

Hayse, John

From: Mike R Johnson <mike.r.johnson@noaa.gov>
Sent: Wednesday, February 22, 2012 3:19 PM
To: Hayse, John
Subject: NMFS jurisdiction question in Lake Erie

John,

I wasn't able to get a clear, legal definition of NMFS' jurisdiction questions in Lake Erie, but after conversations with several people in our regional office here I believe the answer that I gave you yesterday is correct. That is to say, we would consider fishery resources within Lake Erie as a non-NMFS trust resource. This would be the case even for those species that would be considered NMFS trust resource when they are found in the ocean, an estuary, or a river with tidal connections (e.g., rainbow smelt, alewife, Atlantic salmon). This is because fish that are land-locked in Lake Erie would not be considered a component of the marine or estuarine ecosystem, could not serve as prey for a federally-managed species, or in anyway contribute to the marine fisheries under NMFS jurisdiction.

Let me know if this does not adequately answer your questions.

Mike

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