

The Seafood Coalition

November 7, 2011

The Honorable Doc Hastings
Chairman, House Natural Resources Committee
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Hastings:

The Seafood Coalition is writing to express its appreciation to you for holding two recent hearings on the Administration's National Ocean Policy ("NOP"), which includes the controversial ocean zoning component of Coastal and Marine Spatial Planning ("CMSP"). The testimony received at the Natural Resources Committee hearings highlights the need for Congressional action barring the Administration from continuing to divert appropriations from authorized programs to implement an ill-conceived NOP that is not authorized by Congress and that threatens fishing industry jobs.

The Seafood Coalition is a broad national coalition that includes commercial fishing interests, seafood processors, and coastal communities. This broad-based group, which includes members from every region of the U.S., accounts for about 85 percent of the seafood landed annually in the U.S. We are a diverse group, but united in our opposition to the Administration's NOP. The Administration has turned a deaf ear to the seafood industry's concerns in implementing NOP, choosing instead to push ahead with a new "top down" bureaucracy empowered to develop plans and to restrict ocean uses through regulations issued under an array of oceans-related statutes.

The concerns raised by the Seafood Coalition have been articulated previously by this organization. In May, 2008, the Coalition wrote to then-Natural Resources Committee Chairman Rahall requesting changes in H.R. 21, an ocean policy bill introduced in multiple Congresses and almost indistinguishable in its provisions from the NOP. The bill won little support over the past decade, and accordingly, made very little headway. This history suggests both that advocates of the NOP recognize that Congressional authorization is necessary and that they remain unwilling to work with the oceans community to develop a measured and economically sound policy.

We highlight for Congress three specific concerns with the NOP initiative that can be addressed by prohibiting federal spending on this unauthorized program:

1. The NOP creates a federal ocean zoning regime that will likely result in substantial new regulations and restrictions on ocean users. The *Final Recommendations of the Interagency Ocean Policy Task Force* report, which is incorporated by reference into the NOP Executive Order 13547, establishes nine regional planning bodies ("RPBs") composed of government entities and charged with developing ocean zoning plans. According to the Task Force recommendations, "*The plans would be adaptive to allow for modification and addition of new actions based on new information or changing conditions. Their effective implementation would also require clear and easily understood requirements and regulations...that include enforcement as a critical component.*"

2. The NOP creates a new “top down” bureaucracy that supersedes the “bottom up” regional fishery management council system and other effective management systems. As noted above, the RPBs will be composed primarily of federal agency officials with some participation by state officials and tribal representatives. This contrasts with regional fishery management councils and the bodies responsible for other management programs established by the Magnuson-Stevens Act. The regional fishery management councils and other "bottom up" management programs which develop plans for managing fishery resources in federally managed waters, are composed largely of private citizens appointed by the Commerce Secretary. The NOP empowers the RPBs to manage activities in federal waters, including fishing activities, creating a confusing and duplicative fishery management system and usurping the jurisdiction of existing regional fishery management councils and other effective management bodies.
3. The federal government is currently diverting money authorized for other purposes, including funds that are better used for fishery survey research and monitoring programs, to create the new NOP regulatory program. Without fully funded fish stock assessment programs, fishery managers must be precautionary and set lower harvest limits given less information will be known about the size of fish populations. Diverting money from important science functions of NOAA Fisheries leads directly to job losses and lower incomes for fishermen and processing workers and adverse economic impacts for already struggling coastal communities.

For these reasons, and more, the Seafood Coalition asks Congress to bar further diversion of funds from authorized programs to implement the NOP. Thank you for considering these views.

Sincerely,



Nils Stolpe
for the Seafood Coalition

Seafood Coalition member organizations

Alaska Bering Sea Crabbers - Alliance of Communities for Sustainable Fisheries - American Fishermen's Research Foundation - At Sea Processors Association - Blue Water Fishermen's Association - Coos Bay Trawlers Association - Deep Sea Fishermen's Union - Directed Sustainable Fisheries - Fisheries Survival Fund - Fishermen's Association of Moss Landing - Garden State Seafood Association - Groundfish Forum - Long Island Commercial Fishing Association - Monkfish Defense Fund - North Carolina Fisheries Association - Omega Protein, Inc. - Oregon Trawl Commission - Organized Fishermen of Florida - Pacific Coast Seafood Processors - Pacific Whiting Conservation Cooperative - Southeastern Fisheries Association - Southeastern Fisheries Association/East Coast Fisheries Section - Southern Offshore Fishermen's Association - United Catcher Boats - Washington Dungeness Crab Fishermen's Association - Washington Trollers Association - West Coast Seafood Processors Association - Western Fishboat Owners Association