



May 1, 2019

The Honorable Jared Huffman  
Chairman, Natural Resources Subcommittee on Water, Oceans, and Wildlife  
United States House of Representatives  
1527 Longworth House Office Building  
Washington, DC 20515

The Honorable Tom McClintock  
Ranking Member, Natural Resources Subcommittee on Water, Oceans, and Wildlife  
United States House of Representatives  
2312 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Huffman and Ranking Member McClintock:

Since 2014, the creation and expansion of marine monuments by executive action has been a primary concern of the commercial fishing industry and the National Coalition for Fishing Communities (NCFC). We have written several times to the White House, Members of Congress, and the Departments of Interior and Commerce. Our members have met with White House staff, and testified before Congress. We have been consistent in our request that commercial fishing in current monuments be governed by the Magnuson-Stevens act and that any future monuments include input from actual commercial fishermen.

Members of our Coalition also met with then-Secretary of the Interior Ryan Zinke in June of 2017. They expressed frustration at the process and the designation itself and asked that fishing be restored to those areas under the Magnuson-Stevens Act. A few months later Secretary Zinke sent President Trump recommendation for action on a variety of monuments, both marine and land based. His recommendation was in line with our members' request. As of now, the President has only acted on scaling back terrestrial monuments.

We write today to reiterate our request and to ask that this committee consider the economic impact of the current monument designations.

NCFC members represent key commercial fisheries, across the nation including Atlantic sea scallop, red crab, lobster, tuna, swordfish and squid and they range from New England and the Mid-Atlantic to Florida, California, the Pacific Northwest and Hawaii. While each region and each fishery faces unique challenges all have united in opposition to the unilateral designation of marine monuments through the Antiquities Act. Fishermen have made it clear that the management decisions that affect their livelihoods should be made through an open and democratic process that encourages stakeholder engagement.

Commercial fishermen realize that they need to be stewards of the ocean if they are to continue operating their businesses but there is already an effective system in place to ensure the sustainability of fish stocks and the protection of ocean features. Management decisions through the eight regional fisheries management councils created by the Magnuson-Stevens Act already require compliance with a wide range of substantive legal requirements, including the National Environmental Policy Act, the Marine Mammal Protection Act, and the Endangered Species Act.

The Council process allows for stakeholders, scientists, and concerned citizens to review and debate policy decisions in a transparent manner. In contrast, the Antiquities Act authorizes the president to take away public areas and public resources with no public input. Using executive authority, the President can close any federal lands and waters in an opaque, top-down process that too often excludes the very people who would be most affected.

The protected areas established through this closed process have already had an effect on commercial fishermen and the communities in which they operate. The most recent example is the Northeast Canyons and Seamounts Marine National Monument. This designation of this area, which was utilized by fishermen from New England and the Mid-Atlantic, ejected trawl fishermen with little notice and will be closed to red crab fishing in a few short years. Pelagic fisheries, including squid, swordfish and tuna, have been needlessly excluded from the monument area despite the fact that their fishing activities have no impact on the features the monument is meant to protect.

This action was taken with no formal public hearings, cost-benefit analyses, or input from affected constituents, and despite no compelling reason or threat to marine resources. Industry leaders estimate the financial impact on the lobster, crab, squid, mackerel, and butterfish fisheries at approximately \$30 million directly, with \$100 million in indirect impacts. Additionally, the monument closure forces fishing effort into other waters inhabited by endangered right whales, or onto the traditional grounds of other fisheries.

Alternatively, the fishing industry has worked with fisheries regulators to achieve remarkable conservation successes. In 2016, the Mid-Atlantic Council and NOAA Fisheries designated the Frank R. Lautenberg Deep-Sea Coral Protection Area, which prohibits most types of bottom-tending fishing gear in a 38,000 square-mile offshore area. Importantly, this action was taken in collaboration with the fishing industry in a process that brought together fishermen, scientists, and regulators.

NCFC members in Hawaii were some of the first to oppose the creation of marine monuments and they continue to fear the expansion of previously created monuments. In Hawaii, the Papahānaumokuākea Marine National Monument was expanded in 2016 to create the largest marine protected area in the world, at the time. Between the Papa and the previously designated Pacific Remote Islands Marine National Monument, Hawaii longline fishermen are now banned from over 60 percent of US Pacific waters.

Reducing access to important fishing grounds threatens Hawaii's food security, as the fishing industry is the state's largest domestic food producer. It is also damaging to Hawaii's economy, where the 145 boats of the longline fishery support hundreds of jobs directly and thousands of jobs in related sectors. These fishermen are now being pushed further into international waters, where they compete with fishermen from countries whose standards of sustainability and monitoring are nowhere near as high as ours.

Additionally, the emerging, legally binding international convention for the protection of biodiversity in areas beyond national jurisdiction will establish a framework for high seas closures. Indeed, Environmental Nongovernmental Organizations have already identified potential high seas closures that overlap with important fishing grounds used by US tuna vessels in the Pacific. In combination with monument prohibitions, these closures would be devastating to Hawaii longline and other US tuna vessels and exacerbate the US seafood trade deficit.

Though New England and Hawaii have been the focus of the ten years of monument creation and expansion, there have also been a variety of monuments discussed on both coasts and in each case they have followed the closed-door process of their predecessors.

In light of the economic and cultural harm resulting from ever-expanding marine monuments on America's coastal communities, we hope that Congress will work together, as well as with the White House, to reform the monument and sanctuary designation processes, provide relief to

fishermen already affected by these monuments, and to ensure they do not continue to harm our nation's hardworking fishermen.

Respectfully Submitted,

Alliance of Communities for Sustainable Fisheries  
Kathy Fosmark, Co-Chair  
Moss Landing, CA

American Albacore Fishing Association  
Tim Thomas, President  
Bonita, CA

California Wetfish Producers Association  
Diane Pleschner-Steele, Executive Director  
Buellton, CA

Cape Seafoods Inc.  
Gerry O'Neill, President  
Gloucester, MA

Empire Fisheries LLC  
Joe Gilbert  
Stonington, CT

Fisheries Survival Fund  
James Gutowski, President  
New Bedford, MA; Barnegat Light, NJ

Garden State Seafood Association  
Greg DiDomenico, Executive Director  
Cape May, NJ

Gulf Coast Seafood Alliance  
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Wayne Heikkila, Executive Director  
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#### Vessels

F/V Persistence  
F/V Relentless  
F/V Prevail  
F/V Illusion  
F/V Regulus  
F/V Invictus  
F/V Furious  
F/V Starbrite