



July 26, 2017

The Honorable Wilbur Ross  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

[Docket No. NOAA-NOS-2017-0066]

Review of national marine sanctuaries and marine national monuments designated or expanded since April 28, 2007 under Executive Order 13795 Section 4(b)

Public Comment Re: Thunder Bay National Marine Sanctuary

Dear Secretary Ross,

Since 1919, the National Parks Conservation Association (“NPCA”) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our more than 1.3 million members and supporters nationwide, I ask that you preserve the current marine sanctuary designation and protections for Thunder Bay National Marine Sanctuary (“Thunder Bay NMS” or the “sanctuary”), as established by the National Oceanic and Atmospheric Administration (“NOAA”) on June 22, 2000,<sup>1</sup> and expanded on September 5, 2014.<sup>2</sup>

As set forth below, the use of the National Marine Sanctuaries Act of 1972<sup>3</sup> (the “Sanctuaries Act”) to protect Thunder Bay NMS, which is one of the most well-preserved shipwreck sites in the world, was wholly appropriate and justified to ensure the protection of this unique area in the Great Lakes. The Department of Commerce should not recommend any changes to Thunder Bay NMS for the following reasons, as detailed in the letter:

- The Sanctuaries Act requires significant steps before the Secretary of Commerce may modify a sanctuary designation, such as Thunder Bay NMS;
- Regardless, the factors identified in the request for comments support Thunder Bay’s continued designation as a national marine sanctuary and maintenance of its existing boundaries and protections;
- Preserving the unique shipwrecks and archeological remnants requires maintaining Thunder Bay NMS at its current size to ensure the protection of these cultural objects that commemorate America’s shipping and transportation history;
- The designation and expansion of Thunder Bay NMS was, and continues to be, widely supported by numerous stakeholders; and

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<sup>1</sup> See 65 Fed. Reg. 39041 (June 20, 2000).

<sup>2</sup> See 79 Fed. Reg. 52960, (Sept. 5, 2014).

<sup>3</sup> 16 U.S.C. § 1431 et seq

- The value of the protections provided by the sanctuary designation outweigh the speculative value of energy production.

Thunder Bay NMS, located in Lake Huron, is the first and only national marine sanctuary in the Great Lakes and it is the only freshwater sanctuary. It is also the last national marine sanctuary to be established, and was done so by President Clinton to preserve 448 square miles of Michigan's maritime heritage—a vast and unique collection of shipwrecks and the artifacts contained therein. Expanded in 2014 by President Obama to 4,300 square miles, Thunder Bay NMS is believed to be the final resting place for more than 200 shipwrecks. However, only about half have actually been discovered, with the additional projection based on archived shipping records.

Dubbed “Shipwreck Alley” by the sailors from that time, Lake Huron's cold and freshwater conditions have remarkably preserved the ships and archaeological remnants that tell of Michigan's transportation history before the automobile made its mark just south of this sanctuary in Detroit. Although originally set aside for the cultural and historical significance, further research into these resources and the interpretation thereof for the visitors have yielded findings of ecological importance as well. The Great Lakes region is geologically unique in that each lake was carved from “recent” glacial activity, occurring about 14,000 years ago. These glaciers left behind the massive freshwater ecosystems creating, within the sanctuary, biogeochemical “hot spots.” These spots are likened to the vents in oceans where rapid nutrient cycling takes place.<sup>4</sup> Being able to explore the wrecks has and will continue to provide learning opportunities that will directly benefit the economy (visitors and recreation) and aquatic ecosystems of the state of Michigan and the region, as well as the people who came before us—some of whom never returned from their fateful journeys but can perhaps someday have an official ending to their stories.

Healthy coastal national parks depend on healthy aquatic ecosystems, which are protected by national parks, national marine sanctuaries, and other types of marine protected areas. While Thunder Bay NMS is not managed by the National Park Service (“NPS”), NPS works across federal agencies, including NOAA, to increase capacity and advance scientific understanding about issues related to oceans and the Great Lakes, such as energy development, fishing, aquatic invasive species, lake levels and other threats to natural and cultural resources. There are 88 coastal parks in the National Park System that cover more than 11,000 miles of shoreline and 2.5 million acres of oceans and Great Lakes' waters. That represents about 10 percent of all U.S. shorelines. These coastal areas are diverse and include lakeshores, kelp forests, glaciers, wetlands, beaches, estuaries, and coral reef areas. In 2016, these parks attracted more than 96 million visitors and generated nearly \$7 billion in economic benefits to local economies.<sup>5</sup> There are eight national parks located around the Great Lakes, including Isle Royale National Park, Sleeping Bear Dunes National Lakeshore, and Apostle Islands National Lakeshore. These parks, along with others around the Great Lakes, reported approximately 4.5 million visitors in 2016, which led to \$331.5 million in spending.<sup>6</sup>

Similar to national parks, national marine sanctuaries help conserve some of our country's most prized underwater resources of natural, cultural, and historic significance. They protect key habitat for millions of species, preserve our nation's maritime and cultural heritage, and provide countless educational and scientific research opportunities. The protection of marine treasures through our national parks and national marine sanctuaries helps to preserve biodiversity, ensure the availability of educational and research opportunities, and strengthen the deeply embedded connections between our communities and waterways. They also attract visitors from all over the world.

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<sup>4</sup> *Final Environmental Impact Statement: Boundary Expansion*, NOAA (Aug. 2014).

<sup>5</sup> *Annual Visitation Highlights*, NAT'L PARK SERV., <https://www.nps.gov/subjects/socialscience/annual-visitation-highlights.htm> (last updated May 16, 2017).

<sup>6</sup> *Id.* Data is for Apostle Islands, NL, Grand Portage NM, Isle Royale NP, Pictured Rocks NL, Sleeping Bear Dunes NL, and Indiana Dunes NL.

Michigan has invested several million dollars annually for the past decade to advertising to increase tourism and improve the state's economy, and the effort has been successful. Since the ads began, 27 million people were inspired to visit, which generated \$557 million in state tax revenue and for every dollar spent, \$5.15 was returned to the economy.<sup>7</sup> Each year, the state produces new commercials that highlight a certain aspect of Michigan's heritage. In 2013, the ad campaign highlighted the Thunder Bay National Marine Sanctuary and was endorsed by Governor Rick Snyder.<sup>8</sup> Supporting more than 80,000 visitors annually, this sanctuary is crucial to the local economy in a remote part of Michigan.<sup>9</sup> The expansion was responsible for encompassing an additional 100 shipwrecks, which lends itself to more recreation and learning opportunities.

We thank you for your consideration of these comments. We begin with a discussion of the significant process for modifying a national marine sanctuary designation under the Sanctuaries Act. We then address in turn the three factors to be considered in the Secretary of Commerce's review of national marine sanctuaries and marine national monuments.

## **I. The National Marine Sanctuaries Act Requires Significant Steps Before the Secretary May Modify a Designation.**

President Trump's EO 13795 directed the Secretary of Commerce to conduct a review of all designations or expansions of national marine sanctuaries under the Sanctuaries Act<sup>10</sup> and all marine national monuments created under the Antiquities Act of 1906<sup>11</sup> in the 10-year period prior to April 28, 2017, which includes Thunder Bay NMS, and "report the results of the review." The EO does not state what actions the Secretary is expected to recommend, if any, as a result of that review. Nevertheless, the context of the EO and the factors the Secretary is directed to consider make clear that the President is considering changes to such designations.

In NPCA's comments submitted to Secretary Zinke in response to his solicitation to inform his review under EO 13792, we demonstrated that the President does not have the authority without congressional action to revoke or modify marine national monuments designated under the Antiquities Act of 1906. The Sanctuaries Act, in contrast, gives the Secretary of Commerce, although not the President, the authority to modify sanctuaries established under that Act.

However, that statute gives the governor of the state in which the sanctuary is located a veto power over any designation or modification of a sanctuary under that Act. If the governor of the state in which the sanctuary is located certifies that the designation or modification is "unacceptable" to him or her, the modification "shall not take effect." 16 U.S.C. 1434(b)(1) (*emphasis added*).<sup>12</sup> Some governors may certify unacceptability: the environmental impact statement ("EIS") for the Gulf of the Farallones National Marine Sanctuary states that there is "an agreement [among] the governors

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<sup>7</sup> *State: Pure Michigan campaign prompted 4.6 million trips in 2015.*, Crain's Detroit Business. <http://www.crainsdetroit.com/article/20160419/NEWS/160419794/state-pure-michigan-campaign-prompted-4-6-million-trips-in-2015> (last updated April 20, 2016)

<sup>8</sup> Dr. E. Lee Spence, *Michigan Governor Dives Thunder Bay Shipwreck*, SHIPWRECKS BLOG (Aug. 2013) <http://shipwrecks.com/tag/diving-governor/>

<sup>9</sup> Press release, *NOAA expands Thunder Bay National Marine Sanctuary in Lake Huron*, NOAA National Marine Sanctuaries (Sept. 5, 2014) <http://sanctuaries.noaa.gov/news/press/2014/pro90514.html>

<sup>10</sup> 16 U.S.C. 1431 *et seq.*

<sup>11</sup> 54 U.S.C. 320301

<sup>12</sup> The same procedures apply to a modification as to an initial designation. *See id.* 1434(a)(4).

of California, Washington and Oregon signed in 2006, which expressed their opposition to oil and gas development off their coasts.”<sup>13</sup>

Moreover, the Sanctuaries Act makes clear that the “terms of designation may be modified only by the same procedures by which the original designation is made.” 16 U.S.C. 1434(a)(4). The “terms of designation” include:

*the geographic area proposed to be included within the sanctuary, the characteristics of the area that give it conservation, recreational, ecological, recreational, historical, research, educational, or esthetic value, and the types of activities that will be subject to regulation by the Secretary to protect those characteristics.*

*Id.* Accordingly, if the President or the Secretary proposes to rescind the sanctuary or modify its boundaries or permit energy or mineral exploration or production there, as contemplated by EO 13795, the Secretary would be required to comply with the same procedures applicable to the initial designation of a sanctuary under the Sanctuaries Act.

The Sanctuaries Act imposes significant procedures to be followed in any such designation or modification. Among other things, those procedures include:

- making a determination that the action proposed would “fulfill the purposes and policies” of that Act,<sup>14</sup> as set forth in 16 U.S.C. 1431(b), which makes clear that the “primary objective” of that Act is “resource protection.” While negative impacts on income-producing activities is a factor to consider, the thrust of EO 13795 is to increase energy exploration and production – none of the purpose or policies of the Act involves achieving that objective;
- preparing and providing the public and Congress and the governor of the state in which the sanctuary is located with documents justifying the basis for that determination and an assessment of the required factors;<sup>15</sup>
- complying with the National Environmental Policy Act, which would require preparation of an EIS comparable to those prepared when the sanctuaries at issue were designated or expanded;<sup>16</sup>
- providing a cogent and detailed justification for the modification if, as seems inevitable, it “rests on factual findings that contradict those which underlay” the action being modified.<sup>17</sup> Given the extensive factual findings made when the sanctuaries at issue were designated or expanded, such a justification would likely be difficult to provide that would pass muster when reviewed by the courts;
- adopting regulations or amendments to existing regulations under the Administrative Procedure Act;<sup>18</sup> and

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<sup>13</sup> Final Environmental Impact Statement for Cordell Bank and Gulf of the Farallones National Marine Sanctuaries, Dec. 2014, at 4. 7-3.

<sup>14</sup> See 16 U.S.C. 1433(a)(1).

<sup>15</sup> See *id.* 1434 (a)(1)(C), (a)(2)(E) and (F).

<sup>16</sup> See *id.* 1434(a)(2)(A).

<sup>17</sup> *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515-16 (2009) (when new policy rests on facts contradicting those underlying prior policy “more detailed justification” required than would suffice if writing on a blank slate).

<sup>18</sup> See 16 U.S.C. 1433(a).

- holding at least one public hearing in the coastal area affected by the modification.<sup>19</sup>

We urge the Secretary to make these requirements clear in the report.

## **II. The Factors Identified in the Request for Comments Support Thunder Bay's Continued Designation as a National Marine Sanctuary and Maintenance of Its Existing Boundaries and Protections.**

Executive Order 13795 specifies three factors to be included in the Secretary of Commerce's review of national marine sanctuaries and marine national monuments.<sup>20</sup> Our analysis that follows concludes that none of the three supports departing from the existing regime established by the designation and expansion regulations.

### **Factor A: Expansion Acreage and Budgetary Impact**

Thunder Bay NMS has been expanded to 4,300 square miles, from its original 448 square miles. The interest existed nearly a decade before the action of increasing the sanctuary occurred in 2014. The expansion allowed an additional 100 shipwrecks to be contained within the sanctuary's boundaries. It is the second sanctuary created solely to protect underwater cultural resources that are nationally significant, where they receive special protection through this designation. The hope from historians and enthusiasts is to someday uncover each vessel for interpretation to share with the public, the descendants of those who lost their lives on these ships, and for academia to place a permanent record of the research.<sup>21</sup>

The budgetary impacts for managing marine sanctuaries and marine protected areas is minimal, especially considering the invaluable attributes of the sanctuary as discussed throughout this letter. In FY 2017, NOAA received \$51 million to manage marine sanctuaries and marine protected areas, which is approximately one half of one percent of the Department of Commerce's total budget.<sup>22</sup>

Furthermore, this designation and expansion has benefited the region financially. In supporting the sanctuary expansion, the Final Environmental Impact Statement (FEIS) from NOAA states that the sanctuary generated nearly a half million dollars in outside funding to support on-water research and resource protection.<sup>23</sup> The Management Plan from 2009 also stated grant funding supporting the sanctuary where even today graduate students from all over the world come to study.<sup>24</sup> The Friends of Thunder Bay National Marine Sanctuary (FTBNMS) also receives grant funding in support of the sanctuary. Grants to FTBNMS are important to the sanctuary and the community in terms of bolstering use of the sanctuary and tourism.<sup>25</sup> Further, one study of visitor spending found that Thunder Bay yielded a total of \$92 million in sales, \$35.8 million in personal income to residents, \$51.3 million in value added and 1,704 jobs.<sup>26</sup>

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<sup>19</sup> See *id.* 1434(a)(3).

<sup>20</sup> Executive Order 13795, 82 Fed. Reg. 20815, 20816, Section 4(b)(i).

<sup>21</sup> *About Thunder Bay National Marine Sanctuary*, NOAA, <http://thunderbay.noaa.gov/about/welcome.html> (last updated March 6, 2017).

<sup>22</sup> Division B – Commerce, Justice, Science, and Related Agencies Appropriations Act, 2017 at Insert 6A. <http://docs.house.gov/billsthisweek/20170501/DIVISION%20B%20-%20CJS%20SOM%20OCR%20FY17.pdf>

<sup>23</sup> *Final Environmental Impact Statement: Boundary Expansion*, NOAA (Aug. 2014).

<sup>24</sup> *Thunder Bay National Marine Sanctuary: Final Management Plan*, NOAA. (Aug. 25, 2009).

<sup>25</sup> "Besser Foundation awards sanctuary friends group 200K in grants," *The Alpena News*, May 2017. <http://www.thealpenanews.com/news/local-news/2017/05/besser-foundation-awards-sanctuary-friends-group-200k-in-grants/>.

<sup>26</sup> *Thunder Bay National Marine Sanctuary Socioeconomic Fact Sheet*, NOAA.

## **Factor B: Adequacy of Any Required Federal, State, and Tribal Consultations Conducted**

Thunder Bay NMS was originally promoted and supported by the local people of the region who expressed personal interest in protecting the maritime resources. Starting in the early 1970s, local clubs focusing on civic duties and diving activities realized that Lake Huron was special and in 1981, Michigan designated the area as one of the state's first underwater preserves. During this time, NOAA was seeking feedback for potential designations under the Site Evaluation List that would lead to national marine sanctuary status. The local community drafted a proposal, and in 1983 this unique area made the final list—the only one of five originally nominated in the Great Lakes. In 1991, NOAA elevated the status and the citizens of Michigan met to formalize the reporting of resources, recreational opportunities and to reiterate the importance of this site. During the next decade, support continued and NOAA led the efforts to provide protection and continue the proper legal process of designation.

The designation and the expansion of Thunder Bay NMS included transparent, inclusive and participatory processes with input from a broad range of stakeholders. According to NOAA:

*The expansion of the sanctuary was driven by strong public support. During the process to review the sanctuary's management plan in 2006, several local government and non-governmental organizations passed resolutions or submitted written letters of support for boundary expansion. Additionally, in 2007, the Thunder Bay Sanctuary Advisory Council adopted a resolution supporting expanded boundaries. NOAA held three public scoping meetings on this topic in April 2012 to hear from the community<sup>27</sup>.*

In fact, there was support to expand the sanctuary in the development the 2009 Management Plan. In May 2007 the sanctuary's advisory council voted to accept the resolution of a sanctuary boundary working group to expand the Thunder Bay's boundaries.<sup>28</sup> The expansion effort reflected the interest of communities in the area to increase tourism and recreational opportunities associated with the sanctuary, including diving, snorkeling, kayaking, glass bottom boat trips to view ship wrecks, as well as research, and education.

NOAA began the expansion process of Thunder Bay NMS, consistent with the 2009 Management Plan, with a scoping document, three public meetings, and an extended comment period. NOAA published a proposed expansion in June 2013, holding three public meetings and a public comment period. This process included working with the U.S. Coast Guard and the U.S. Environmental Protection Agency, and government-to-government consultation regarding tribal fishing rights. In May 2014, NOAA issued a revised proposed rule for the expansion of Thunder Bay NMS, reflecting input from stakeholders including Governor Rick Snyder, local governments, and other stakeholders. Based on public input, the revised proposal excluded the ports of Rogers City and Presque Isle from the proposed expansion, and also removed the Port of Alpena from the original sanctuary. The revised proposed rule also specifically clarified that the expansion would have no impact on tribal fishing rights and it addressed concerns shippers had raised.

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<sup>27</sup> Press release, *NOAA expands Thunder Bay National Marine Sanctuary in Lake Huron*, NOAA National Marine Sanctuaries (Sept. 5, 2014).

<http://sanctuaries.noaa.gov/news/press/2014/pro90514.html>

<sup>28</sup> *Thunder Bay National Marine Sanctuary: Final Management Plan*, NOAA (Aug. 25, 2009).

NOAA issued a final rule expanding Thunder Bay NMS on September, 5, 2014, along with the FEIS. The final rule and the FEIS include responses to specific comments the agency received from a broad range of interests. In addition, the FEIS provides that:

*“The proposal for an expanded Thunder Bay National Marine Sanctuary was developed over many years by the Thunder Bay National Marine Sanctuary Advisory Council. **This dedicated group consisted of representatives of divers, fishermen, educators, tourism, economic development, and local elected officials.**”<sup>29</sup>*

The full support for the expansion is [detailed](#) on the Thunder Bay NMS web page.<sup>30</sup> This support includes actions noted in the 2009 Management Plan, and support from local communities, editorial boards, national and local groups, and business interests.

There is ample record of extensive consultation with federal, state, and local governments and tribal interests—as well as engagement with the public, tourism, and business interests, and others to support the 2014 expansion. There is no basis for reviewing or revising the boundary of Thunder Bay NMS back to its pre-2014 status.

### **Factor C: Opportunity Costs Associated with Potential Energy and Mineral Exploration and Production from the Outer Continental Shelf and Impact on Production in the Adjacent Region.**

The primary policy concern motivating the Department of Commerce review ordered in Executive Order 13795 is energy and mineral extraction, but the value of the protections provided by the sanctuary and monument designations outweigh the entirely speculative value of energy production. The values provided by marine protected areas, including non-market values, must be part of any valuation process when considering the “opportunity costs” associated with energy and mineral extraction. We ask that this sanctuary remain as is and furthermore, **oil and gas drilling in the Great Lakes, including Lake Huron, home to Thunder Bay NMS, is prohibited under federal and state law.** Congress included a permanent ban on drilling in the Great Lakes in the 2005 Energy Policy Act. The state of Michigan banned drilling in its waters in 2002.<sup>31</sup>

Thunder Bay NMS is believed to possess one of the densest collections of shipwrecks in the world. Due to the natural conditions of Lake Huron, they are among the most intact and preserved, attracting underwater archaeologists and scholars from all over. This sanctuary was originally designated to provide protections to the historical artifacts contained within the ships that had met their untimely fate. Michigan’s maritime heritage is based on these resources.

As the Trump administration contemplates opening America’s marine sanctuaries and monuments to energy and mineral extraction, NPCA reminds that America’s national parks have already experienced damage from offshore oil spills:

- In January 1969, a blowout on an offshore oil platform spilled 200,000 gallons of crude oil into the Santa Barbara Channel.<sup>32</sup> In the span of that year, a total of 4.2 million gallons of oil

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<sup>29</sup> *Final Environmental Impact Statement: Boundary Expansion*, NOAA (Aug. 2014).

<sup>30</sup> Thunder Bay National Marine Sanctuary, NOAA, <http://thunderbay.noaa.gov/management/boundarycom.html> (last updated Jan. 14, 2016).

<sup>31</sup> Mich. Comp. Laws §§ 324.33938, 324.32503.

<sup>32</sup> *Channel Islands National Park, Environmental Factors*, Nat’l Park Serv., <https://www.nps.gov/chis/learn/nature/environmentalfactors.htm> (last updated June 17, 2016).

spilled because of an undersea fault that opened up as a result of the blowout.<sup>33</sup> The oil caused great damage to Channel Islands National Park, contributing to the deaths of thousands of seabirds and marine mammals, and eventually leading to the national environmental movement beginning in 1970 and passage of the National Marine Sanctuaries Act in 1972.<sup>34</sup>

- In March 1989, the Exxon Valdez ran aground in Prince William Sound, spilling nearly 11 million gallons of oil. Many of us will never forget the images of oil-covered wildlife and beaches in the wake of the spill. Much of the contaminated Alaskan coastline included national parks, such as Kenai Fjords National Park, Katmai National Park & Preserve, Aniakchak National Monument & Preserve, and Lake Clark National Park & Preserve.<sup>35</sup> Recreation and tourism declined dramatically as a result of the spill, and resource managers were forced to limit hunting and fishing access because of the damage to the natural resources.<sup>36</sup> Despite cleanup efforts, oil still remains on national park beaches today.<sup>37</sup>
- In April 2010, the Deepwater Horizon explosion and subsequent spill of approximately 206 million gallons of oil—19 times more oil than the Exxon Valdez—brought tremendous environmental and economic damage to the national parks, natural ecosystems, and communities across America’s Gulf Coast.<sup>38</sup> Not only did this tragedy affect coastal wetlands and the wildlife that inhabit them, it had a detrimental effect on the communities that depend on these lands and waters to support fisheries and tourism-based economies that sustain them. In the months after the oil spill, NPS deployed 600 staff from 120 national parks to assist in Gulf Coast cleanup efforts, in addition to the thousands of others from federal agencies, national and local organizations, and nearby communities.<sup>39</sup> Gulf Islands National Seashore, known for its blue waters, white beaches, and coastal marshes, was the most directly impacted of the 10 national parks in the Gulf of Mexico region. Volunteers removed more than 918 tons of oiled debris from Gulf Islands alone.<sup>40</sup> Today the park is still coping with the effects of the spill on plants, wildlife, and archeological resources.

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<sup>33</sup> *45 Years after the Santa Barbara Oil Spill, Looking at a Historic Disaster Through Technology*, NOAA Office of Response and Restoration, <http://response.restoration.noaa.gov/about/media/45-years-after-santa-barbara-oil-spill-looking-historic-disaster-through-technology.html> (last updated July 21, 2017).

<sup>34</sup> *Channel Islands National Park, Environmental Factors*, NAT’L PARK SERV., <https://www.nps.gov/chis/learn/nature/environmentalfactors.htm> (last updated June 17, 2016).

<sup>35</sup> *20 Years Later...Exxon Valdez Oil Spill*. NAT’L PARK SERV. (March 1, 2009), [https://www.nps.gov/kefj/learn/nature/upload/KEFJ\\_EVOS\\_1989-2009\\_qa.pdf](https://www.nps.gov/kefj/learn/nature/upload/KEFJ_EVOS_1989-2009_qa.pdf).

<sup>36</sup> *Recreation & Tourism*, Exxon Valdez Oil Spill Trustee Council, [http://www.evostc.state.ak.us/index.cfm?FA=status.human\\_recreation](http://www.evostc.state.ak.us/index.cfm?FA=status.human_recreation) (last visited July 24, 2017).

<sup>37</sup> Jane J. Lee, *On 25th Exxon Valdez Anniversary, Oil Still Clings to Beaches*, NAT’L GEOGRAPHIC (Mar. 26, 2014), <http://news.nationalgeographic.com/news/2014/03/140324-exxon-valdez-oil-spill-25th-anniversary-alaska-ocean-science/>.

<sup>38</sup> Jeremy Repanich, *The Deepwater Horizon Spill by the Numbers*, POPULAR MECHANICS (Aug. 10, 2010) <http://www.popularmechanics.com/science/energy/a6032/bp-oil-spill-statistics/>.

<sup>39</sup> Tom Kiernan, *Three Years Later: Gulf Coast Still Recovering from BP Oil Spill*, NPCA (Apr. 18, 2013), <https://www.npca.org/articles/211-three-years-later-gulf-coast-still-recovering-from-bp-oil-spill#sm.0000105v6ty4ahf74v67ewtluyq7q>.

<sup>40</sup> *Pacific Island Network—Coastal Inventory*. NAT’L PARK SERV. (JAN. 2011) [https://science.nature.nps.gov/im/units/pacn/assets/docs/features/feature.r2010022\\_coastal\\_inventory\\_issue22.pdf](https://science.nature.nps.gov/im/units/pacn/assets/docs/features/feature.r2010022_coastal_inventory_issue22.pdf).



As NPS reflected on the lessons learned 20 years after the Exxon Valdez oil spill, three lessons learned stand out as significant as weakening marine sanctuary and monument designations and protections is being contemplated for energy extraction purposes:

- “The lingering effects of such an event can be difficult to identify but are vitally important to understand.”<sup>41</sup>
- “Prevention is inordinately cheaper than cleanup.”<sup>42</sup>
- “Distance doesn't necessarily mean you're safe.”<sup>43</sup>

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National marine sanctuaries and marine national monuments help to conserve some of our country's most prized underwater resources of natural, cultural, and historic significance. They protect key habitat for millions of species, preserve our nation's maritime and cultural heritage, and provide countless educational and scientific research opportunities. Setting aside and strengthening protections for marine areas both within and beyond the boundaries of our national parks is critically important to the health of aquatic ecosystems throughout the country. The protection of marine treasures through our national parks and marine protected areas helps to preserve biodiversity, ensure the availability of educational and research opportunities, and strengthen the deeply embedded connections between our communities and the oceans.

Thunder Bay NMS is one of the most significant contributions to maritime heritage in the world and complies with the requirements and objectives of the Sanctuaries Act. We urge you to support the designation and protections of Thunder Bay NMS and leave a lasting legacy for all Americans.

Thank you for your consideration of these comments.

Sincerely,



Theresa Pierno  
President and CEO

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<sup>41</sup> *20 Years Later...Exxon Valdez Oil Spill*. NAT'L PARK SERV. (March 1, 2009), [https://www.nps.gov/kefj/learn/nature/upload/KEFJ\\_EVOS\\_1989-2009\\_qa.pdf](https://www.nps.gov/kefj/learn/nature/upload/KEFJ_EVOS_1989-2009_qa.pdf).

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*