Testimony of Meghan Lapp, Fisheries Liaison, Seafreeze Ltd.

On *“The Implications of President Obama’s National Ocean Policy”*

House Subcommittee on Water, Power and Oceans

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Mr. Chairman, Ranking Member, and Members of the Subcommittee, thank you for the opportunity to testify before you today. My name is Meghan Lapp, and I represent Seafreeze, Ltd., the largest producer and trader of sea frozen fish on the U.S. East Coast.

I am here today to convey to you that the impacts of President Obama’s National Ocean Policy are already being implemented through the Fishery Management Councils and NOAA science and policy, even prior to any finalized Regional Ocean Action Plan. Rather than detail every specific instance, I would like to relate my personal experiences thus far, and our increased concerns as the NOP process moves forward.

NOAA science is the driving force of fisheries management, and has embraced the “fundamental shift” to ecosystem-based management embodied in the NOP. Therefore, regulatory bodies such as the Regional Fishery Management Councils are forced to embrace this approach. As a result, the New England Council now has an “Ecosystem Based Fisheries Management Committee”, which is conducting an “experimental Fishery Ecosystem Plan”, as is outlined in the Policy’s Implementation Plan, to “implement pilot projects that use an ecosystem- based approach.”

Similarly, the Mid Atlantic Council now has an Ecosystems and Ocean Planning Committee. As an Advisory Panel member to this Committee, I have been asked to give input on policy towards industrial ocean use, habitat impacts, and potential tradeoffs, much as discussed in the Task Force Recommendations on Coastal and Marine Spatial Planning. While incorporating ecosystem considerations in fishery management is not a new concept, it is only recently that directed management efforts have been concentrated on implementation. While the NOP is touted as non-regulatory, it is clearly controlling the agenda of federal agencies and regulatory bodies, which will result in new regulations.

One serious concern from a fishery stakeholder perspective is the NOP’s commitment to the “conservation of important ecological areas, such as areas of high productivity” (Task Force, p. 44). As part of data collection for the NOP, confidential fisheries data has been compiled into public charts detailing where concentrated commercial fishing activity currently takes place- a.k.a areas of high productivity. For the sake of consistency with NOP “conservation”, does this mean we could lose access to our fishing grounds? According to the NOP Task Force, the specific questions and concerns of those who rely on marine resources will be addressed “as implementation progresses” (Task Force, p. 9). I find this outrageous.

My experience at a Northeast Regional Planning Body (RPB) meeting does not serve to ease our concerns. It was very apparent from the discussion that the push was to get the RPB Plan done at all costs by 2016. After the public comment period during which I raised real fisheries issues, one RPB member stated that the short timeline had reduced the RPB’s ability to be transparent and conduct thorough stakeholder engagement, and that they were just going to create a plan because of a timeline without concerns for credibility. To this, one of the Co-Chairs responded, “We’re going to produce a plan and it’s going to get adopted”. The NOC Director quietly nodded. As a stakeholder, this tells me that our interests don’t really matter. Another comment that “at the end of 16 months you want to make this so hard to shut off” tells me that the Regional Plan is designed to be railroaded through, regardless of future objections.

The Administration’s top down approach on NOP implementation is apparent in the recent Marine Monument discussion. Last year, an unexpected email announcement was distributed via NOAA’s listserve. It gave stakeholders a two week notice that the Administration was considering designating several deep sea canyons as Marine National Monuments, for protection of deep sea corals. This initiative came soon after the Mid Atlantic Council had completed a Deep Sea Corals Amendment, which included extensive stakeholder input, including an interactive workshop to draw boundary lines. It was also the same time the New England Council intended to resume work on its own Deep Sea Corals Amendment in that very same area. The canyon areas under consideration as Marine Monuments are extremely productive and of great economic importance to Seafreeze.

Holding just one public meeting to allow for stakeholder input, NOAA released a comment portal through which stakeholders were directed to submit further comment. Attempting to protect our interests, I submitted not only written comments but proprietary charts documenting our vessels’ fishing activity in the area, to argue that our fishing grounds needed to be kept open. When I inquired, no one at NOAA could tell me how long the comment period would remain open. Neither could anyone at the agency inform me how or why this discussion was initiated, if there was any specific process being followed, who would be reviewing our comments, who would be presenting them, and to whom. It was like a black hole; we had no idea what was going on. This is antithesis of transparency and how decisions should be made. We still live in the uncertainty of what may happen.

Since NOP implementation, we have had less clarity and input into our future, not more.

Thank you and I am happy to answer any questions.