

## President Bush, Enhance Your Ocean Legacy

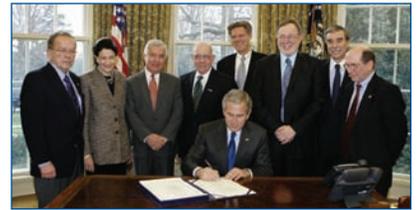
During his final months in office, President Bush has the opportunity to build on his legacy of ocean conservation that will affect generations of Americans. The Bush Administration's efforts to end overfishing, protect ecologically significant areas of the ocean and minimize fishing on iconic species are historic achievements for marine conservation.

Unfortunately, any attempt to build on this legacy is at risk because some of the fishery management councils, dominated by fishing interests, could undermine the nation's primary ocean fisheries law if federal regulations are weak. The National Marine Fisheries Service (NMFS) is in the process of developing guidelines for implementing some of the key conservation measures in our ocean fisheries law. Whether this Administration strengthens or weakens the law will determine whether President Bush can add to his legacy and be remembered as a steward of our oceans.

Three of the most significant and far reaching actions by the Bush administration before 2008:

### Reauthorization of the Magnuson-Stevens Act

In January 2007, President Bush signed legislation to reauthorize and strengthen the Magnuson-Stevens Fishery Conservation and Management Act, the law that governs our nation's ocean fisheries. The revised Act requires an end to overfishing on all U.S. fish populations by 2011 and improved environmental review procedures.

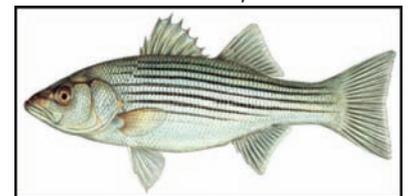


### Northwestern Hawaiian Islands National Monument

In June 2006, President Bush signed an Executive Order to establish the Papahānaumokuākea Marine National Monument in the Northwestern Hawaiian Islands, protecting nearly 140,000 square miles of islands, atolls and the largest remote reef system in the world which is habitat for 7,000 marine species. This marine national monument is the largest single area dedicated to conservation in U.S. history and the largest protected marine area in the world. It is more than 100 times larger than Yosemite National Park, larger than 46 of our 50 states, and more than seven times larger than all our National Marine Sanctuaries combined. <sup>1</sup>

### Executive Order to Protect Striped Bass and Red Drum

In October 2007, President Bush signed an Executive Order to prohibit the sale of striped bass and red drum caught in federal ocean waters. The order was designed to protect America's striped bass and red drum fish populations for the recreational, economic and environmental benefit of present and future generations of Americans. Striped bass and red drum are two of our nation's most popular recreational fish; yet overfishing caused their collapse, and only striped bass has recovered. <sup>2</sup>



<sup>1</sup> <http://www.whitehouse.gov/news/releases/2006/06/20060615-9.html>

<sup>2</sup> <http://www.whitehouse.gov/news/releases/2007/10/20071019-19.html>

## Strong, Timely Rules Will Add to the Bush Ocean Legacy

In his final months in office, President Bush and the public must take decisive action to ensure these ocean achievements are not undermined by failing to issue or issuing weak regulations that will allow future administrations to jeopardize our oceans. Two critical, but past due, National Marine Fisheries Service (NMFS) rulemakings implementing the revised Magnuson-Stevens Act will protect or jeopardize the future of U.S. ocean fisheries and marine ecosystems:

### Annual Catch Limit Regulations

With nearly one-fifth of assessed U.S. marine fish populations subject to overfishing and more than 50 percent of all federally managed fish populations in an unknown status, it is critical that the NMFS write strong, clear rules that will finally end overfishing. The reauthorized Magnuson-Stevens Act requires an end to overfishing in U.S. waters by 2011. To achieve this ambitious goal, the new NMFS annual catch limit (ACL) rule must be issued soon and should include the following three critical improvements:

- Require ACLs that are based on the best available science and adjusted with an uncertainty buffer to prevent overfishing
- Hold fishery managers accountable for allowing ACLs to be exceeded to prevent chronic overfishing
- Move toward ecosystem-based fishery management by establishing more conservative management of prey fish populations, which form the base of ocean food chains

### National Environmental Policy Act (NEPA)

The reauthorized Magnuson-Stevens Act requires new procedures for complying with NEPA and with the Council on Environmental Quality regulations. The draft procedures were legally due eight months ago. President Bush must ensure that NMFS regulations fully comply with NEPA by including the following three critical elements:

- Thorough environmental impact analyses which consider less-harmful alternatives and enable fishery managers and the public to evaluate options in order to protect ocean ecosystems
- Public participation protocols which require fishery managers to notify the public of proposed actions, offer formal public comment opportunities and respond to those comments
- Procedures to evaluate the wider ecosystem impacts of fishing decisions on non-target species, important habitats or the prey of other species

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