

**CALIFORNIA TURTLE & TORTOISE CLUB**  
**P.O. BOX 7300**  
**VAN NUYS, CA 91409-7300**



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

BY E-MAIL

May 20, 2008

Rodney R. McInnis  
Regional Administrator, Southwest Region, NMFS  
501 West Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213  
<LonglineEFP.SWR@noaa.gov>

RE: RIN 0648-XH38 Magnuson-Stevens Act Provisions; General Provisions  
for Domestic Fisheries; Application for Exempted Fishing Permit.

Dear Sir:

The California Turtle & Tortoise Club strongly urges you to deny the request for an Exempted Fishing Permit that was been submitted by Peter Dupuy, a commercial fishing vessel owner, in March 2008. If approved, this exemption would allow the use of longline fishing gear off the coast of California in an area where it has been restricted to benefit the recovery of the critically endangered Pacific Leatherback Sea Turtle.

The California Turtle & Tortoise Club (CTTC) has over 1,500 members in 12 Chapters located throughout California. CTTC was founded in 1964 with the purpose of preserving and conserving the world's turtles and tortoises, and to educating the public about these species. The proposed EFP would allow longline fishing and undermine successful conservation measures protecting the critically endangered Leatherback Sea Turtle and other species in waters off the State of California. The CTTC membership is extremely concerned that the Service is considering relaxing regulations designed to protect Leatherback Sea Turtles in our state waters for purely commercial benefit and not to benefit the conservation and recovery of this endangered species. The Leatherback Sea Turtle is in serious trouble and should be protected from this needless take.

The Endangered Species Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." According to the project proponent's worst-case scenario, expected Leatherback Sea Turtle take within the Economic Exclusion Zone under the Exempted Fishing Permit for 1,000 hook sets and 14 set trips would be 0.126 per trip, or 0.504 per season (14 set trips x 4 trips). We consider that the chance that 1 in 8 trips could result in take of this critically endangered species to be unacceptably high. We find the 50% risk for the season to be indefensible.

We thank you for this opportunity to comment. Please include CTTC in any more mailings on this and related matters. Correspondence should be directed to: California Turtle and Tortoise Club, P.O. Box 7300, Van Nuys, CA 91409-7300 or by e-mail to <mconnor@tortoise.org>.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Connor". The signature is written in a cursive style and is underlined with a single horizontal line.

Michael J. Connor, Ph.D.  
Chair  
California Turtle & Tortoise Club  
Executive Board