



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

MAR 21 2005

Ms. Kathy Fosmark
Mr. Frank Emerson
Co-Chairs
Alliance of Communities for Sustainable Fisheries
P.O. Box 1309
Carmel Valley, California 93924

Dear Ms. Fosmark and Mr. Emerson:

Thank you for your co-signed letter to Vice Admiral Conrad C. Lautenbacher, Under Secretary of Commerce, for Oceans and Atmosphere, National Oceanic and Atmospheric Administration (NOAA), regarding the National Marine Sanctuary Program (NMSP) and the resources that it protects. I am responding on the Admiral's behalf. Your letter raises two questions: (1) does the National Marine Sanctuaries Act (NMSA) seek to balance protection with multiple uses and (2) what are the resources that the NMSP is to protect?

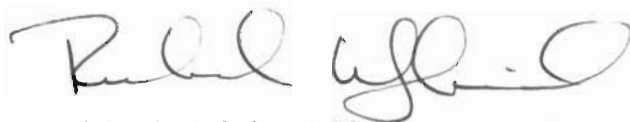
In response to the first question, the primary mandate of the NMSP under the NMSA is resource protection. There are a number of other purposes, one of which is to facilitate to the extent compatible with the primary objective of resource protection public and private uses of sanctuary resources not prohibited pursuant to other authorities. Other purposes include enhancing public awareness, supporting scientific research, and coordinating protection and management activities with partner agencies. The NMSA is clear that resource protection is the primary mandate of the NMSP.

In regard to the second question, the NMSA's primary mandate is protection of sanctuary resources, which are defined both in the NMSA (16 U.S.C. § 1432(8)), and the NMSA implementing regulations (15 C.F.R. § 922.3). Sanctuary resources are living and non-living marine objects such as submerged features and the surrounding seabed, corals and bottom formations, marine invertebrates, etc., and cultural and historical features such as shipwrecks and artifacts. The NMSA clearly distinguishes between "resources," which include the physical, chemical, and biological components of a sanctuary and the cultural and historical features within a sanctuary, and "uses," which are those activities that occur in a sanctuary, such as diving, boating and fishing. Protection of the resources of our sanctuaries enables a healthy and productive marine environment that supports compatible uses and furthers the conservation, recreational, ecological, historical, educational, cultural, archaeological, scientific, or aesthetic values that are the basis for the designation of these nationally significant marine areas.



Please be assured that NOAA and the NMSP appreciate that fishing is an important component of the economy in most National Marine Sanctuaries. We have been and remain committed to working with the fishing community to protect the health and vitality of our nation's fisheries and the ecosystems on which they depend.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard W. Spinrad". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Richard W. Spinrad, Ph.D.
Assistant Administrator