

June 19, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

In furtherance of your commitments to create jobs, grow the economy, and reduce unnecessary regulatory burdens, the undersigned groups representing nearly every sector of the U.S. economy request your support for vacating President Obama's National Ocean Policy ("NOP") Executive Order and, *alternatively*, engaging stakeholders to ensure reasonable, transparent, multi-use, and effective ocean policies within the existing statutory framework that benefit all ocean users and remove barriers to effective coordination.

The NOP has negatively impacted opportunities for job creation and economic growth by unnecessarily increasing federal bureaucracy and regulatory directives, costs, and uncertainties with which regulated entities must contend and attempt to predict. Moreover, this policy creates new obstacles and processes that could place valuable, taxpayer-owned marine and terrestrial resources off-limits to economic use, contradicting long-held principles of multiple use of our public lands, creating potential conflicts with congressionally-authorized conservation and management processes, and inhibiting opportunities for revenue growth and economic activity.

Created as an end-run around Congress after numerous unsuccessful efforts to establish the policy by statute, and in the absence of congressional authority or funding, the NOP fundamentally alters the governance of marine uses and resources in the United States.

Among other things, it orders dozens of federal agencies to conform all of their actions and decisions to be consistent with "coastal and marine spatial plans" ("marine plans") produced pursuant to the Executive Order through a process that the previous administration likened to "ocean zoning." This process created and continues to generate significant risks and uncertainty for regulated entities and the jobs and communities they support, and has resulted in marine plans that focus on protection over multi-use management, in contravention of long-held principles that promote economic growth.

In addition to previously being cited as justification for prohibiting domestic energy activity, the NOP added an entirely new and unnecessary element to already lengthy regulatory approval processes through the creation of the National Ocean Council and new government-only "Regional Planning Bodies" to develop and approve the marine plans described above. Underscoring the potential adverse implications for land-based commercial and recreational groups, the NOP also added a new potential regulatory obstacle by arbitrarily mandating that dozens of federal agencies implement a "fundamental shift" in how federal resources are managed by incorporating "ecosystem-based management" ("EBM") into environmental planning and review processes.

While Congress has denied funding for activities carried out under the NOP, including under the recent 2017 omnibus bill, the agencies have ignored this restriction. For example, following the previous

administration's December 2016 certification of marine plans for the Northeast and Mid-Atlantic, and without any congressional authorization or funding, Regional Planning Bodies for those two regions continue to defy this clear congressional directive and persist in meeting, consuming staff time and resources, and moving forward with marine plan directives including the identification and use of "important ecological areas" and "ecologically rich areas" in agency decision-making, creating the potential for administratively-created de facto protected areas off-limits to economic activity that would have to be enforced under the 2010 Executive Order.

The NOP is a case study in ill-conceived, unnecessary, unauthorized top-down bureaucracy that fails any test of agency accountability and has been operating without any statutory or budgetary authority. It has needlessly introduced new regulatory processes and entities with which various economic sectors must contend, and threatens to conflict with the mandates and intent of multiple existing federal statutes, introduce new permitting hurdles that lead to delays and unduly burdensome conditions, and increase the likelihood of litigation, all to the detriment of jobs and economic growth. In short, the NOP is a textbook case of how *not* to govern.

Significant benefits could result from a balanced and transparent ocean policy that recognizes and enhances the critical role our oceans and coasts play in America's economy, national security, culture, health, and well-being; promotes more coordinated information sharing under existing authorities; emphasizes the importance of core, science-based agency functions that Congress has already authorized; and enriches our understanding of the resources and benefits oceans can provide to our nation. However, the NOP is not such an initiative.

We therefore strongly support your taking steps to remove this burden on American businesses and citizens by vacating the NOP Executive Order and engaging stakeholders to ensure reasonable, transparent, multi-use, and effective ocean policies within the existing statutory framework that benefit all ocean users and remove barriers to effective coordination.

Sincerely,

Agricultural Retailers Association
Alabama Charter Fishing Association
Alaska Groundfish Data Bank
Alaska Miners Association
Alaska Oil and Gas Association
Alaska State Chamber of Commerce
Alaska Support Industry Alliance
Alaska Whitefish Trawlers Association
Alliance of Communities for Sustainable Fisheries
American Exploration & Mining Association
American Farm Bureau Federation
American Fishermen's Research Foundation
American Loggers Council
American Petroleum Institute
At-sea Processors Association
B Cubed Associates LLC (Powder Springs, GA)
Charisma Charters

Charter Boat Miss Mary (Mexico Beach, FL)
Charter Boat Phoenix
Consumer Energy Alliance
CropLife America
Destin Charter Boat Association
Directed Sustainable Fisheries
Due South Adventures
Family Farm Alliance
FinSeeker Fishing Charters
Fishing Vessel Owners' Association
Florida Keys Commercial Fishermen's Association
Forest Landowners Association
Freezer Longline Coalition
Garden State Seafood Association
Grand Strand Fishing Alliance
Groundfish Forum
Gulf Economic Survival Team
Half Hitch Tackle (Destin, Panama City Beach, Port St Joe, FL)
Hispanic Leadership Fund
Independent Petroleum Association of America
Institute for 21st Century Energy
International Association of Drilling Contractors
International Association of Geophysical Contractors
LA 1 Coalition
Long Island Commercial Fishing Association
Mexico Beach Charters
Mexicobeach.bz Inc. (Mexico Beach, FL)
Montauk Inlet Seafood
National Agricultural Aviation Association
National Association of Charterboat Operators
National Cattlemen's Beef Association
National Fisheries Institute
National Ocean Industries Association
National Ocean Policy Coalition
National Onion Association
New Bedford Seafood Consulting
North Carolina Watermen United
North Myrtle Beach Fishing Charters
Offshore Mariners Wives' Association
Organized Fishermen of Florida
Pacific Seafood Processors Association
Panama City Boatmen Association
Public Lands Council
Recreational Fishing Alliance
Recreational Fishing Alliance - Forgotten Coast Chapter
Recreational Fishing Alliance - Oregon Chapter
Resource Development Council for Alaska
Seafreeze Ltd.

Small Business & Entrepreneurship Council
Southeast Alaska Fishermen's Alliance
Southeastern Fisheries Association
Southern Offshore Fishing Association
Spectrum Geo Inc.
The Angler Advocate
The Fertilizer Institute
Transportation Institute
United Catcher Boats
U.S. Chamber of Commerce
US Oil & Gas Association
Viking Yacht Company
Wahlbee LLC (Mexico Beach, FL)
West Coast Seafood Processors Association
Western Energy Alliance
Western Fishboat Owners Association