

Congress of the United States
Washington, DC 20515

July 10, 2024

The Honorable Shalanda Young
Director
Office of Management and Budget
1650 Pennsylvania Avenue NW
Washington, DC 20503

The Honorable Richard L. Revesz
Administrator
Office of Information and Regulatory
Affairs
Office of Management and Budget
262 Old Executive Office Building
Washington, DC 20503

Dear Director Young and Administrator Revesz,

We write to provide continued feedback and review of the National Oceanic and Atmospheric Administration's (NOAA) proposed modifications to the North Atlantic Right Whale Vessel Strike Reduction Rule. The proposed changes not only threaten the existence of the boating and fishing industries along South Carolina's coast, but also threaten the safety and lives of our state's harbor pilots. The boating and fishing industries are the heartbeat of our coastline and have a \$6.5 billion footprint within the state, contributing significantly to South Carolina's overall economy. Additionally, South Carolina's harbor pilots provide an integral service to the entire maritime industry of not only our state, but the entire nation. Therefore, we have serious concerns that this proposed rule will adversely impact the people and businesses of our state.

South Carolina is home to many of the nation's leading recreational boat and fishing tackle manufacturers. These industries thrive due to South Carolina's exceptional saltwater fishing and boating opportunities. As a result, South Carolina has one of the highest per capita boat ownership figures in the country. According to the South Carolina Department of Natural Resources, one out of ten South Carolinians owns a boat.

NOAA's Regulatory Impact Review estimates that the cumulative impacts for all vessel size classes and regions combined will be \$46.2 million nationwide.¹ However, just in current inventory, the South Carolina Boating & Fishing Alliance estimates the loss of their member dealers in South Carolina alone to be \$77 million. Implementation of this proposed rule would not only harm the boating and fishing industries but also have significant downstream economic effects on tourism, hospitality, consumer goods, dining, and tax revenue generation in South Carolina.

Further, approximately 5.1 million recreational fishing trips have been taken along the Atlantic coast by vessels 35-65 feet in length since 2008. The chance of a 35 to 65-foot recreational vessel striking a North Atlantic Right Whale during an offshore fishing trip is less than one in 1,000,000. We believe that NOAA's proposed rule relies

¹ National Oceanic and Atmospheric Administration. (July 2022). *Draft Regulatory Impact Review and Initial Regulatory Flexibility Analysis*. https://media.fisheries.noaa.gov/2022-07/NARW_Proposed_Speed_Rule_RIR-IRFA%20_508_0.pdf

on an overly conservative and inaccurate risk model for justification and does not demonstrate the plausible basis for imposing a 10-knot speed limit on boats in the 35 to 65-foot size class.

Additionally, in regard to harbor pilots, the proposed changes do not account for the very real dangers that pilots and crews face in ensuring America's maritime commerce moves safely and efficiently. We believe that the changes proposed by NOAA could increase danger for pilots and crews, lead to greater fatigue, and negatively impact port efficiency across the country.

South Carolinians are committed to protecting our natural resources and the environment. Our boating and fishing communities are at the forefront of environmental conservation efforts. However, the proposed vessel speed rule poses an existential threat to these industries and could impede conservation efforts rather than advance them. Unfortunately, NOAA failed to engage and collaborate with either recreational boating and fishing communities or harbor pilots when drafting this proposed rule.

We are eager to work with NOAA on a viable solution, such as a technological option allowing observers to track right whales with reports broadcast in real-time. It is imperative to consider the full implications of this proposed rule before implementation. Thank you for your continued engagement.

Sincerely,



Russell Fry
Member of Congress



Lindsey Graham
U.S. Senator



Tim Scott
U.S. Senator



Joe Wilson
Member of Congress



Jeff Duncan
Member of Congress



Ralph Norman
Member of Congress



William R. Timmons, IV
Member of Congress



Nancy Mace
Member of Congress