



Alaska Trollers Association

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Michael D. Tosatto, Regional Administrator
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814-4700

RE: Proposed Kona Blue Water Farms Permit to Culture a Managed Coral Reef Fish Species (*Seriola rivoliana*) in Federal Waters off the Coast of Hawaii

Dear Mr. Tosatto:

Alaska Trollers Association (ATA) was concerned to learn this week about National Oceanic and Atmospheric Administration's (NOAA) proposal to award a Special Coral Reef Ecosystem Fishing Permit to Kona Blue Water Farms (Kona Blue). This action would set a precedent for NOAA permitting open ocean aquaculture operation in federal waters prior to congressional approval for such an activity. ATA opposes issuance of this permit.

It has long been ATA's position that no permits should be issued in federal waters for aquaculture without statutory direction and the commitment of the nation to adequately finance research and a strong regulatory program.

On Thursday March 17th, NMFS opened a 10-day comment period on an Environmental Assessment for an operation off the coast of Hawaii. We just heard about it on Monday and the comments are due on Sunday. I'm sure it is no surprise to the agency that with that short timeline, no one will be able to conduct a comprehensive review of the actual permit.

For the purposes of this permit, NOAA has chosen to define fish farming as 'fishing', to justify claims that it has authority over permitting the activity. We Alaskan's know a fishing operation when we see one – and this isn't one. Ironically, in year's past NOAA opposed giving the Council's authority over fish farming, saying it wasn't the same as fishing. Apparently it is now convenient to claim that it is.

ATA does not believe that NOAA has the authority to permit aquaculture in the EEZ. Further, NOAA lacks the adequate framework to provide the necessary oversight of such permits.

NOAA opened the comment period for Kona Blue's offshore aquaculture activity at the same time comments are being received on both Commerce and NOAA's draft aquaculture policies. Lacking congressional approval, strong aquaculture policies, and substantial regulatory, monitoring, and enforcement programs, it is incredible that NOAA would even consider permitting aquaculture in federal waters.

In fact, given the growing national concern over the wholesomeness of the food supply, the integrity of the marine environment, and the growing national debt, this is a bold and outrageous move for the federal fisheries agency to make.

Due to the large and persistent issues that plague fish farms around the world, ATA remains opposed to offshore aquaculture for finfish. However, we recognize that the viewpoint around the country is mixed. With that in mind, ATA has worked at various times with all stakeholders and congress, to help create federal legislation to safeguard our marine resources and fishing communities, while also providing for some forms of aquaculture. It is important to us that any legislation provides clear national standards and a commitment to adequately finance research, monitoring, and enforcement programs. We view none of the bills to date as the perfect fix, but the last House version was far and away the best - we applaud those who came to the table and made the attempt. With this latest move to issue a permit to Kona Blue, NMFS is undermining those efforts and doing a blatant end-run around the previous work of Representatives Capps and Rahall, and others in Congress.

We urge NOAA to refrain from permitting aquaculture operations in federal waters without first securing congressional direction and working with the American public to develop a well-designed national program.

Thanks in advance for your attention to this matter.

Best regards,

Dale Kelley
Executive Director