

Alaska Longline Fishermen's Association • Center for Food Safety • Cook Inlet Keeper • Environment Maine • Environment Matters • Environmental Defense • Environmental Defense Center • Florida Fishermen's Federation • Friends of Casco Bay • Go Wild Campaign • GRACE Public Fund • Greenpeace • Gulf Restoration Network • Hawaii Audubon Society • Institute for Agriculture and Trade Policy • KAHEA • Mangrove Action Project • Maryland Conservation Council • National Environmental Trust • Natural Resources Defense Council • The Ocean Conservancy • Oceana • Pacific Coast Federation of Fishermen's Associations • PCC Natural Markets/Sound Consumer • Public Citizen • Sierra Club • Reef Relief • Southeastern Fisheries Association • Southern Offshore Fishing Association • United Anglers of California • US Salmon Network • United Southeast Alaska Gillnetters • Versaggi Shrimp Corporation • Whale Center of New England

May 24, 2005

The Honorable Ted Stevens
United States Senate
Washington, DC 20510

The Honorable Richard Pombo
House of Representatives
Washington, DC 20515

The Honorable Daniel Inouye
United States Senate
Washington, DC 20510

The Honorable Nick Rahall
House of Representatives
Washington, DC 20515

The Honorable Olympia Snowe
United States Senate
Washington, DC 20510

The Honorable Wayne Gilchrest
House of Representatives
Washington, DC 20515

The Honorable Maria Cantwell
United States Senate
Washington, DC 20510

The Honorable Frank Pallone, Jr.
House of Representatives
Washington, DC 20515

Re: Protect Ocean Health and Ensure Responsible Governance, Do Not Support NOAA's Offshore Aquaculture Bill

Dear Chairs and Ranking Members,

To protect our oceans, native fish populations, and human health and livelihoods, the above groups urge your leadership to ensure legislation to promote aquaculture in offshore ocean waters is governed by a strict regime of scientifically sound regulations. The National Oceanic and Atmospheric Administration (NOAA) has drafted legislation that it intends to soon transmit to Capitol Hill to promote offshore aquaculture in the US Exclusive Economic Zone. We are concerned that this legislation is not adequately protective of our oceans, including fisheries and other ocean uses. We hope you will work with us to ensure that any offshore aquaculture legislation introduced protects all ocean interests.

Fish farming and other forms of aquaculture have received widespread attention, including as posited as a solution to dwindling wild stocks and the growing US seafood trade deficit. The Department of Commerce has called for a five-fold increase in domestic aquaculture production by 2025. We recognize that some types of aquaculture offer potential benefits. However, without comprehensive federal permitting requirements, offshore aquaculture poses numerous serious risks to marine ecosystems, native fish stocks, and public health. Offshore finfish farms are vulnerable to the escape of farmed fish, which may interbreed with and alter the genetic makeup of local fish populations. Fish farms concentrate parasites and diseases, which can spread to other fish. Antibiotics and other chemicals used to treat or prevent these diseases can bring unintended consequences. Large quantities of uneaten fish feed and wastes are discharged from farms directly into ocean waters and may pollute the surrounding ecosystems.

Moreover, we question claims that offshore aquaculture supplements dwindling fish stocks and will reduce the nation's "seafood deficit." Most marine finfish are carnivores and currently require large quantities of fisheries products, made largely from wild-caught fish, in their diets. Farming these marine finfish actually reduces the net supply of fish. In this way, aquaculture diminishes rather than adds to fish supplies, and although it might reduce the US seafood deficit in monetary terms, it does not reduce it in ecological terms. Moreover, NOAA has not justified its economic claims for reducing the US seafood trade deficit.

Significantly, NOAA's proposal does not provide adequate safeguards to ensure our oceans, fisheries, ecosystems and public health are protected. NOAA has rejected Congressional and stakeholder comments to include specific precautions and provide further necessary study in conjunction with its legislation, including requests that the Agency comply with the National Environmental Policy Act (NEPA) by completing a Legislative Environmental Impact Statement before submitting its legislation to Congress. Rather than comply with NEPA, NOAA has ignored these requests dating from late 2003.

Based on our understanding of NOAA's proposed legislation, specific concerns shared by our groups include:

- Almost total discretion given to NOAA regarding permits and conditions;
- No coordination with other offshore uses such as navigation, recreation, defense, or fishing except "to the extent practicable;"
- Lack of baseline environmental protections for incorporation within permits;
- Allowance of genetically modified and non-native fish species that may compete with and cause harm to native populations;
- No clear process for public or state government participation in the consideration of permits;
- Lack of detailed provisions as required of other offshore industries making the permittee responsible for the life of the offshore structures, and providing for general financial and environmental risks, including bankruptcy;
- Lack of critical implementation language regarding enforcement and no provisions for citizen suits;
- Absence of rapid response provisions for known risks, such as disease outbreaks.

Two recent national commissions, the US Commission on Ocean Policy and the Pew Oceans Commission, recommended that ocean uses be better managed and coordinated. NOAA's bill does not accomplish such coordination, nor does it adequately protect our oceans. For these reasons, we urge you to forgo sponsorship of NOAA's proposal at this time, and to only support legislation which provides sufficient parameters to ensure our oceans and fisheries are protected, and to ensure that any aquaculture facilities in public waters enhance, not diminish, our food supply. For more information, please contact: Catherine Hazlewood, The Ocean Conservancy, 202-351-0443; Zeke Grader, Pacific Coast Federation of Fishermen's Associations, 415-561-5080; Tracie Letterman, Center for Food Safety, 202-547-9359; Becky Goldberg, Environmental Defense, 212-616-1236.

Sincerely,

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