

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

GENE TAYLOR
Member of Congress



SAM FARR
Member of Congress



CHARLIE MELANCON
Member of Congress

SHEILA JACKSON LEE
Member of Congress

ANH CAO
Member of Congress

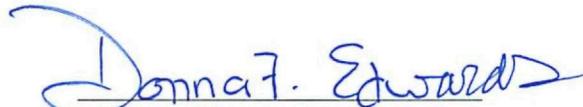
MADELEINE Z. BORDALLO
Member of Congress



JOHN LEWIS
Member of Congress



PETE STARK
Member of Congress



DONNA EDWARDS
Member of Congress

JACKIE SPEIER
Member of Congress

ZOE LOFGREN
Member of Congress



GREGORIO SABLAN
Member of Congress



ANNA ESHOO
Member of Congress



JOE SESTAK
Member of Congress



RUSH HOLT
Member of Congress



RAUL GRIJALVA
Member of Congress



GRACE NAPOLITANO
Member of Congress