

SAVE OUR LEATHERBACKS OPERATION (S.O.L.O.)

A Non Profit Public Charity Approved by IRS Code 501(c)(3) and Texas Non-Profit Corporation Act

4582 East Kingwood Drive, Suite # 143

Kingwood, Texas 77345

Ph/FAX: 281-361-4492

E-Mail: saveourleatherbacks@earthlink.net

Web Site: www.leatherbackturtles.org

July 10, 2007

William Hogarth. PhD
Director
NOAA Fisheries Service
1315 East West Highway, SSMC3
Silver Spring
MD 20910
Fax: (301) 713-2384

Rodney R. McInnis
Regional Administrator,
Southwest Region, NMFS
501 West Ocean Blvd.,
Suite 4200
Long Beach, CA 90802-4213
Fax: (562) 980-4047

Re: RIN 0648XA73; Opposition to Issue Exempted Fishing Permits (EFP) to Any and All Long Line Fishing Along the California and Oregon Coasts

Dear Dr. Hogarth and Mr. McInnis:

I am writing to express strong opposition to the application before the National Marine Fisheries Service for an exempted fishing permit (EFP) that would allow swordfish long line fishing along the California and Oregon coasts on behalf of our Non Profit Foundation and its members/supporters and me. I am one of the very few non Governmental persons who has made several trips to the very remote Pacific Leatherback Turtle nesting beaches to conduct observations and research on the rapidly approaching extinction reality this specie now faces. This giant turtle has no methods to protect itself from the fast approaching extinction peril. Man must change activities which kill and injure them along with political mind sets that ...'to kill just a few' ... is not harmful to the Leatherback population. This situation is far more of an urgent matter than some scientists are willing to admit.

Long line fishing has been banned for many years along the California coast due to "by catch" (a contrived nice word which means...slaughter) concerns. In 2004 this ban was extended to include the entire U.S. west coast. **This Ban MUST be kept in force.**

Of great concern is this proposal to allow long line fishing to occur in an area and during a time when the critically endangered Leatherback sea turtle is present. This giant turtle is at the top of the critically endangered marine species on every International list, including that of the United States. Further, the proposed EFP will undermine successful conservation measures protecting not only the critically endangered leatherback sea turtle, but also valuable fish stocks, and other marine life, and the health and integrity of U.S. west coast's rich and diverse marine ecosystems.

On June 5, 2007, NOAA **refused** to grant an EFP to the Federation of Independent Seafood Harvesters (FISH) (re: NOAA file # 150413SWR2006SF00311:MH) and cited the reason as that

request was in direct conflict of specified conditions in the Pacific Leatherback Conservation Area (PLCA). A significant supporting reason was the 10+ year study of the near shore waters off the U.S. West Coast for foraging Leatherback Turtles, as these waters are a vital foraging area for the western Pacific Leatherbacks from one of the two largest of the remaining breeding populations in the Pacific. One of these breeding groups is in extreme danger of becoming extinct in the very near future as a direct result of long line butchery at sea. The loss of even 1 Leatherback now is very critical to survival of this most endangered specie. The same reasoning as was applied to (FISH) - **MUST** be applied to any and all long line fishing requests to enter into these protected areas. **These areas MUST be kept CLOSED.**

The follow on consideration of the permit request by the Long Line interests by NOAA/NMFS is difficult to understand; given the decision against gill and drift nets. Your June 5 decision **SHOULD** be sufficient precedent to inform ALL commercial fishing interests **not** to apply for EFP's as the reasons against 1 group must be applied to all in these environmental sensitive costal areas. Your offices and staff are the responsible Agency to enforce the Magnusson-Stevenson reauthorized Act and maintain a balance between commercial interests and the marine environment which has been damaged almost to an irreversible condition by the same commercial interests who continue to seek access to areas which have been protected and where these areas exhibit good success stories of environmental recovery to some degree. Even a thought to allow the long lines enter our costal protected areas is an indication of the imbalance which might be prevalent in favor of commercial fishing. We ordinary citizens look to NOAA/NMFS to **PROTECT** our sensitive marine environments; not support destruction of critically endangered species. As Public Servants who take an oath to protect and uphold our laws, we insist you **NOT** issue the EFP to long lines **OR** any other commercial fishing which might seek to violate these protected costal areas.

We, therefore urge the National Marine Fisheries Service to deny the issuance of the EFP for swordfish long line fishing along the U.S west coast. We welcome your reply, including an opportunity to discuss this issue personally. We are **NOT** anti commercial fishing. We are insisting there be a balance to protect our oceans environment of what remains.

Sincerely,

Larry McKenna
Founding Director

