

**Congress of the United States**  
**Washington, DC 20515**

December 7th, 2016

The Honorable Kathryn D. Sullivan  
Administrator  
National Oceanic and Atmospheric Administration  
Herbert C. Hoover Building, Room 6811  
14th Street & Constitution Avenue, NW  
Washington, DC 20230

Dear Dr. Sullivan:

We write to express our concerns about the proposed nominations of Baltimore, Hudson and Norfolk Canyons as Marine Sanctuaries under the National Marine Sanctuaries Act.

In 2000, Congress amended the National Marine Sanctuaries Act and stipulated that NOAA could not "publish in the Federal Register *any* sanctuary designation notice" to expand or create new marine sanctuaries if there would be a negative impact on existing sanctuaries. This is particularly troubling when Mr. Jason Patlis, President and CEO of National Marine Sanctuary Foundation, testified in front of the House Appropriations Subcommittee on Commerce, Justice, Science earlier this year stating that, "we remain concerned that NOAA's Office of National Marine Sanctuaries (ONMS) has not received sufficient appropriations for several budget cycles." The same witness testified that the current lack of funding has directly led to a failure in mission critical sanctuary programs. In addition, Mr. Patlis testified that any additional financial stress will cause reductions in public access and recreation activities, a cut in visitor center hours, cancelled education and outreach programs, and less support for vessels facing safety issues.

It is irresponsible, and possibly unlawful, for the National Marine Fisheries Service (NMFS) to look in to expanding sanctuaries when they are unable to fulfill their current statutory requirement. Any expansion of the national marine sanctuary system will inevitably lead to additional financial stresses upon the entire system.

One of the main supporters of the Baltimore sanctuary designation, the National Aquarium of Baltimore, stated during a public meeting that protection for deep sea corals was a major driver of the designation nomination. The deep sea corals are already protected through an amendment to a fishery management plan developed by the Mid Atlantic Fishery Management Council. The amendment prohibits all bottom trawling in the offshore canyons from Montauk down to Virginia.

National Marine Sanctuaries do not contain any legal protections for the fishermen who have been fishing the waters surrounding sanctuaries for decades. The sanctuary management plan supersedes any existing regulations. Further, the National Marine Sanctuaries Act does not contain any provisions that sanctuaries must use science based management. This would allow the sanctuary managers to prohibit fishing in sanctuaries without ever having to scientifically justify the fishing ban.

We respectfully request that any federal policy changes are considered very carefully and with a specific focus on limiting disruptions to the traditional activities taking place in our waters. The waters surrounding the Baltimore, Hudson and Norfolk Canyons support a number of ocean industries that are key economic drivers, including tourism, commercial and recreational fishing.

For the reasons stated above, we express our serious concerns with the proposed nominations of the Hudson, Baltimore, and Norfolk Canyons under the National Marine Sanctuaries Act. We appreciate your consideration and look forward to your response.

Sincerely,



Tom MacArthur  
Member of Congress



Walter B. Jones  
Member of Congress



Frank LoBiondo  
Member of Congress



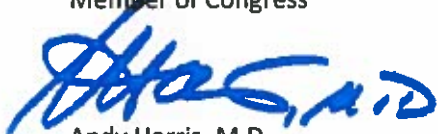
Lee Zeldin  
Member of Congress



Chris Smith  
Member of Congress



Rob Wittman  
Member of Congress



Andy Harris, M.D.  
Member of Congress