

October 24, 2008

The Honorable James L. Connaughton
White House Council on Environmental Quality
730 Jackson Place, NW
Washington, DC 20503

Via Email: oceans@ceq.eop.gov

Dear Chairman Connaughton:

We appreciate the opportunity you have afforded us to discuss ocean management in this Administration, especially as it relates to recreational fishing. Regarding Pacific Ocean designations, we now have before us the first designation discussion since the President's Executive Order of September 26, 2008 (EO #13474).

As deliberations about the Pacific Ocean designations within the Administration continue, the undersigned groups support the spirit and intent of Executive Order 13474. By stating that recreational fishing should be managed as a sustainable activity in federal waters and on federal lands, the President recognized the conservation and economic contributions of the recreational fishing community, as well as the overall positive environmental and social benefits associated with responsible, regulated angling. The closure to recreational fishing of large areas of the Pacific Ocean is unwarranted by the science, undermines the recent executive order on recreational fishing, further erodes the economy, and sends the wrong message to 60 million recreational anglers.

As you know, members of the recreational fishing community recently were able to attend a science briefing on the health of marine waters and attendant resources adjacent to a number of areas in the Pacific. In general these areas are off Guam, the Northern Marianas, American Samoa and a series of atolls throughout the Central and Western Pacific. Each of the areas has corals in varied states of health. In the briefing we were told that the three factors impacting coral reefs are: climate change, pollution/sedimentation, and fishing.

We agree that the coral reefs are being impacted by climate change and that some of the areas identified for potential closure have almost pristine reefs. Coral reefs are by themselves an important part of the ecosystem and provide a valuable habitat for related reef fish species. Dealing with climate change, the primary cause of reef decline, will take a global effort, which by its very nature will require interaction of concerns over both the world's economy and environment. The final solution may be years in coming. The other two cited causes of coral decline, pollution/sedimentation and fishing, are less well understood, especially with regard to scientific documentation of the impacts of recreational angling. We continue to ask for the evidence in support of the government assertion that well-managed recreational angling is in fact a causal factor.

In regards to fish stocks, we learned that the only significant commercial fishery is the international tuna fleet. There are local fisheries of varying effort, but we understand that there is little if any overfishing occurring in the region. However, the scientists pointed out there are localized stock

depletions in areas closer to population centers. Further, we understand that there is some management of the commercial fishery by way of permits, but the subsistence and recreational fisheries are largely unmanaged. In other words, there are no license requirements or catch statistics compiled on these sectors. Of course the bonefish fishery at Palmyra, being intensively managed, is the exception.

Executive Order 13474 directs the executive branch to sustain recreational fishing when designating marine protected areas. The order specifically refers to the authorities now being considered for use in the Pacific. Our understanding of the order is that where the executive branch wishes to exclude recreational fishing from an area, it will do so only where there is a good scientifically-based reason. In the case of the Central and Western Pacific, the only reason we were given at the briefing for a possible fishing closure was that fishing was the only activity in the near-term which could be controlled, and the best way to control it was to prevent it. Clearly, this is contrary to the intent of the Executive Order.

The areas being discussed can be separated into three distinct categories: areas where commercial, subsistence and recreational fishing already exist under some form of territorial or Federal authority; areas adjacent to these areas which are currently not being fished because of their remoteness; and lastly, areas so remote that little fishing of any type is taking place. Excluding recreational fishing in places where it already exists has a direct present and future negative impact on the economies of the territories and is a decision which is best left to local governments. Excluding recreational fishing from areas adjacent to the areas now being fished is unnecessary and is a decision best left to local authorities and the Western Pacific Fishery Management Council. These areas can be easily managed and, at least with respect to the impact of recreational fishing, the environmental footprint can be controlled to ensure that management objectives are achieved. In other federal waters where recreational fishing is popular, measures allowing only certain fishing techniques, equipment and regulated-take are proven management measures. The management authorities in the territories and the Federal government can find a way to allow recreational activity in these areas without simply banning it.

As to the atolls, there appears to be some difference in the existing authority and human interaction. There are some of these where no fishing – commercial, recreational or subsistence – is occurring. There are others where a vibrant and well-managed recreational fishery is occurring with no apparent impact on the corals.

We believe the principles of the Executive Order ought to be a clear guide to the Administration's actions in these areas. First any closures ought to be based on a scientific necessity. The area closed should be as small as possible to meet that objective. The area closure should be reviewed periodically to determine whether a continued closure of the area is warranted. If the area is closed for some scientific purpose there ought to be a transparent and robust scientific program to allow the public to know why the area continues to be closed and progress being made on solving the problem.

We believe one of the goals of the Executive Order with respect to any closed area is not to close it in perpetuity, but to develop a program where the objectives of the closure can be met and a responsibly-managed recreational fishery can be sustained. Using the Antiquities Act to

permanently exclude recreational fishing circumvents the existing laws that implement management decisions based on real-time resource inputs and conditions.

We also want you to be aware of the message conveyed to American anglers by the implementation of no-fishing zones. Recreational fishermen are this nation's first conservationists. On the whole they care about the environment and they will accept almost any form of management, including no-fishing areas, as long as the management is intended to promote the health of the nation's fishery resources. The establishment of huge no-fishing zones, without scientific basis, runs counter to this ethic. Preventing all recreational fishing in areas as an interim strategy to postpone the impact of climate change will not be accepted by the recreational fishing community as a necessary, reasonable, or effective management measure. Sustaining a recreational fishery by giving anglers the opportunity to fish these areas today and in the future is a much better course.

We could not close without a discussion of the impact of a no-fishing zone designation on the economy. The effects of fuel prices and a credit crisis are having a disproportionate impact on the American angler and boater. Telling this community there is yet another part of the world where you cannot fish will not be well-received. Anglers by necessity live on hope. There are scores of places in the world where they may never go, but there are very few where they would not like to go someday. Simply closing those areas is not a positive message and will hurt this sector of the economy.

In conclusion, as designations in the Pacific are made, we expect the Executive Order 13474 to be the guiding force regarding decisions on the management of recreational fishing. Sustaining well-managed recreational fisheries in these areas is consistent with the Executive Order and compatible with the conservation of coral reef ecosystems.

Sincerely,

Mike Nussman, President and CEO
American Sportfishing Association

Jeff Angers, President
Center for Coastal Conservation

David Cummins, President
Coastal Conservation Association

Jeff Crane, President
Congressional Sportsmen's Foundation

Rob Kramer, President
International Game Fish Association

Thom Dammrich, President
National Marine Manufacturers Association

Phil Morlock, Director of Environmental Affairs
Shimano American Corp.

Ellen Peel, President
The Billfish Foundation

cc: The Honorable Carlos M. Gutierrez, Secretary of Commerce
The Honorable Robert Gates, Secretary of Defense
The Honorable Dirk Kempthorne, Secretary of the Interior
Mr. Barry Jackson, Senior Advisor to the President