



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OREGON 97232

October 14, 2020

Chairman Shannon Wheeler
Nez Perce Tribe
P.O. Box 305
Lapwai, ID 83540

Re: MMPA Section 120(f)(6)(B) Delegation of Permits to and between Eligible Entities

Dear Chairman Wheeler:

We received your letter dated September 9, 2020, requesting the National Marine Fisheries Service's (NMFS) concurrence with the Nez Perce Tribe's delegation of authority to the Columbia River Inter-Tribal Fish Commission (CRITFC) pursuant to section 120(f)(6)(B) of the Marine Mammal Protection Act (MMPA).

On August 14, 2020, NMFS issued a Permit to the eligible entities¹ authorizing the intentional lethal removal of California sea lions and eastern stock of Steller sea lions (sea lions) to reduce or eliminate sea lion predation on certain at-risk fish species in the Columbia River Basin. MMPA section 120(f)(6)(B) allows, with NMFS' approval, certain eligible entities to delegate their removal authority of sea lions to CRITFC.

We concur that your September 9, 2020, letter fulfills the delegation of authority requirements as described in our Procedures to Coordinate Issuance of section 120, subsection (f) Permits of the MMPA (Coordination Procedures) Decision Memorandum (June 4, 2019). We find the Nez Perce Tribe's request is consistent with the MMPA, the applicable established Coordination Procedures, and the Permit. We therefore approve the request of the Nez Perce Tribe to delegate their authority to remove sea lions to CRITFC as defined in the Permit and MMPA section 120(f)(6)(B). As the delegate of an eligible entity, CRITFC must comply with all terms and conditions in the August 14, 2020, Permit.

Please contact Robert Anderson, NMFS, West Coast Region, Protected Resources Division, at 503-231-2226 or robert.c.anderson@noaa.gov, if you have any questions.

Sincerely,

Barry A. Thom
Regional Administrator

cc: Jack Yearout, Nez Perce Tribe
Jaime Pinkham, Executive Director, Columbia River Inter-Tribal Fish Commission
Chris Yates, Robert Anderson, Robert Markle, Diana Dishman, NMFS West Coast Region,
Protected Resources Division
Laurie Beale, NOAA General Counsel Northwest Section
Administrative File: 151416WCR2019PR00086

¹ 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, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Grand Ronde Community, and the Confederated Tribes of the Siletz Indians of Oregon.

