



SEA TURTLE RESTORATION PROJECT

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RE: Drift Gillnet Management and EFP Application for Pelagic Longlines

Dear Mr. Hogarth and Mr. Hansen:

We write in opposition to two proposals before the Pacific Fishery Management Council to expand the drift-gillnet fishery into a currently protected area and to establish a pelagic longline fishery through a proposed Exempted Fishing Permit (EFP). There is not sufficient justification to increase and expand the drift-gillnet fishery or to develop and expand a pelagic longline fishery. Moreover, the threats and risks to endangered species and to the California Current Large Marine Ecosystem are too great to proceed further with these proposals.

If approved by the Council, the proposals to modify the drift-gillnet time/area closure and to allow pelagic longline gear through an EFP will undermine successful conservation measures protecting

the critically endangered leatherback sea turtle as well as billfish, seabirds, marine mammals, sharks and other fish,

Since 2001, areas north of Point Conception to an intersect with the Oregon coast and out beyond the Exclusive Economic Zone (EEZ) to 129° West longitude have been closed to drift-gillnet fishing from August 15th through November 15th in order to protect leatherback sea turtles which seasonally inhabit these waters. Similarly, pelagic longline fishing has been banned within 200 miles of the California coast for well over a decade, and in March 2004 this ban was extended to the entire West Coast EEZ for all pelagic longlining, and to the high seas for West Coast-based shallow-set pelagic longlining. The proposals under consideration by the PFMC would allow drift-gillnets back into the seasonally closed area when leatherbacks are present, as well as allow an "exempted" pelagic longline fishery in the EEZ off California.

Pacific leatherback turtle populations remain extremely low and these proposals that would increase the threats and risk of killing these protected species are unwise and fraught with peril. In addition to concerns regarding the killing of endangered leatherback sea turtles, we are greatly concerned by the impacts drift-gillnets will have on other marine life in the California Current. In the past three years, the drift gillnet fishery has also taken seabirds, elephant seals, California sea lions, dolphins, and humpback, grey, and pilot whales despite gear measures to reduce these interactions. Further, increased effort and expansion of this fishery into the time/area closure will place additional pressure on fish species that: do not have harvest caps, such as striped marlin; are not actively managed by the Council, such as bullet mackerel; or have populations that are currently the subject of scientific concern, such as albacore tuna.

Information provided in the draft exempted fishing permit and alternatives to modify the drift-gillnet closure do not allay our concerns. The drift-gillnet EFP for swordfish states that "bycatch" species will be released alive when possible, but historically the drift-gillnet swordfish fishery has retained a long list of "marketable" species, including bullet mackerel, Pacific mackerel and skipjack tuna. It proposes allowing as much as 2/3 of the active fleet to participate, relying solely on turtle takes to close the experiment. The purpose of the current closed area is to avoid taking and killing of endangered leatherback sea turtles but the measures under consideration risk increased interaction with them.

The current drift-gillnet time/area closures allow the fishery to continue while urgently protecting the critically endangered leatherback sea turtle. During the past three years of the drift-gillnet closures, this fishery, which targets swordfish and thresher shark, had no recorded takes of leatherback sea turtles. This successful time/area closures, which has eliminated the overlap of longline and drift-gillnet fishing gear with the presence of leatherback sea turtles, should serve as a successful model to be replicated elsewhere in the Pacific where the leatherback is at the greatest risk of extinction. It would be irresponsible to proceed with either drift-gillnet or longline fishing in the current protected areas, at any level, including under an EFP, not predicated on a comprehensive assessment of sea turtle populations and fishery interactions and without full consideration of the impacts on other endangered species, impacts to fish and the ecosystem.

We appreciate that turtle conservation issues are international in scope, and we encourage the Council to coordinate with the Western Pacific Fishery Management Council and international bodies to improve turtle protections across the Pacific. We would like to work with NOAA Fisheries and the Council in finding comprehensive solutions to overcome the serious and impending threats to sea turtles in both U.S. and international waters. Until such time and given our

concerns, we cannot support expansion of these destructive gear types off the California and Oregon coasts.

Sincerely,

Robert Ovetz, PhD
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