

**AMERICAN RIVERS • COAST ALLIANCE • COASTAL STATES ORGANIZATION  
DEFENDERS OF WILDLIFE • ENDANGERED SPECIES COALITION • FRIENDS OF THE  
EARTH • FRIENDS OF CASCO BAY • GULF RESTORATION NETWORK • MARINE  
CONSERVATION BIOLOGY INSTITUTE • NATIONAL AUDUBON SOCIETY • NATIONAL  
PARKS CONSERVATION ASSOCIATION • NATURAL RESOURCES DEFENSE COUNCIL •  
OCEANA • THE OCEAN CONSERVANCY • PHYSICIANS FOR SOCIAL RESPONSIBILITY •  
SAVE OUR WILD SALMON • SIERRA CLUB • SURFRIDER FOUNDATION • U.S. PUBLIC  
INTEREST RESEARCH GROUP • WORLD WILDLIFE FUND**

July 1, 2002

The Honorable Ernest F. Hollings, Chairman  
Subcommittee on Commerce, Justice, State and Judiciary  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

The Honorable Judd Gregg, Ranking Member  
Subcommittee on Commerce, Justice, State and Judiciary  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Chairman Hollings and Ranking Member Gregg:

On behalf of our millions of members, we urge you to increase funding for important conservation programs that protect ocean and coastal habitats, water quality, fisheries, and marine wildlife within the National Oceanic and Atmospheric Administration (NOAA) and the Department of State. We respectfully ask that you seriously consider the following recommendations when you develop the FY03 Commerce, Justice, State, and the Judiciary Appropriations bill and keep the bill free of anti-environmental riders.

**Conservation Spending Category.** In October of 2000, Congress established the Land Conservation, Preservation, and Infrastructure Improvement Fund (LCPIIF) to provide increased support for critical coastal conservation activities within NOAA. We urge Congress reject the Administration's proposed \$92.5 million cut to this important conservation spending category and maintain your commitment by providing the full \$480 million dedicated in FY03. Congress should further ensure that these funds be directed to net increases in high priority coastal and ocean conservation programs and not be used as a substitute for base programs that would otherwise receive funding. Below we suggest some of the most critical needs.

#### **NATIONAL OCEAN SERVICE**

**National Marine Sanctuaries.** Our nation's 13 sanctuaries encompass almost 18,000 square miles of our most significant marine resources, including the Florida Keys. We request the subcommittee provide \$37.6 million for sanctuary operations, \$2 million above the Administration's request, and \$10 million for construction to reduce staffing shortages, support research and education programs, update required sanctuary management plans, and build interpretive facilities to educate the general public about the role of the federal government in managing our nation's ocean and coastal resources.

**Coral Reef Conservation.** NOAA serves on the Interagency Coral Reef Task Force and is responsible for implementing the National Action Plan to Conserve Coral Reefs. We appreciate the subcommittee's past support of NOAA's coral reef activities and request \$30.2 million in FY03 to support critical marine protected areas, ecosystem science and conservation, monitoring, mapping and restoration activities, especially those identified as priorities by the Task Force. This \$2 million increase above the Administration's request should be directed to the Coral Reef Conservation Fund established by the Coral Reef Conservation Act of 2000 (P.L. 106-562) to leverage an additional \$2 to \$4 million in public-private partnerships for on-the-ground coral reef conservation activities in the U.S. and its territories.

**Marine Protected Areas.** We greatly appreciate the subcommittee's support of NOAA's marine protected area (MPA) initiative in FY02 and request \$5 million in FY03. This increase will allow NOAA to work more effectively with federal and state agencies and other partners to acquire data for the ongoing MPA inventory and support the forthcoming Marine Protected Areas Advisory Committee and its science advisory panel. In addition, this increase will allow NOAA to better assist stakeholders, including regional fishery management councils, states, and others by providing technical assistance and research to determine how best to design and implement MPAs.

**Coastal Zone Management Act.** Under the Coastal Zone Management Act (CZMA), coastal states and territories develop their own coastal zone management plans and match federal funds dollar-for-dollar. Thirty-four of the thirty-five eligible states and territories voluntarily participate in the program. Following are our priority requests:

Nonpoint Source Pollution. Nonpoint source pollution, or polluted runoff, continues to be the nation's largest source of water pollution. Last year there were over 11,000 closings and advisories at U.S. beaches and a "Dead Zone" in the Gulf of Mexico. Nonpoint source pollution was the leading cause. We greatly appreciate the subcommittee's support of \$10 million in FY02 to help states address polluted runoff and request \$25 million in FY03. This funding will enable coastal states and territories with approved nonpoint plans to continue progress to implement their priority actions in coastal areas. This program is one of several within the National Ocean Service that is eligible for increases under the LCPIIF.

National Estuarine Research Reserve System (NERRS). In order to support important operations, coastal stewardship education, training, research, and monitoring programs, as well as to address immediate needs for site acquisition and construction, we request \$17 million for NERRs operations and \$15 million for acquisition and construction in FY03.

State Grants. We request \$80 million in FY03 to enable states to address critical unmet coastal community needs, including reducing the impacts of coastal development; expanding public access; reducing the damages from coastal hazards; restoring and protecting critical habitats; and encouraging waterfront revitalization and compatible economic growth. Due to the cap on state CZMA grants that has been included in NOAA appropriations bills for the past ten years, few states will benefit from an appropriations increase unless the cap on individual state CZMA grants is raised. We request that any increase in funding be made available to all coastal states.

Coastal and Estuarine Land Conservation (CELC). Nowhere in the nation is the threat of sprawl, habitat loss, and ecosystem fragmentation more significant than in our nation's coastal and estuarine areas. We request \$60 million in FY03 as a down payment on the identified need to protect these invaluable coastal and estuarine areas.

## **NATIONAL MARINE FISHERIES SERVICE**

**Expand Fisheries Stock Assessments.** The status of 78 percent of commercially-caught ocean fish populations is unknown due in large part to lack of funding for basic research and regular stock assessments. It is essential that we develop a better understanding of the status of our fish populations. Even with the Administration's request of \$11.9 million, NMFS still would lack the funding necessary to conduct nearly a quarter of its research days-at-sea. We urge the subcommittee to expand funding for stock assessments to \$25 million in FY03 to reduce this deficit.

**Fisheries Observers.** Along with stock assessments, reliable, objective information about how many fish are being caught, directly and as bycatch, is crucial to responsible management of our fish populations. Observers are a key means of collecting such information, yet current coverage is limited. We request \$25 million for fisheries observers in FY03, \$8 million above the Administration's request, with specific funds identified to strengthen or establish the following observer programs: National Observer Program, West Coast Observers, Gulf of Mexico Shrimp Fishery, Gulf of Mexico Longline Fishery, and Atlantic Coast Gillnet Fishery.

**Enforcement and Surveillance.** In addition to better data, enforcement of our fishery management laws is critical. Unfortunately, enforcement has not kept pace with need. NMFS only has 128 agents and 10 enforcement officers for over 90,000 miles of coastline. We urge the subcommittee to address this shortfall so that our fisheries management laws can be better enforced. We request \$46.9 million in FY03, \$11 million above the Administration's request, to hire more officers.

Within these funds, we request \$12.4 million, \$5 million above the Administration's request, for expanding the Vessel Monitoring System (VMS) program. VMS, a satellite-based fishery enforcement system, has the ability to provide real-time catch reporting throughout a number of different fisheries. This increase would allow for establishment and implementation of VMS systems and place VMS transponders onboard many of the estimated 10,000 boats in the U.S. commercial fishing fleet. VMS programs enhance data collection and safety at sea and can be beneficial to fisherman by allowing them to fish right up until a quota is reached. Finally, with VMS systems, officials can tell when a fishing vessel is fishing in a closed area, or is fishing beyond the end of a regulated fishing season, creating a more level playing field for all fishermen.

**Essential Fish Habitat.** Protecting essential fish habitat (EFH) is key to ensuring healthy fish populations in the future. Given the need to better understand the impacts of fishing and other activities on these habitats, and the need to more fully comply with the Sustainable Fisheries Act requirement to minimize impacts to those habitats, we believe that increased funding is crucial. We greatly appreciate this subcommittee's increased support for reducing fishing impact on EFH and refining designations in FY02 and request \$12.5 million in FY03.

**Marine Mammal Protection Act.** We believe the lack of adequate resources has severely hampered NMFS's ability to effectively implement the MMPA and request \$38 million in FY03, the full amount authorized under the MMPA. This increase is necessary to fund top priority studies identified by the marine mammal take reduction teams to design and implement fishery management plans that will not endanger marine mammals; conduct research on population trends, health, and demographics; and to carry out education and enforcement programs. It would also allow health assessment and research into the causes of strandings and die-offs and identification of mitigation measures to prevent such deaths in the future. \$6.85 million should be specifically identified to protect the endangered North Atlantic Right Whale, consistent with the Administration's request. In addition, we request that the subcommittee support the Marine Mammal Commission at its authorized level of \$1.75 million in FY03.

**Pacific Coastal Salmon Recovery Fund.** Wild Pacific salmon are a national treasure of enormous environmental, economic, and cultural significance. Today, several species of Pacific salmon are in decline due in large part to a variety of threats to the river habitat where they spawn and rear. More salmon runs will be extirpated, and more will require protection under the Endangered Species Act, unless strong actions are taken to protect remaining healthy stocks and recover ailing populations. The Pacific Coastal Salmon Recovery Fund (Coastal Recovery Fund), administered by NOAA, helps protect and restore salmon habitat up and down the West Coast and should include Idaho, home to imperiled Snake River salmon. Congress should fund the Coastal Recovery Fund at no less than \$200 million in FY03.

**Federal Salmon Plan for the Columbia and Snake Rivers.** The federal government has pledged to work to restore Snake and Columbia river salmon without partially removing the lower four Snake River dams. Congress can honor this commitment by funding the Federal Salmon Plan for the Columbia and Snake Rivers. Although more than a year has passed since the release of the Salmon Plan, the federal agencies have failed to fulfill three-quarters of its requirements. While most fisheries scientists believe that partial removal of the lower Snake River dams must be the cornerstone of any strategy to recover Snake River salmon, many elements of the Salmon Plan, including habitat restoration and hatchery reform, are also necessary to achieve salmon recovery in the Columbia Basin. We urge \$69.8 million in FY03 for NMFS to carry out its responsibilities under the Salmon Plan.

**Atlantic Coast Cooperative Statistics Program.** We greatly appreciate the subcommittee's support of \$2 million in FY02 for the Atlantic Coast Cooperative Statistics Program. This unique cooperative state and federal fisheries data collection program encompasses all marine fisheries sectors on the Atlantic Coast, including recreational anglers, charter and headboat operators, commercial fishermen and seafood processors/dealers. It has allowed resource managers from 15 states to develop a plan to cooperatively collect, manage and disseminate fishery statistics for the Atlantic coast. We request \$3 million in FY03 so that this program can be expanded and better implemented along the East Coast, thereby helping to ensure that data collection methods are more consistent and reliable.

**National Invasive Species Act.** The National Invasive Species Act (P.L. 104-332) coordinates federal efforts to prevent and combat the spread of invasive species through the interagency Aquatic Nuisance Species Task Force, which is co-lead by NOAA and the Fish and Wildlife Service (FWS). Under the Act, NOAA is authorized at \$7.5 million to help implement the Aquatic Nuisance Species Program and work with the FWS and the Coast Guard to develop and demonstrate environmentally sound ballast water treatment technologies. We appreciate the subcommittee's support of \$6 million in FY02 and, consistent with the National Research Council's recommendations on ballast water, urge you to reject the Administration's 87 percent proposed cut. Please fully fund the program at \$7.5 million.

**Highly Migratory Shark Fisheries Research Program.** This effective multi-regional collaborative effort conducts research on shark and ray populations in the Gulf of Mexico, the Atlantic, and the Pacific. Information developed from this program has provided critical information for assessing the status of shark populations and their management. We greatly appreciate the subcommittee's support for the program in FY02, urge the subcommittee to reject the Administration's proposed cut, and request an increase in funding to \$1.95 million.

**Pacific Highly Migratory Species Research.** We support funding for Pacific Highly Migratory Species Research, but believe the Administration's request of \$0.75 million is inadequate. Funding for stock assessments and biological studies, as well as improving bycatch mitigation techniques for these fisheries, are critical for the long-term health of the fishery. We request \$1.5 million in FY03, with \$0.5 million to be specifically dedicated to completion of the Pacific Fishery Management Council's Highly Migratory Species Fishery Management Plan.

**Fisheries Restoration Center.** Through the Fisheries Habitat Restoration program the Restoration Center reaches out to local constituencies to accomplish on-the-ground, community-based projects to restore estuaries and coastal habitats. Partnerships and local involvement are fundamental to the success of this program. Partners typically match federal dollars 1:1 and leverage those dollars up to 10 times more through state and local participation. To date, the program has funded 179 projects in 25 states, promoting fishery habitat restoration in coastal areas with a grassroots, bottom-up approach. We request \$18 million in FY03, \$5 million above the Administration's request, to properly protect and restore our nations estuaries.

**Horseshoe Crab and Migratory Shorebird Survival Research Funding.** We urge the Committee to provide \$700,000 in FY03 to establish the Horseshoe Crab Population Dynamics Research Program. This proposal builds on the recent action by the Commerce Department to create a horseshoe crab sanctuary off of the mouth of Delaware Bay. This proposed public-private partnership between the Atlantic States Marine Fisheries Committee and the Virginia Polytechnic Institute and State University's Horseshoe Crab Research Center is critical to monitoring the status of declining horseshoe crab populations, determining the impact of coastal habitat degradation on them, and protecting endangered migratory shorebirds that are dependant on horseshoe crabs as a primary food source during migration.

## **OCEANIC & ATMOSPHERIC RESEARCH**

**Climate and Global Change Program.** We urge the Committee to reject the Administration's \$1.2 million proposed cut and fully fund this program at \$72.8 million. It is essential that NOAA maintain and strengthen its climate observing systems.

## **DEPARTMENT OF STATE**

**Implementation of the Inter-American Convention for the Protection of Sea Turtles (IAC).** The IAC, the first international treaty dedicated to sea turtle protection and conservation, was ratified by the United States in 2000. To date, eight nations, including Brazil, Costa Rica, Ecuador, Honduras, Mexico, the Netherlands, and Peru have ratified the IAC, and Costa Rica will host the first meeting of the Parties in August 2002. We request \$100,000 (within the International Fisheries Commission program account) in FY03 for the State Department to assist the independent Secretariat and maintain the leadership of the U.S. on this treaty.

Thank you for your consideration of these programs. We greatly appreciate your past support and look forward to continuing our work with you.

Sincerely,

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