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September 17, 2018

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW,  
Washington, DC 20500

Dear Mr. President

The Hawaii Longline Association<sup>1</sup> requests that the Administration remove the commercial fishing prohibitions established in proclamations designating National Marine Monuments under the Antiquities Act. Following are several reasons for doing so:

1. AMERICA FIRST

The U.S. Exclusive Economic Zone was established to PUT AMERICA FIRST; U.S. waters out to 200 n.m. would be reserved for use by U.S. fishermen. Under the Magnuson-Stevens Act, only if there was a surplus of fish would it be made available to foreign fishermen. The result is that in fact there is almost no foreign fishing in U.S. waters<sup>2</sup>. Unfortunately, even U.S. fishermen now cannot fish in very large portions of the U.S. EEZ because of the designations of marine monuments, including four such monuments in the Pacific, which are known to have some prime fishing grounds for tuna and associated species. Thus U.S. fisheries' production is limited or made more expensive as vessels must travel farther to catch fish or are unable to access prime fishing grounds.

2. AMERICA FIRST IS BETTER FOR THE ENVIRONMENT

It is well known that the U.S. fisheries for tuna are the most comprehensively managed fisheries in the world. Not only are the fisheries regulated under the Magnuson-Stevens Act, but the U.S. fisheries are also subject to strong enforcement of U.S. obligations under international treaties. As a result, U.S. fisheries have minimal adverse impacts on other species and resources of concern because of regulations to protect marine mammals, seabirds, and sea turtles. The U.S. fisheries' compliance records are a model for the rest of the world. To the extent that U.S. vessels can meet U.S. market

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<sup>1</sup> HLA is a non-profit industry association that represents the Hawaii-based longline fisheries (deep-set and shallow-set). HLA submits these comments in its representative capacity on behalf of the Hawaii-based vessels, owners, and fishermen participating in the commercial longline fisheries that are subject to the prohibition of commercial fishing in national marine monuments established under the Antiquities Act.

<sup>2</sup> There is a treaty with Canada that allows limited fishing for albacore tuna by Canadian vessels in West Coast waters, balanced by allowance for U.S. fishing in Canadian waters.

demands, these other species will be protected from the harm that would be done by less regulated fisheries. This is especially the case when the fishing involved has no detectable impact on the marine resources being protected. Fishing for tuna has no effect on the habitat, there are no impacts on corals or other bottom resources, and as noted above, there are minimal or no impacts on other living marine resources.

### 3. MANAGING UNDER THE MAGNUSON ACT IS PREFERRED

The Magnuson-Stevens Act has proven to be a model statute for conservation and management of natural resources. It establishes a fully open and transparent process for management decisions, including full public participation and notice and comment rulemaking. Fishermen can participate in all aspects of the management process and our ideas and recommendations receive full consideration. There is full evaluation of all aspects of alternative management measures. The Antiquities Act, on the other hand, is not a public process, and the most recent designations or expansions of marine monuments were driven principally by national environmental groups with virtually no inputs from fishermen and with no public evaluation of effects. The people most directly affected had the least opportunity to make their concerns and needs known.

### 4. YOU HAVE THE AUTHORITY

We believe that, just as you as President have the authority to establish monuments under the Antiquities Act, you have the authority to revise monument designations and proclamations, including the authority to remove prohibitions of commercial fishing. We urge you to use that authority for the reasons cited above.

We appreciate your consideration of this request.

Sincerely,



Sean Martin, President, HLA

Cc: Ms. Mary Bridget Neumayr, Council on Environmental Quality