



August 15, 2017

The Honorable Wilbur Ross
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

[Docket No. NOAA-NOS-2017-0066]

Review of national marine sanctuaries and marine national monuments designated or expanded since April 28, 2007 under Executive Order 13795 Section 4(b)

Public Comment Re: Channel Islands National Marine Sanctuary
Greater Farallones National Marine Sanctuary
Cordell Bank National Marine Sanctuary
Monterey Bay National Marine Sanctuary

Dear Secretary Ross,

Since 1919, the National Parks Conservation Association (“NPCA”) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our more than 1.3 million members and supporters nationwide, I ask that you preserve the current national marine sanctuary (“NMS”) designations and protections for Channel Islands, Greater Farallones, Cordell Bank, and Monterey Bay National Marine Sanctuaries (the “sanctuaries”), as established and managed by the National Oceanic and Atmospheric Administration (“NOAA”).

As set forth below, the use of the National Marine Sanctuaries Act of 1972¹ (the “Sanctuaries Act”) to protect the four California national marine sanctuaries under review was wholly appropriate and justified to ensure the protection of this unique region along the Pacific Coast. The Department of Commerce should not recommend any changes to these four national marine sanctuaries for the following reasons, as detailed in the letter following:

- The Sanctuaries Act requires significant steps before the Secretary of Commerce may modify a designation for Channel Islands, Greater Farallones, Cordell Bank, and Monterey Bay National Marine Sanctuaries, and these boundaries were adjusted in full legal compliance;
- Regardless, the factors identified in the request for comments support the continued designations as national marine sanctuaries and maintenance of their existing boundaries and protections;
- Preserving the unique ecosystems, cultural heritage, and archeological remnants require maintaining these sanctuaries at their current sizes;
- The designations and expansions of these national marine sanctuaries were the results of extensive public processes, and they continue to be widely supported by numerous stakeholders; and

¹ 16 U.S.C. § 1431 et seq.

- The value of the protections provided by the sanctuary designations outweigh the speculative value of energy production.

Healthy coastal national parks depend on healthy aquatic ecosystems, which are protected by national parks, national marine sanctuaries, and other types of marine protected areas. While these four NMS are not managed by the National Park Service (“NPS”), NPS and NOAA work closely together to increase capacity and advance scientific understanding about issues related to oceans and coasts, such as energy development, fishing, invasive species, sea-level rise, and other threats to natural and cultural resources. National parks and national marine sanctuaries help conserve some of our country’s most prized underwater resources of natural, cultural, and historic significance and serve as living laboratories that can inform the management and conservation of ocean and coastal ecosystems. The protection of America’s marine treasures helps preserve biodiversity, ensure the availability of educational and research opportunities, and strengthen the deeply embedded connections between our communities and waterways. They also attract millions of visitors from all over the world, generating billions of dollars in economic benefits.

National Marine Sanctuaries of California

Four national marine sanctuaries along the California coast are currently under review as part of Executive Order 13795: the expansion areas of Channel Islands NMS, Greater Farallones NMS, Cordell Bank NMS, and Monterey Bay NMS. These sanctuaries are integral to the health of coastal national parks in California and are part of NOAA’s West Coast Region, which treats its sanctuaries as both individual and holistic in terms of resource protection and management, recognizing the importance of a broad-based ecosystem for furthering research and understanding of oceans and threats they face and preserving the maritime heritage of California and the Pacific. This spectacular region is home to countless mammals, birds, fish, plants, and varying habitats for all to survive. Whale watching is a favorite tourism activity, and visitors can see dolphins, sea turtles, porpoises, and more when out at sea. It is home to the largest concentration of seabirds in the contiguous United States, some of which help serve as indicator species to report on the health of the ocean and adjacent landscapes.² In addition, the cultural and historical resources of the region are represented throughout and contribute to the more modern day story when human interaction began to take place with the environments.

While each sanctuary in California was designated at a different time and for different reasons, these sanctuaries—and the national parks along the California coast—are all closely connected through their many similarities and attributes.

Channel Islands National Marine Sanctuary

Channel Islands NMS was established in 1980 for its national significance as an area of exceptional natural beauty and resources.³ However, conservation efforts started decades earlier when President Franklin Roosevelt designated this area as the Channel Islands National Monument in 1938. In 2006 to 2007, NOAA added the marine protected areas established by the California Fish and Game

² *National Marine Sanctuaries. About: West Coast Region.* NOAA. <http://sanctuaries.noaa.gov/about/westcoast.html> (last updated Feb. 9, 2017).

³ *Channel Islands National Marine Sanctuary: 2009 Condition Report.* NOAA. <http://sanctuaries.noaa.gov/science/condition/cinms/history.html> (last updated Sept. 29, 2015).

Commission in 2002 to the sanctuary, making specific zoning changes and no-take marine reserves within the existing NMS boundaries.⁴

Channel Islands NMS encompasses 1,110 nautical square miles and contains a vast array of resources: wildlife, habitats, and shipwrecks with archaeological artifacts. Balancing human activity such as shipping, fishing, and tourism is crucial to its management. Channel Islands NMS preserves historical and cultural heritage, protecting shipwrecks and other archaeological remains. The Chumash are believed to have inhabited the area 13,000 years ago where cultural resources are present, as are remnants of the Spanish and Portuguese explorations from the past several hundred years. The sanctuary's immense scientific and research opportunities continue to attract partnerships with federal agencies and world-renowned universities and research institutions, such as Scripps Institution of Oceanography and Woods Hole Oceanographic Institution.

Channel Islands National Park is included within the boundaries of Channel Islands NMS and preserves five islands that serve as critical habitat for a variety of vulnerable and recovering animals, including the island night lizard, the threatened Scripps's murrelet, the snowy plover, and the park's distinctive island fox, found nowhere else in the world. The nutrient-rich waters and kelp forests in the park and surrounding sanctuary nurture a surprising diversity of marine life as well, including sea lions, dolphins, whales, and exotic-looking starfish.

Greater Farallones National Marine Sanctuary

The Greater Farallones NMS, which was originally named the Point Reyes-Farallon Islands NMS when it was first designated in 1981, was established for its national significance as an area that encompasses a diversity of highly productive marine habitats and supports an abundance of species.⁵ This sanctuary initially protected 966 nautical square miles of diverse marine habitats and the wildlife contained therein. In 2015, it was officially renamed to the Greater Farallones NMS during the expansion to 2,488 square nautical miles, which now includes submerged lands and the continental slope.⁶ It has been home to native peoples for the past 11,000 years and sits adjacent to San Francisco, which is home to more than 7 million people. Notably, it was the concerned community of fishermen, environmentalists, and researchers who prompted the sanctuary designation process with their biggest fear being oil spills and the damaging impacts they would have on the waters, ecology, and livelihoods.

Greater Farallones NMS shares boundaries with Cordell Bank NMS and Monterey Bay NMS, which all comprise a large coastal marine ecosystem and are dominated by the California Current. In 1988, the UNESCO Man and the Biosphere Programme designated the Golden Gate Biosphere, which includes Greater Farallones NMS, Cordell Bank NMS, and other state and federally protected areas, such as national parks like Point Reyes National Seashore and Golden Gate National Recreation Area.⁷

The coastal national parks around the San Francisco Bay area share boundaries with Greater Farallones NMS and Monterey Bay NMS. Point Reyes National Seashore, the only national seashore on the West Coast, is surrounded by the Greater Farallones NMS. It features beaches, coastal cliffs

⁴ *Channel Islands National Marine Sanctuary: Marine Reserves*. NOAA.

<https://channelislands.noaa.gov/marineres/welcome.html> (last visited Aug. 4, 2017).

⁵ *Gulf of the Farallones National Marine Sanctuary: 2010 Condition Report*. NOAA.

<http://sanctuaries.noaa.gov/science/condition/gfnms/history.html> (last updated Sept. 29, 2015).

⁶ *FEIS: CBMNS and GFNMS*. NOAA. (Dec. 2014)

http://farallones.noaa.gov/manage/pdf/expansion/CBNMS_GFNMS_FEIS_Expansion_122014.pdf

⁷ *Golden Gate Biosphere* <https://farallones.noaa.gov/manage/goldengatebiosphere.html> (last updated July 25, 2017).

and headlands, salt marshes, estuaries, coniferous forests, an astonishingly rich array of wildlife species, and the only marine wilderness—Drakes Estero—on the West Coast south of Alaska. Golden Gate National Recreation Area, which is adjacent to both Greater Farallones NMS and Monterey Bay NMS, encompasses more than two dozen natural, historic, and cultural sites in and around the city of San Francisco, including Alcatraz prison, towering trees in Muir Woods, beach at the Marin Headlands or Stinson Beach, and miles of hiking trails and ocean views.

Cordell Bank National Marine Sanctuary

Cordell Bank NMS was designated in 1989 because of its national significance as an area of exceptional natural beauty and resources, similar to neighboring Greater Farallones NMS.⁸ It is located on the Pacific Plate, which is moving northward given its location along the San Andreas Fault and experiences geologic activity regularly from earthquakes. Expanded in 2015 to 971 nautical square miles, Cordell Bank NMS now includes Bodega Canyon.⁹ Cordell Bank NMS is considered an extremely productive marine environment due to the bathymetry and ocean conditions. As a result of limited usage by humans, the area is flush with feeding opportunities for larger ocean life, such as killer whales, Risso's dolphins, northern elephant seals, and Stellar sea lions.

Monterey Bay National Marine Sanctuary

Monterey Bay NMS, the largest NMS in California, was congressionally designated in 1992 for the purpose of resource protection, research, education, and public use.¹⁰ It is 3,431 nautical square miles. Monterey Bay NMS is home to an estimated 34 species of marine mammals, 180 seabirds and shorebirds, and 525 species of fish.¹¹ It contains Monterey Canyon—an underwater canyon system that is believed to be larger than the Grand Canyon. It was expanded in 2008 to add 585 nautical square miles to include the Davidson Seamount. Monterey Bay NMS is believed to contain 225 documented shipwrecks and downed aircraft as well as 718 historical sites.¹²

We thank you for your consideration of these comments. We begin with a discussion of the significant process for modifying a national marine sanctuary designation under the Sanctuaries Act. We then address in turn the three factors to be considered in the Secretary of Commerce's review of national marine sanctuaries and marine national monuments.

I. The National Marine Sanctuaries Act Requires Significant Steps Before the Secretary May Modify a Designation

President Trump's EO 13795 directed the Secretary of Commerce to conduct a review of all designations or expansions of national marine sanctuaries under the National Marine Sanctuaries Act (the "Sanctuaries Act")¹³ and all marine national monuments created under the Antiquities Act of 1906¹⁴ in the 10-year period prior to April 28, 2017, and "report the results of the review." The EO does not state what actions the Secretary is expected to recommend, if any, as a result of that review.

⁸ *Cordell Bank National Marine Sanctuary: 2009 Condition Report*. NOAA.

<http://sanctuaries.noaa.gov/science/condition/cbnms/history.html> (last updated Sept. 29, 2015).

⁹ Expansion of Gulf of the Farallones and Cordell Bank National Marine Sanctuaries, and Regulatory Changes. 80 Fed. Reg. 13078-01 (March 12, 2015).

¹⁰ *Monterey Bay National Marine Sanctuary: Condition Report Partial Update—A New Assessment of the State of the Sanctuary Resources 2015*. NOAA.

<http://sanctuaries.noaa.gov/science/condition/monterey-bay-2015/> (last updated Jan. 7, 2016).

¹¹ *Id.*

¹² *Id.*

¹³ 16 U.S.C. 1431 *et seq.*

¹⁴ 54 U.S.C. 320301.

Nevertheless, the context of the EO and the factors the Secretary is directed to consider make clear that the President is considering changes to such designations.

In NPCA's comments submitted to Secretary Zinke in response to his solicitation to inform his review under EO 13792, we demonstrated that the President does not have the authority without congressional action to revoke or modify marine national monuments designated under the Antiquities Act of 1906. The Sanctuaries Act, in contrast, gives the Secretary of Commerce, although not the President, the authority to modify sanctuaries established under that Act.

However, that statute gives the governor of the state in which the sanctuary is located a veto power over any designation or modification of a sanctuary under that Act. If the governor of the state in which the sanctuary is located certifies that the designation or modification is "unacceptable" to him or her, the modification "shall not take effect." 16 U.S.C. 1434(b)(1) (*emphasis added*).¹⁵ Some governors may certify unacceptability: the environmental impact statement ("EIS") for the Gulf of the Farallones National Marine Sanctuary states that there is "an agreement [among] the governors of California, Washington and Oregon signed in 2006, which expressed their opposition to oil and gas development off their coasts."¹⁶

Moreover, the Sanctuaries Act makes clear that the "terms of designation may be modified only by the same procedures by which the original designation is made." 16 U.S.C. 1434(a)(4). The "terms of designation" include:

the geographic area proposed to be included within the sanctuary, the characteristics of the area that give it conservation, recreational, ecological, recreational, historical, research, educational, or esthetic value, and the types of activities that will be subject to regulation by the Secretary to protect those characteristics.

Id. Accordingly, if the President or the Secretary proposes to rescind the sanctuary or modify its boundaries or permit energy or mineral exploration or production there, as contemplated by EO 13795, the Secretary would be required to comply with the same procedures applicable to the initial designation of a sanctuary under the Sanctuaries Act.

The Sanctuaries Act imposes significant procedures to be followed in any such designation or modification. Among other things, those procedures include:

- making a determination that the action proposed would "fulfill the purposes and policies" of that Act,¹⁷ as set forth in 16 U.S.C. 1431(b), which makes clear that the "primary objective" of that Act is "resource protection." While negative impacts on income-producing activities is a factor to consider, the thrust of EO 13795 is to increase energy exploration and production – none of the purpose or policies of the Act involves achieving that objective;
- preparing and providing the public and Congress and the governor of the state in which the sanctuary is located with documents justifying the basis for that determination and an assessment of the required factors;¹⁸

¹⁵ The same procedures apply to a modification as to an initial designation. *See id.* 1434(a)(4).

¹⁶ Final Environmental Impact Statement for Cordell Bank and Gulf of the Farallones National Marine Sanctuaries, Dec. 2014, at 4. 7-3.

¹⁷ *See* 16 U.S.C. 1433(a)(1).

¹⁸ *See id.* 1434 (a)(1)(C), (a)(2)(E) and (F).

- complying with the National Environmental Policy Act, which would require preparation of an EIS comparable to those prepared when the sanctuaries at issue were designated or expanded;¹⁹
- providing a cogent and detailed justification for the modification if, as seems inevitable, it “rests on factual findings that contradict those which underlay” the action being modified.²⁰ Given the extensive factual findings made when the sanctuaries at issue were designated or expanded, such a justification would likely be difficult to provide that would pass muster when reviewed by the courts;
- adopting regulations or amendments to existing regulations under the Administrative Procedure Act;²¹ and
- holding at least one public hearing in the coastal area affected by the modification.²²

We urge the Secretary to make these requirements clear in the report.

II. The Factors Identified in the Request for Comments Support the Continued Designation of Channel Islands, Greater Farallones, Cordell Bank, and Monterey Bay as National Marine Sanctuaries and Maintenance of Their Existing Boundaries and Protections.

Executive Order 13795 specifies three factors to be included in the Secretary of Commerce’s review of national marine sanctuaries and marine national monuments.²³ Our analysis concludes that none of the three supports departing from the existing regime established by the designation and expansion regulations.

Factor A: Expansion Acreage and Budgetary Impact

The four NMS in California under review were expanded, or modified, to preserve unique features that are worthy of protection, and certainly these protections should not be removed or diminished for energy extraction or other habitat-altering activities. In addition, their conservation values and economic benefits greatly outweigh the minimal budget allocations for management.

Channel Islands NMS: In 2006 and 2007, NOAA revised Channel Islands NMS to include approximately 15 square miles of marine protected areas and no-take marine reserves—established by the California Fish and Game Commission in 2002—within the sanctuary’s existing boundaries to assist with management.²⁴ Marine reserves enhance the ecological values of the area and have the capacity to address severe declines in fish populations, leading to a reduction in fishing mortality that can increase the abundance of spawning fish, providing insurance against recruitment failure and maintaining or enhancing yields in fished areas.²⁵ The scale of the modification was small—

¹⁹ See *id.* 1434(a)(2)(A).

²⁰ *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515-16 (2009) (when new policy rests on facts contradicting those underlying prior policy “more detailed justification” required than would suffice if writing on a blank slate).

²¹ See 16 U.S.C. 1433(a).

²² See *id.* 1434(a)(3).

²³ Executive Order 13795, 82 Fed. Reg. 20815, 20816, Section 4(b)(i).

²⁴ *Channel Islands National Marine Sanctuary: Marine Reserves*. NOAA. <https://channelislands.noaa.gov/marineres/welcome.html> (last visited Aug. 4, 2017).

²⁵ Reserves are most likely to benefit surrounding fisheries if they also act as a source of larvae to the surrounding areas. If marine reserves are properly designed and enforced, they can increase the size,

representing a mere one percent increase in area of the protected area. This hardly constitutes an expansion worthy of review. The modification has no budgetary impact; in fact, the boundary adjustment of the marine reserves made enforcement easier, which reduced management costs.

Greater Farallones NMS and Cordell Bank NMS: In 2015, Greater Farallones NMS and Cordell Bank NMS were expanded together to protect the region's coastal and marine features and additional biological and ecological attributes, including nutrient-rich upwelling areas that support vast numbers of species. Point Reyes-Farallon Islands NMS was expanded to 2,488 square nautical miles and renamed the Greater Farallones NMS. This expansion includes submerged lands and the continental slope.²⁶ Cordell Bank NMS was expanded in 2015 to 971 nautical square miles to include Bodega Canyon, a 6,000-foot-deep canyon on the continental shelf.²⁷ These expansions have no budgetary impact; in fact, at Greater Farallones NMS, private interests, such as the Greater Farallones Association, have raised funds to support the implementation of the expansion.

Monterey Bay NMS: In 2008, Monterey Bay NMS was expanded an additional 585 nautical square miles to include the Davidson Seamount—an underwater mountain habitat that was the first seamount to be studied, mapped, and protected as a part of the National Marine Sanctuary System. Davidson Seamount is among the most diverse habitats in the world, teeming with wildlife including deep-sea, cold-water corals that are several hundred years old. It is one of the most studied seamounts in the world, thanks to partnerships between NOAA and world-renowned research institutions.

Overall, the budgetary impacts for managing marine sanctuaries and marine protected areas is minimal, especially considering the invaluable attributes of the sanctuaries as discussed in this letter. In FY 2017, NOAA received \$51 million to manage marine sanctuaries and marine protected areas, which is approximately one half of one percent of the Department of Commerce's total budget.²⁸

Factor B: Adequacy of Any Required Federal, State, and Tribal Consultations Conducted

In compliance with the Sanctuaries Act, NOAA conducted extensive consultation with federal, state, and tribal authorities, as well as local governments and affected communities, when determining the current boundaries of each of these sanctuaries. Prioritizing energy extraction activities over the numerous formally-documented benefits of these sanctuaries would undermine and contradict the extensive public process undertaken for their designations and their expansions.

density, and diversity of fish, invertebrate, and other marine species. See Written Testimony of John F. Bruno, PhD, Professor, Dep't of Biology, Univ. of N.C. at Chapel Hill, before the Subcomm. On Water, Power, and the Oceans (Mar. 15, 2017), http://democrats-naturalresources.house.gov/imo/media/doc/Bruno%20testimony_4c3.pdf. Fish biomass in marine reserves can quickly increase to be four times higher on average than in fished areas and the restoration of fished predatory species can help improve important ecological functions and species interactions benefitting lower trophic levels. See *id.* Marine reserves also provide valuable baseline information about the health of marine resources, can be valuable for the study of unaltered ecological processes, and serve as important baselines or control areas for harvested populations of fish. NAT'L PARK SERV., *National Resources Management Guidelines* (No. 77), at 34 (updated 2004).

²⁶ *FEIS: CBMNS and GFNMS*. NOAA. (Dec. 2014)

http://farallones.noaa.gov/manage/pdf/expansion/CBNMS_GFNMS_FEIS_Expansion_122014.pdf

²⁷ 80 Fed. Reg. 13078-01.

²⁸ Division B – Commerce, Justice, Science, and Related Agencies Appropriations Act, 2017 at Insert 6A.

<http://docs.house.gov/billsthisweek/20170501/DIVISION%20B%20-%20CJS%20SOM%20OCR%20FY17.pdf>

Channel Islands NMS: Despite the small modification of protected areas at Channel Islands NMS, NOAA conducted a formal review for its action. As outlined in the final rule, the agency held public scoping meetings, received more than 30,000 oral and written comments, prepared an environmental impact statement, and consulted with local, State, and Federal agencies, as well as the Pacific Fishery Management Council.²⁹

Greater Farallones NMS and Cordell Bank NMS: NOAA initiated actions to consider boundary expansion for the Greater Farallones NMS and Cordell Bank NMS in 2008, only after many years of requests for boundary expansion from the public as well as formal resolutions seeking expansion by these sanctuaries' advisory councils. During December 21, 2012-March 1, 2013, NOAA held several well-attended public scoping meetings and received numerous written comments on the subject of expanding the Greater Farallones NMS and Cordell Bank NMS. NOAA found that "there was strong support for the proposed sanctuary boundary expansion and the proposed actions for increasing protection of marine resources."³⁰

After analyzing the public comments, NOAA issued a draft environmental impact statement ("DEIS") on April 14, 2014. During the next two months, the agency held four public hearings and received more than 1,000 comments on the DEIS. NOAA issued a final environmental impact statement ("FEIS") in December, 2014. Appendix F of the FEIS lists the many agencies and persons consulted during the scoping and preparation of the final rules, including numerous federal agencies, members of Congress, state agencies, Indian tribes, and relevant coastal county agencies. Additionally, NOAA summarized and responded to the more than 1,000 public comments it had considered in issuing its final rule on March 12, 2015.³¹

Monterey Bay NMS: The Monterey Bay NMS expansion of Davidson Seamount likewise included exhaustive public participation and all required consultation with federal, state, and tribal agencies. Consideration of the expansion began years before the boundary modification. It included numerous public scoping meetings, thousands of oral and written public comments, a host of Monterey Bay Sanctuary Advisory Council meetings, and multiple public hearings both before and after promulgation of the draft rule. The FEIS published in September, 2008 catalogues the numerous agencies at the federal, state, and local level that NOAA consulted with in designating the sanctuary's current boundaries, and consultations are also referenced in the Final Rule issued on November 20, 2008.³²

Factor C: Opportunity Costs Associated with Potential Energy and Mineral Exploration and Production from the Outer Continental Shelf and Impact on Production in the Adjacent Region.

The primary policy concern motivating the Department of Commerce review ordered in Executive Order 13795 is energy and mineral extraction from the Outer Continental Shelf, but the value of the protections provided by the marine monument and sanctuary designations outweigh the speculative value of energy production.

²⁹ Establishment of Marine Reserves and a Marine Conservation Area Within the Channel Islands National Marine Sanctuary 72 Fed. Reg. 29,208 (May 24, 2007).

³⁰ 80 Fed. Reg. at 13,089.

³¹ *Id.*

³² Cordell Bank, Gulf of the Farallones, and Monterey Bay National Marine Sanctuaries Final Environmental Impact Statement, § 6 (September, 2008); 73 Fed. Reg. 70,488 (Nov. 20, 2008).

Profitability seems particularly unlikely in light of the surplus in oil and natural gas resources in the United States.³³ Oil prices are continuing to drop and are currently at the lowest price since mid-November 2016.³⁴ Combined with flat costs, this has produced lower profit margins for all extraction companies.³⁵ Rational firms will not invest in exploration if drilling is expected to be unprofitable. Also there is a lack of available infrastructure for oil and gas development, and California is looking to block any move to build pipelines and other infrastructure needed for oil drilling purposes.³⁶

But this is only half the equation. The other half is the lost benefits to Americans from changing the protections to established marine protected areas (“MPA”). Any valid economic analysis must consider the many economic benefits that depend on healthy ocean and coastal ecosystems, including productive fisheries, coastal-dependent tourism and related employment, recreation, real estate values, and the numerous economic and social values resulting from ecosystem services provided by marine protected areas.

The California economy is inherently linked to its coastal communities and marine areas.

- In 2012, the state’s 19 coastal counties contributed \$1.7 trillion in GDP and generated \$662 billion in wages.³⁷
- NOAA estimates that from 2010-2012, commercial fishing in the four California marine sanctuaries generated \$69.2 million in harvest revenue/value of landings from commercial fishing, and \$155.6 million from spending for recreational fishing.³⁸
- From 2010-2012, Greater Farallones NMS contributed \$15 million in harvest revenue from catch, and generated more than \$16 million in value-added and 291 jobs; and Cordell Bank NMS contributed nearly \$993 thousand in harvest revenue from catch for 49 commercial fishing operations.³⁹
- In 2015, the Tri-County region around Monterey Bay NMS generated \$3.64 billion, or three percent of California’s total travel spending, in a region that accounts for less than two percent of the state’s population.⁴⁰
- Since the Channel Islands NMS expansion in 2007, Santa Barbara County’s tourism and recreation GDP increased by 34 percent—from \$519.9 million in 2006 to \$697.1 million in

³³ E. Russel Brazier, *U. S. Natural Gas Supply Expanding to Surplus Levels*, THE AMERICAN OIL & GAS REPORTER, (Dec. 2014), <http://www.aogr.com/magazine/cover-story/u.s.-natural-gas-supply-expanding-to-surplus-levels-demand-growth-will-foll>.

³⁴ Sue Goodridge, *Oil Prices Tumbled to \$45: The Impact on Offshore Drilling*, MARKET REALIST, (June 26, 2017), <http://marketrealist.com/2017/06/oil-prices-tumbled-to-45-the-impact-on-offshore-drilling/>.

³⁵ Clifford Krauss, *Low Oil Prices Pinch Exxon and Chevron Earnings*, THE NEW YORK TIMES, (Apr. 29, 2016), <https://www.nytimes.com/2016/04/30/business/energy-environment/exxon-and-chevron-earnings-hurt-by-low-oil-prices.html>.

³⁶ George Skelton, *California is right to close its door to offshore drilling—Trump can't be trusted with our beaches*, L.A. Times (May 4, 2017), <http://www.latimes.com/politics/la-pol-skelton-trump-offshore-drilling-20170504-story.html>.

³⁷ *National Marine Sanctuaries and Local Economies*, NOAA OFFICE FOR COASTAL MANAGEMENT <https://sanctuaries.noaa.gov/science/socioeconomic/factsheets/national-system.html> (last updated July 31, 2017).

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Monterey Bay Economic Partnership. <http://www.mbec.biz/Facts-Figures/Key-Industries/Tourism-Hospitality.aspx>

2014; and similarly Ventura County's tourism and recreation GDP increased by 41.8 percent—from \$379.8 million in 2006 to \$538.7 million in 2014.⁴¹

The values provided by these sanctuaries, including non-market values, must be part of any valuation process when considering the “opportunity costs” associated with energy and mineral extraction. Healthy oceans and coral reef ecosystems are incredibly important to the future of our planet. Oceans produce 50 percent of the world's oxygen. A billion people, including tens of millions of Americans, rely on viable, healthy oceans for nourishment and their livelihoods. Unfortunately, our oceans are becoming increasingly degraded due to a multitude of factors, including overfishing, pollution, warming seas, coral bleaching, and ocean acidification. Marine conservation efforts lag far beyond those on land. While protections exist for approximately 12 percent of global land area, less than four percent of our oceans receive any form of protection.⁴² Scientists call for protecting 20 percent if we want healthy oceans.⁴³

Healthy coastal national parks depend on the protection of oceans ecosystems. Opening MPAs to potential energy and mineral extraction could do irrevocable damage to our parks, their resources, and the economies they support. The 88 national parks that protect approximately 10 percent of the U.S. shoreline and the marine monuments and sanctuaries that span our oceans and Great Lakes provide essential safeguards for our coastal parks, habitat for wildlife and recreation opportunities that generate billions of dollars in revenues for coastal communities. These parks attract more than 88 million visitors annually and generate more than \$4.8 billion in economic benefits to local economies.⁴⁴ Millions of visitors frequent the sanctuaries each year and they generate approximately \$8 billion annually to local economies.⁴⁵

As the Trump administration contemplates opening America's marine sanctuaries and monuments to energy and mineral extraction, NPCA reminds that America's national parks have already experienced damage from offshore oil spills. Any examination of “opportunity costs” related to energy extraction must take into account the devastating economic and ecological impacts that have already taken place, including at Channel Islands National Park and NMS.

- In January 1969, a blowout on an offshore oil platform spilled 200,000 gallons of crude oil into the Santa Barbara Channel.⁴⁶ In the span of that year, a total of 4.2 million gallons of oil spilled because of an undersea fault that opened up as a result of the blowout.⁴⁷ The oil caused great damage to Channel Islands National Park, contributing to the deaths of thousands of seabirds and marine mammals, and eventually leading to the national environmental movement beginning in 1970 and passage of the National Marine Sanctuaries Act in 1972.⁴⁸

⁴¹ National Ocean Economics Program, Ocean Economics Data, Ventura and Santa Barbara Tourism and Recreation Employment and GDP. <http://www.oceaneconomics.org/market/ocean/oceanecon.asp>

⁴² Hope Spots, MISSION BLUE (2017), <https://www.mission-blue.org/hope-spots/>.

⁴³ Letter, *Scientists' Letter Supporting Marine Reserves*, MARINE CONSERVATION INST., <https://marine-conservation.org/marine-reserve-statement/> (last visited July 7, 2017).

⁴⁴ *Annual Visitation Highlights*, NAT'L PARK SERV., <https://www.nps.gov/subjects/socialscience/annual-visitation-highlights.htm> (last updated May 16, 2017).

⁴⁵ *About National Marine Sanctuaries*, NOAA, <http://sanctuaries.noaa.gov/about/> (last updated May 24, 2017).

⁴⁶ *Channel Islands National Park, Environmental Factors*, NAT'L PARK SERV., <https://www.nps.gov/chis/learn/nature/environmentalfactors.htm> (last updated June 17, 2016).

⁴⁷ *45 Years after the Santa Barbara Oil Spill, Looking at a Historic Disaster Through Technology*, NOAA Office of Response and Restoration, <http://response.restoration.noaa.gov/about/media/45-years-after-santa-barbara-oil-spill-looking-historic-disaster-through-technology.html> (last updated July 21, 2017).

⁴⁸ *Channel Islands National Park, Environmental Factors*, NAT'L PARK SERV., <https://www.nps.gov/chis/learn/nature/environmentalfactors.htm> (last updated June 17, 2016).

- In March 1989, the Exxon Valdez ran aground in Prince William Sound, spilling nearly 11 million gallons of oil. Many of us will never forget the images of oil-covered wildlife and beaches in the wake of the spill. Much of the contaminated Alaskan coastline included national parks, such as Kenai Fjords National Park, Katmai National Park & Preserve, Aniakchak National Monument & Preserve, and Lake Clark National Park & Preserve.⁴⁹ Recreation and tourism declined dramatically as a result of the spill, and resource managers were forced to limit hunting and fishing access because of the damage to the natural resources.⁵⁰ Despite cleanup efforts, oil still remains on national park beaches today.⁵¹
- In April 2010, the Deepwater Horizon explosion and subsequent spill of approximately 206 million gallons of oil—19 times more oil than the Exxon Valdez—brought tremendous environmental and economic damage to the national parks, natural ecosystems, and communities across America’s Gulf Coast.⁵² Not only did this tragedy affect coastal wetlands and the wildlife that inhabit them, it had a detrimental effect on the communities that depend on these lands and waters to support fisheries and tourism-based economies that sustain them. In the months after the oil spill, NPS deployed 600 staff from 120 national parks to assist in Gulf Coast cleanup efforts, in addition to the thousands of others from federal agencies, national and local organizations, and nearby communities.⁵³ Gulf Islands National Seashore, known for its blue waters, white beaches, and coastal marshes, was the most directly impacted of the 10 national parks in the Gulf of Mexico region. Volunteers removed more than 918 tons of oiled debris from Gulf Islands alone.⁵⁴ Today the park is still coping with the effects of the spill on plants, wildlife, and archeological resources.

As NPS reflected on the lessons learned 20 years after the Exxon Valdez oil spill, three lessons learned stand out as significant as weakening marine sanctuary and monument designations and protections are being contemplated for energy extraction purposes:

- “The lingering effects of such an event can be difficult to identify but are vitally important to understand.”⁵⁵
- “Prevention is inordinately cheaper than cleanup.”⁵⁶
- “Distance doesn't necessarily mean you're safe.”⁵⁷

⁴⁹ *20 Years Later...Exxon Valdez Oil Spill*. NAT’L PARK SERV. (March 1, 2009), https://www.nps.gov/kefj/learn/nature/upload/KEFJ_EVOS_1989-2009_qa.pdf.

⁵⁰ *Recreation & Tourism*, Exxon Valdez Oil Spill Trustee Council, http://www.evostc.state.ak.us/index.cfm?FA=status.human_recreation (last visited July 24, 2017).

⁵¹ Jane J. Lee, *On 25th Exxon Valdez Anniversary, Oil Still Clings to Beaches*, NAT’L GEOGRAPHIC (Mar. 26, 2014), <http://news.nationalgeographic.com/news/2014/03/140324-exxon-valdez-oil-spill-25th-anniversary-alaska-ocean-science/>.

⁵² Jeremy Repanich, *The Deepwater Horizon Spill by the Numbers*, POPULAR MECHANICS (Aug. 10, 2010) <http://www.popularmechanics.com/science/energy/a6032/bp-oil-spill-statistics/>.

⁵³ Tom Kiernan, *Three Years Later: Gulf Coast Still Recovering from BP Oil Spill*, NPCA (Apr. 18, 2013), <https://www.npca.org/articles/211-three-years-later-gulf-coast-still-recovering-from-bp-oil-spill#sm.0000105v6ty4ahf74v67ewtluyq7q>.

⁵⁴ *Pacific Island Network—Coastal Inventory*. NAT’L PARK SERV. (JAN. 2011) https://science.nature.nps.gov/im/units/pacn/assets/docs/features/feature.r2010022_coastal_inventory_issue22.pdf.

⁵⁵ *20 Years Later...Exxon Valdez Oil Spill*. NAT’L PARK SERV. (March 1, 2009), https://www.nps.gov/kefj/learn/nature/upload/KEFJ_EVOS_1989-2009_qa.pdf.

⁵⁶ *Id.*

⁵⁷ *Id.*

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National marine sanctuaries and marine national monuments help to conserve some of our country's most prized underwater resources of natural, cultural, and historic significance. They protect key habitat for millions of species, preserve our nation's maritime and cultural heritage, and provide countless educational and scientific research opportunities. Setting aside and strengthening protections for marine areas both within and beyond the boundaries of our national parks is critically important to the health of aquatic ecosystems throughout the country. The protection of marine treasures through our national parks and marine protected areas helps to preserve biodiversity, ensure the availability of educational and research opportunities, and strengthen the deeply embedded connections between our communities and the oceans.

Channel Islands, Greater Farallones, Cordell Bank, and Monterey Bay National Marine Sanctuaries are among the most significant contributions to coastal heritage in the world and comply with the requirements and objectives of the Sanctuaries Act. I urge you to support the designations and protections of these marine sanctuaries and leave a lasting legacy for all Americans.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "Theresa Pierno". The signature is written in a cursive style.

Theresa Pierno
President and CEO