

Reducing Predation Impacts on At-Risk Fish by California and Steller Sea Lions in the Columbia River Basin

Finding of No Significant Impact
Bonneville Power Administration
DOE/EA-2150
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INTRODUCTION

The Bonneville Power Administration (Bonneville) announces its environmental findings for its proposal to provide funding to the states of Washington, Oregon, and Idaho and the Columbia River Inter-Tribal Fish Commission (CRITFC) for a sea lion barge and transfer cages (and related equipment) large enough to handle Steller sea lions (SSL), and to fund CRITFC's activities supporting the intentional take, by lethal methods, of California sea lions (CSL) and SSL in the mainstem of the Columbia River as allowed under the conditions of a Marine Mammal Protection Act (MMPA) Section 120(f) authorization to the eligible entities.¹ These activities would test the efficacy of lethal removal of CSL and SSL to reduce predation impacts on salmon and steelhead. Bonneville would fund such actions under its authority under Section 4(g)(3) of the Pacific Northwest Electric Power Planning and Conservation Act, which allows Bonneville to "investigate possible measures" for inclusion in the Northwest Power and Conservation Council's Power Plan (which includes its Columbia River Basin Fish and Wildlife Program).

The National Marine Fisheries Service (NMFS), in cooperation with Bonneville, developed an Environmental Assessment (EA), Reducing Predation Impacts on At-Risk Fish by California and Steller Sea Lions in the Columbia River Basin. The EA analyzed the Proposed Action and two other alternatives.

Bonneville hereby adopts the EA, and based on the analysis and public comments received, Bonneville determined that the Proposed Action is not a major Federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act (NEPA) of 1969 (42 United States Code [USC] 4321 et seq.). Therefore, the preparation of an Environmental Impact Statement (EIS) is not required and Bonneville is issuing this Finding of No Significant Impact (FONSI) for the Proposed Action. The Proposed Action is not the type of action that normally requires preparation of an EIS and is not without precedent. NMFS has prepared its own agency-specific decision document.

PUBLIC AVAILABILITY

The adopted EA and FONSI will be posted on Bonneville's project website:
www.bpa.gov/goto/ReduceSeaLionPredation

PROPOSED ACTION (ALTERNATIVE 3 OF EA)

NMFS proposes to partially approve the eligible entities' June 13, 2019, application requesting authorization under Section 120(f) of the MMPA to intentionally take, by lethal methods, CSL and SSL in the Columbia River Basin. Therefore, NMFS would issue an authorization for the eligible entities to remove (place in captivity or kill) CSL and SSL in the main stem of the Columbia River between River Mile

¹ The eligible entities under the Section 120(f) authorization are: the Oregon Department of Fish and Wildlife, the Washington Department of Fish and Wildlife, the Idaho Department of Fish and Game; the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes and Bands of the Yakama Nation; and the Willamette Committee. Section 120(f) of the MMPA provides that eligible entities may delegate their authority under a Section 120(f) to CRITFC.

112 (I-205 bridge) and River Mile 292 (McNary Dam), including conditions recommended by the Pinniped-Fishery Interaction Task Force. Bonneville proposes to provide funding to the states of Washington, Oregon, and Idaho and CRITFC for a barge and transfer cages (and related equipment) large enough to handle Steller sea lions, and to fund CRITFC's activities supporting the intentional take, by lethal methods, of CSL and SSL in the mainstem of the Columbia River, subject to the conditions under the Section 120(f) authorization including those recommended by the Pinniped-Fishery Interaction Task Force. Specifically, the following CRITFC CSL and SSL removal activities would be focused at the Bonneville Dam tailrace:

- Scouting trap deployment sites and identifying animal use and haul-out areas
- Trap deployment, setup, and monitoring
- Active trapping of sea lions
- Transferring sea lions to a handling barge
- Moving sea lions from traps to a dispatching area
- Handling sea lions and carcasses

CRITFC does not propose to implement euthanasia of sea lions; per MMPA requirements, euthanasia would be administered separately by state veterinarians and would not be funded by Bonneville. The CRITFC activities supporting intentional take, by lethal methods, of CSL and SSL would be intended to reduce sea lion predation on fish stocks listed as threatened or endangered under the ESA in the Columbia Basin.

NO ACTION ALTERNATIVE (ALTERNATIVE 1 OF EA)

Under the No Action Alternative, NMFS would deny the eligible entities' request for lethal removal authority of CSL and SSL in the action project area and Bonneville would not fund the request from the states of Washington, Oregon and Idaho and CRITFC for a sea lion barge and transfer cages nor fund the request from CRITFC for activities that would support intentional take, by lethal methods, of sea lions.

ALTERNATIVE 2 OF EA

NMFS would grant the eligible entities' request for lethal removal authority of CSL and SSL with the conditions proposed in the application. Bonneville would fund the request from the states of Washington, Oregon and Idaho and CRITFC for a sea lion barge and transfer cages and fund the request from CRITFC for activities that would support intentional take, by lethal methods, of sea lions, which would test the efficacy of lethal removal of sea lions to reduce predation impacts on salmon and steelhead, subject to the conditions proposed in the application by the eligible entities.

SIGNIFICANCE OF POTENTIAL IMPACTS OF THE PROPOSED ACTION

To determine whether the Proposed Action has the potential to cause significant environmental effects, NMFS and Bonneville analyzed the potential impacts of the Proposed Action on human and natural resources and presented them in Chapter 3 of the EA. The potential impacts associated with the Proposed Action are summarized below. The following discussion also provides the reasons these impacts would not be significant.

Recreation

Impacts to recreation are not expected to be significant.

- There would be a boat restriction zone established by the state to keep boaters away from the haul-out traps and during lethal and non-lethal removal activities for public safety. The size of the boat restriction zone would be very small compared to the cross-sectional area of the Lower Columbia River, would be short in duration, and would not prevent boaters from using the river.
- There would be no changes to recreational activities at Bonneville Dam.

Vegetation

Impacts to vegetation are not expected to be significant.

- There would be no effects to vegetation from the Proposed Action.

Fish

Impacts to fish are not expected to be significant.

- The removal of CSL and SSL within the project area is expected to benefit salmon, steelhead, eulachon, lamprey and sturgeon by reducing predation on these ESA-listed fish species.
- The Proposed Action would potentially save (fish escaping sea lion predation) 13,089 to 78,533 salmon and steelhead over a 5-year period. However, the magnitude of these impacts would be small at the population level and therefore not significant to fish under NEPA.

Wetlands, Floodplains and Groundwater

Impacts to wetlands, floodplains, and groundwater are not expected to be significant.

- Impacts to freshwater habitats from intermittent mooring of floating traps and minor increase sound levels (decibel – dB) associated with boat use within the range of typical boating activities are anticipated to be negligible.
- There would be no CSL and SSL removal activities that would impact substrate, water quality, and water quantity within the Lower Columbia River.

Wildlife

Impacts to wildlife are not expected to be significant.

- The Proposed Action would allow between 144 and 286 CSL to be removed (killed or transferred) over the 5-year authorization. The current population estimate for CSL is 257,606. For CSL, the potential biological removal (PBR) level is 14,011 animals annually. The removal of up to 286 animals from the CSL population would have no effect on the overall range-wide abundance, distribution, and productivity of the CSL population. The number of CSL removed is extremely small compared to the current number of CSL that can be removed from the population (PBR) without affecting CSL status with respect to CSL's optimal sustainable population (OSP²).

² OSP is defined by the MMPA section 3(9) ...with respect to any population stock, the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element. (16 U.S.C. 1362(3)(9)).

- The Proposed Action would allow between 105 and 130 SSL to be removed (killed or transferred) over the 5-year authorization. The current population estimate for SSL is 52,139 non-pups and 19,423 pups. For SSL, PBR is 2,498 animals annually. The removal of up to 130 animals from the SSL population would have no effect on the overall range-wide abundance, distribution, and productivity of the SSL population. The number of SSL removed is extremely small compared to the current number of SSL that can be removed from the population (PBR) without affecting SSL's status with respect to OSP³.

Cultural Resources

Impacts to cultural resources are not expected to be significant.

- The Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes and Bands of the Yakama Nation, as parties to the Section 120(f) application, could actively participate in lethal removal of sea lions and may request sea lion carcasses for educational and cultural uses, which are an established historical cultural resource of the tribes. Access to sea lion carcasses for cultural uses would have a positive impact on tribal customs.
- Bonneville has made the determination (OR 2020 134) per 36 CFR 800.3(a)(1) that the Proposed Action is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties are present.

Greenhouse Gases

Impacts to greenhouse gases are not expected to be significant.

- There would be increased boat use from the Proposed Action, but the amount and extent of boating would not result in significant changes to greenhouse gas emissions.

DETERMINATION

Based on the information in the EA, as summarized here, Bonneville determines that the Proposed Action is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA (42 USC 4321 *et seq.*). Therefore, an EIS will not be prepared and Bonneville is issuing this FONSI for the Proposed Action.

Issued in Portland, Oregon.

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³ Because the counts of eastern Steller sea lions have steadily increased over a 30+ year period, Muto et al. (2017) conclude that the stock is likely within its OSP.