



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

In Reply, Refer to:
151404SWR2004PR2010/MLD

NOV 9 2004

Steven Slatem
Californian Sea Lions Society
1262 Beryl Street, #30
Redondo Beach, California 90277

Dear Mr. Slatem:

This letter responds to your request for the National Marine Fisheries Service (NOAA Fisheries) to provide guidance to the Californian Sea Lions Society (Society) regarding the proposal to supply a decommissioned vessel, the *Kinchel'oe*, as a permanent haul out site for California sea lions in Redondo Beach King Harbor, Redondo Beach, California.

On September 13, 2004, the Society gave a presentation to the Redondo Beach Harbor Commission (Commission) and, as per your request, NOAA Fisheries has reviewed the transcript of that meeting that you provided in an e-mail to Monica DeAngelis of my staff. NOAA Fisheries has also obtained a copy of the televised proceedings of the Commission meeting and we offer comments and guidance based on the televised proceedings of the Society's presentation, the question and answer period, and the public comment period.

NOAA Fisheries would like to commend the Society for their early coordination on this matter and we would like to continue to develop this partnership in the future. As we have previously discussed with you in meetings, phone conversations, and e-mails, NOAA Fisheries does not support the proposal to provide a boat as a haul out site for sea lions in Redondo Beach King Harbor. In recent years, there has been an increase in the number of interactions between humans and sea lions, particularly in marinas and harbors, and managing these interactions has been challenging. Providing a haul out site for sea lions in a heavily populated area, such as Redondo Beach King Harbor, may increase the risk of human and sea lion interactions.

Although you stated to the Commission that the boat would support 25 to 88 animals at one time and that the number of animals would be controlled by a dominant male, it is difficult to predict how many animals would haul out on the vessel at one time. In Monterey, California, sea lions have caused serious damage to marinas including cracking concrete docks and striking vessels moored in the harbor. Based on observations of sea lions hauling out in marinas and harbors throughout California, there is no conclusive evidence that they would prefer to haul out on a vessel such as the *Kinchel'oe* versus another vessel moored in the Redondo Beach King Harbor.



It is our understanding that a vigorous maintenance program is proposed including the use of environmentally friendly cleaning agents, however it is not clear how the vessel will be accessed, particularly when sea lions are present. California sea lions are protected under the Marine Mammal Protection Act (MMPA). Under the MMPA, it is illegal to "take" a marine mammal without prior authorization from NOAA Fisheries. "Take" is defined as harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture, or kill any marine mammal. "Harassment" is defined as any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering. Based on the information provided in the televised proceedings and the proposal submitted via e-mail to Monica DeAngelis on August 23, 2004, it may be necessary for you to obtain authorization for the maintenance program through a permit from NOAA Fisheries. NOAA Fisheries would also need to review the proposed plan for rescuing sick or injured sea lions on the *Kinchel'oe*, as referenced in the August 23, 2004, proposal.

A few members of the public also expressed concern over the presence of aggressive sea lions, in particular an adult male sea lion on "G" dock. After viewing the televised proceedings of the Commission meeting and hearing the testimony from members of the public, if the City of Redondo Beach or a private owner determines that sea lions should be deterred from their property, then they should first contact Joe Cordaro at NOAA Fisheries-Southwest Regional Office at 562-980-4017 before attempting to deter the animals from the area. Currently, NOAA Fisheries is investigating methods to exclude sea lions from marinas and harbors and would like to offer our assistance on this matter. In addition, the practice of feeding fish or fish products either directly or as discard from a fishing vessel should be discouraged as it is unlawful to feed wild marine mammals. These animals are not accustomed to human food and even fish can pose a health risk if it has not been handled according to procedures approved by marine mammal veterinarians.

Ultimately, the City of Redondo Beach will have the authority to accept or deny the proposal by the Society, however, marine mammals are protected by federal regulations and thus, authorization from NOAA Fisheries may be required. NOAA Fisheries would like to express our gratitude to the Society for its efforts in the conservation of marine mammals, a concern we share. Thank you for coordinating with NOAA Fisheries regarding this project. If you have any questions, please contact Monica DeAngelis at (562) 980-3232.

Sincerely,



for James H. Lecky
Assistant Regional Administrator,
Protected Resources Division

cc: John Baker, City of Redondo, Office of the City Manager