



December 15, 2020

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

Dear President-Elect Biden:

The 52 undersigned organizations – who represent conservation, food security, farming and fishing interests – send our hearty congratulations on your recent victory. We appreciate the thought, effort, and commitment that you and your team have already devoted to building back a better United States as soon as you take office, and we look forward to much collaboration as we move forward together. **To that end, we submit this letter to request that your incoming administration place a high priority on replacing [Executive Order 13921](#), titled “Promoting American Seafood Competitiveness and Economic Growth,” with a new executive order that supports U.S. sustainable wild-capture fishing communities instead of prioritizing offshore aquaculture development.** As detailed below, this could be best accomplished by: (1) addressing competitive advantages that foreign flagged fleets obtain by shirking environmental, social, and labor standards, benefitting from subsidized operations and resulting market inequities; (2) providing direct relief for those still experiencing the widespread impacts of COVID-19 and the previous administration’s destructive trade policies; and (3) managing our natural resources, and preparing our fishing-dependent communities, for climate change impacts.

Offshore finfish aquaculture can pose a number of environmental and socio-economic risks, including but not limited to: impacts to wild fish stocks; fish escapes; spread of diseases, viruses, and parasites; pharmaceutical use such as antibiotics; untreated discharge of industrial wastewater; interactions with, and impacts on, marine wildlife; and siting issues that can affect vulnerable marine ecosystems and interrupt competing ocean uses. To ensure that our marine ecosystems and coastal economies are adequately protected, the aquaculture industry – especially offshore finfish aquaculture – must undergo significant scrutiny and federal agencies must receive Congressional authorization before permitting may commence. However, the previous administration has actively advocated for expanded aquaculture without first undertaking sound scientific research, fully consulting with the broad range of impacted stakeholders, or having federal legislation that allows scientifically-based regulation of the industry.

The most troubling action taken to prematurely advance offshore aquaculture is Executive Order 13921, which mandates that various agencies take swift action to streamline commercial development of the industry while reducing vital environmental reviews and assessments. These shortsighted actions – which are already being implemented – include:

- The U.S. Army Corps of Engineers has published draft nationwide permits for finfish, shellfish, and plant aquaculture, which weaken clean water protections and would lead to destruction and degradation of water quality and aquatic habitat.
- The National Oceanic and Atmospheric Administration (NOAA) has announced the development of the first two “Aquaculture Opportunity Areas” in the Gulf of Mexico and Southern California, which will be used to develop offshore aquaculture under a single

programmatic environmental review. The EO mandates eight additional AOAs to be rapidly developed over the next four years.

- Without first undertaking sound scientific research and rigorous stakeholder consultation, NOAA has been anointed the role of “lead agency” to help usher through the permitting process for offshore aquaculture operations.

Moreover, it is deeply concerning that Trump’s EO lumps together the conflicting goals of rapidly expanding offshore aquaculture and purportedly supporting domestic fisheries, which is especially reprehensible during a time when the fishing sector and related industries are already struggling significantly from the widespread impacts of COVID-19, trade war tariffs, and climate change.

We recommend issuing a replacement EO that instead invests in our sustainable domestic fishing sector by improving market access, supporting domestic seafood producers and related industries, and preparing for climate change. The following detailed recommendations - which can all be implemented by NOAA - highlight new priorities for the Biden Administration, or reform directives from the Trump EO in ways that make a real commitment to U.S. sustainable seafood production and markets:

- **End U.S. imports of illegally caught seafood to level the playing field for domestic fisheries and protect ocean ecosystems.** The best way to strengthen our domestic seafood industry is to combat the influx of illegal, unreported, and unregulated (IUU) seafood that comes with artificially low-price tags and high environmental and social costs. This can be achieved by expanding the Seafood Import Monitoring Program to cover all species, require robust reporting, and verify information regarding catch. This can build on Section 5 of Trump’s EO.
- **Empower the Seafood Trade Task Force to assess and repair existing problems with seafood trade and access.** Mandating that the Task Force (established under Section 11 of Trump’s EO) undertake the following discrete tasks will help our domestic seafood producers tremendously: stop inaccurately tracking and reporting seafood that is caught domestically but processed internationally; end exporting of seafood for cheap processing abroad followed by reimportation through fostering and incentivizing domestic seafood processing; expand the federal government’s seafood purchasing and distribution program; and ensure seafood access for communities with the greatest need.
- **Provide more direct relief to fishing businesses and fishing-dependent communities, including Tribes and subsistence fishermen.** Seafood supply chains have been upended by the COVID-19 pandemic. Prior relief in the CARES Act has still not been fully distributed, and once it is, the earmarked amount will fail to adequately mitigate the unprecedented losses that have been suffered by the domestic seafood sector. More support is needed to help mitigate known and anticipated impacts over the recent and coming months.
- **Implement climate-ready fisheries management.** Climate change is affecting fisheries around the country. We cannot sustain and continue to grow U.S. fisheries if we do not incorporate climate change into fishery management. To achieve sustainable, climate-ready fisheries, we need long-term commitments developed in collaboration with fishery

management councils, such as better science to manage shifting stocks and uniform application of robust protections for fish habitat across the nation.

We appreciate your prompt consideration of these time-sensitive requests and welcome further dialogue as it would be helpful. With almost 40% of the U.S. population residing in coastal counties, the Biden administration's leadership on these issues will affect many families, businesses, and local economies. Please do not hesitate to reach out to Hallie Templeton via the contact information below with any questions or requests for additional information.

Sincerely,

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