

Congress of the United States
Washington, DC 20515

June 12, 2009

Secretary Gary Locke
U.S. Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Secretary Locke:

We write to urge disapproval of the fishery management plan (FMP) to establish a permitting system for offshore aquaculture adopted by the Gulf of Mexico Fishery Management Council (Council) on January 28, 2009. Should the National Marine Fisheries Service (NMFS) approve the plan, it would lay the groundwork for a fragmented regulatory system for offshore aquaculture in the United States that threatens marine ecosystems, wild fish, and coastal communities.

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. §§1801- 1883) (MSFCMA) provides the authority to NMFS and the Councils to manage fishing activities. Congress did not intend for this authority to be extended to the management of offshore aquaculture, and we believe that the use of the law for this purpose sets a dangerous precedent where aquaculture would be regulated on a case-by-case basis, with an inconsistent application of regulations and standards.

A piecemeal approach to offshore aquaculture regulation could also result in significant and potentially irreversible environmental consequences, including water pollution from waste products and chemicals, threats of disease transmission to wild fish populations, harmful effects on native marine species from escaped farmed species, and concerns about the increasing use of wild forage fish for aquaculture feeds. Given these risks, it is inadvisable to initiate an offshore aquaculture permitting program without establishing an overarching, federal regulatory system that includes standardized, precautionary measures to protect the environment and coastal communities.

In sum, the MSFCMA was never intended to authorize offshore aquaculture. The potential impacts of this industry and the many unknown factors necessitate precaution, not hasty development. Therefore, we urge you to disapprove the Council's offshore aquaculture plan and work with the Congress to develop a comprehensive regulatory program that will address these concerns.

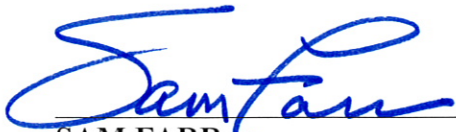
Sincerely,



LOIS CAPPS
Member of Congress



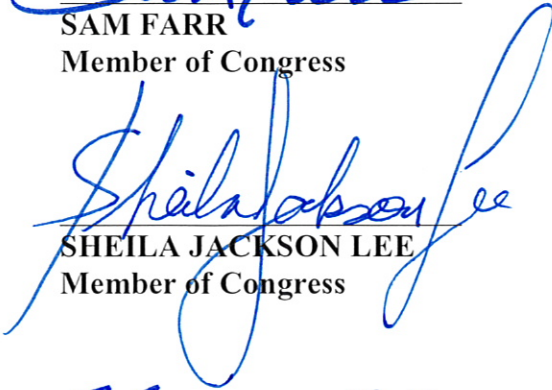
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SHEILA JACKSON LEE
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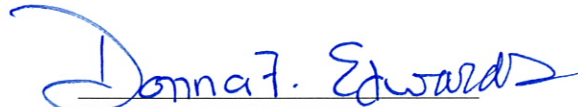
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DONNA EDWARDS
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JACKIE SPEIER
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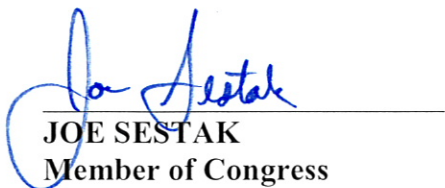
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RUSH HOLT
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GRACE NAPOLITANO
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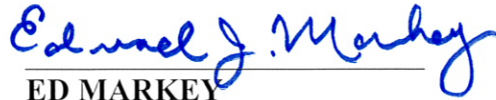
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BETTY MCCOLLUM
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DALE KILDEE
Member of Congress



ED MARKEY
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MIKE THOMPSON
Member of Congress



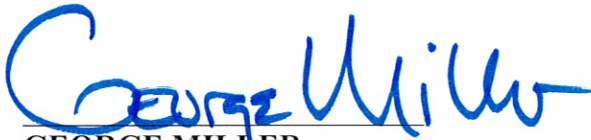
PETER DEFAZIO
Member of Congress



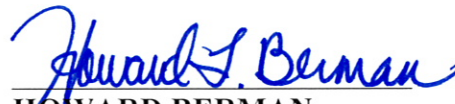
JOE COURTNEY
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HENRY WAXMAN
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GEORGE MILLER
Member of Congress



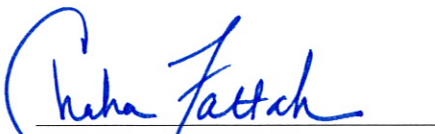
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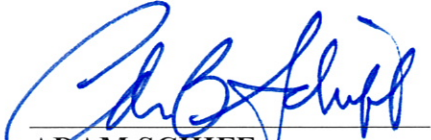
ROSA DELAURO
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Member of Congress