



# United States Committee of Advisors



## A RESOLUTION CALLING FOR CLARIFICATION IN THE FEDERAL ABILITY TO IMPOSE FISHING RESTRICTIONS IN MARINE SANCTUARIES

**WHEREAS** the National Oceanic and Atmospheric Administration (NOAA) has seen fit to promote the formation of National Marine Sanctuaries throughout the waters of the coastal United States;

**WHEREAS** recently several new National Marine Sanctuaries, under the auspices of NOAA, have been proposed for establishment within the Great Lakes;

**WHEREAS** National Marine Sanctuaries have, in many cases, been important pillars of coastal communities, leading to increased tourism and greater appreciation for marine resources and heritage;

**WHEREAS** current management of the Great Lakes Fishery resource is a complex interaction of multiple state, provincial and tribal jurisdictions incorporating the needs and requirements of multiple user groups in both Canada and the U.S.;

**WHEREAS** in the Great Lakes region, sub-national governments, not federal agencies, have the authority to promulgate fishery regulations, including restrictions;

**WHEREAS** U.S. tribes have the authority to manage tribal fishers on-reservation and in ceded waters;

**WHEREAS** cooperative (cross-border) fishery management began with the formation of “lake committees” in 1965 and was strengthened with the signing of A Joint Strategic Plan for Management of Great Lakes Fisheries in 1981. The lake committees and the Joint Strategic Plan are supported by the Great Lakes Fishery Commission;

**WHEREAS** each National Marine Sanctuary is different depending on the Memorandum of Agreement with each particular state;

**WHEREAS** NOAA officials must consult state agencies prior to the establishment of fishery restrictions in National Marine Sanctuaries that exist in state waters, but states, currently, do not have the full authority to reject NOAA restrictions;

**WHEREAS** Rep. Ilene Ros-Lehtinen of Florida has introduced H.R. 3310, the Preserving Public Access to Public Waters Act, which prevents NOAA or the National Park Service from imposing fishery restrictions in state waters unless the restrictions are approved by the state fish and wildlife management agency; and

**WHEREAS** although H.R. 3310 would apply to the Great Lakes, it incorrectly omits the tribes from the fishery jurisdictions that must accept any proposed fishery restriction.

**BE IT RESOLVED** that the U.S. Advisors of the Great Lakes Fishery Commission support Great Lakes National Marine Sanctuaries in principle if they are focused on promoting tourism and access to the resource;

*The United States Committee of Advisors represents commercial, recreational, agency, and public fishery interests in the Great Lakes Basin. United States advisors provide advice to the Great Lakes Fishery Commission; they are nominated by the State Governors and appointed by the Great Lakes Fishery Commission.  
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**FURTHER BE IT RESOLVED** the U.S. Advisors call on the National Oceanic and Atmospheric Administration to consult with and abide by the wishes of the state and tribal fishery management agencies of the Great Lakes in their efforts to institute National Marine Sanctuaries in the U. S. waters of the Great Lakes;

**FURTHER BE IT RESOLVED** that the U.S. Advisors join the state agencies, the Association of Fish and Wildlife Agencies, the American Sportfishing Association, and others in support of H.R. 3310, the Preserving Public Access to Public Waters Act of 2016, which prohibits NOAA and the National Park Service from restricting fishing activities in marine sanctuaries or national parks that exist in state waters; and

**BE IT FINALLY RESOLVED** that the U.S. Advisors support the inclusion of tribes in H.R. 3310.

Passed by consensus  
June 9, 2016  
U.S. Committee of Advisors

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