

**Committee on Natural Resources Subcommittee on Oversight and
Investigations Oversight Hearing
1324 Longworth House OfAice Building
September 19, 2023**

10:15 AM

Oversight Hearing titled *“Examining Barriers to Access in Federal Waters: A Closer Look at the Marine Sanctuary and Monument System.”*

Questions from Rep. Raúl Grijalva for Mr. Eric Reid, Chair, New England Fishery Management Council

1. In your testimony, you describe the shallow canyon head areas less than "300 fathoms" (1800 feet depth) of the Northeast Canyons Marine National Monument as a "gently sloping mud pit." Maps and documentation produced by the Fisheries Management Council, on which you serve as Chair, demonstrate the presence of complex habitats, outcrops, and attached species sensitive to disturbance, occurring in those areas. There is also evidence that trap gear used in trap fisheries report coral as bycatch.
 - Are you aware of these Fisheries Management Council produced maps and documentation?
 - Can you clarify your statement that the canyon heads are "mud pits"?
2. You suggest the Fishery Management Council deep-sea coral amendments protect an area larger than the Monument. These amendments are valuable actions, but unlike the Magnuson Stevens Act (MSA) authorities used for these designations, protections from Monument designation are in perpetuity.
 - Is it true that the Fishery Management Council designations utilize the discretionary deep-sea coral provisions under the MSA?
 - Since these designations are not considered essential fish habitat, do they have any requirements for consultation to other agencies for future non-fishing related impacts, like oil-gas and mineral mining?
 - Is access to these areas for fishing anything more than a framework amendment hidden under Fisheries Management Council action?
3. In your testimony, you note the severe economic and social consequences of the Northeast Canyons and Seamounts Marine National Monument designation, along with resultant needs to hunt for new fishing grounds, gear conflicts, and problems with safety at sea. However, published economic analyses (see J. Lynham, 2022, Scientific Reports, 12:917) concluded “little if any” economic disruption to squid/butterfish, mackerel, and tuna fisheries around the Monument. The brief reopening of the Monument to fishing by President Donald Trump was also found to provide little tangible economic benefits to the fisheries.
 - What evidence is there of negative economic and social impacts directly resulting from Monument designation? Please include appropriate citations.

Thank you for the questions. However, as I noted in both my written and oral testimony, although I am the Chair of the New England Fisheries Management Council, my comments and opinions are my own.

Question 1a) Yes, I am aware that a series of maps and documentation were produced. I was not the Chair of the Council at that time.

Question 1b) In my testimony I clearly referenced the Plateau located inshore of and shallower than the canyon heads. This area is primarily mud, silt and sand and has been commercially fished for decades.

Question 2a) Yes, Both the NEFMC and the MAFMC used discretionary action.

Question 2b) Regardless of whether the areas are EFH or not, the MSA does not grant the authority to manage anything other than what is mandated by that Act to the RFMO's.

Question 2c) What is implied by this question? In both my testimonies (written and oral) I outlined the process for the use of the Antiquities Act (AA) as well as MSA. The AA of 1906 has been used to override the MSA. Which makes the question irrelevant.

Question 3a) What I noted was the loss of opportunity as well as hunting, gear conflicts and safety at sea. Even the Author (J. Lynham) notes in his first sentence "Evaluation of the economic impacts of marine protected areas is hampered by the fact that it is impossible to observe what would have happened if the protected area had never been closed to fishing." The methods used are not specific to the fleet of boats that traditionally fished in the offshore grounds but a conglomeration of the entire coast. The vessels from the Mid Atlantic were only used as a control and not an affected entity even though they fish in the offshore grounds as well. A major offshore fishery for (*Illex illecebrosus*) Squid was not even considered. Finally, the use of AIS as a tracking mechanism is interesting. The use of AIS is only required on vessels greater than 65 feet in length and is only mandatory to be turned on within 12 miles of the coast. This certainly should raise some question as to the validity of the work.

Should you have any further questions please let me know.

Kind regards

Eric Reid

Fishing Industry Consultant