

The Honorable Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

October 12, 2022

Dear President Biden,

On behalf of the 24 undersigned organizations and the millions of members and supporters we collectively represent, we urge your Administration to take action to strengthen implementation of the landmark National Marine Sanctuaries Act.

Fifty years ago, Congress established the National Marine Sanctuary Program to designate and safeguard marine areas with special national ecological, cultural, and historical significance as national marine sanctuaries. Today, NOAA's Office of National Marine Sanctuaries (ONMS) manages more than 620,000 square miles of ocean and Great Lakes waters in a diverse system of 15 sanctuaries and two national monuments. From the Florida Keys to Stellwagen Bank, from Thunder Bay to Monterey Bay, the National Marine Sanctuary System celebrates America's coastal and ocean heritage, and provides a system of iconic places for communities to gather, learn, play, and enjoy together.

Our sanctuary system, however, is sending warning signs. Recent condition reports show many sanctuaries contain resources such as fish, corals, habitats and water quality that are in poor condition or have declining trends. Poor and declining trends in resources impact the health of our ocean and the communities that rely on them. Strengthening protections for our National Marine Sanctuary System will help reach the America the Beautiful goals of tackling biodiversity loss, mitigating impacts of climate change, and increasing equitable access to nature.

To strengthen protection, restoration, and enhancement for our National Marine Sanctuary System, we urge the Administration to:

Provide a clear mission statement for the Sanctuary System. Just as the National Park System and the Fish and Wildlife Refuge System have mission statements that define their primary purposes, the National Marine Sanctuaries System should have a mission statement which makes clear its intended function as a national system of protected waters (see Section 301(b)(3), (b)(6)). The current lack of a clear directive results in individual sanctuaries attempting to balance their myriad of purposes and policies without a focused, defined direction.

Implement science-based protections. Recent analysis of available condition reports found that 37 percent of the sanctuaries' resource conditions were classified as "fair," "fair/poor," or "poor," denoting "either measurable, widespread, persistent, and/or severe impacts" and that 41 percent of sanctuary condition report trends were classified as "declining." NOAA should require that fair/poor, poor or declining conditions be addressed in updated management plans and regulations through meaningful actions to improve and protect the health of sanctuary resources. Where necessary, the Secretary of Commerce should revise the existing sanctuary's

designation documents to provide the ONMS with the ability to fully address threats to sanctuary resources.

Direct the ONMS to use their authority to protect sanctuary resources. ONMS should act on all activities within sanctuaries that could harm sanctuary resources. To that end, sanctuary designation documents for both new and existing sanctuaries should authorize regulation of a full range of uses that could impact sanctuary resources now or in the future. Emergency rulemaking procedures must also be updated to allow managers to respond expeditiously to poor and declining conditions.

Require Fishery Management Councils to take actions to address sanctuary condition reports. When fishing activities are harming sanctuary resources, the Secretary of Commerce and NOAA should direct the National Marine Fisheries Service and/or the Fishery Management Councils to propose actions that immediately mitigate the harm to sanctuary resources.

Establish scientific reserves within national marine sanctuaries. Sanctuaries are living laboratories to understand the impacts stemming from climate change and human activity. By establishing sanctuary areas free from all extractive and destructive activities, scientists can better assess impacts and use this knowledge to improve management approaches for sanctuaries, as well as the larger ecosystems in which they reside. All sanctuaries should be required to consider the establishment of a scientific reserve during each management planning process.

Remove funding and technical barriers to the sanctuary nomination process. Many smaller communities lack the capacity, monetary resources or technical knowledge to submit a sanctuary nomination to the Department of Commerce. To bring greater equity to the nomination process, the Administration through its annual budget process should invest in community leadership through capacity grants, clear guidance, and technical assistance.

Support meaningful community engagement in sanctuary management. NOAA should improve the public comment process to enable greater engagement from historically excluded and under-represented communities. It is important for Sanctuary Advisory Councils to include historically-excluded and under-represented voices in the community and be authorized to freely speak about issues affecting the sanctuary, similar to Fishery Management Councils' ability to raise any fisheries issues.

Increase access to sanctuary resources. Systematic discrimination continues to prevent many historically excluded and under-represented communities from enjoying the public resources along our coastlines – including within national marine sanctuaries. NOAA must improve: 1) physical access with greater accessibility features for the disabled, and appropriate infrastructure and facilities for the distinct ways communities use and recreate in the outdoors; 2) language and cultural access with sanctuary staff reflecting the diverse communities they serve and trained in cultural competence and culturally appropriate signage, programming, and storytelling; and, 3) educational and career access to strengthen pipelines for historically-excluded communities in ocean, coastal and educational careers.

Utilize a whole-of-NOAA approach to protecting sanctuaries. NOAA should engage leadership, technical expertise, and agency resources from across NOAA line offices to support sanctuaries and help protect and restore them.

Direct the Department of Agriculture and the Environmental Protection Agency to work with NOAA to improve water quality. Water quality significantly impacts the health of marine resources and residents of coastal communities. Many of our Nation's marine sanctuaries are located along our coastline and impacted by poor water quality from agricultural run-off, non-point pollution, and wastewater. The Environmental Protection Agency and the Department of Agriculture working in partnership with the Department of Commerce should develop a comprehensive water quality improvement program for each unit of the National Marine Sanctuary to protect the chemical, physical, and biological integrity of sanctuary resources and the human health of communities surrounding these areas.

Provide increased funding for the National Marine Sanctuary System. The conservation of marine ecosystems is vital to sustaining productive coastal economies and mitigating climate change. ONMS serves as the trustee for more than 620,000 square miles of marine and Great Lakes waters. At its current budget level, ONMS spends on average \$0.14/acre to support management, scientific research, and education. For comparison, the National Park Service spends an average of \$29.76/acre for units in the National Park System, the NOAA Office of Coastal Management spends an average \$28.08/acre estuaries in the National Estuarine Research Reserve System, and the Fish and Wildlife Service spends on average \$25.01/acre for refuges in the National Wildlife Refuge System. ONMS's budget is acutely under-resourced compared to its mission and in comparison to other natural resource management agencies.

These recommendations would enhance the implementation of the National Marine Sanctuaries Act and they are critical measures to address the condition of our treasured ocean spaces. By working collaboratively, we can meet the challenges of the moment and create lasting protections for marine areas to serve all life that depends on them for generations to come. We look forward to working with you to advance these measures and the health of our important National Marine Sanctuary System.

Sincerely,

Azul
California Marine Sanctuary Foundation
Coastal Quest
Conservation Law Foundation
Creation Justice Ministries
Earthjustice
Healthy Ocean Coalition
Hispanic Access Foundation
Inland Ocean Coalition
League of Conservation Voters
Marine Conservation Institute
Mystic Aquarium

National Aquarium
National Marine Sanctuary Foundation
National Ocean Protection Coalition
National Parks Conservation Association
National Wildlife Federation
Natural Resources Defense Council
Ocean Defense Initiative
Patagonia
Surfrider Foundation
The National Audubon Society
The New England Aquarium
The Pew Charitable Trusts

CC: Brenda Mallory, Chair, Council on Environmental Quality
Gina M. Raimondo, Secretary of Commerce
Richard Spinrad, Under Secretary of Commerce for Oceans and Atmosphere and NOAA
Administrator
John Armor, Director, Office of National Marine Sanctuaries
Nicole Leboeuf, Assistant Administrator, National Ocean Service