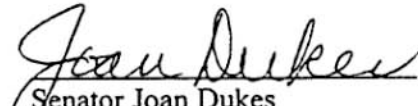
has not been effective in the management of predatory pinnipeds. For these reasons, the 69th Oregon Legislative Assembly adopted House Concurrent Resolution 2 calling for Congress to streamline the process in which the taking of harbor seals and California sea lions is authorized for fisheries conservation purposes, herein enclosed.


The Memorandum of Agreement between the State of Oregon and the National Marine Fisheries Service, Section 5 (e), recognizes that predatory pinnipeds may have a significant impact on Oregon coastal coho populations. The NMFS has committed to facilitating appropriate mitigation actions to achieve adequate escapement levels. Both Oregon and NMFS have jointly agreed to rapidly pursue restoration activities. The Oregon Joint Committee on Salmon and Stream Enhancement, therefore, strongly endorse and petition for swift implementation of the National Marine Fisheries Service recommendations with respect to the management of pinniped predation on sensitive salmon stocks.

Sincerely,

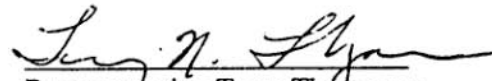
  
Senator Ted Ferrioli  
Co-Chair

  
Representative Ken Messerle  
Co-Chair

  
Senator Joan Dukes

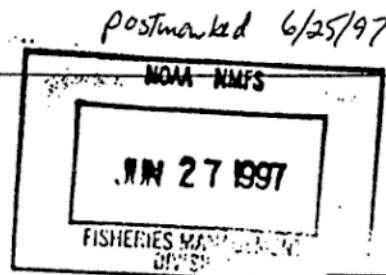
  
Representative Jeff Kruse

  
Senator Bob Kintigh

  
Representative Terry Thompson

  
Senator Veral Tarno

June 25, 1997



# Oregon

DEPARTMENT OF  
FISH AND  
WILDLIFE

OREGON FISH AND  
WILDLIFE  
COMMISSION

William Stelle, Jr.  
Regional Administrator  
NMFS Northwest Region  
7600 Sand Point Way N. E.  
BIN C15700  
Seattle, WA 98115

Dear Mr. Stelle:

The Fish and Wildlife Commission of the State of Oregon wishes to go on record in support of the Draft Report to Congress entitled, "Results of Discussions between National Marine Fisheries Service and Pacific States Marine Fisheries Commission of Behalf of the States of Washington, Oregon, and California Regarding Recommendations for Addressing the Impacts of California Sea Lions and Pacific Harbor Seals on Salmonids and West Coast Ecosystem".

While not laying blame for the current poor conditions of many Northwest Salmonid stocks on these natural predators, the report clearly recognizes the need for site-specific management of pinnipeds from healthy and abundant populations that are preying on threatened, endangered or otherwise depressed fish stocks. The ability to take rapid and effective action to remove predators at sites where fish passage is restricted by natural barriers, falls, fish ladders and other structures may be essential to the successful recovery of many salmonid populations. It has been well-documented that this type of foraging behavior by pinnipeds is most often the result of learned behavior by just a few individuals. Rapid removal of a small number of animals could reduce the loss of many fish and may prevent the escalation of minor problems to major resource conflicts.

The Marine Mammal Protection Act currently has provisions to allow mortalities of California sea lions and Pacific harbor seals associated with a variety of human activities (e.g. commercial fishing, subsistence harvest, etc.), while still insuring that their populations remain at optimum levels. A similar provision for limited takes by federal and state resource management agencies to protect at-risk salmonid stocks would in no way approach the levels currently authorized under the NMFS Potential Biological process.





We urge your agency to use the recommendations developed in this Report to Congress to develop and implement a workable set of regulations for site-specific management of pinnipeds as soon as possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Foster".

Susan A. Foster, Ph.D.  
Chair

c: Chief, Marine Mammal Division  
NMFS Office of Protected Resources  
1315 East-West Highway  
Silver Spring, MD 20910



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2200, TDD (360) 902-2207

Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

**DEPARTMENT MISSION: SOUND STEWARDSHIP OF FISH AND WILDLIFE**

**FISH AND  
WILDLIFE  
COMMISSION:**

**Lisa Pelly**  
Chair  
Bainbridge Island

**Kelly White**  
Vice Chairman  
Kettle Falls

**Russ Cahill**  
Olympia

**Don Heinicke**  
Wenatchee

**Dean Lydig**  
Spokane

**John McGlenn**  
Bellevue

**Pat McMullen**  
Mount Vernon

**Will Roehl**  
Bellingham

**Bob Tuck**  
Selah

**COMMISSION  
STAFF:**

**Debbie Nelson**  
Operations Mgr.

**(360) 902-2267**

**Fax:**  
**(360) 902-2448**

July 8, 1998

The Honorable Slade Gorton  
United States Senate  
730 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Gordon:

I am writing on behalf of the Washington Fish and Wildlife Commission to express our growing concern for the need to develop reasonable management options which deal with seal and sea lion predation on Northwest salmon and steelhead runs which have been proposed for ESA listings. We are also concerned with the potential impact of pinniped predation on Puget Sound groundfish and forage fish stocks. At our last meeting, the Commission voted unanimously to support the management recommendation package, which was developed by the Pacific States Marine Fisheries Commission, National Marine Fisheries Service, and resource managers for the states of Washington, Oregon, and California.

Development of this recommendation package was directed by Congress in the 1994 amendments to the Marine Mammal Protection Act (MMPA) because the current regulatory process for dealing with pinniped predation is cumbersome, costly, and time consuming. In many cases, the concern for pinniped predation on the status and recovery of our salmon runs and other fish stocks requires that resource managers have additional management options and flexibility to deal with these situations in a timely manner. We believe the recommendation package will provide the necessary authority to state and/or federal resource management agencies to allow timely removal of small numbers of harbor seals and California sea lions that prey on depressed salmonids.

The Commission believes this recommendation package provides a reasonable regulatory and management framework to deal with the predation issue and that

The Honorable Slade Gorton  
July 8, 1998  
Page 2

these management options are needed for sound management of the resources. We request your assistance and support in incorporating these recommendations into the MMPA.

Sincerely,



Lisa Pelly, Chair  
Washington Fish and Wildlife Commission

LP:SJ:lag

cc: Governor Gary Locke  
State Senator Oke, Senate Natural Resources and Parks Committee  
State Representative Buck, House Natural Resources Committee  
Jim Greer, Director, Oregon Department of Fish and Wildlife  
Jacqueline Schaffer, Director, California Department of Fish and Game  
Rollie Schmitt, Assistant Administrator for Fisheries, NMFS  
Will Steele, Northwest Regional Director, NMFS  
Fish and Wildlife Commission



DEL MAR SPORTFISHING, Inc.

13759 Fiji Way • Marina del Rey • California 90292 • 310/372-3712 • 310/376-4022 Fax

---

September 9, 1998

Robert C. Fletcher  
SPORTFISHING ASSN. OF California  
2917 Canon Street  
San Diego, CA 92106

Dear Bob:

I'll be brief...The Santa Monica Bay, as everywhere along the coast, is just overrun with sealions. To list specific encounters here would take pages; however, I have my personal logs going back to 1979 with notations on seal encounters. Suffice to say that largely because of these aggressive sealions we are being forced to settle for less in the way of catches for our customers, which in turn leads to less customers.

I would be happy to discuss further our seal problem with you or any other interested parties, and look forward to finding soon some sort of deterrent device that works so that we can defend ourselves and our livelihoods from these creatures.

Sincerely,

Rick Oefinger, president  
DEL REY SPORTFISHING

# NEW LOMAN

NICK CATES  
Owner - Operator

Point Loma Sportfishing Ass'n. • 1403 Scott St. • San Diego, CA 92106 • Phone: (619) 223-1627

Mr. Robert C. Fletcher, President  
Sportfishing Association of California  
2917 Canon Street  
San Diego, California 92106

11-15-98

Dear Bob:

I am writing to support your efforts to obtain both Federal and State cooperation in controlling the expanding populations of seals and sea lions on our Pacific coast. Since these marine mammals received blanket protection under the Marine Mammal Protection Act of 1972 their populations have grown unchecked, and individual animals have learned to harvest the catch of fishermen, foregoing their normal diets to feast on fish they normally would not be able to catch.

In some areas, the local kelp beds at Point Loma, and the Coronado Islands for instance, groups of these animals follow the commercial sportfishing boats from spot to spot and take whatever is hooked by the hapless fishermen. Catch levels are so reduced that those on board are frustrated to the point of not returning, and there is not much caught to entice the newcomer to give sportfishing a try. Just last week a friend went on a one-half day boat and lost the first five of six barracuda he hooked to the sea lions! He said if he wasn't experienced with the sea lions he wouldn't have landed the sixth! This scene is repeated time and again, from Baja, California to the state of Washington as the protected mammals feed on fish outside their customary diet, wrecking havoc on the livelihoods of fishermen and destroying fish populations.

We make our living from the sea, and understand that in all areas of human and animal interaction there must be concern for the ecology to protect bio-diversity and the long term health of the environment. But marine mammals have somehow earned an exalted status with the American public that precludes us from participating in that environment and prevents those entrusted with managing the marine resources from performing their duties. In no other area are animals given such complete license to preclude men from participating in harvesting nature's bounty. Foxes are not welcome in the henhouse and coyotes are kept away from the flocks. There are still plenty of both, and the chickens and sheep feed many of us.

We need relief by streamlining the process whereby new technologies are tested that would keep these animals away while we fish those schools of fish that are not in their diets, and modifications to the existing laws that protect individual animals in a population at the expense of other populations of animals. An example of the latter is the Federal and State paralysis that resulted in the destruction of a threatened salmon species by sea lions, a species receiving blanket protection without biological justification. We tossed out all reasonable responses because we anthropomorphised the sea lions and subsequently encouraged the extinction of a species! Sammy the Sea Lion is great entertainment at the zoo with a ball on his nose, but devastating to fish that are on a line or backed up, trying to climb a fish ladder at a dam.

Open Party

Daily Trips

Private Charters

Limited Load

My partner, Buzz Brizendine, and I have been forced out of areas where we traditionally fished for yellowtail and barracuda in the spring and fall months because of the absolute increase in the number of sea lions that frequent these areas, and by the absence of effective tools to keep the ones that have learned to feed exclusively on the fish hooked by sportfishermen at bay. This has resulted in a significant loss of income for a large part of our fishing fleet as they sit at the dock waiting for offshore fish to arrive, fish that are not so vulnerable to the sea lions. Sometimes it is almost impossible to land a single fish through the marauding sea lions in these areas, effectively shutting off any possibility of interesting customers onto our vessels. These lost opportunities are difficult for outsiders to assess, but they are very real, and very frustrating to those of us in the industry. We are very much aware that it is our daily customer average that determines our bottom line, and that the interactions with sea lions have lowered that average significantly. Many newcomers never give us a second chance after they have lost a large portion, or all, of the fish they hook to a sea lion. And, as an aside, I have never had anyone pay me to take them out to sea to watch a sea lion. Not one !

It is very easy to mindlessly suggest that the sea lions were here first and should be left alone, but that simple answer does not address the complex custodial and management roles that we have staked out for the human race. Its time for the Congress and the western states' governments to accept their management duties and modify the "Act" to conform to its intended purpose: The management of marine mammals for the long term health of the marine environment.

You know we are not looking for the extermination of these magnificent animals by any stretch of the imagination, only that the government work with us to protect our traditional livelihoods from animals they have turned against us through unrealistic political policies. We interact with and set limits on the behavior of domestic and wild animals everywhere, everyday. There is no excuse for this present exemption of one species from our management and control.

Good luck on this mission. It's unfortunate that the face of a bankrupted fishermen is not as evocative as that of a brown eyed sea lion, your job would be a lot easier.

Sincerely Yours,

*Nick Cates*  
Nick Cates





## MISSION BELLE

---

Seaforth Sportfishing  
1717 Quivira Rd.  
San Diego, CA 92109

Mr. Bob Fletcher  
President  
Sportfishing Association of California  
2917 Canon Street  
San Diego, California

Dear Mr. Fletcher:

This letter comes as a last attempt to bring attention to the serious problem plaguing the fishermen of the San Diego coast. At this present time the foundation of the local Sportfishing industry is crumbling due to the relentless, even voracious behavior of the overgrown sea lion population.

As owner/operator of a Sportfishing vessel I witness firsthand on a daily basis the devastating impact these animals have on our livelihood. Both myself and my crew feel this impact as it takes away from our daily business, and in turn the money we make.

As I am sure you are aware, one does not enter this business to get rich. We do it because we love it, and therefore don't expect to make a huge profit. What we do expect however, is to make a living. Both my crew and I put in long hours providing a service in an attempt to introduce and satisfy passengers with the Sportfishing experience.

Unfortunately, as of late this mission is becoming impossible as the sea lions in our area increase in population and aggression. At any time it is not uncommon for our boat to be surrounded by five to 20 sea lions making it impossible to land fish. The majority are scared off and those we do hook are eaten before they come to the boat. I have tried to make long moves to get away from them but this is futile as they usually follow the boat. If for some reason they don't there is always another group at the next spot ready to pick up where they left off. This is an everyday occurrence without exception. We have not had one single day this summer which was not impacted to some extent by sea lions. All in all this makes for a frustrating experience for both myself and my crew as well as for the passengers who pay a considerable amount to come out and fish.

A solution to this problem is long overdue as we have been dealing with it for years. I have been told for some time that a solution is in the works but have yet to see anything. This situation has reached a critical point and the time for action is now.

Thank you for your time and attention to this matter.

Sincerely,



David Ikeda  
Owner/Operator, Mission Belle

# SEAFORTH SPORTFISHING

1717 Quivera Road  
San Diego, CA 92109

---

October 10, 1998

Mr. Bob Fletcher  
President  
Sportfishing Association of California  
2917 Canon Street  
San Diego, CA 92106

Dear Mr. Fletcher:

I am writing this letter in an attempt to bring to light the serious problem that we, as fishermen in the San Diego area face as a result of an explosion in the sea lion population.

What was once merely a nuisance has grown to a point where it directly affects our livelihood as well as the overall livelihood of sportfishing in this region. The dilemma is simple; it is nearly impossible for the boats which operate in the coastal waters in and around San Diego to make a substantial catch when forced to compete with an overgrown sea lion population.

In the past 20 years the California Sea Lion population has more than doubled to 161,000, most likely due in some part to the 1972 Marine Mammal Protection Act. As a result, their ranges have expanded and their behavior, with regard to feeding has become fine-tuned. It is not uncommon to find 15 or 20 sea lions preying on one sport boat making it nearly impossible to bring fish on board. The results of this scenario are obvious: fish counts shrink - passengers become frustrated - boat loads shrink - boats are unable to get out because of a lack of passengers. This equations spells doom for the industry and becomes more consequential as the season ends and the bulk of the fish move on making competition between fishermen and sea lions all the keener.

As I write this letter I am coming off three days of fishing at the Coronado Islands which were completely shut down as a result of the sea lions. At any one time we were surrounded by at least 20, and any attempt to move was futile as they followed us. In all we probably lost eight tenths of the fish we hooked to the sea lions resulting in a boat load of frustrated anglers. Beyond that, many may not return having spent a substantial amount of money to watch sea lions eat their fish. Additionally, as a result of our low fish count we did not get out the following day.

Being fishermen, we as a group understand the importance of balance in our oceans. We realize that without this balance the elements which make sportfishing in San Diego so unique would eventually break down. It is this balance that we are trying to see restored. We are not calling for the extinction of the herd - indeed, we recognize the role that sea lions play in the

maintenance of our local waters. What we want is to restore the balance that once existed between fishermen and sea lions – to reestablish a co-existence that makes it possible for both groups to survive.

We are aware of current attempts to control sea lion behavior by sound devices. We are also aware that \$300,000 has been spent on this plan to no avail. Sea lions are smart. They adapt quickly and it is only a matter of time before this method is obsolete. It is clear that the most economically viable yet humane solution is the use of lethal force in problem areas.

It is true that the situation with sea lions in this area has reached a crisis point, and it is true that non-action by those who have a voice will lead to the eventual demise of this industry. We ask for your assistance and understanding as we attempt to bring this situation to the attention of our law makers as the MMPA comes up for reauthorization in 1999.

Thank you for time and understanding.

Sincerely,



John Conniff  
Deckhand, *Mission Belle*

2532 Empire Grade  
Santa Cruz, CA 95060  
Oct. 16, 1998

Sportfishing Association  
of California  
Mr. Bob Fletcher;

Regarding the sea lion/harbor seal problem — the worst part is the animals that patrol the small coastal streams, in the surf and even into the stream proper. Streams like the San Lorenzo River or Pescadero Creek rarely have any large 2-salt fish get through the gauntlet, only during extremely high & turbid water so the sea lions can't locate the fish.

This is a far more important problem than someone losing a King Salmon on a party boat to a fur-bag.

Sincerely,

James A. Lazarotti  
James A. Lazarotti