

Carlos Gutierrez, CEO  
Kellogg's Company  
Battle Creek, MI, 49016

January 13, 2005

Dear Commerce Secretary-designate Gutierrez,

Public Employees for Environmental Responsibility (PEER) is a Washington D.C.-based non-profit, non-partisan public interest organization concerned with honest and open government. Specifically, PEER serves and protects public employees working on environmental issues. PEER represents thousands of local, state and federal government employees nationwide.

PEER is writing to urge you to take immediate action to save the North Atlantic right whale from extinction upon your confirmation as Secretary of Commerce. There are roughly 300 right whales in existence today, and despite the fact that the NOAA Fisheries has warned that the death of only one individual may threaten the species' continued existence, four have died over the past two months, presumably due to ship strikes and entanglements in fishing gear. Two of the four were pregnant mothers, with calves near term.

This past spring, NOAA announced it would consider adopting ship speed limits, rerouting and channel restrictions to avoid or minimize ship traffic in sensitive calving, mating and migratory areas. To date, NOAA has not taken further action. It is imperative that NOAA take immediate action in order to prevent additional right whale mortality.

I have attached our November 15, 2004 comments on NOAA's Advanced Notice of Proposed Rulemaking for Right Whale Ship Strike Reduction. Please feel free to contact me if you have any questions.

Sincerely,

Jeff Ruch  
Executive Director