

Congress of the United States
Washington, DC 20515

June 14, 2013

Dr. Kathryn Sullivan
Acting Under Secretary of Commerce for Oceans and Atmosphere and
Acting NOAA Administrator
Herbert Hoover Building, Room 5221
1401 Constitution Avenue, NW
Washington, DC 20230

RE: Proposal NOAA-NMFS-2010-0036 to list 66 reef-building coral

Dear Dr. Sullivan,

We write today to express concerns regarding the recent proposal by the National Marine Fisheries Service (NMFS) to list 66 coral species as threatened or endangered under the Endangered Species Act (ESA). We are concerned that the broad scope of this proposal will eventually be used as a reason to impact unrelated future activities in manners that were never intended under the ESA.

The proposed ESA listing of 66 species of coral would nearly double the number of listed species under the jurisdiction of the NMFS. Ignoring the traditional process of making individualized listing determinations, NMFS seeks to list more than five dozen separate coral species covering significant portions of the Pacific Ocean and the Caribbean with just one massive federal register notice.

We question the adequacy of the analyses and transparency of science supporting each such proposed listing. Like many of NMFS' recent ESA-related actions, this proposal appears designed more to respond to arbitrary deadlines set by closed-door settlements with litigious environmental groups than it does to ensure it is based on sound science.

We are also concerned that NMFS proposed coral listings are based unjustifiably on global climate change as the primary threat. The proposed listing relies on highly questionable modeling that attempts to predict ocean temperatures more than 50 years from now.

Proposing to list dozens of species covering millions of ocean miles based on perceived future harms with dubious scientific justification simply does not pass the straight face test. NMFS' data to show how the corals are endangered or threatened *today* is insufficient and highly in question to regulate corals as endangered or threatened years into the future.

Most troubling, this sweeping proposal would set dangerous precedents under the guise of addressing climate change to force expansive new regulation on a host of future actions related to these listings and critical habitat designations. Listing these 66 corals could potentially impact energy and economic development inland and along our coasts.

We would urge the NMFS to go back to the drawing board with this proposal.

Sincerely,



David Vitter
Ranking Member
Committee on Environment and Public Works



Doc Hastings
Chairman
Committee on Natural Resources