



## **Northeast Canyons & Seamounts Marine National Monument Teleconference Friday, March 12, 2021**

On March 12, 2021 representatives of several East Coast fisheries participated in a teleconference with Department of the Interior staff and NOAA Fisheries leadership to provide input about the Northeast Canyons and Seamounts Marine National Monument. They raised several concerns about the fairness of potential new monument restrictions, its potential impact on their communities, and the lack of scientific basis for further fishing restrictions. Specifically, the industry members, who represented a wide variety of fisheries from up and down the Atlantic, testified that continuing to allow fishing in the Atlantic monument area is consistent with the Biden Administration's goals of following the best available science, as well as its commitment to economic and environmental justice.

This discussion followed a DOI monument review listening session the previous day for the leadership of the New England Fishery Management Council, the Mid Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission. During that session, both Councils and the Commission, which in total represent every state from Florida to Maine, endorsed the use of the Magnuson-Stevens Fisheries and Conservation Management Act (MSA) and the open and public process which it mandates for fisheries management, over the use of the Antiquities Act of 1906 which has no such requirements.

A recording of this session is attached, and a summary of the participant's comments appears below. Participants included (time of their presentation during the recording in parenthesis):

- ☐ David Borden (3:20) -- Executive Director, Atlantic Offshore Lobster Association (RI, NH, MA)
- ☐ Greg DiDomenico (9:18) -- Lund's Fisheries (NJ, MA, CA)
- ☐ Jonathan Williams (12:54) -- Atlantic Red Crab Fisheries (MA, ME)
- ☐ Glenn Delaney (21:53) -- Blue Water Fishermen's Association (entire east coast)
- ☐ Laurie Nolan (26:59) -- F/V Seacapture (NY)
- ☐ Grant Moore (30:52) -- Broadbill Fishing, F/V Direction. President of Atlantic Offshore Lobstermen's Association (RI, NH, MA)
- ☐ Katie Almeida (35:21) -- Town Dock (RI)
- ☐ Meghan Lapp (37:27) -- SeaFreeze Shoreside (RI)
- ☐ Martin Scanlon, (43:02) — Blue Water Fishermen's Association (entire east coast)
- ☐ Chris Roebuck (44:19) -- Owner/Operation of Two Offshore Trawlers
- ☐ Dan Farnham (46:28) — Mid Atlantic Fishery Management Council Member, Commercial Fisherman
- ☐ James Budi (50:20) -- American Sword and Tuna Harvesters

### **Summary of Seafood Industry Statements**

#### **David Borden (3:20) -- Executive Director, Atlantic Offshore Lobster Association**

- "What the Interior Department recommends to President Biden on this issue really matters, not only to the environment, but to the fabric of a number of coastal communities and minority ethnic groups."
- Supports restoration of management provisions that were in President Obama's original monument declaration, with the exception of its fisheries provisions

- Fisheries should revert to being managed by NOAA; under the Magnuson-Stevens Act, fisheries must be managed with the best available science
- Interior Department should acknowledge new developments in habitat and fisheries management that occurred between President Obama's Executive Order and President Biden's Executive Order
- Recent habitat protections in New England were established through the regional Council process, including stakeholder input. Unlike an Executive Order, the Council process requires impact analysis
- These concerns are not partisan. Both Democratic and Republican presidential candidates supported the creation of five marine monuments through the Antiquities Act
- Several large coastal cities, with large minority and immigrant populations, will be negatively affected by any closure of the area to fishing
  - Best example is New Bedford, which supports a community of recent immigrants from Central America
- A large number of immigrants are employed by fishing vessels and processing plants in New Bedford
- "I have no doubt that any closure of this area will have a disproportionate impact on ethnic minorities in the city."
- Closure of Atlantic monument area will move gear into areas with higher number of right whales
- Interior Department can also recommend that the New England Fishery Management Council coral amendment, which will protect an additional 25,000 square miles of habitat, be adopted

#### **Greg DiDomenico (9:18) -- Lund's Fisheries**

- Biden Administration Executive Order requires agencies to "make evidence-based decisions guided by the best available science and data."
- From the Executive Order: "Scientific and technological information, data, and evidence are central to the development and iterative improvement of sound policies, and to the delivery of equitable programs, across every area of government. Scientific findings should never be distorted or influenced by political considerations. When scientific or technological information is considered in policy decisions, it should be subjected to well-established scientific processes, including peer review where feasible and appropriate, with appropriate protections for privacy. Improper political interference in the work of Federal scientists or other scientists who support the work of the Federal Government and in the communication of scientific facts undermines the welfare of the Nation, contributes to systemic inequities and injustices, and violates the trust that the public places in government to best serve its collective interests."
- Only way to follow the scientific integrity provisions of the Executive Order is to have these types of habitat protections come through the Council process, which includes the expertise of the Council staff and outside scientists, as well as input from all stakeholders
- Councils have preserved the most sensitive habitat via two Council amendments, while not harming the fishing industry

#### **Jonathan Williams (12:54) -- Atlantic Red Crab Fisheries**

- Deep sea red crab fishing takes place in quarter-mile wide ribbon passing through the length of the monument, in depths of 600-800 meters
- The Atlantic marine monument bisects deep sea red crab fishing grounds, effectively closing off an area equal to the size of the monument directly to the east of the monument's location

- The deep sea red crab fishery was given a 7 year exemption by the Obama Administration, likely because the impact on the environment has been negligible
- ‘The fishery is deemed sustainable, nobody will ever dispute that.’
- Red crab is not an industrial fishery, it is consolidated and has reduced in size of the last 20 years
- “We have never overfished.”
- “10 years ago, the same supporters of this monument deemed this fishery on their websites an ocean-friendly fishery. Now we are listed on the same websites as industrial fishermen”
- “Of the 5000 square miles of the monument, we are present in 5% of just 1% of the monument. That’s five one hundredths of a percent of the area of the monument.”
- The fishery stays away from coral areas when it fishes
- No documented marine mammal interactions or entanglements in the fishery
- The area of the monument, after 40 years of fishing, is still considered pristine
- The fishery represents \$25-30 million. It is based out of New Bedford, where the unemployment rate is 20% higher than the national average, and employs up to 150 people, many of them first-generation Americans
- This is not a science-based initiative. None of the experts on the red crab fishery and its interactions with the benthic environment have had a voice in this process. These experts include Dr. Ray Hilborn, Dr. Richard Wahle, Dr. Daniel Kauffman, Dr. Indu Sharma, Dr. Bradley Stevens, Dr. Fred Surckek, Dr. Joseph Dealteris, Dr. Imam Syuhada, Dr. Shelley Tallack, and Dr. David Pierce

#### **Glenn Delaney (21:53) -- Blue Water Fishermen’s Association**

- The pelagic longline fishery is a surface fishery that has zero interaction with or impact on the deep-sea benthic ecosystem
- A truly objective, science-based analysis by NOAA would confirm that the US Atlantic pelagic longline fishery has no adverse impact on the Atlantic marine monument
- The monument provides no intrinsic benefit to the conservation of the highly migratory species of fish targeted by the fishery, such as swordfish and tuna
  - Conservation is achieved by NOAA through an intensive science-based management, monitoring, and enforcement regime that is the global model for sustainability
- As much as 50% of the annual income of some of our fishermen has been derived from fishing in the monument area
- Anything that reduces U.S. fishermen’s ability to fully harvest their sustainable quotas presents the risk of two negative consequences for conservation:
  - Unused quota will be reallocated to nations whose monitoring, control, and surveillance capacities are far inferior to those of the US.
  - The U.S. will import even more tuna and swordfish from Illegal, Unreported, and Unregulated (IUU) fisheries, and nations with substandard conservation practices
- Collective efforts to reduce IUU fishing will be undermined by keeping pelagic fisheries out of the monument
- A decision to close the monument to fisheries would actually be counterproductive to efforts to reduce the effect of climate change
- The static closure of this monument to our fishery is unresponsive to climate-driven dynamics, and would present a barrier to an effective response

**Laurie Nolan (26:59) – family operates the F/V Seacapture in the Golden Tilefish fishery out of Montauk, NY. Former MAFMC member, served 18 years.**

- Losing access to these grounds is an economic loss and hardship to our businesses, as well as the shoreside infrastructure and the marketing businesses that we support
- When the Council takes actions, it is not a closed-door, stroke-of-the-pen action. It is a very thorough, public, and science-based process
- The Councils are protecting the ecosystem, habitats, corals, and fish stocks while allowing fisheries to feed the nation
- The Executive Order Antiquities Act process is not the way to manage our nation's resources, ecosystems, habitats, and industries
- The Council Coordination Committee, which includes the Chair, Vice Chair, and Executive Director of the 8 Regional Fishery Management Councils and represents 29 states, Puerto Rico, and the U.S. Virgin Islands, all agree that the Council process should manage and protect the marine monuments.

**Grant Moore (30:52) -- Broadbill Fishing, Owner F/V Direction.**

**President of Atlantic Offshore Lobstermen's Association**

- Only 5 vessels have fished in the Atlantic monument area; despite 40 years of fishing, the area is still considered pristine
- There is very little scientific evidence that these fisheries cause habitat damage
- There was never a compelling need, or immediate threat, to justify closing out the domestic fishing fleet via President Obama's Executive Order
- Council process is public and considers both economic and environmental analysis
- Pending NOAA closures were endorsed by fishing fleets because they were developed with public input and considerations of the complexities of the ecosystems. They are science-based strategies that were also pro-American business and support the employment needs of coastal communities
- Fairhaven and New Bedford support a large immigrant population, with 23% of residents below the poverty level. These communities rely on the fishing industry for a variety of jobs
- "I'd like to see this Administration support the existing fishing management process, foremost by immediately finalizing the 25000 square mile coral closure, which addresses both the 30x30 and Buy American Executive Order goals."

**Katie Almeda (35:21) -- Town Dock, Point Judith, RI**

- "The fishing industry is very concerned about additional closures, as we are seeing the start of a wind energy build-up, along with a recent mention of expansion in the waters off of southern New England."
- "With squid, we fish small mesh nets, which means we are only allowed to fish in certain areas. A large portion of that area is slated for wind farms."
- "Due to our mesh size, we cannot just move to another area to fish for squid, even if squid are available there."
- "The threat of losing additional acreage is a major economic concern for us and the workers that depend on our ability to fish for squid."

**Meghan Lapp (37:27) -- GM and Fisheries Liaison for SeaFree Shoreside**

- “For decades, the monument has been an extremely important fishing area for our vessels.”
- “Due to this [Council] process and strict federal standards, U.S. commercial fisheries are the most sustainable fisheries on the planet.”
- According to a study by George Mason University, fisheries are the 7th most regulated industry in the US., more than oil and gas, and pharmaceutical manufacturing
- “When one area closes, we do not simply have the ability to relocate due to existing closures and regulations established by Regional Fishery Management Councils.”
- “Arbitrary executive closures with no analysis of impacts to effective users have huge economic impacts on our vessels, their future viability, and therefore our land-based facilities.”
- “The cumulative effect of new and existing closures, combined with a basic reality of fisheries that fish are migratory and not found evenly disputed in the ocean, means that you create a situation where you have fully removed all fishing opportunities for a species.”
- “To do that arbitrarily and behind closed doors with no analysis of impacts to fishing communities put the survivability of those affected businesses and communities in danger.”
- Our vessels and land based businesses support many American families; Fishermen should be commended and rewarded, not punished as a result
- Councils have approved sweeping conservation measures through the coral amendment.
  - These measures were developed over years of scientific analysis, deliberation, and public participation from a wide variety of stakeholders
- Magnuson-Stevens Act involves intensive scientific analysis, but the Antiquities Act has no such standard
- “To move from a transparent and scientific process to a closed-door executive process with no scientific deliberation would be a move backwards, rather than forwards.”

#### **Martin Scanlon (43:02) -- Blue Water Fishermen’s Association**

- Establishing the monument hinders our ability to avoid interactions with protected species
- “The number one and number two ways for us to avoid unwanted interactions, including protected species is to one, communicate the protocol amongst the fleet, and the ability of the fleet to move to avoid those interactions. You put that monument in there or you put in any closed areas on a fishery like we have, you hinder our ability to do that.”
- Both of those recommended techniques come from the Pelagic Longline Take Reduction Team

#### **Chris Roebuck (44:19) -- Owner/Operation of Two Offshore Trawlers**

- “Closing this area would be a huge loss for us.”
- Although the Council process can be frustrating and drawn-out, it is science-based and allows for stakeholder input
- Managing this area under the Antiquities Act is the wrong way to regulated the fisheries that are already managed sustainably by the Council process

#### **Dan Farnham (46:28) -- MAFMC Council Member, Commercial Fisherman**

- “Economically, the area is extremely important to the industry as a whole.”
- The installation of new wind farms is reducing areas where fishermen can operate
- It has been proven that the fish stocks in the area are healthy.
- The area is pristine even though it has been commercially fished for decades

- “We fish responsibly, as a nation our stocks are healthy.”
- “The less fish we harvest in our waters just means that that we will import more fish from other countries that do not harvest fish as sustainably as we do as a whole.”

### **James Budi (50:20) -- American Sword and Tuna Harvesters**

- “The no-fishing ban in the monument is what we consider a monumental mistake.”
- “Industrial fishermen, we are not. We are akin to small family farmers.”
- “We feel that the review should be delayed until the Secretary of the Interior is in place per President Biden’s request.”
- “A commercial fishing ban serves no conservation benefit.”
- Per NOAA’s website, “pelagic longline gear used to catch swordfish has no impact on habitat.”
- Fishing impact on the monument below us is like a bird flying over the Grand Canyon
- “There is no peer-reviewed literature that demonstrates the conservation benefit of the monument’s fishing restrictions to the highly migratory stocks that are targeted.”
- The ban on commercial fishing within the marine monument waters causes fishermen to travel further offshore, with increased operational expenses and higher safety risk
- “It’s a matter not only of U.S. trade deficit and conservation, but of national security that America protects and promotes its domestic food sources.”
- A fishing ban would severely impact the livelihoods of the underserved class that make up the majority of swordfish boat crews. In addition, minorities and immigrants working in support businesses such as packing houses and shipyards would suffer from the loss of business.
- In his study “The Environmental Cost of Food,” Dr. Ray Hilborn shows the ecological impact of commercial fisheries not only far outperforms beef, pork and poultry farming, but even soy production. The carbon footprint of today’s longliner as measured against recreational boats catch per unit fossil fuel is estimated to be on the order of four times more efficient.