



March 3, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

RE: Please replace EO 13921 to support domestic, sustainable wild-capture fishing instead of industrial aquaculture development

Dear President Biden:

We write to you as members of the Don't Cage Our Ocean Coalition¹ to respectfully and urgently request that you and your administration stop and reverse the rapid advancement of industrial marine aquaculture set in motion by several executive actions from the Trump administration. To truly protect ocean ecosystems and the countless U.S. jobs dependent on them, national food security, and coastal communities, the federal government must prioritize sustainable forms of seafood production that do not pollute the marine environment, threaten local economies, and hurt fishing families.

The most concerning method - marine finfish aquaculture - uses giant floating net pens and cages that routinely discharge fish waste, excess feed, and chemicals into open waters. These finfish aquaculture facilities contaminate the marine environment (an important part of the public commons) with pollutants that contribute to harmful algal blooms, widespread coral die-off, and other threats. Industrial ocean aquaculture hurts local economies--from fishing families to local businesses that rely on tourism--which rely on the health of our oceans. Furthermore, fish escapes regularly occur due to extreme weather, human error, or structural failures, thus posing another significant risk to the ecosystem and wild fish through the spread of pathogens and increased competition for food, habitat, and mates.

During the Trump administration, a lack of transparency, rollbacks of environmental protections, and fast-tracking permit approvals were all part of a rush to site industrial operations in federal marine waters without fully understanding environmental impacts and without giving the public and agencies tasked with oversight critical opportunities to review and comment on proposed aquaculture facilities.

Most alarming to date is former President Trump's Executive Order (EO 13921, May 7, 2020) misleadingly titled "Promoting American Seafood Competitiveness and Economic Growth", which pushed federal agencies to expand commercial aquaculture and largely disregard National Environmental Policy Act and Endangered Species Act requirements, as well as regulations concerning environmental quality and waste treatment. In response, the National Oceanic and Atmospheric Administration (NOAA), the United States Army Corps of Engineers, and the

¹ You can read more about our coalition at www.dontcageourocean.org.

Environmental Protection Agency (EPA) took actions during the previous administration to circumvent legal requirements and speed up permitting. Notably, NOAA has designated waters in the Gulf of Mexico and Southern California - with several more regional designations to come - as aquaculture opportunity areas (AOAs), which will allow faster, easier permitting for commercial operations without first completing thorough, site-specific environmental impact studies on the full range of impacts for each facility.

The U.S. Army Corps of Engineers has also streamlined permit accessibility while short-cutting agency review and public input processes by issuing new and revised nationwide permits for aquaculture. We appreciate that you took swift action by placing this nationwide permit package on hold pending a thorough review. It is our hope that the nationwide permits for aquaculture be revoked in their entirety. Finally, despite widespread opposition, the EPA has issued a permit allowing for the release of untreated waste into waters surrounding the proposed Gulf of Mexico facility, Velella Epsilon, located off the coast of Sarasota, Florida. The U.S. Army Corps is currently poised to grant Velella Epsilon the second permit necessary for construction in the Gulf.

In light of the clear dangers to communities and ecosystems posed by industrial marine finfish aquaculture facilities in federal waters around the U.S., we respectfully urge you to:

- Replace President Trump's May 2020 Executive Order on Promoting American Seafood Competitiveness and Economic Growth with an Executive Order that focuses on truly supporting the domestic seafood market and sustainable wild-capture fisheries.
- Publicly oppose and stop privately lobbying for the AQUAA Act, which seeks to expand offshore aquaculture by authorizing the federal government to approve permits for these industrial facilities.
- Support policies such as the Keep Finfish Free Act (H.R. 274), which will prevent the authorization of commercial marine finfish farming operations in federal waters unless and until Congress has provided explicit authorization to regulate these facilities.
- Stop prioritizing the growth and advancement of marine finfish aquaculture in the U.S., including halting development of Velella Epsilon and Pacific Ocean Aquafarms, and instead support more sustainable, land-based seafood production methods.

The Trump administration brashly pushed to expand marine finfish aquaculture facilities despite a global shift away from the industry. For example, both Denmark and Canada - often viewed as international leaders on aquaculture production - recently formalized their opposition to marine finfish farming by prohibiting its expansion along their coastlines due to concerns about water quality, environmental health and resiliency, and the oft overlooked, disenfranchising impact that the industry has on native tribal nations. The United States should heed the experiences of Denmark and Canada and not lead our country in the wrong direction on seafood production.

Indeed, we are currently leaders in ocean conservation and management by not permitting these operations in our waters.

Based on the foregoing, we ask you and your administration to correct the lapses in regulatory oversight, restore sound practices to take a hard look at any activities that impact our marine environment, use science-based ocean management, and prioritize sustainable seafood production, starting with the reversal of damaging policies in Executive Order 13921.

We are eager to discuss these priorities and invite a discussion with your staff at their earliest opportunity.

Sincerely,

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