

January 27, 2003

Dear Commission Members:

As one who has been involved with the Stellwagen Bank National Marine Sanctuary Advisory Council matters for the last seven years it is my strong recommendation that more explicit policy is needed to spell out the appropriate uses of a Marine Sanctuary and to separate out commercial fishing and other public recreational and commercial economic/extractive uses as secondary uses to that of protection of marine biodiversity and plant and wildlife resources. The 1972 Marine Protection, Research and Sanctuaries Act states that one of its broad goals is to "Facilitate" to the extent "compatible" with the primary objective of resource protection, multiple uses of NMSs." Unlike our National Wildlife Refuge System, NOAA has no formal policy or procedure addressing "compatibility." Compatibility determinations are not being made and thus sanctuaries such as Stellwagen are being treated like our national forest -- more specifically as a sustaining development or economic resource NOT as a special or critical natural resource area. Essentially, Stellwagen Bank NMS has gone without management of recreational/commercial economic uses since its designation in 1992. The National Marine Sanctuary Program mission and goals have been compromise as a result of this lack of management and regulation of use activities. In my opinion an amendment to the Act is needed much like that of the Refuge System Improvement Act of 1997 which will explicitly state that natural resource conservation of the site comes first and public/private uses are secondary by law; that certain uses such as appropriate site related research, marine education, marine habitat and resource management, cultural resource preservation are given priority and promoted over other uses; that compatibility determinations be made for all uses traditional or proposed; and that even if and when compatible a use may be denied based on other reasons consistent with good management practices etc. The management plans for the national marine sanctuaries should also be mandated to advance the mission, purposes or goals, and policies of the Marine Sanctuary Program not economic usage. Thank you for your attention to this matter.

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