

## APPENDIX G1: All letters and e-mails from general public

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**Note: This is an example of a form e-mail.**

From  
Sent  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,



From [aguayot@trinityra.org](mailto:aguayot@trinityra.org)  
Sent Wednesday, April 11, 2007 3:42 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I fully support new rules to end over fishing and to rebuild our depleted fish populations. This is a step in the right direction for us and for future generations to come. Our oceans are in trouble and need your help.

I ask that the new fishery management plans are designed not to exceed scientifically recommended catch limits and that annual catch limits should include a large enough buffer, to be on the safe side that will account for any uncertainty. Please make sure that managers have strong accountability measures available to them to correct for over fishing should it occur during the fishing season.

I urge you to make the new National Standard Guidelines very clear and strict to protect our fisheries. This measure is long overdue please put an end to over fishing. I fear for the future of our oceans if we do not start taking action soon.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Thresa Aguayo  
122 Wimberly Way  
Conroe, TX 77385



From [shanals@earthlink.net](mailto:shanals@earthlink.net)  
Sent Sunday, April 15, 2007 4:23 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

To prevent overfishing:

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Shan Albert  
1881 Washington Ave. #15F  
15F  
Miami Beach, FL 33139

From [george7096@comcast.net](mailto:george7096@comcast.net)

Sent Wednesday, April 11, 2007 11:51 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject National Standard 1 Guidelines

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

We are personally affected by the overfishing problem, as the food fish we love are disappearing from the market or their prices are rising as a result of scarcity. We want NMFS to reverse this disastrous loss of fish populations.

The Notice of Intent is a good starting point. We want the final National Standard 1 guidelines to take a conservative, cautious approach, so we can rebuild those depleted fish populations. It would be a serious mistake to allow the catch to exceed cautious levels recommended by marine scientists. The fishing industry will be in far worse straits if they keep taking so many fish that the populations can't recover.

We want the annual catch limits to include a buffer to offset uncertainties and data gaps. The limits should be based on considering each fish species in its role in the marine ecosystem. Managers should be empowered to tighten catch limits if problems are observed during the fishing season.

The US Congress passed a strong law to halt overfishing. It's time for the new National Standard 1 guidelines to set rules that are clear and tough, so we can end overfishing and restore the rich, diverse fish populations we used to have.

Thank you for considering our views. We wish you well in completing this project.

Sincerely,  
George %pa\_first\_name% Frances Alderson  
112 Hilton Ave  
Catonsville, MD 21228-5727

From [billie bates <bcbts@yahoo.com>](mailto:billie_bates@yahoo.com)

Sent Tuesday, April 17, 2007 6:52 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject Overfishing Termination by 2010

For 20 years, I was the owner of Pleasant Bay Fillet, Inc., a fish processing company in Chatham, Massachusetts, & I would like to echo the comments below:

Magnuson-Stevens Fisheries Conservation & Management Act.

National guideline number 1 needs to define overfishing (adjustments infishing mortality based on targets in the fishery management plans) and overfished stocks (adjustments in spawning stock biomass required to produce maximum sustainable yield levels) in terms of more realistic target baselines that will promote recovery of depleted stocks and ensure sustainable fishing in the future. Certainly the virgin stock biomass with no fishing is not a realistic SSB target, but a historical level should be chosen when the fishing stock of concern were much more abundant and occurred throughout their historic range (since stock range tends to contract when a population is reduced in size through density-dependent effects).

The fishing mortality will also need to be reduced as we move towards an ecosystems approach to fishery (EAF) management (as recommended by the US and Pew Ocean Commissions) in order to allow more of the fish production to be utilized by the other components of the ocean ecosystem. This will probably require a fishing mortality target at less than MSY levels.

It should be the job of the academic and state/federal fishery scientists to develop the Total Allowable Catch levels (TAC) and then the fishery management councils (FMCs) can decide how they wish to divide this quota amongst various sectors of the commercial industry and saltwater anglers (another recommendation from the Oceans Commissions).

As NOAA Fisheries makes the transition from single species management to EAF, they will need to engage with a wider range of stakeholders (animal rights activists, seafood consumers, environmentalists, recreational users of the ocean, etc.) than is served by the fishery management councils (commercial and recreational fishing interests). The transition to EAF will also require incorporating information on the impacts of habitat loss/degradation (by either fishing gear or non-fishing human activities) on fish production; changes in the bottom up forcing of the food chain that supports living marine resources (LMRs) as a result of climate change; effective reduction of bycatch of target and non-target species through use of no take marine protected areas and conservation engineering; etc.

A switch from use of a precautionary management approach to one based on the precautionary principle would place more onus on the harvesters to show that their activities don't diminish SSB and maintain fishing mortality at levels less than Fmsy. The fishing industry should also be asked to financially support some of the required research to support the management information needs required for EAF. The saltwater anglers should be required to obtain licenses to fish in federal jurisdictional waters and the permit fees should be increased for commercial fishermen/women (a permit fee that varies with fish abundance might encourage better stewardship). Finally since ecosystem regime shifts can occur due to excessive harvesting (top down effects) or climate-related changes in the ocean ecosystem (bottom-up effects), some buffer should be incorporated in the FMP overfishing and overfished reference points to accomodate this possibility.

Even though some of the mandates in NOAA Fisheries national guidelines provide conflicting guidance on how to manage fisheries, number 1 on overfishing and overfished stocks should receive precedence over the others. The rationale behind this is that fishers are harvesting public resources and bycatch is negatively effecting natural trust resources, protected resources and the biodiversity of the ocean ecosystem. Hopefully NOAA Fisheries and the FMCs will exert better stewardship over these public resources as we move to EAF than the past single species management record.

Past management has diminished the nation's wealth and caused hardship in coastal fishing communities, while creating excess fishing mortality and decreased SSB (a lose-lose outcome). Hopefully NOAA Fisheries will take this new opportunity to improve their management performance. The NOAA Administrator and NOAA Fisheries Director should be held accountable for the performance of our fisheries program in meeting National Guideline #1.

I expect you to take these comments very seriously; thank you.

Billie Bates  
POBox 385  
South Chatham, MA 02659

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Ahhh...imagining that irresistible "new car" smell?  
Check out [new cars at Yahoo! Autos.](#)

From [vincentbl@hotmail.com](mailto:vincentbl@hotmail.com)



Sent Wednesday, April 11, 2007 4:15 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc


Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

There is a urgent need for a new fishery management that is long overdue. It is imperative that the new guidelines must have strong rules that have strict catch limits. Overfishing must be stopped! And a good plan has to be at work! Please consider this an official comment.

Sincerely,  
Vincent Blaignan  
11913 River Rd.  
Corning, NY 14830



From [bonkry@core.com](mailto:bonkry@core.com)   
Sent Thursday, April 12, 2007 2:12 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing


Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Please attend to our fisheries. The time is now and the work is critical for the health of the oceans for lifetimes ahead.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Vicki Bonk  
"5629 45th Av. S,"  
MPLS, MN 55417

From [brasspndr@yahoo.com](mailto:brasspndr@yahoo.com)   
Sent Wednesday, April 11, 2007 4:26 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Robert W. Brown  
1525 Douglas Avenue  
Racine, WI 53404

From [Waxmanjr@aol.com](mailto:Waxmanjr@aol.com)

Sent Thursday, February 22, 2007 9:51 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject comments on overfishing guidelines

To: Mark Millikin

From: Charles W. Caillouet, Jr., Ph.D. (retired from NMFS NOAA in 1998)

Subject: Comments on Overfishing Guidelines

Thank you for this opportunity to comment on overfishing guidelines.

Having recently participated on the Gulf of Mexico Fishery Management Council's Ad Hoc Shrimp Effort Working Group, and having conducted research on shrimp stocks in the Gulf of Mexico while employed for 25 years by the NMFS Galveston Laboratory and for 8 years prior to that, I believe one of the major problems with implementation of the Magnuson-Stevens Fishery Conservation and Management Act may be that too much freedom is given to Regional Fishery Management Councils in defining overfishing itself (see <http://www.seaturtle.org/mtn/archives/mtn100/mtn100p22.shtml>).

As an example, the Gulf of Mexico Fishery Management Council defines overfishing for Gulf shrimp stocks of the EEZ only in terms of recruitment overfishing, and has established recruitment overfishing thresholds as guidelines to prevent recruitment overfishing. Recruitment overfishing is something to be avoided at all costs, because if recruitment overfishing occurs, a fishery stock may collapse, never to recover, or it may take numerous years to recover. There are serious attendant socio-economic consequences associated with collapse of a stock. There are other types of overfishing (e.g., growth overfishing) which indicate the detrimental impacts of uncontrolled fishing effort long before a stock is at risk of recruitment overfishing. There should be a requirement for regional fishery management councils to implement guidelines requiring assessment of growth overfishing (which precedes recruitment overfishing) and its use to signal the need to control fishing effort before recruitment overfishing occurs. In this way, growth overfishing could act as a wake-up call suggesting the need for management intervention long before the stocks are at risk of recruitment overfishing. Yet, the Fishery Management Plan for Shrimp Stocks of the Gulf of Mexico has **defined maximum sustainable yield (MSY) and optimum yield (OY) as "all the shrimp that can be taken during open seasons in permissible areas in a given fishing year with existing gear and technology without resulting in recruitment overfishing as herein defined."** This is based on "conventional wisdom" that Gulf shrimp stocks cannot be recruitment overfished.

**More than two decades ago, Gulland and Rothschild (1984) stated that a reduction of shrimping effort in the Gulf of Mexico would most certainly lead to economic benefits. They stated further that an increase in effort would be of limited economic value to the fishermen, and could result in**

increased risk of population collapse or a sustained reduction in production of the population. They suggested that a conservative view must be taken on the potential for biological danger to the stocks. Yet, shrimp fishing effort in the Gulf of Mexico was allowed by management agencies to continue to increase. Now the domestic shrimp fishery is in serious decline. However, the shrimp stocks are recovering.

Ludwig et al. (1993) noted that there is remarkable consistency in the history of resource exploitation in that resources are inevitably overexploited, often to the point of collapse or extinction. They suggested such consistency is due to the following common features:

1. Wealth or the prospect of wealth generates political and social power that is used to promote unlimited exploitation of resources.
2. Scientific understanding and consensus is hampered by the lack of controls and replicates, so that each new problem involves learning about a new system.
3. The complexity of the underlying biological and physical systems precludes a reductionist approach to management. Optimum levels of exploitation must be determined by trial and error.
4. Large levels of natural variability mask the effects of overexploitation. Initial overexploitation is not detectable until it is severe and often irreversible.

The Committee on Ecosystem Management for Sustainable Marine Fisheries (CEMSMF, 1999) defined overfishing as fishing at an intensity great enough to reduce fish populations below the size at which they could provide the maximum long-term potential (sustainable) yield, or at an intensity great enough to prevent their recovery to that size.

Gulf white shrimp stocks have provided much lower annual production than during the earlier years of the white shrimp fishery, and they may have been recruitment overfished (though not to the point of total collapse) for many years. White shrimp stocks are now rebounding at an amazing rate, not because of wise management, but rather due to a decline in the shrimp fishery (reduced fleet size and reduced fishing effort) associated with competition from imported shrimp and rising fuel costs. In other words, because of serious socio-economic hardships suffered by the industry. Had the Gulf Council intervened before economic conditions worsened, the shrimping industry might have been in a better position to withstand the economic stresses of imports and rising fuel costs.

Therefore, I think it is extremely important that new overfishing guidelines be established, primarily to protect the fishery stocks themselves. Only in this way can these stocks be sustainable, and provide sustainable benefits. Healthy stocks are those fished at levels of fishing effort equal to or lower than those that produce maximum sustainable yield (MSY), or maximum yield per recruit. Growth overfishing occurs when fishing effort levels exceed those that produce MSY or Maximum Yield Per Recruit. Using optimum yield (OY) as a guideline for managing fishery stocks may well be putting stocks at risk of recruitment overfishing.

#### Literature Cited:

Committee on Ecosystem Management for Sustainable Marine Fisheries. 1999. Sustaining Marine Fisheries. Ocean Studies Board, Commission on Geosciences, Environment, and Resources, National Research Council, National Academy Press, Washington, D.C., 16 pp.

**Gulland, J. A. & B. J. Rothschild (Editors). 1984. Penaeid Shrimps - Their Biology and Management. Fishing News Books Limited, Farnham, Surrey, England.**

**Ludwig, D., R. Hilborn & C. Walters. 1993. Uncertainty, resource exploitation, and conservation: lessons from history. Science 260:36.**

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AOL now offers free email to everyone. Find out more about what's free from AOL at [AOL.com](http://AOL.com).

From [cummingl@battelle.org](mailto:cummingl@battelle.org)



Sent Wednesday, April 11, 2007 11:42 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I am very concerned about overfishing. I read that fishing nets could be 90 miles wide! That is horribly wrong. I learned that new rules are being developed to end overfishing. Please make the new National Standard 1 guidelines as strong and as proactive as as possible.

Annual catch limits should include as large as buffer as possible based on science in order to restore our oceans food supply.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Lydia Cumming  
1107 Perry St  
Columbus, OH 43201-3378

From [mikedfla@att.net](mailto:mikedfla@att.net)

Sent Wednesday, April 11, 2007 1:34 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach


Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I believe that NMFS' Notice of Intent is a positive step in the right direction for fisheries management. However, in their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Mike DeLoye  
2500 SW 10th St.  
Boynton Beach, FL 33426

From [richarddimatteo@cox.net](mailto:richarddimatteo@cox.net)   
Sent Wednesday, April 11, 2007 4:07 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I am sending you a brief official comment on the upcoming decision on standards designed to prevent overfishing. I will be brief. Judging from the problems associated with this years reduced Salmon catch and its similarity to other problems in different fisheries, any regulations to prevent the crashing of fish will have to be comprehensive, precautionary and designed so that there is a buffer for the quotas that will reflect unforeseen circumstances. The regs will also have to nclude provisions that will provide for SUSTAINABLE fishing practises once populations have recovered.

Sincerely,  
Richard Dimatteo  
236 Kalmia #107  
San Diego, CA 92101



April 12, 2007

Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Dear National Marine Fisheries Service:

For a long time I have been very concerned about the dangers which overfishing -- possibly in conjunction with other stressors such as climate change, pollution, and loss of coastal wetlands -- may pose to ocean ecosystems, wildlife and fishery stocks. In the context of the new National Standard 1 guidelines, I wanted to ask you to support strong regulations to prevent unsustainable overfishing and assure healthy fisheries for future generations.

Thank you so much for your consideration!

Sincerely,

A handwritten signature in cursive script that reads "John Dziak".

Dr. John Dziak  
315 West Beaver Avenue, Apt. 2  
State College PA 16801

From [eliz-geo@juno.com](mailto:eliz-geo@juno.com)



Sent Wednesday, April 11, 2007 5:53 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Thank you for your work. Please consider this an official comment.

Sincerely,  
George W. Ellison  
3546 Kite St.  
San Diego, CA 92103-4713



From [askengel@aol.com](mailto:askengel@aol.com)  
Sent Wednesday, April 11, 2007 11:38 am  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management.

The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution.

The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

It is now not a matter of economics, it's survival. Once we lose animal species, our own species is in danger...we are all connected.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Sharon Engel  
2169 Los Encinos Road  
Ojai, CA 93023

# INTERNATIONAL LAW OFFICES OF SAN DIEGO

## ASSOCIATED OFFICES

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PETER H. FLOURNOY

April 17, 2007

*Sent by E-mail Only to: [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)*

Mr. Mark Millikin  
National Marine Fisheries Service  
NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

**Re: Comments on Guidance Proposed to Be Added to  
National Standard One Concerning Annual Catch  
Limits (ACL) and Accountability Measures (AM)**

Dear Mr. Millikin:

I am utilizing this as the first opportunity to comment on the above referenced subject, although I anticipate having additional opportunities if and when NOAA Fisheries develops a DEIS, EA, or proposed rule. Unfortunately, due to the late notice given, I was unable to attend the scoping session held in conjunction with the Pacific Fisheries Management Council's April meeting on April 3, 2007.

While I am submitting these comments under my own name, I think it might be helpful for you to know that for 10 years I was in the State Department's Legal Advisor's office which served OES, I have represented fishermen, processors and buyers of HMS species for the last 20 years, I was formerly the Chair of the PFMC's HMS Advisory Sub-panel, and I am currently the Chairperson of the Inter-American Tropical Tuna Commission's General Advisory Council.

My primary concern is the manner in which NOAA-Fisheries apparently intends to apply the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA), particularly sections 103(b)(1) and (c)(3), 104(a)(10), (b), and c). As I understand it, the Notice of Intent filed at 72 Fed. Reg. 7016 (Feb. 14, 2007) seeks to obtain comments to identify significant issues under the application and interpretation of these sections. Section 16 USC 1851(a)(1) and NS 1 provide, in summary, that conservation and management measures

shall prevent overfishing while achieving optimum yield in each fishery for the U.S. fishing industry. Because you are focusing on the “overfishing” provisions of the MSRA you believe it is important to approve new guidance on the NS 1 standards which seek to guide the Councils in their formulation of Fishery Management Plans. For the purpose of these comments we will assume this is a correct approach.

**MSRA Section 104(a)(10) - ACLs and AMs:**

\_\_\_\_\_ This section of the MSRA amends Section 303(a) of the Magnuson Stevens Act (MSA) and indicates that any FMP shall establish a mechanism for establishing annual catch limits, regulations to implement these annual catch limits and specifications (it is not clear to me if this is where NOAA Fisheries finds the requirement for AMs which are not mentioned in the statute?) at a level such that “overfishing does not occur in the fishery.” (With regard to tuna, the U.S. does not have such control.) Species which live a year or less are exempted.

This provision would also not apply if “otherwise [annual catch limits are?] provided for under an international agreement in which the United States participates.” The Inter-American Tropical Tuna Convention would seem to qualify as an “international agreement in which the United States participates.” The IATTC has set “annual catch limits” for certain species and gear types. Another way the IATTC seeks to end overfishing, if indeed it is occurring, is to limit the cubic meter well space of purse seine vessels to a stated maximum for each nation party.

The issue arises, for example with regard to yellowfin tuna and bigeye tuna, which the Secretary of Commerce has designated as “in a state where overfishing is occurring”. The IATTC measures undertaken for bigeye have set annual catch limits for bigeye caught by longline vessels. The IATTC measures for yellowfin tuna have been time and area closures for purse seine vessels, rather than annual catch limits. The initial question posed would be does the PFMC in its HMS-FMP have to set an annual catch limit for bigeye? Secondly, does the PFMC’s HMS-FMP have to set an ACL for yellowfin, when apparently the IATTC has chosen a different management method to conserve that resource? Finally, does the PFMC have to set an ACL for North Pacific albacore by the year 2011 because it has not been declared in a state where overfishing is occurring or that it is overfished, and the only current conservation resolution in place asks the parties not to increase their effort over current amounts. My answer to all three of these questions would be “NO”.

It seems to us that the intention of Congress to avoid Councils from having to set ACLs and AMs for internationally managed fisheries is clear from this provision and others in the MSRA. Congress finally recognized that HMS are to be managed differently than groundfish. Similarly, when the U.S. is involved in an HMS fishery where there is a Regional Fisheries Management Organization (RFMO), and that organization is managing the species in question, that the U.S. fishery, including provisions of the FMP relating to that species should follow what has been agreed to on an international level. This is particularly true since in every HMS fishery in which U.S. vessels participate today they account for a small percentage of the catch – sometimes only 5% depending upon the species and the area. To require an ACL and AM for such a fishery which would only apply to U.S. vessels is a useless act which would have no effect

upon conservation or management of the resource. Congress doesn't usually ask the executive branch to perform useless acts. I believe it is obvious that to set an ACL and AM at a global level for the entire international fishery, would also be a useless act unless it were agreed to under an RFMO.

If setting an ACL and AM for an international fishery would be only a useless act, doing so would be without merit. However, setting such an ACL and AM for the U.S. fleet, possibly preventing it from staying at the same effort level, while their international competitors, (which by the way sell to the U.S. over 70% of the fish Americans consume at a time when fish consumption is increasing) is not only meritless and useless, but actually harmful. In sum, the statement in the Notice of Intent that "the ACL/AM requirements *may* be applicable for *some* species managed under international agreements", is in our view absolutely incorrect.

The foolishness of attempting to set an ACL for an international HMS fishery is further evidenced by the definition the Notice of Intent gives to ACL, *i.e.*, "a specified amount of a fish stock for a fishing year that is a target amount of annual total catch that takes into account projected estimates for landings and discard mortality from all user groups and sectors." The information upon which such an estimate could be made depends upon information collected by, for example in the Pacific, two or more RFMOs. Not only is this data collected at different times in different forms, but it often runs 2 years or more behind. In addition, HMS fisheries are notorious for their wide swings in catch data, catch per unit of effort, effort, and other information which must be taken into consideration. Again, in relation to the Pacific, I do not believe the IATTC nor the Western and Central Pacific Fisheries Commission (WCPFC) even collect information on discards for all species. Neither organization keeps track of recreational and sport catches of any species.


**MSRA Sections 103(b) and c(3):**

The above comments apply equally to MSRA Section c(3) which amends Section 302(h) of the MSA by adding the requirement that a Council shall "develop annual catch limits for each of its managed fisheries . . . ."

Thank you for the opportunity to comment on issues which should be considered during the scoping process and thereafter with regard to National Standard 1.

Sincerely,

Peter H. Flournoy

From [bobbie\\_flowers@hotmail.com](mailto:bobbie_flowers@hotmail.com)   
Sent Thursday, April 12, 2007 9:05 am  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Mr. Bobbie D. Flowers  
"418 West 17th Street, Apt Apt.22A"  
New York, NY 10011-5826

From [Steve Furman <sfurman@transmarket.com>](mailto:sfurman@transmarket.com)



Sent Friday, April 13, 2007 3:49 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject Comments on Catch Limits

I clicked on the link that said "read more" it took me to a document called Federal Register/Vol. 72, No. 30. It talks about computer boards, Notice of intent to prepare and environmental statement, and some other stuff. I am not sure what I am supposed to be commenting on here? Is there a document I can look at that outlines ACL?





From [nickgo@poemsforfree.com](mailto:nickgo@poemsforfree.com)  
Sent Wednesday, April 11, 2007 3:00 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

In setting policy in general, one must consider the consequences of various alternatives. When the consequence of one alternative is the collapse of an industry while the consequence of the other is only grave difficulties, one normally chooses grave difficulties over total collapse.

Thus in setting fishing quotas, it makes sense to err on the side of caution, since an error on the other side would be catastrophic, while an error on the side of caution would only be needlessly harsh.

I therefore urge you to err on the side of caution, so that we can be reasonably sure of a healthy fishery for generations to come.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Nicholas Gordon  
1287 Inwood Terrace #1  
Fort Lee, NJ 07024



From [gharbin@tampabay.rr.com](mailto:gharbin@tampabay.rr.com)  
Sent Thursday, April 12, 2007 2:09 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Being a retired sports fisherman and lover of seafood I am very concerned about overfishing worldwide. When I fished in the gulf over a period of 20 years, I released my catch. When I retired from sports fishing fish stocks such as redfish, trout, grouper, and snapper were significantly lower than when I started fishing.

Your Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

For sports fisheries, catch and release programs should be emphasized. For commercial fisheries incentives should be developed for saving resources. Research and development should be emphasized to limit by-catch losses. Budgets should include increased emphasis on preventing illegal overfishing

Thank you for your work. Please consider this an official comment.

Sincerely,  
George Harbin  
14 Longleaf Court  
Homosassa, FL 34446

From [Ethan Hoag <ED.HOAG@VERIZON.NET>](mailto:ED.HOAG@VERIZON.NET) 

Sent Monday, April 16, 2007 4:42 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Fishing Standard

Please make the new overfishing standard stringent enough to allow fish stocks to recover as soon as possible.

Ethan Hoag



From [kathywynne@yahoo.com](mailto:kathywynne@yahoo.com)  
Sent Thursday, April 12, 2007 0:22 am  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits. And--please--the destructive practice of using trawling nets must be brought to a halt!  
Those companies which continue to use them must be penalized with very high fines, etc.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Kathy Holland  
79 Paul Gore St.

Jamaica Plain, MA 02130

From [Patrick Hussey <Patrick.Hussey@massart.edu>](mailto:Patrick.Hussey@massart.edu) 

Sent Friday, March 30, 2007 8:56 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject: overfishing comments

Hello,

My name is Pat Hussey and I'm a student at MassArt. I really appreciate the goal to put an end to overfishing. I was just curious how well the quotas will be enforced, because I heard, from this month's National Geographic, that some countries in the Mediterranean tried to put quotas on blue fins. The quotas aren't enforced well and the standards are abused. Also, are there going to be any no-fish zones instituted, much like in New Zealand, who has set a goal of dedicated 10 percent of their coastal waters to no fish zones by 2010?

Keep up the good work,

Pat Hussey

[patrick.hussey@massart.edu](mailto:patrick.hussey@massart.edu)



From [focalplane@cfl.rr.com](mailto:focalplane@cfl.rr.com)  
Sent Wednesday, April 11, 2007 12:27 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

From what I have read, fishing around the world is occurring at four times the sustainable rate. We need to take drastic action, before fish populations reach the critical threshold from which they will be unable to rebound. Trawlers, dragners, longliners and drift nets indiscriminately kill species that are of no value to fishermen, and are thrown back after they die or when they are so damaged that they die later. This must stop! Also, global climate change is threatening krill populations that constitute the broad base of the food chain for larger fish, and are the main diet of most whales. If drastic action is not taken, IMMEDIATELY, we will see sterile, lifeless oceans in the future.

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our



fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
David Keith  
3140 Sw 86Th Place  
Ocala, FL 34476-4607

From [kirkshar@aol.com](mailto:kirkshar@aol.com)

Sent Wednesday, April 11, 2007 2:56 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

You've had copies of the original letter...I want to state my position simply. If we don't protect a sustainable fish population, there will be NO fish for our children & grandchildren. No fish...means NO WORK EVER for the people who earn their living fishing! It's better to use restraint now, then swallow this bitter pill in the near future. We've had it happen already in the North Atlantic, please get smart about managing the ocean's marine life.

Sincerely,  
Sharon Kirk  
11054 Sw 73Rd Circle  
Ocala, FL 34476

PHILADELPHIA PA 191

Dear Mr. Millikin,



MRFSS data is meant to give fisheries managers the most scientifically credible and consistent information about recreational fisheries. Despite continued efforts for improvement, the National Research Council (NRC) found the MRFSS data collection system to be severely flawed.

In order to strengthen the MRFSS data collection system, the government must use the recommendations of the NRC to improve the MRFSS system and data. Where there is not a recreational fishing license system in place, the government needs to establish and implement a regionally-based registry program for recreational fisherman. This process will improve the knowledge of and management for recreational fish stocks.



Sincerely,

Ed Lambert

Name

Ardmore PA 19003

City

State

welom1@yahoo.com

Email

Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring  
Maryland 20910

0+6233



From [lines@coralwave.com](mailto:lines@coralwave.com)

Sent Wednesday, April 11, 2007 3:50 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject End Overfishing before it's too late.

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

As someone who enjoys fish, I make sure not to buy or eat in restaurants any fish that is endangered or whose stocks are low. But what I can do is just a drop in the bucket compared to what you can and must do by passing laws to stop overfishing and wasteful bycatch.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Kim Lines  
4631 Nw 31St Ave  
Ft. Lauderdale, FL 33309

Dear Mr. Millikin,

PHILADELPHIA PA 191

MRFSS data is meant to give fisheries managers the most scientifically credible and consistent information about recreational fisheries. Despite continued efforts for improvement, the National Research Council (NRC) found the MRFSS data collection system to be severely flawed.



In order to strengthen the MRFSS data collection system, the government must use the recommendations of the NRC to improve the MRFSS system and data. Where there is not a recreational fishing license system in place, the government needs to establish and implement a regionally-based registry program for recreational fisherman. This process will improve the knowledge of and management for recreational fish stocks.



Sincerely,

Bridget T. Lynch

Name

Bryn Mawr PA 19010

City

State

weelom1@yahoo.com

Email

Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring  
Maryland 20910

0+6233





From [DMandCH@aol.com](mailto:DMandCH@aol.com)  
Sent Wednesday, April 11, 2007 10:27 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I am very concerned with the loss of fish stock in the oceans. The main cause is overfishing. We need to act quickly to save fish stocks before it is too late.

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Drew Martin  
500 Lake Ave. #102  
Lake Worth, FL 33460



From [newviv@adelphia.net](mailto:newviv@adelphia.net)  
Sent Saturday, April 14, 2007 10:27 am  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Regional Fisheries Council should and must base their regulatory decisions on the recommendations of their scientific and statistical committees. The scientific and environmental communities should be more significantly represented on the Regional Fisheries Councils.

MM

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

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Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Mark Muhich  
PO Box 1392  
Galveston, TX 77553





From [davem@farstriders.com](mailto:davem@farstriders.com)  
Sent Wednesday, April 11, 2007 6:07 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

I am extremely concerned about the overfishing and waste of our oceans.

Yes, eating fish is important to our health. Cutting back to prevent overfishing will raise prices of seafood.

Not limiting the worldwide take will result in even higher prices, so high they will prevent most people from eating even farmed fish (which will also be much more expensive).

But if something isn't done now, in less than fifty years, there may not be enough food fish to feed anybody except the wealthiest.

The National Environmental Trust has written you a great letter, fully explaining in simple terms the problem of overfishing. I can't write a better letter. If you have read and then scanned a bunch of them, you know what it says.

Thank you for your work. Please consider this an official comment.

Sincerely,  
David Murray  
"229 Selby Ranch Rd., #4"  
Sacramento, CA 95864

From [Vivian Newman <newviv@adelphia.net>](mailto:newviv@adelphia.net)

Sent Tuesday, April 17, 2007 5:54 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject MSA National Standard 1

Dear sirs:

National Standard 1 on overfishing is by far and away the most critical of the standards, guidelines, and regulations for implementing the new MSA. I write to you as a resident in a town and state with a longtime fishing heritage that is in painful transition due to years of overfishing. Late though it be, and all too many see it as too late, we desperately need plainly stated, unequivocal regulation of catch (meaning discards as well as landings) if we are ever to give stocks a chance to rebuild. Note that I do not claim that we or you can do that rebuilding, it has to be left to the ecosystem to do that. Your job is to manage the fishing, for the fish.

You will get no disagreement about the importance of basing what you do on defensible science. Still, to give the ecosystem a chance the catch limit should be set BELOW the best scientific recommendation to provide a margin for error. If you are indeed to be serious about moving toward "ecosystem-based management" (as distinct from single-species management but not to be confused with your actually being so presumptuous as to think of taking over management of the entire ecosystem itself), factors such as habitat disruption and the effects of climate change must also be incorporated.

This of course will also mean engaging a wider public in decisionmaking, through education and involvement in Councils and other venues. All of us must be made to understand the need to step up to take on responsibility, even though those who extract the fish for commerce or recreation bear special burdens.

At every opportunity NMFS should provide what an Environmental Impact Statement is intended for -- to present this necessary information and advice to the public so that informed choices can be made for the benefit of the marine system. We must have the most stringent standards, and we must make use of them throughout.

Thank you for the opportunity to comment.

Vivian Newman  
P.O. Box 388  
South Thomaston ME 04858  
[newviv@erols.com](mailto:newviv@erols.com)

Students from (Class 502)  
P.S. 165 R.E. Simon School  
234 West 109th St  
New York, N.Y.

10025

Mark Millikin

National Marine Fisheries Ser  
1315 East-West  
Silver Spring  
NOAA  
Highway



Johnny Orita JR

3/19/07

P.S. 165

Classroom

Writing

Dear Mr. Mark millikin the fishing  
Kupernes Shud Stop taking a holl  
School of fish <sup>fishing</sup> kupernes could take  
fish but dont take a holl school  
of fish and that afedt the  
Ocean and we dont want that.  
Mark millikin <sup>fishing</sup> kupernes doing a grate  
Job taking all the bad stuff from  
the ocean but dont take the holl  
School of fish and keep the  
Ocean Clean and do your  
Job and that is my rule ok.

I nered about a lot of fish  
and star fish, sharks, clownfish  
and more stuff and that's  
what I nered about the ocean and  
there were grate picter and some  
Picters I didnt like and that were.

Mark Millikin keep your job  
do the right thing and have  
a good day ok mark  
millikin by.

Jose Rosa

3/19/07

Dear Mr. Mark  
Millikin

Do you want to know what I think about over fishing, I think that the government should catch a limited amount of fish. You know about 75 of even 8000 fish because we eat fish but not like billions of fish. I think that the government should help because it's in our country in danger to and if that have towns what good is a town without people.

Most people have feelings for animals like that, and if we want's his population to keep on growing he should make laws and also government should have regulations. I hope this letter helps you understand that we love our country and all the living things in it. I hope you take this letter to the government and as we kids say it "step your game up!"

Arber  
P.S. 1651502

3/19/07

Dear Mr. Mark

I think That the fish company need a rule about not taking fish from their nature habitat in the ocean. They are taking away our fish and they are 3.7 trillion fish in the ocean and they are corrupting it. I wish that they can put the way it was again, and to have a grate life. All of use can have fun in the ocean and go with some animals that we can do.

by: Arber.

Procio Prozon  
P.S. 165-502

Date 3/19/07  
Writing

Dear, Mr. Mark Millikin

Living hundreds of miles from the nearest ocean it's easy to forget that three quarters of our planet is covered by water. But one day in P.S. 165 we watched a slide show how some people are over fishing and its killing most of the teros fishing shrimp and other things. I think that the companies have to follow some new rules, starting with no over fishing, no really big nets! Stop please stop ruining the fishes' house. Please be more care full about what the companies are doing. The nets they use now take too many fish. Only to fish for a whole year and then to not fish the next year.

Victor

3/19/07

Dear Mr. Mark Millikin

I learned that fish's are  
being kill and waystid  
and if you leve grabch on  
the grond it will go to  
the ocean and it will  
end up in a wayles blow  
hole. I think fish's is rong  
because you are Killing  
lot of species that you  
cannt fish but don't fish  
to much.



MARC otero

3/19/07

Dear Mr. Mark  
Millikan

Here are some regulations that I think should be made. I think you should regulate overfishing and how many fish the companies can catch. Not only is there overfishing there is bycatch. Bycatch is when the companies catch other sea animals like sea turtles, sea crabs, and starfish and not only sea mammals the companies, the companies also catch birds. What I am trying to say is that I think that the companies should fish less.

From: Marc A. otero

José Cuevas  
PS 165/502

3/19/07  
fishing

Dear: Mr. Mark  
Millikin

I learn that if you over fish there will be no fish left for the future. Over fishing is a very bad because people that are over fishing also catch animals that they do not want and these animals also die (bycatch.)

The people that are over fishing should stop because when we are grown up we will not have any fish. Over fishing is a very bad thing. Like if the company catches all the fish the other fish that eat the fish they catch the other fish will die because all the fishes are gone. over fishing effects the food chain.

3/19/07

Dear Mr. Mark Millikin,

I always thought that fish would live forever, but at this rate there are not going to be any fish left if we don't stop overfishing.

A woman called Tara Losoff from the Cool Campaign opened my eyes. She taught us that a lot of fish are being caught in BIG nets.

The government has the power to minimize this problem. Another problem is called bycatch.

Bycatch is when animals of the ocean are being caught but the companies don't want the animals.

The poor animals get stuck in the nets like turtles, sharks, whales, and even birds get stuck in the nets and other animals.

This really needs to stop  
as a citizen of PS.165 and  
and a citizen of New York  
I have my opinion.

Sincerely, Anjewel Nace

Emery Reyes March, 19, 2007  
PS165 M 5502

Dear, Mr. Mark  
Millikin,

I feel awful that these giant nets are destroying the environment for fish. Also they are destroying species of fish and now there are barely any left. This bad habit disgusts me. I want this #1 rule I want the companies who are over fishing should have a diver under water that can pull a string for a bell to tell the company to pull up the net. #2 I want nets not to drag nets on the ocean floor because it will take a century to rebuild.

Sincerely, Emery Nicole  
Reyes.

Molque Segars,  
Ps. 165/502

3/19/07

Dear Mr. Mark Millikin,  
We are learning about <sup>the</sup> problem of overfishing.  
Thank you for your ideas to stop overfishing.  
" We need to stop <sup>over</sup> fishing or else we  
will not see the fish any more.

It could affect some of the sea foods  
like lobster, shrimps, crabs, and oysters.

All kinds of fish that you could eat  
any one that you could eat!

All companies would have  
to stop overfishing like  
Tuesday fish. Conserve is when people  
like overfishing but  
please be careful!

to Molque

Diamond Polite

3/19/07

502/RS, 165

Dear Mr. Mark  
Millikin,

I think that the slide show made me realize that our oceans are in danger. I learned that by overfishing people damage homes for creatures that live in the oceans. When people overfish people are also catching creatures that they don't want <sup>(bycatch)</sup> and killing the creatures for no reason. I think that overfishing should be illegal because by the time we are 20 or 30 there will not be anything in the ocean left for us. ~~because~~ Companies are always overfishing. I think that 1 of the rules should be that companies can not take more than a school of fish.

Zina Reyes  
P.S. 165/502

March 19, 2007

Dear, Mr. Mark Millikin

I think the rules should be stop  
peoplo from using big nets to tack a hole  
buck fish and ingrandy dofen, terts,  
and fish, strip I saw a slide show  
and it shode a big ship like 10 time big  
with a much more bigger nets but they dont  
know that they are tacking birds as will and  
some fish is being INSETK and  
in the fucher the fish compny is going  
to have no more to fish farm over fishyo.  
When the compens find out what are  
they doing then the compens will  
know but I think the compny don't even  
care what the are doing to the ochen.



Lorenzo Castro  
P.S.165/309

3/19/07  
Letter

Dear, Mr Mark Millikin

I know that the oceans are not safe. Last week there was a slideshow in my school by the Conserve Our Ocean Legacy Campaign. I learned that there are alot of fishing company fishing with big nets.

I can see what is happening to all the Oceans. There bad things happing. Like One of the most problems are overfishing and bycatch. There should be a limit of fishing. There should not be fishing for some years.

If this is going contine there not going have fish for the fewcher. The fishing company are not wathing what they did in the Botton of the floors.

Sincerly Lorenzo Castro

3/19/07

Dear Mr. Mark Millikin,

We had no idea what we were doing to the environment. Until last week, when Tara Losoff showed us what we're doing by litter, oil spills and many more. We can make a difference in our world, we need fish for diet and food. Without fish the big oceans are just  $H_2O$  (Hydrogen squared Oxygen). I want rules like, the fishing companies should take this amount of fish or if the companies catch animals that are not suppose to be in the net should be free. The government has the power to minimize the fish that the companies are catching.

From: Dean Meyer

Christian Gomez

March 19, 2007

P.S. 165/class 502

Dear

Mr. Mark Hillikin

I think that we want to stop overfishing. And I want them to fish for fun and when they catch fish I want them catch only two or four fish. When I go to the beach I want to see fish not just seaweed I want see crab, schools of fish, and more. Also I think that the overfishing people should stop killing the whales, turtles and yellow fin tuna fish.

From: Christian Gomez

Carlos Rodriguez

3-19-07

Dear Mr. Mark Millikin,

Last Friday Tara Losoff came to P.S. 165 grade 5 to teach us about over fishing. She showed us a sad clip about the sea animals and over fishing. When that clip was finished and Tara was gone I started thinking about what the clip was teaching me. It taught me that over-fishing can lead to extinct sea animals. I put myself in their shoes and started to think "How would I feel if I were a baby sea animal and I were to be killed at any second." Not only fish are dieing but so are sharks, crabs and defenitly the octopus and the squid.

From: Carlos  
Rodriguez  
TO: Mr. Mark Millikin

Alex  
P.S. 165/502

3/19/07  
science

Dear: Mr. Mark Millikin

I want the overfishing to stop because most fishes are going to be killed. mostly I heard they take small fishes the most. we can make a change in the world. we need the fish for food. some just take certain species. some companies just brings a big giant net to take any species. but I hope we try to solve this problem of overfishing. we should let the fish stay in their homes.

Leanne Vargas  
P.S 168 5-502

3/9/07

Dear Mr. Mark Millikin

I'm not happy about over fishing.  
Do you know what it is happening  
to the fish? I saw it, with a slide show,  
Tara Losoff is from the Cool  
Campaign. It made me feel  
horrible. Almost all the fishes are  
dying, just because of over  
fishing. I think you should make  
more safe rules for the fish!!  
Like, 1.) You should tell people  
an amount of fishes they can  
get. 2.) Be careful with other  
fishes that are delectet.  
3.) Do not get younger  
fishes. 4.) Only get bigger fishes.  
But not whales, sharks, dolphins,  
and other creature like them.

From [jean public <jeanpublic@yahoo.com>](mailto:jeanpublic@yahoo.com)

Sent Wednesday, February 14, 2007 11:00 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov) , [COMMENTS@WHITEHOUSE.GOV](mailto:COMMENTS@WHITEHOUSE.GOV)

Cc [VICEPRESIDENT@WHITEHOUSE.GOV](mailto:VICEPRESIDENT@WHITEHOUSE.GOV) , [AMERICANVOICES@MAIL.HOUSE.GOV](mailto:AMERICANVOICES@MAIL.HOUSE.GOV)

Bcc

Subject PUBLIC COMMENT ON FEDERAL REGISTER OF 2/14/07 VOL 72 #30 PG 7016  
FED REG DOC 07 681 - ATTENTION MARK MILKIN

ALL SPECIES QUOTAS SHOULD BE CUT BY 50% THIS YEAR AND BY 10% EACH YEAR THEREAFTER UNTIL THEY CAN REBUILD. THE COMMERCIAL FISHING PROFITEERS HAVE LIED AND BULLIED THEIR WAY TO OVERFISH EVERY SPECIES EXTANT IN THIS COUNTRY.

OPTIMUM YIELD HAS BEEN GONE WAY OVER ITS LIMITS. IN FACT NO SPECIES SHOULD EVER BE FISHED TO "OPTIMUM" SINCE THAT YIELD GIVES NO PLAY IN IT FOR SEVERE WEATHER, POLLUTION, GLOBAL WARMING EFFECTS, ETC.

NO SPECIES INFORMATION SHOULD EVER BE TAKEN FROM COMMERCIAL FISH PROFITEERS WHO LIE TO MAKE MONEY. THESE PROFITEERS SIMPLY CANNOT BE TRUSTED TO GIVE TRUTHFUL, HONEST INFORMATION. THEIR POCKETBOOKS TALK AND NO HONESTY RESULTS. ALL AMERICANS AND THEIR CHILDREN ARE BEING HARMED BY THIS THEFT OF RESOURCES THAT SHOULD BE THERE FOR OUR CHILDREN BY THESE COMMERCIAL FISH PROFITEERS.

IN ADDITION, POLITICIANS WANTING VOTES SEEM TO BE WILLING TO SNEAKILY ADVOCATE HIGHER QUOTAS THAN SCIENTIFICALLY SET JUST TO GET VOTES FROM THESE SAME COMMERCIAL FISH PROFITEERS. THIS MUST BE AVOIDED - THIS PANDERING TO A VOTING BLOC AND HARMING ALL AMERICANS WITH THIS KIND OF CAPITULATION.

B. SACHAU  
15 ELM ST  
FLORHAM PARK NJ07932

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No need to miss a message. Get email on-the-go with Yahoo! Mail for Mobile. Get started.  
<http://mobile.yahoo.com/mail>



From [r.sauer@mchsi.com](mailto:r.sauer@mchsi.com)  
Sent Wednesday, April 11, 2007 12:16 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management. In their final form, the National Standard 1 guidelines should include a precautionary approach to end overfishing and continue to rebuild our depleted fisheries. It is essential that all new fishery management plans are designed with a high probability of success and do not exceed scientifically recommended catch limits.

Annual catch limits should include a large enough buffer to account for any lack of data and uncertainty about the fishery. These catch limits should be set by counting all fish deaths and considering each species and its role in the marine ecosystem. If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Consideration of no fishing areas should be visited. Areas similar to wildlife management areas in the States that preclude hunting, trapping, motorized vehicles and other intrusive activities have proven successful in protecting threatened species. Consideration of National Park designations in U.S. coastal waters would give added protection, increased tools for management, and the possibility of regeneration.

Thank you for your work. Please consider this an official comment.



Sincerely,  
robert sauer  
317 Chatfield ave.  
Preston, MN 55965

From [Michelle Scharer <mscharer@cima.uprm.edu>](mailto:mscharer@cima.uprm.edu)



Sent Tuesday, March 20, 2007 1:20 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject: overfishing

NOAA:

Please note that in the Caribbean, the lack of enforcement of local and federal regulations pertaining to fisheries management and coastal habitat degradation are the major obstacle in the overfishing reduction problem. It seems very unlikely that limiting the entry and take of fishers without the engagement of compliance and habitat quality issues will resolve the 'overfishing' problem.

Thank you,

Michelle T. Scharer

P.O.Box 5906

Mayaguez, PR 00681



From [Skysailin@yahoo.com](mailto:Skysailin@yahoo.com)  
Sent Monday, April 16, 2007 7:56 am  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' WE NEED A VERY POWERFUL OVERFISHING RULE. AS SOMEONE WHO HAS GROWN UP IN MIAMI AND BEEN A FISHERMAN AND SPEARFISHERMAN I HAVE SEEN THE THE COLLAPSE AND CHANGES TO REEFS AND FISH AVAILABLE. I WAS TAUGHT TO DO ANY FISHING IN A RESPONSIBLE WAY AND ONLY TAKE ENOUGH FOR DINNER. WE ALSO USED ONLY HAWAIIIN SLING TYPE VERY DIFFICULT SPEARGUNS AS OPPOSED TO THE TYPES WHICH ARE MADE WITH NO NEED FOR ANY SWIMMING CAPABILITY.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution. Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Sally Shippee  
32 Foxhill Rd.  
Framingham, MA 01701

From [rsilvers@yahoo.com](mailto:rsilvers@yahoo.com)

Sent Sunday, April 15, 2007 1:02 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

As your aware, President Bush said to the public in 2006 that he would end overfishing. Period.

As Earth Day 2007 approaches, the world is waiting to see whether the Bush Administration loses what may be society's last hope for ensuring, an enduring natural heritage.

Only decisive policy and policing, will keep the ecosystem alive!

Please. Get it together!

Sincerely,  
Rodger Silvers  
41 Sutter St.  
#1007  
San Francisco, CA 94104-4905

From [veda@animalsvoice.com](mailto:veda@animalsvoice.com)



Sent Wednesday, April 11, 2007 11:51 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management.

Fisheries are collapsing in America's oceans and around the world.

The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Sincerely,  
Veda Stram  
271 Lochwood Drive  
Camano Island, WA 98282

From [stratiet@mnsfld.edu](mailto:stratiet@mnsfld.edu)



Sent Wednesday, April 11, 2007 4:09 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

The need for a new fishery management is long overdue. Something decisive has to be done about our overfishing problem. The new guidelines must have clear and strong rules involving strict catch limits to stop overfishing. It is a shame something like this has not been done long time ago!

Sincerely,  
Snezhina Stratieva  
11913 River Rd.  
Corning, NY 14830

Dear Mr. Millikin,

The amendment process of the National Standard 1 guidelines should include a precautionary approach to ending overfishing. It is essential that all new fishery management plans are designed to have a high probability of success and do not exceed scientifically recommended catch limits. The need for the precautionary approach to fishery management is long overdue. It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution.

Sincerely,

Name Pamela Timmins

Address Po Box 453

City/Zip Port Ewen, NY 12466

E-mail \_\_\_\_\_



[www.oceanlegacy.org](http://www.oceanlegacy.org)

From [tuckerd42@comcast.net](mailto:tuckerd42@comcast.net)



Sent Wednesday, April 11, 2007 7:27 pm

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

There are no sensible arguments to allow overfishing. Coming from Massachusetts, the argument I hear most often is that fishermen will be hurt. They can be hurt a little now and save the fisheries or they can be out of business entirely when the fish are gone.

Which makse the most sense?

Thank you for your work. Please consider this an official comment.

Sincerely,  
Donna Tucker  
250 Littleton Road  
Chelmsford, MA 01824



From [surfshredder@hotmail.com](mailto:surfshredder@hotmail.com)



Sent Monday, April 16, 2007 8:08 am

To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)

Cc

Bcc

Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

Stop overfishing the oceans, this must be stopped or there will be no fish left.

Thank you for your work. Please consider this an official comment.

Sincerely,  
Dan Weber  
8113 SW 24th St.  
Davie, FL 33324



From [kmwonthebeach@yahoo.com](mailto:kmwonthebeach@yahoo.com)  
Sent Wednesday, April 11, 2007 7:22 pm  
To [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov)  
Cc  
Bcc  
Subject New National Standard 1 Guidelines Must Use a Precautionary Approach to End Overfishing

Mr. Mark Millikin  
National Marine Fisheries Service, NOAA  
1315 East-West Highway  
Silver Spring, MD 20910

NMFS' Notice of Intent is a positive step in the right direction for fisheries management.

If overfishing occurs, managers must have strong accountability measures available to correct the problem during the fishing season.

Fisheries are collapsing in America's oceans and around the world. The need for the precautionary approach to fishery management is long overdue.

It is critical, now more than ever, that the National Marine Fisheries Service directs Fishery Management Councils to err on the side of caution.

Congress and the President passed a decisive law to put an end to overfishing. The new National Standard 1 guidelines must create clear, strong rules to achieve this goal and restore our fisheries now and for future generations.

Thank you for your work. Please consider this my official comment.

Sincerely,  
Karen Wible  
91 River Rock Lane Unit H  
Woodland, WA 98674