Website Comments Received 6/30/2011 - 7/2/2011

Table of Contents

ALL SAPs

Name

Darryl Brown

Organization

State of Maine, State Planning Office

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Attachment:

Attachment included in index: Comment of Darryl Brown, State of Maine, State Planning Office (9 pages)

Name

Edward Backus

Organization

Ecotrust

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Attachment:

Attachment included in index: Comment of Ecotrust (11 pages)

Name

Kameran L. Onley

Organization

The Nature Conservancy

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Attachment:

Attachment included in index: Comment of The Nature Conservancy April 29 (4 pages)

Name

Kristi Birney

Organization

Environmental Defense Center

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

On behalf of the Environmental Defense Center (EDC), we write to provide comments to the National Ocean Council for several Strategic Action Plans (SAPs) that address pressing issues facing our coast, oceans, and Great lakes. We commend you for your efforts in developing the SAPs which will guide a more compressive and interdisciplinary approach to ocean management. The Interim SAPs are a great first step towards developing plans that will guide future ocean governance. We appreciate the opportunity to comment on the following SAP: 1) Coastal and Marine Spatial Planning a) Consider including representation from National Marine Sanctuary Advisory Councils, an existing body of marine stakeholders, on the Regional Planning Bodies (RPBs). Please see pg 2 and 3 of the attached document for more details.

Attachment:

Attachment included in index: Comment of Environmental Defense Center (5 pages)

Name

Rex A. Rock, Sr.

Organization

Arctic Slope Regional Corporation

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Please see attached comment of Rex A. Rock, Sr., President and CEO of Arctic Slope Regional Corporation

Attachment:

Attachment included in index: Comment of Artic Slope Regional Corporation (12 pages)

Name

Dale Beasley

Organization

Columbia River Crab Fisherman's Association and Pacific Marine Resource Committee (PMRC)

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

CRCFA provided oral comments at the Ocean Shores Listening Session on the National Objectives and have additional written comments to submit but cannot find the email adderss to send in our comments. Please add our attached comments to the public record. Also add additional comments of the Pacific County Marine Resource Committee that compliment the comments of Doug Kess who also testified at Ocean Shores.

Attachment:

Attachment included in index: Comment of PMRC (11 pages) and Comment of CRCFA (10 pages)

Name

Mark Shaffer

Organization

Office of the Science Advisor, U.S. Fish and Wildlife Service

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Attached are FWS comments on the NOP SAPS that have been out for review. Overall, they look good and we think that there will be a lot of congruence between many of these recommendations and those that will emerge form the National Fish, Wildlife and Plants Climate Adaptation Strategy. Thanks for the opportunity to comment.

Attachment:

Attachment included in index: Comment of US FWS, Office of Science Advisor (6 pages)

Name

NRDC Online Activists

Organization

Natural Resources Defense Council

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Attached are the letters that NRDC activists submitted on the SAPs with personal edits – there were 332 letters with edits.

Attachment:

Attachment included in index: Comment of NRDC Activists with edits (406 pages)

Name

NRDC Online Activists

Organization

Natural Resources Defense Council

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Attached is an example of the 8881 letters that NRDC activists submitted using the sample letter that NRDC provided..

Attachment:

Attachment included in index: Comment of NRDC Activists unedited (3pages)

Name

Gordon Robertson

Organization

American Sportfishing Association

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

please see the attached letter

Attachment:

Attachment included in index: Comment of American Sportfishing Association (12 pages)

Name

Rein Attemann

Organization

People For Puget Sound

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

June 30, 2011
Ms. Nancy Sutley, Dr. John Holdren, and Members National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Recommendations for the Strategic Action Plans

Dear Chairs Sutley and Holdren and National Ocean Council Members,

Thank you for the opportunity to provide comment on the National Ocean Council (NOC) on the Regional Ecosystem Protection and Restoration Strategic Action Plan Outline. People For Puget Sound is a nonprofit, citizens' organization whose mission is to protect and restore Puget Sound and the Northwest Straits. We represent nearly 10,000 members throughout the Puget Sound region who care about the ecological health and vitality of this inland sea.

As a signatory to two other comment letters, Restore Our Estuaries and Natural Resources Defense Council, we submit the following comments.

Puget Sound and the Pacific Ocean are ailing and threats to ecological health keep mounting - from ocean acidification to depleted salmon runs to degraded water quality to toxic orcas. Everyone wants and deserves clean water, clean beaches, and healthy coasts. We now have a tremendous opportunity to protect and restore our oceans, Great Lakes, coastal ecosystems and the wildlife that depend on them for future generations.

The Ecosystem-Based Management SAP should emphasize estuary areas. Too often "ocean" policy is seen as focused only on federal waters and/or offshore waters. Our nation's estuaries, including Puget Sound, are the nurseries of the oceans. Unfortunately, these are also the areas most degraded because of the collision of urban and industrial activities with fragile and complex ecosystems. To address these complex and compromised bays, sounds and estuaries, systems, national policy must recognize that water quality, land use, transportation and other programs need to be realigned. We appreciate that the move to a national ocean policy is in part motivated by the plethora of uncoordinated efforts around the government. But it is not only the lack of coordination that must be addressed--it is the content of the actions and policies that need to be changed, both to rectify past damage and to make sure that actions and decisions in the future contribute affirmatively to ocean health.

The Coordinate and Support SAP should establish oil spill citizen oversight committees at the regional level. Oil spill prevention is a critical Ocean Policy need. We risk spending billions on recovery that could be wiped out by a large oil spill. One specific recommendation is to establish Citizen Advisory panels in every marine area around the country, modeled after the Prince William Sound committee established after the 1989 Exxon Valdez spill. The

Coast Guard works in partnership with other federal and state agencies to prevent and respond to spills, but there is ample evidence that not enough is being done to prevent devastating spills, and to respond adequately when they occur.

The Coordinate and Support SAP should include the Puget Sound Partnership Action Agenda. In the Puget Sound basin, the Puget Sound Partnership is tasked to restore Puget Sound back to health by 2020. The Partnership's Action Agenda sets the goals and targets, establishes the indicators and prioritizes actions to meet the 2020 goal. The Partnership includes local, state and federal agencies, businesses, local elected officials, conservation organizations, scientists, and the public stakeholders, all working for a common goal- a healthy Puget Sound. The National Ocean Policy must consider, integrate, and help implement this type of regional action/recovery plan. They are each unique, different and regionalized.

The Regional Ecosystem Protection and Restoration SAP should specifically highlight the recovery of federally-listed endangered species. This is an area where the federal government has clear responsibility, yet performance has been dismal. In Puget Sound, endangered salmon and orca whales need actionable, accountable, implemented recovery plans. What we have are voluntary, open-ended efforts with very little improvement to show, even years into the listings.

The Ocean Policy should provide long-term dedicated federal funding for the protection and restoration of our oceans, coasts and estuaries. The Ocean Policy should explicitly lay out a funding plan for coastal and estuary habitat restoration. Puget Sound and other areas are so ecologically compromised that not only do we have to stop new damage; we must restore the legacy of destruction. NOAA's community-based restoration program is an excellent but woefully underfunded model for how this can be done. In the recent round of stimulus funding, there were $3 billion of shovel-ready restoration projects competing for $170 million of funds, a compelling indication of the unmet need.

The Coastal Marine Spatial Planning SAP should include the protection of biodiversity as a primary goal, not just fisheries recovery and listed species recovery. This may require more investments in benthic habitat science such as remotely sensed bathymetry and bottom typing with ground-truthed habitat typing. Certain rate benthic communities like deepwater coral and glass sponge reefs are poorly mapped in the northeast Pacific Ocean. Similarly, certain upwelling zones are critical for pelagic species feeding and migration patterns which shift locations base on wind and current conditions. CMSP zoning needs to be set up with the ability for overlays that are not fixed in time. Ocean acidification is often linked to these upwelling events and will be of interest to the shellfish community, especially in Washington state, to predict oncoming water events when they occur along the coast.

We appreciate the opportunity to share these recommendations with you and welcome the chance to discuss them in more detail. Thank you for all of the effort you and your agencies have invested in this process. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, inland seas, and Great Lakes.

Rein Attemann
Field Director People For Puget Sound
911 Western Ave Suite 580
Seattle, WA 98104
rattemann@pugetsound.org

Attachment:

Attachment included in Index: Comment of People for Puget Sound (2 pages)

Name

richard carroll

Organization

ocean gold seafoods

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Comments on national ocean policies listening sessions Comment 1. Listening session's attendance was not representative of stakeholders The makeup of the attendees at the listening session was inconsistent with the makeup of the stakeholders groups that will be impacted by the design and implementation of the national oceans policy. Of the 90 or so attendees that I would estimate attended the listening session in ocean shores on the 26th only about 5 represented the interests of commercial harvesters and processors from the marine aquaculture and fishing communities who derive their livelihoods from marine resources were in attendance. The remaining 85 or so represented environmental NGO's, government agencies or tribal entities. The industries and coastal communities who rely on access to marine resources were underrepresented. Comment 2 Comment period is inadequate One of the points of emphasis at the listening session was that this is designed to be a bottom up process. It seems that given the listening session I attended was scheduled for June 26th that a comment period deadline of July 1 is too short. The timeframe for written response is designed to limit public input and should be extended to at least August 1 2011. Comment 3. The list of 9 priority objectives is incomplete None of the 9 priority objectives recognize commercial or recreational fishing, the fisheries management councils, the economic importance of sustaining coastal resource based industries and the communities in which they reside. The priority objectives are inconsistent with the ob-jectives of the Magnusson-Stevens act. There is nothing to address the important role of main-taining access to marine resources and the economic impact it generates. 75% of the locally harvested marine resources are exported and that percentage is growing. This country currently runs a 9 billion dollar annual trade deficit in seafood products that is growing at 10% per year. Any national oceans policy needs to address this trade deficit issue. Comment 4. Ecosystem based management Has been a component of marine management policy and decision making at the local and state government and regional management council level for some time, particularly here in Washington State. How we define ecosystem based management at a national level will de-termine its usefulness as a policy tool. Comment 5. Water quality and sustainable practices on land We wholly endorse strict water quality and sustainable environmental waste management prac-tices. It is our position these standards should be applied uniformly across similar industry activi-ties regardless of their locale. We are proud that we adhere to new source standards for effluent discharge outlined in our NPDES permit. We find it problematic that the companies that we compete with in Oregon 50 miles way along the Columbia River operate under a lax general seafood discharge requirement, and some facilities have operated for years without any waste-water permitting at all dumping untreated wastewater and fish offal into the Columbia River. Offshore fish processing platforms operating in the waters of the national marine sanctuary are allowed to discharge enriched effluent such as stickwater and fish offal into marine sanctuary waters contributing to localized oxygen depletion and environmental marine acidification with no consequence. While the national marine sanctuary does not have regulatory authority to regulate fishing it can regulate wastewater discharges for floating processors operating within the sanctuary as they have done with the cruise ships. Our company at great expense has invested in facilities and persevered to maintain local water quality by processing our wastewater and offal into recoverable solids and convert them to mar-ketable products which contribute jobs and revenues to the local coastal economy. To allow this disparity to continue puts companies like us at an economic disadvantage which further jeopar-dized coastal communities and perpetuates the environmental impact in marine sanctuary wa-ters along the Washington coast and along the Columbia River. In no other marine sanctuary are offshore fish processors allowed to operate. We need uniform science based coast wide standards for

wastewater that are individually per-mitted by facility that are uniformly and fairly applied, that are based on best available data, that raise the standard for everybody and that do not disadvantage local coastal communities in favor of offshore processors interests based outside the area. This would help to create level playing field to compete for local marine resources. Comment 6. Regional ecosystem protection and restoration Regional ecosystem protection and restoration is an important national objective and will require in sacrifice from all Americans who stand to benefit. We support and endorse ecosystem pro-tection and restoration programs that do not place a disproportional burden on the viability of resourced based businesses and the coastal communities on which they reside. Comment 7. Coastal and marine spatial planning Coastal and marine spatial planning has been a fact of life on the Washington coast for quite a while we have special management areas for commercial recreational and tribal fishers as well as estuarine environments. We have learned it can be a valuable tool if used expeditiously. I would hope that the pursuit of marine spatial planning on the national scale will include some form of economic impact as well as environmental impact studies to determine feasibility of pro-posed uses in the planning process

Attachment:

Attachment included in index: Comment of Ocean Gold Seafoods (2 pages)

Name

Chris Cohen

Organization

On behalf of SCCOOS, CeNCOOS, and NANOOS

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Please see the attached comments from the West Coast Integrated Ocean Observing Systems: SCCOOS, CeNCOOS, and NANOOS.

Attachment:

Attachment included in index: Comment of the West Coast Integrated Ocean Observing Systems (5 pages)

Name

Chris Dennett

Organization

Environmental Entrepreneurs (E2)

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Attachment:

Attachment included in Index: Comment of Environmental Entrepreneurs (E2) (2 pages)

Name

Susan Farady

Organization

Marine Affairs Institute, RI Sea Grant Legal Program

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

Please see the attached comments related to a number of Plans.

Attachment:

Attachment included in Index: Comment of Marine Affairs Institute, RI Sea Grant Legal Program (3 pages)

Name

Brent Greenfield

Organization

National Ocean Policy Coalition

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

On behalf of the National Ocean Policy Coalition (NOPC) and at the suggestion of Yuan Zhou of the Council on Environmental Quality, I have submitted NOPC's comments by email to Andy Lipsky, as the file was too large to be submitted through the website. NOPC's comments are also available at this link: http://gallery. mailchimp. com/6bb66fed099f6eb4e4253667e/files/NOPC_Comments_on_SAP_Full_Content_Outlines_07_01_11_. pdf

Attachment:

Attachment included in index: Comment of the National Ocean Policy Coalition (98 pages)

Name

catherine toline

Organization

national park service

Which Priority Objective would you like to provide comment on?

ALL SAPs

Comment:

General Comments - these apply to most of the SAPs and should be provided to all 9 teams- there is no opportunity on the web site to provide general comments Based on input from resource managers at various marine and coastal parks, it is suggested that list of actions be reviewed in terms of what has or is being done currently and evaluate whether existing information can be used to take immediate action to protect natural resources. Additionally, the focus is heavily research -based, which is, of course, necessary, but many resource managers feel that immediate on-the-ground action is needed in lieu of additional research in many cases. The list of potential actions range widely in their specificity. It would be of value to consider at what level of detail the, for example, milestones, should be outlined. The list appears to be complete. Overall, it appears that most of what is needed to be done is represented somewhere on the list of actions across all nine SAPs. To this end, it is not clear how this work will be prioritized. Many of the resource managers feel the milestones on the list are potentially unobtainable and are concerned that rather than completing a few tasks well, many tasks will be attempted with less than optimal results. There is a general concern that funding will not be available for much of this work. It would be of value to focus on the process of getting to what is most important and identifying a few specific high priority actions for each year. Rather than, for example, specifying focus on a single species (e. g. invasive lionfish), a process should be developed to identify what species is currently the most threatening across US waters. It is not clear from the introduction how decisions were (or will be) made. It is clear there is a writing team, but it is not clear how the writers solicited ideas from resource managers and other entities, ie what process was used to create the list? Many "initiatives" include actions that may already in place. For example, implementing ecosystem management is not particularly new. It could be broadened in its use, but it is a general operating approach for many resource managers. It is important to recognize that, although national agendas are of value, the issues that we face in the US Caribbean are not always the same as those faced in the rest of the nation. Please provide definitions of acronyms.

Attachment:

Name

Alison Chase

Organization

NRDC

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Attached please find comments and statements on the Strategic Action Plans from the New York Ocean and Great Lakes Coalition.

Attachment:

Attachment included in index: Comment and Statement of the New York Ocean and Great Lakes Coalition (11 pages)

Name

Sarah Chasis

Organization

NRDC

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Attachment:

Attachment included in index: Comment of 29 Environmental Organizations (9 pages)

Name

Sean Cosgrove

Organization

Conservation Law Foundation

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Dear Chairs Sutley and Holdren: Please see the attached document from the Conservation Law Foundation that contains comments on the NOP SAP outlines. Thank you for the opportunity to comment. Sincerely, Sean Cosgrove Ocean Campaign Director

Attachment:

Attachment included in index: Comment of Conservation Law Foundation (9 pages)

Received after the close of the Public Comment period at 12:15am on 7/03/2011

Name

Teri Shore

Organization

Turtle Island Restoration Network

Which Priority Objective would you like to provide comment on?

All SAPs

Comment:

Since the menu allows only one choice, and our comments incorporate several objectives, we are being forced to submit multiple times under multiple objectives.

Attachment:

Attachment included in index: Comment of Turtle Island Restoration Network (14 pages)

Ecosystem-Based Management

Name

Megan Amsler

Organization

Cape and Islands Self Reliance Corp.

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Attachment:

Attachment included in index: Comment of Cape and Islands Self Reliance Corp. (3 pages)

Name

Karen Anspacher-Meyer

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

The SAP should explicitly state that the goal of ecosystem-based management is to protect and restore ecosystems so that they can provide the services humans want and need. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding, and feeding. Places like this, biological hotspots need to be protected. Regional ecosystem assessments should precede all planning activities so that the health of the ocean resources and the threats they face are known from the start and the places that need protection, receive it.

Attachment:

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

This strategic action plan states that "EBM is informed by science to conserve and protect our cultural and natural heritage. " However, this plan does not include any discussion of conserving and protecting our cultural heritage. The plan also states that it will "incorporate EBM principles into policy and governance . " With this in mind, I would point out that historic shipwreck sites, particularly those in deepwater, often serve as artificial reefs that provide unique marine and essential fish habitats. Many of these sites also contain important clues to our nation's rich maritime heritage. These sites are non-renewable resources that, for the most part, currently have no protection against destruction from marine salvage and treasure hunting. In part, this is because the Archaeological Resources Protection Act (ARPA) currently does not apply on the Outer Continental Shelf (OCS). The National Ocean Council (NOC) could therefore recommend that ARPA be amended to remove the OCS exclusion. Additionally, the NOC could recommend that all federal agencies with jurisdiction over submerged resources on the OCS adopt the UNESCO 2001 Convention Annex Rules as a set of best practices for preserving underwater cultural heritage sites. These rules can be found at: http://www. unesco. org/new/en/culture/themes/underwater-cultural-heritage/annex-of-the-2001-convention/

Attachment:

Name

Patricia Birkholz

Organization

Michigan DEQ - Office of the Great Lakes

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Please see attachment. Comments are not just on the EBM outline.

Attachment:

Attachment included in index: Comment of Michigan DEQ, Office of Great Lakes (4 pages)

Name

james brindley

Organization

rebait commercial fishing

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

we believe that the commercial fisherman and their families were not represented on this commitee and the regional management councils should be involved going forward.

Attachment:

Name

Mike Burner

Organization

Pacific Fishery management Council

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Thank you for the opportunity to comment on the Draft Strategic Action Plan. At its recent June meeting, the Council advanced its efforts to implement EBM priciples through an ecosystem-based fishery management planadopting. The Pacific Council adopted the plan's purpose and need statement (which largely comports with the goals and objecives of the draft SAP) and assigned initial plan development tasks to its Advisory Bodies. I would like to submit comments by the four Action Items in the draft SAP for EBM. Leadership and Collaboration - The Pacific Council has over 30 years experience in the facilitation of stakeholder participation in ocean policy maters and is an ideal forum for Federal, State, Tribal, and pubic collaboration. The Pacific Council in encouraged by the SAP's committment to collaboration and strongly recommends the inclusion of Regional Fishery Management Council's on regional planning bodies. Scienc Framework - The Pacific Council beleives there is a strong scientific foundation for implementing EBM and is partnering with NOAA Fisheries on EBM initiatives such as IEAs. The Pacific Council's SSC recently reported that the exisiting availablilty of scientific information is not a major impediment to EBM implementation and encourages continued and expanded funding of scientific projects in support of EBM. Inform Decision Making - The Pacific Council rountinly relies on the application of the best available science in its decision making and, through its EBM initiative in interested in bringing the latest ecosystem science into the process. The value of science and policy development is greatly enhanced through the proper application of the best imformation available. Policy and Governance - As teh Pacific Council has approached EBM principles over the last ten+ years, questions of regulatory authoriy and statutory requirements have arisen in cateogries such as spatial managmenet and the protection of non-target or non-FMP species that are of particular importance to the food web and the ecosystem. Many of the statutes governing our oceans, including the MSA, do not explicitly guide the application of EBM and the Pacific Council welcomes the SAPs goal of incorporating EBM principles in our statues and policies. EBM efforts should consider broader science-based authorities over the marine resources, not only broader consideration of information and interactions.

Attachment:

Name

Derek Campbell

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Moving to a wholistic (EBM) approach to marine management is no doubt to be applauded. However we are entrenched in quantitive measures/tools. I question the ability of our agencies to truely move towards a sysmtem that values quality of flora and fauna over harvestable numbers. Setting aside areas to rebuild and replenish seems the only viable way to meet "ecosystem" needs. We cannot manipulate the natural processes in marine environs like we can in terrestrial areas. Our Gov's, local/state/fed, must be willing to spend the political capital to put ocean areas into long term protection. Of course science must guide this policy but what is really lacking is the political will at all levels to make this happen. A bottom up approach is needed to incorporate local knowledge and facilitate "buy in" but I argue the need for ample top down guidance to ensure scientific guidelines are met, time frames are set, and real ecological goals created. Thanks, Derek

Attachment:

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Attachment:

Attachment included in index: Commentof West Coast Governors' Agreement on Ocean Health EBM (4 pages)

Name

Mike DeCesare

Organization

Marine Stewardship Council

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Marine Stewardship Council
2110 N. Pacific Street, Suite 102
Seattle, WA 98103

National Ocean Council Comment from the Marine Stewardship Council
July 1, 2011

The Marine Stewardship Council (MSC) would like to thank President Obama and the National Ocean Council for embarking on the important task of creating a Strategic Action Plan for managing oceans, America's coasts, and Great Lakes. The importance of these waters and their adjacent lands to our nation's continued prosperity, security, and environmental sustainability cannot be understated. The MSC believes the completion of the Strategic Action Plan will result in a renewed investment into these vital resources along with an invigorated dedication to the people most affected by the health of our marine ecosystem. The MSC is uniquely positioned to be a partner in this process and a resource for the National Ocean Council as the Strategic Action Plan takes shape. Today, more than half of the fisheries in the United States have been independently certified to the Marine Stewardship Council's global environmental standard for sustainable and well-managed fisheries. The MSC, now a wholly independent non-profit, was initially developed through collaboration between Unilever Corporation and the World Wildlife Fund in response to the collapse of the Northwest Atlantic Grand Banks cod fishery in the early 1990s. The MSC harnesses market forces by setting a global standard that allows businesses and consumers to recognize and reward sustainable fishing practices. Fisheries voluntarily enter the program and are audited against the MSC standard by independent, accredited, third-party certifying bodies. MSC-certified fisheries sell to restaurants, grocery chains, and food service organizations that have become MSC Chain of Custody certified after passing an equally robust independent audit, which allows businesses to market and sell seafood with the MSC ecolabel to their customers. By undergoing certification, a rigorous auditing of the seafood supply chain for traceability, some of the nation's largest commercial retailers have shown their commitment to sustainability. Among these names are Walmart, Costco, Kroger Foods, Sodexo, Supervalu, and others. In addition, three iconic academic institutions, Notre Dame University, University of California at Berkeley, and Pomona College have become MSC certified, and Yale University and others are in the process. The MSC program has grown as the fishing industry and supply chains have embraced sustainability in seafood, and as customers have increasingly demanded it. The program gives well-managed fisheries a way to demonstrate their good stewardship of ocean resources and gives fisheries in transition an accurate picture of improvements needed to get to the full assessment starting gate. The MSC environmental standard was developed in a collaborative process over two years involving more than 300 scientists, academics, conservation organizations, fishing industry, governments and others around the world. To ensure that the MSC program continues to meet best practice, stays up to date with scientific advances and meets partners' needs, MSC policies are reviewed and developed on an ongoing basis and in consultation with stakeholders. The MSC's 12 years of collaboration with multiple stakeholders to develop and implement this rigorous, transparent process presents an opportunity for the NOC to capitalize on the significant investment in time and money. The potential

collaboration of the NOC with the MSC benefits the objectives of the SAP in a manner that will: o Further incent the development of responsible harvesting techniques that preserve fish stocks, takes into account ETP, and other bycatch species and impact to the marine ecosystem. o Ensure ongoing, responsible management is in place. o Support local economies that depend on fishing industry revenues, helping to preserve jobs and livelihoods. o Create detailed reports on a fishery-by-fishery basis that are published and available to all interested parties for effective governance of ocean resources. Analyze data trends that are complimentary, not duplicative of existing government efforts. Through annual surveillance audits, the data currently being accumulated and added to every year are both indicative and predictive of changes in the marine ecosystem. o Provide a credible and effective platform for dialog among the fishing industry, conservation organizations, the government, and the public through transparent stakeholder involvement. One of the stated goals of the NOC Strategic Action Plan is to "strengthen conservation partnerships. " The MSC provides a common platform for both environmentalism and commerce. The MSC has given these entities a means for turning the concerns of environmental groups into points of agreement. The MSC works with a variety of stakeholders in the fishing industry, retail, environmental groups, and government. A prime example of the MSC's work with governments can be seen by the emergence of the California Sustainable Seafood Initiative (CSSI), which was signed into law in 2009 to encourage fisheries within the state's waters to seek certification in accordance with internationally accepted standards for sustainability. As written, CSSI's objectives are in direct alignment with MSC's guidelines for sustainability. The MSC is continuing to work with the California Ocean Protection Council (OPC) as they establish and promulgate their guidelines. The MSC standard for sustainable fishing practices is a model for positive environmental change. Similarly, in the Gulf Coast, the Louisiana blue crab fishery is currently in assessment by a certification body and when the assessment to the MSC standard was announced, the client said: "While we began taking steps to enter the MSC program long before the Gulf oil spill, the assessment now takes on new urgency and importance. Because of the oil spill, there are questions and concerns about the health of this and other fisheries in the Gulf, off the coast of Louisiana, and the assessment process against the Marine Stewardship Council environmental standard will help answer these questions. " The MSC standard for sustainable fishing practices is a model for positive environmental change. The MSC is eager to work with the National Ocean Council as NOC creates a strategic plan to address ocean stewardship. I invite members of the Council to contact me or Communications Director Mike DeCesare (mike. decesare@msc. org; 206-631-2496). Understanding the dynamics of the many environmental, political, social, and economic issues that attend this undertaking is crucial. These are areas where the MSC has had success. The MSC welcomes the opportunity to help the SOP become a reality.

Sincerely,

Kerry Coughlin
Regional Director, Americas Marine Stewardship Council
2110 N. Pacific St. , Suite 102
Seattle, WA 98103

(206) 631-2903
Kerry. Coughlin@msc. org

Attachment:

Attachment included in index: Comment of Marine Stewardship Council (5 pages)

Name

Sue Goodman

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

The importance of this action plan cannot be underestimated. It is vitally important that we create the opportunity for ecosystem service measurement and evaluation to take place, based on the science and economic tools available. The environment IS the economy and the short-sightedness that the primary focus be on enhancing economic and recreational opportunities is reactive. Collaborative efforts between regional planning groups, including all the tribal groups is imperative, particularly since regional tribes have traditionally viewed ecosystems in a holistic manner. I agree with the action plan and how the decision making agenda will incorporate ecosystem-based management principles and while it is important to not devalue any existing policies, it is essential that we recognize that policy needs to change and be adapted to our changing environment so no further degradation takes place

Attachment:

Name

Holly Greening

Organization

Tampa Bay Estuary Program

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

I am greatly encouraged by the NOC's focus on Ecosystem-Based Management as an organizing element for the National Ocean Policy. The National Estuary Programs have been successfully using EBM/watershed approaches for many years, resulting in significant improvements in our estuarine water quality and natural resources. Thank you for incorporating EBM concepts into the NOP. As has been recognized in all of the SAP outlines, successful development and implementation of the Action Plans will require coordination between and among Federal, Tribal, State and Local programs and practices. However, it appears that local program representation on the Regional Planning Boards is not currently identified. I encourage the NOP planning group to consider including representation from a local program as an official participant on the Regional Planning Boards. City, county, NEP, or NERRs are just a few examples of local programs which could be considered. Many elements of implementation of the strategic plans will occur at the local level, and local program representation in the planning stages will help to ensure buy-in by those who will be expected to assist in plan implementation. In addition, local program representation would provide an on-the-ground 'reality check' not usually inherent at the federal or state level. Thank you for considering this recommendation. Please don't hesitate to contact me with any questions or comments. Sincerely, Holly Greening Chair, Association of National Estuary Programs Executive Director, Tampa Bay Estuary Program

Attachment:

Name

Marleanna Hall

Organization

Resource Development Council for Alaska

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Please see the attached comment letter. Thank you.

Attachment:

Attachment included in index: Comment of Resource Development Council for Alaksa (3 pages)

Name

Stephen Karakashian

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

The regional plan needs to take a many layed approach, both geographic and administrative. I was involved in the marine reserve process which has many lessons. The community teams took a very local approach, but each reserve was part of a network of reserves. These in turn link with reserves in California and Washington. One of our strengths in Oregon is that we know how to involve local people in bottom up planning. It was difficult and contentious, but we got the job done. This then needs to be integrated at higher geographic and administrative levels with a statewide and regional plan. What is true for marine reserve siting is also true for other aspects of ecosystem management. Oregon is a leader in having this process already underway. I hope the National Ocean Council will recognize this and build on it.

Attachment:

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

o Ecosystem-Based Management The Great Lakes Region has developed extensive ecosystem-based management models with strong stakeholder involvement for the Great Lakes Region. Reinforcing the implementation of the existing management plans is needed rather than creating a new management system. While the Great Lakes have strived to utilize ecosystem-based models with strong stakeholder involvement, ecosystem-based management is not well developed and is insufficient for addressing the broader spectrum that good policy should embrace Sustainable development - which incorporates social, economic as well as eco-system considerations - is a far preferable model. We strongly suggest that the National Ocean Council rely on the established sustainable development management principles for comprehensive management of ecosystem functions in the context of societal and economic needs.

Attachment:

Name

Dave Lacey

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

One way to eveviate the difficulties in establishing EBM is to hold some learning events. I suggest this because when I talk to folks about EBM they don't always underdstand what I'm talking about. There is a lack of understanding that needs to be addressed before implementation of EBM can truly be done.

Attachment:

Name

Melissa Locke

Organization

San Luis Obispo Science & Ecosystem Alliance (SLOSEA)

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Attachment:

Attachment included in index: Comment of San Luis Obispo Science & Ecosystem Alliance (4 pages)

Name

Eugenia Marks

Organization

Audubon Society of RI

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

I hold a masters degree in environmental studies from Brown University. I have worked in the environmental field for 31 years, currently as senior director for policy in the autonomous Audubon Society of RI. I am dissapointed to see no mention of Marine Protected Areas, either as a point of study or establishment procedures. Drag nets and other destructive human practices cannot co-exist with a naturally functioning ecosystem. Some in-shore as well as off-shore areas should be considered as aquatic wilderness areas. Thank you for this opportunity to comment.

Attachment:

Name

Kathryn Mengerink

Organization

Environmental Law Institute

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Attachment:

Attachment included in index: Comment of Environmental Law Institute (15 pages)

Name

Lia Montgomery

Organization

City of Algoma WI Marina Committee

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Blatant private water grabs, approved and supported by state legislators, like the one passed in Ohio on 30 June 2011, that doubles the water withdrawal limits for Ohio and sets dangerous precedents for the rest of the LAkes, cannot continue. All our Great Lakes need sound management to maintain sustainable, eco-system healthy water levels and to comply with Great Lakes Compact regulations. WHere is the oversight if Ohio can unilaterally sell our public trust water to the highest bidder?

Attachment:

Name

Mia Nykoluk

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

-support community managed marine areas that take into consideration of the ahupua'a system in Hawaii. The land and the sea are connected. -If research indicates existing rules and policies are not supporting the marine life (for example opihi - all three species are under one rule for collecting in yet two of the species can be collected before they are sexually mature) Make the rules and regulations easier/faster to change -Return 50% of freshwater to old stream beds by 2020- to restore nearshore fish nurseries in Hawaii.

Attachment:

Name

Andy Radford

Organization

API

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

These comments apply to all the SAP outlines. Rathre than submit nine times, I am only submitting under this one.

Attachment:

Attachment included in index: Comment of American Petroleum Institute (8 pages)

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

o We strongly support Ecosystem-based Management as the foundation for the National Ocean Policy. CMSP tools should be based on Ecosystem boundaries, not political boundaries. Education of both decision makers and the general public on EBM principles, with examples of actual applications, should be given high priority. o A strong definition for ecosystem-based management needs to be provided in this SAP. We recommend the definition of EBM supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, including incorporation of the statement that "The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need. "

Attachment:

Name

Martin Reed

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

I started a company selling only sustainable seafood, ilovebluesea. com, and would like to see greater importance placed on supporting well-managed fisheries and the companies that sell their products. In particular, we try to promote smaller fish like sardines that would otherwise be used as fish feed.

Attachment:

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

If the desired outcome includes incorporation of EBM principles in nonfederal planning frameworks (p. 10), ASFPM encourages inclusion of the potential benefits to ecosystems of preserving and restoring natural flood processes, and risks of not doing so. Outcomes need to explicitly include integration of EBM in nonfederal planning and regulatory frameworks for coastal development. This will require participation of a broad array of stakeholders, including the development community (community and regional planners, developers, real estate professionals) and facilitate consensus among some traditional adversaries. EBM outcomes need to encourage public-private partnership and incentivize private-sector cooperation and investment. Lastly, goals and objectives need to be specific and well-defined, and provide for realistic expectations and achievable outcomes.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

see attached

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve EBM (3 pages)

Name

Melissa Samet

Organization

National Wildlife Federation

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Please see the attached comments from the National Wildlife Federation. These comments address all of the strategic action plan outlines.

Attachment:

Attachment included in index: Comment of National Wildlife Federation (8 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Quinault Indian Nation comments to EBM SAP attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation EBM (3 pages)

Name

Paul Shively

Organization

Pew Environment Group

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

On behalf of Pew Environment Group's Pacific Fish Conservation Program, you will find the attach comments for the ecosystem management SAP. Paul Shively Campaign Manager, Pacific Fish Conservation Program Portland, OR

Attachment:

Attachment included in index: Comment of Pew Environment Group (4 pages)

Name

Kristin Stahl-Johnson

Organization

OceanPeople Resources

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Attachment:

Attachment included in index: Comment of OceanPeople Resources (3 pages)

Name

catherine toline

Organization

national park service

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

SAP - Ecosystem Based Management Text - Establish a joint interagency-regional EBM Working Group Comment - This must be done with the full buy-in by states and Territories. Text - Identify geographic priority areas for EBM implementation based on a clearly defined set of criteria determined through an interagency process. Comment - It is not clear at what scale this would be approached. Text - Decision-makers and managers complete the recommended EBM curriculum and share a common knowledge base of EBM concepts, principles, and practices. Key decision-makers and managers include individuals working in Federal coastal, ocean, and Great Lakes programs and their counterparts at the state, regional, tribal, territorial, and local level. Comment -It is difficult to convince many more senior people to change their approach. How would these individuals be "forced" to embrace this? Text - Decision-makers and managers develop the skills to integrate technical and scientific knowledge into ecosystem-based approaches to management at a regional scale. This knowledge includes information and tools such as adequate scientific and socio-economic data and information, ecosystem modeling expertise, engagement of diverse stakeholders in collaborative processes designed to identify management priorities, and incorporating external, time-sensitive drivers of EBM (e. g. , loss of critical Northeast groundfish, expansion of offshore energy development). Comment - Many managers are so overwhelmed with day-to-day tasks that this goal is often unachievable. To this end, resources to allow managers to be more proactive and less reactive would be required to support this task. Text - Develop and implement model agreements (e. g. , Memoranda of Agreement) to coordinate intergovernmental EBM implementation processes. Comment - The ability to do this varies a great deal from site to site. To this end, it would be of value to identify key areas where this is deemed possible and most desirable. Text - Implement and complete two to three pilot studies using adaptive management decision-making tools in selected geographic areas. Comment -It is OK, and indeed highly recommended, that adaptive management be utilized in resource management and subsequent decision-making. This is not particularly new and has been happening across a wide geographic area covering a variety of habitats. To this end, rather than implementing pilot projects to test adaptive management, wesuggest working to identify the most immediate conservation needs and incorporating adaptive management into the process. Text - Fully incorporate EBM into Federal agency environmental planning and review processes. Comment - This may make the planning process too convoluted to function. Rather, it would be of value to set some limits or guidelines on how best to determine what is really needed for each planning initiative.

Attachment:

Name

Eric Wilkins

Organization

Northwest Indian Fisheries Commission

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

The attached comments from the Washington State Coastal Treaty Tribes (Hoh Tribe, Makah Tribe, Quileute Tribe, and Quinault Indian Nation) include comments on the following SAPs: Ecosystem-Based Management, Coastal and Marine Spatial Planning, and Coordination and Support. An additional comment regarding the IOOS is also included. Please also refer to comments submitted on April 29, 2011.

Attachment:

Attachment included in index: Comment of Washington State Coastal Treaty Tribes (2 pages)

Name

Robin Winters

Organization

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Scientists around the world are holding summits presenting findings from extensive studies that have been underway. Just last week in Europe, a very respected Biologist,Dr. Boris Worm, released a News Alert informing Europeans, that by 2050 the oceans large fish will be gone. I find this highly unacceptable. World starvation is unacceptable. Zinc leaking into Stockton Lake in Missouri-What is being done? What impact on the ecosystem will this inflict before action is taken? Our ecosystem as a whole is under such extreme stress, it almost seems insurmountable. Has a plan been drafted for the debris that will arrive from Japan's tsunami? Have we drafted a plan for that huge plastic island that continues to grow out west of California. Our Ocean ecosystem is impacted dramatically every day by that island. Are we going to do something about it? Or are we going to continue sitting on our thumbs? The Gulf Coast Region. The Deadzones are growing at an alarming rate. What are the plans with Pesticide and Fertilizer Manufactures? Oil from oil changes can be recycled now. How about making that a law, instead of throwing it in the ocean or rivers? Debris from Natural Disasters. I have just returned from Joplin, Missouri. They are burning debris. There is toxins galore. No regulation going on there. I guess that's the real problem here. You can have all the "Regulations" you want, but you have to get the Nation on board. You need to get this Nation informed about how serious the situation really is. Not some watered down version. But the, "Holy Smokes People" if we don't all pull together here and stop polluting our water supply and destroying our main oxygen creator; we are all going to go belly-up. Robin Winters Saint Cloud, Fl

Attachment:

Name

Mark Gleason

Organization

Ocean Peace, Inc.

Which Priority Objective would you like to provide comment on?

Ecosystem-Based Management

Comment:

Please see attached comment letter

Attachment:

Attachment included in index: Comment of Ocean Peace, Inc. (3 pages)

Coastal and Marine Spatial Planning

Name

Susan Allen

Organization

The Pew Environment Group (Our Ocean)

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Oregon is uniquely suited to be listed as a short-term benchmark for the nation in obtaining final seafloor mapping within the next eighteen months and characterization of areas in the ocean unsuitable for commercial development, those areas that are "mixed use", requiring further analysis, and those areas that may be appropriate for pilot siting of renable energy siting. Our state plan designates these outcomes by the end of 2012. So, Oregon can be used as an example of common sense outcomes in a relatively short amount of time that will have the bottom-up development and stakeholder buy-in that is vital for success.

Attachment:

Name

Mark Gleason

Organization

Ocean Peace, Inc.

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Please see attached comment letter

Attachment:

Attachment included in index: Comment of Ocean Peace, Inc. (3 pages)

Name

Karen Anspacher-Meyer

Organization

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

AMSP is an important tool to achieve healthy oceans. We don't want it to just be an exercise in protecting existing uses and adding new uses. Conservation of key environmental processes and habitat is vital. Planning should include the identification and protection of important ecological areas and processes. Plans should rely on the best-available science - but not be delayed by calls for more study. Strong public involvement and stakeholder engagement is essential to the success of ocean planning efforts.

Attachment:

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

This action plan states that "applicable non-confidential and other non-classified Federal data. will be incorporated into the National Information Management System and Data Portal. " It also states that an objective is to "reduce cumulative negative impacts on environmentally sensitive resources and habitats. " As this action plan is developed into policy, please keep in mind the sensitive nature of certain information (e. g. , site locations) associated with underwater cultural heritage sites. Specifically, many of these sites are only minimally protected from the destruction of marine salvage and treasure hunting. Therefore, information regarding the location of these non-renewable resources should be considered confidential and not released to the public.

Attachment:

Name

Henri Boulet

Organization

LA 1 Coalition

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

June 30, 2011 Michael Weiss Deputy Associate Director for Ocean and Coastal Policy National Ocean Council 722 Jackson Place, NW Washington, DC 20503 Re: Comments on CMSP Strategic Action Plan Outline Dear Mr. Weiss: The Louisiana Highway One Coalition, Inc. (LA 1 Coalition) appreciates the opportunity to provide written comments on the National Ocean Council's Strategic Action Plan for Coastal and Marine Spatial Planning. The LA 1 Coalition is an organization of more than 55 corporations and local government entities actively supporting improvements to the LA Highway 1 Corridor in southeast Louisiana. As you are aware, coastal Louisiana and particularly Port Fourchon in Lafourche Parish are America's energy workhorse, supporting the exploration, production and delivery of more than 16 percent of this nation's foreign and domestic oil and gas supply. Perhaps unlike any other region of this country, south Louisianans recognize the importance of deepwater oil and gas development to America's energy security, and willingly partner with the federal government and the energy industry to provide the resources, infrastructure and manpower to deliver this offshore energy to America's heartland. Developing our domestic resources in the OCS is absolutely critical to reducing our future national dependence on foreign oil and to provide thousands of jobs the country desperately needs right now. In this respect, the LA 1 Coalition appreciates the Strategic Action Plan's objective of mapping and assessing economic and societal resources in the Gulf of Mexico, and enhancing national energy security. To achieve these significant objectives the NOC should go one step further by having appropriate federal stake holding agencies of national energy security, namely the U. S. D. H. S. , U. S. D. O. E. , U. S. D. O. T. and U. S. D. O. I. work together mapping out critical, at-risk energy infrastructure and make sure they are on the same page (within the President's cabinet) in awarding federal grant monies which secure critical infrastructure needs. This will promote domestic investment in the energy sector which historically offers high paying jobs. Furthermore, this leads to an obvious lower reliance on imported oil and lowers the significant passing-on of wealth to other nations. The LA 1 Coalition cautions federal agencies seated at the table of regional planning bodies to not over-value views of extreme environmentalists unfamiliar with the national economic implications of a failed energy security policy. Such individuals often want to prohibit utilizing our vast natural resource deposits and care not what the financial implications of withholding these resources puts on society including the operations of federal, state, city, and county/parish governments. It is imperative that the implementation of CMSP is informed by a clear understanding of potential adverse economic impacts of excluding an activity in a particular region, especially since individual federal agencies can adopt CMSP policies as part of their agency rules. Being fair in recognizing an obvious leading economic sector in a particular region, such as the energy sector along the Gulf Coast, should guaranty that sector a representative on the Regional Planning Body. The NOC should not be discriminatory and allow, say, representatives of regional fishery management councils, while disallowing members of the energy sector which provide a higher percentage of a regions GNP/jobs than the fisheries sector. Fair representation of economic sectors based on overall economic importance to a region must be the lead criteria in formulating the membership of the Regional Planning Bodies. Otherwise, the NOC will be viewed as purposely excluding a leading economic driver from the table, and this will only alienate a huge segment of the citizenry and the Congress. The LA 1 Coalition was pleased to read that the SAP will promote enhanced national energy security. We are also pleased that the process will concentrate on recognizing economic development opportunities that also protect traditional uses. Economic development along the coast will be vital to raising and sustaining tax revenues to reinvest in our infrastructure as we deal with impacts

from subsidence and climate change. Infrastructure such as Louisiana Highway 1 needs additional investment to continue serving our nation's daily energy needs and our local community as a job corridor for thousands of technologically advanced, high paying jobs.

Attachment:

Name

Barbara Byrd

Organization

Oregon AFL-CIO

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

It is our position that the coastal economy is in desperate need of economic development, and the coalition that has come together in Oregon is already making progress on finding good ways to protect our shoreline, preserve the traditional coastal industries, and start to bring new industries to the area. We are on the way to a strong plan for preserving our fishing industry, creating good jobs in the wave energy industry, and generating revenue to support local schools and public safety officers. We urge the federal government to support this collaborative work. Organized labor is proud to be part of the coalition of labor, business, environmentalists, fishermen and others, working together to support local communities, jobs and the coastal environment. Thank you for the opportunity to comment.

Attachment:

Name

Thomas J. Dammrich

Organization

Sport Fishing & Boating Partnership Council

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Sport Fishing & Boating Partnership Council (3 pages)

Name

Cora Campbell

Organization

State of Alaska

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

See attachment. Our commnets are consolidated for all 9 plans

Attachment:

Attachment included in index: Comment of State of Alaska, Department of Fish and Game (21 pages)

Name

Art C. Ivanoff

Organization

Sourthern Norton Sound Fish and Game Advisory Committee

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

See attachment.

Attachment:

Attachment included in index: Comment of Art Ivanoff (4 pages)

Name

Richard Charter

Organization

Defenders of Wildlife

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Defenders of Wildlife (2 pages)

Name

James Currie

Organization

National Marine Manufacturers Association

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of National Marine Manufacturers Association (7 pages)

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors Agreement on Ocean Health, CMSP (6 pages)

Name

Michael Kosro

Organization

Oregon State University and NANOOS

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Michael Kosro, OSU and NANOOS (1 page)

Name

Paul Engelmeyer

Organization

Ten Mile Creek Sanctuary Manager

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Supports the bottom up approach and the need to go beyond the three nautical miles in identifying ecological resouces and identifying the threats. The land sea connection is a priority from the estuaries and bays, as well as the ecological hotspots out past three miles. One concern is that every watershed is water quality impaired, a comprehensive strategy needs consistent investing in recovery planning at the watershed scale. The watershed approach builds on existing restoration efforts and will provide immediate successes. We need to ensure that the immediate land base is included in CMSP, cannot overlook estuaries and transition zones. Incorporate these pricinciples into current federal building programs (for example, bio soils at the Hatfield marine science center.)

Attachment:

Name

Dave Fox

Organization

ODFW

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Re: Data objectives. ODFW is finding that there are extensive amounts of available data for MSP; however, most of the data are not in a form suitable for supporting MSP. Most spatial datasets require significant amounts of analysis (spatial stat. analysis, modelling, etc) before they are in a form that is useful in planning. Most MSP processes seem to recognize the need to bring data together into a central system, but not recognize the signinficant analytical step (it may be the most expensive step in any process). Plans for MSP processes need to factor in appropriate time and money to complete necessary analyses of data.

Attachment:

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

SAP #2 - Coastal and Marine Spatial Planning o Overall Comments: An implementation plan is key to the success of the CMSP process and we recommend the full SAP be more explicit about how the outcomes and milestones will be accomplished. The direct actions neither are clear, tractable nor linked to a particular set of metrics to identify progress. Therefore, we recommend that additional context be provided in the full SAP that focuses on identifying actions and milestones. Furthermore, to avoid redundancies of current efforts underway, we encourage the NOC to involve the IOOS regional associations, external scientific community, and regional stakeholders in the writing and execution of the CMSP process. o Section II - 1. This SAP will be based on "sound science", however there is no mention of how the science should be done or how to bring in current scientific studies as part of the process. We recommend this SAP provides clarification on the science needs and how these data will be collected to inform the CMSP process. 2. The CMSP process needs to be conducted in a comprehensive way which includes accessing existing and future activities. o Objective 1 - 1. We believe, as a first step, the National Ocean Council should support a state-focused operational framework centered on regional issues with distributed data management and stakeholder engagement. By initially working at a more local level where CMSP efforts are underway, federal agencies would be able to build capacity and partnerships needed to operate a national CMSP process. One such partnership should be with universities, which house much of the analytical capability, research and training, experience, and outreach needed for a successful CMSP process. 2. We recommend a more formal role for the regional research experts to provide guidance to the regional planning bodies (RPBs). Specifically, we believe each RPB should be required to have a member who represents the external regional science community. o Objective 2 - 1. There is no mention of data quality standards (or at least disclosures), which will be important when integrating data from multiple sources, especially Federal with non-Federal. We recommend that the action plan addresses standards to help the interpretation and use of the data accessible by the public. o Objective 3 - 1. This plan omits a regional data integration or portal component and we do not see how a national data system could be developed without a defined regional system to match and complement the RPBs. Instead, we recommend the RPBs work closely with the Regional Associations of IOOS to create regional data portals for the integration and dissemination of regional data in support of CMSP.

Attachment:

Attachment included in index: Comment of Consortium of Ocean Leadership (11 pages)

Name

Jim Gilmore

Organization

At-sea Processors Association

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Public Comment on the Outlines for Strategic Action Plan Elements of the Proposed Regional Action Plans To Be Adopted Under the National Ocean Policy Comments Submitted by the At-sea Processors Association and Pacific Seafood Processors Association July 1, 2011 The At-sea Processors Association (APA) and the Pacific Seafood Processors Association (PSPA) provide the following comments on the outlines for Strategic Action Plans promulgated under the Administration's National Ocean Policy. APA and PSPA represent companies engaged in the harvesting and processing of fishery resources in waters off Alaska and the U. S. west coast. The fisheries in which we participate account for more than half of all seafood landed annually in the U. S. This is the fourth time that APA and PSPA have jointly filed comments on aspects of this Administration's national ocean policy. We are disappointed that none of the significant concerns that we have expressed have been addressed. We are similarly disappointed that none of the recommendations that we have put forward have been adopted. We can draw no other conclusion than that these public comment opportunities, and associated "outreach" activities by various federal agencies, are mere procedural formalities. There does not appear to be a sincere effort to understand stakeholder concerns and to develop policies that address such concerns. Indeed, the Administration appears to be following a pre-determined course of action, undeterred and uninformed by many stakeholders. To the extent that the outlines for Strategic Action Plans offer specifics, it is clear that these elements of proposed regional action plans require a significant expenditure of human resources and funding. The planning documents reflect the budget reality that Congress, which has not authorized any of the activities contemplated under the national ocean policy, is unlikely to appropriate funds for this initiative. The Administration has made clear that it will direct departments and agencies to divert discretionary funds to support a new bureaucratic process, including collecting and analyzing detailed data across the spectrum of large marine ecosystems that comprise the U. S. Exclusive Economic Zone (EEZ). As one of the principal oceans agencies, NOAA's budget will certainly be targeted for this diversion of funds to pay for unauthorized strategic action plans and other regional planning exercises. APA and PSPA are concerned about the impact of shifting funding from Congressionally authorized NOAA fisheries survey research, marine mammal research, and fisheries monitoring and enforcement programs. Our associations are particularly concerned about further disruptions of funding for already underfunded fisheries survey work. Introducing more scientific uncertainty into fisheries management requires fishery managers to act with further precaution and lower harvest levels. It is difficult to understand, particularly in these difficult economic times, how the national interest is served by diverting funds from core NOAA science programs that support tens of thousands of jobs in the $2. 0 billion Alaska and west coast groundfish fisheries to fund a project that at the most rudimentary level aims to do little more than encourage federal agencies to cooperate and communicate better with one another. Public comments filed by the Pew Trusts, Oceana, NRDC, and others, in April 2011 on the Notice of Development of Strategic Action Plans made clear that environmental organizations expect Regional Planning Bodies to usurp the authorities of regional fishery management councils. The comments of these environmental groups assert their understanding that regional action plans, among other things, will designate protective use areas for various purposes, including "to allow fish populations to recover. " At each step in the development of this national ocean policy, the Administration has had the opportunity to clarify that it will not be the purpose of Regional Planning Bodies to override the duties of regional fishery management councils. The Administration declines to issue such a clarification. APA and PSPA

have stated repeatedly that fisheries management should remain unambiguously the provenance of fishery management councils, which are composed of individuals who are expert in the conservation and management of marine resources. The Magnuson-Stevens Act (MSA) sets out a rigorous and participatory public process, and the development of fishery management rules must adhere to explicit requirements of the MSA as well as other applicable laws, including the National Environmental Policy Act (NEPA). The Outlines for Strategic Action Plans, including the Coastal Marine Spatial Planning element, like previous policy statements notes only that regional fishery management councils will have a consultative role in the regional planning process, offering no limitations on the scope of activities in which federal Regional Planning Boards dominated by two dozen federal agencies, most with no expertise in marine resource management, will engage. The Administration's policy statements are deliberately vague and ambiguous, except asserting that existing regulations must adhere to regional plans. Commercial fishing stakeholders and the regional fishery management councils cannot accept the subjugation of fishery management authority and public processes designed to encourage confidence in the management process to a planning body established by one branch of government, without requisite knowledge and expertise, and without meaningful opportunities for public participation. We are also confident that the Congress, which has put 35 years of work into designing and refining a true regional management process that is accessible to stakeholders, will not allow a process established by Executive Order to trump a successful, statutorily authorized, regional management system. As stated earlier in these comments, we are deeply disappointed that the national ocean policy initiative continues to move ahead without regard for concerns of numerous stakeholders, including the commercial fishing industry. It is unfortunate for all parties that our position have evolved from initial qualified support to being unable to support the initiative, if it continues in the current direction. We urge the Administration to pause this initiative to consider a more inclusive and constructive way forward. For additional information, please contact Jim Gilmore of APA at jgilmore@atsea. org and ph. (202) 712-9119 or Dennis Phelan of PSPA at djppspa@prodigy. net and ph. (703) 534-2705.

Attachment:

Name

Sue Goodman

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

My concern with this plan is how and whether is addresses land use policy, particularly for growth and residential building along the coastal areas. Also, prioritizing opportunities for the support of alternative energy exploration is important to Ocean policy. Considering how traditional energy producers contribute to the pollution of our waterways this point should not be diminished.

Attachment:

Name

Daniel Inouye

Organization

U. S. Senate

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Senator Daniel K. Inouye (2 pages)

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Coastal and Marine Spatial Planning - Regional stakeholders need to lead planning efforts, not only by providing comments but also reviewing scientific information. We support the proposed CMSP timeline extension for the development of CMS plans by 2020.

Attachment:

Name

Mike Doherty

Organization

Board of Clallam County Commissioners, Port Angeles WA

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

See attached statement of Commissioner Mike Doherty.

Attachment:

Attachment included in index: Comments of Commissioner Mike Doherty (1 page)

Name

Andrew Mack

Organization

North Slope Borough

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attached

Attachment:

Attachment included in index: Comment of North Slope Barrow, Office of the Mayor (11 pages)

Name

Greg Macpherson

Organization

Land Conservation & Development Commission

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Oregon has a long legacy of innovative land use planning, dating back to the mid-1970s when a statewide system was created. The system is guided by 19 planning goals, four of which relate to coastal and marine resources. As a result, Oregon is positioned to handle coastal and marine planning more promptly and effectively than other states. Speaking just as one member of the Commission that oversees the system, I can say that I will support the efforts to undertake this work.

Attachment:

Name

Kirk Meche

Organization

South Central Industrial Association

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

July 1, 2011 Michael Weiss Deputy Associate Director for Ocean and Coastal Policy National Ocean Council 722 Jackson Place, NW Washington, DC 20503 RE: Comments on CMSP Strategic Action Plan Outlines Dear Mr. Weiss: South Central Industrial Association, representing more than 200 member companies with over 45,000 employees, many of which are engaged in servicing the oil and gas operations in the U. S. Gulf of Mexico and around the world, advocates issues that are critical to the communities we serve. We sincerely appreciate the opportunity to submit comments on the strategic plan. Our issues are in concurrence with those of the LA 1 Coalition, which is a critical organization for the Bayou Region of South Louisiana. Coastal Louisiana, which includes Port Fourchon, America's energy workhorse, delivers more than 16 per cent of the nation's foreign and domestic oil and gas supply. We, as an organization and a region, realize the importance of offshore drilling and producing domestic oil. We are firmly in agreement that fairness should be observed in dealing with this leading economic engine for America. Please accept the letter submitted by the LA 1 Coalition as the supporting document for comments of South Central Industrial Association. Sincerely, Kirk Meche SCIA President

Attachment:

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

o EBM approach to CMSP. Regional Planning Bodies (RPBs) have political boundaries, whereas ecosystems cross political boundaries. This Strategic Action Plan should spell out procedures for RPBs to coordinate management actions, e. g. protection of migrating whales, which cross boundaries of adjacent RPBs. Maps and data provided by CMSP tools should not be cut off at political boundaries. o Outreach and Education: Currently, private industries that oppose the National Ocean Policy cast CMSP in an unfavorable light. The Stakeholder and Public Engagement and Participation section of this SAP should spell out an outreach strategy for educating average Americans as to the concepts and benefits of CMSP. o Implementation Schedule: The target date for Regional Planning Bodies to produce coastal and marine spatial plans (CMS plans) is 2020, which is a long time from now. We urge more ambitious efforts to implement the National Ocean Policy, with at least some of the Regional Planning Bodies producing CMS plans within the next 3-5 years.

Attachment:

Attachment included in index: Comment of Sierra Club Marine Action Team (3 pages)

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Is the purpose of this objective to address only impacts to environmental resources, or to also consider impacts to the built environment and public safety? ASFPM encourages the latter, and inclusion of considerations of the roles of local development planning/permitting, CWA 404, NFIP Letters of Map Change (LOMC), and aligned state development planning and permitting processes to achieve strategic planners' vision of "regulatory efficiency, consistency, and transparency as well as improved coordination across Federal agencies. " (p. 5) Planning and management frameworks need to provide economic and other incentives for public and private entities that choose to sustainably develop and who manage their coastal zone resources wisely. Planning is the key. Identify not only existing conditions, issues, challenges, and impacts, but also those that can be reasonably foreseen.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

see attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association CMSP (3 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Quinault Indian Nation comments to SAP 2, CMSP attached.

Attachment:

Attachment included in index: Quinault Indian Nation CMSP (3 pages)

Name

Jim Shine

Organization

Perkins Coie LLP on behalf of Statoil USA E&P Inc.

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Statoil (4 pages)

Name

Pete Stauffer

Organization

Surfrider Foundation

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

CMSP needs to prioritize protection of the natural ecosystem. As we consider new/ emerging uses, it's important for us to assemble mapping data on both ecological features and human uses. This will help us assess tradeoffs and ensure we have solid baseline data to monitor and manage adaptively. With respect to human uses, non-consumptive data is a critical component. In the State of Oregon, the Surfrider Foundation collaborated with state agencies to conduct a Non-consumptive Recreational Use Study. We are interested in collaborating on similar efforts in other states and regions, as well.

Attachment:

Name

Curtis Taylor

Organization

Association of Fish and Wildlife Agencies

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Please see the attached letter.

Attachment:

Attachment included in index: Comment of Association of Fish and Wildlife Agencies (3 pages)

Name

Jim Tozzi

Organization

Center for Regulatory Effectiveness

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Please see attached comments.

Attachment:

Attachment included in index: Comment for Regulatory Effectiveness (9 pages)

Name

Chuck Willer

Organization

Land-Sea Conservation Planning Project

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Yesterday at the Portland National Ocean Policy (NOP)listening session, I spoke with Dr. Lubchenco about Professor Bob Pressey's research program at the ARC Center for Excellence in Coral Reef Studies, James Cook University, in Australia. Dr. Lubchenco expressed her awareness of Bob and his work as a global leader in conservation planning. I informed Dr. Lubchenco that Bob's current work involves developing new and novel approaches to land-sea conservation planning. For the past three years Bob has built a substantial research program involving PhD and post-doctoral researchers at James Cook University. He leads Program 6 at the ARC Centre for Excellence in Coral Reef Studies: Conservation Planning for a Sustainable Future. Sub-Program 2 is working on integrated land-sea coastal planning. Here Bob's researches are advancing the conceptual and technical science of a spatial land-sea planning and exploring practical methods for the integrated planning of coastal catchments and nearshore marine waters. This work is directly relevant to multiple aspects of the spatial planning component of the NOP. Subprogram 3 is working to reconcile conservation values and economics. New approaches to incorporating conservation costs (including acquisition costs, opportunity costs and management costs) into planning decisions are being developed. Important research will address improved methods for estimating benefit-cost ratios in conservation and offer techniques for explaining and predicting reserve management costs. Subprogram 4 is developing new decision-support systems for sustainable management. Research and development is occurring on new software tools for return-on-investment decisions related to conservation actions as well as highly interactive systems that facilitate negotiation and involvement of stakeholders in planning decisions. Finally, Subprogram 5 addresses the implementation of spatial planning with stakeholders. This work seeks improved approaches to engaging with agencies, non-government organizations, resource users, statutory authorities and community groups. New ways of combining the technical aspects of planning with the social, economic and political aspects of stewardship outcomes are being developed. Again, all of the above work is directly relevant to implementation of the NOP. Much of the above work to date is captured in a major forthcoming review paper in the December, 2011 Annual Review of Ecology, Evolution and Systematics (AREES). The paper is titled Integrated Land-Sea Conservation Planning: The Missing Links. See: http://www. annualreviews. org/doi/abs/10. 1146/annurev-ecolsys-102209-144702 The authors of the review paper are Jorge G. Alvarez-Romero (lead author), Australian Research Council Centre of Excellence for Coral Reef Studies, Robert L. Pressey, Australian Research Council Centre of Excellence for Coral Reef Studies, James Cook University. Natalie C. Ban, Australian Research Council Centre of Excellence for Coral Reef Studies, James Cook University. Ken Vance-Borland, The Conservation Planning Institute, Corvallis, Oregon. Chuck Willer, Coast Range Association, Corvallis, Oregon. Carissa Joy Klein, School of Biological Sciences, University of Queensland, Brisbane, Queensland. Steven D. Gaines, Bren School of Environmental Science and Management, University of California, Santa Barbara, CA. For the past three years, Professor Pressey has worked with myself and Ken Vance-Borland of the Corvallis-based Conservation Planning Institute to develop an Oregon component of his land-sea planning research. In May of this year Professor Pressey spent three days in Oregon visiting coastal stakeholders and researchers at Oregon State University. Bob is keen to apply Program 6 research to Oregon in support of the National Ocean Policy. At yesterday's listening session, several speaks, including Dr. Lubchenco, expressed the idea that - in times of tight fiscal resources - partnerships are absolutely necessary to advance and implement the National Ocean Policy. I expressed to Dr. Lubchenco that the partnership notion would do well to involve Australian science partners in the support of NOP implementation. Dr.

Lubchenco agreed and recommended I submit comments stating so and calling attention to Professor Pressey's research program. I then spoke with John Stein, Acting Science and Research Director at NOAA's Northwest Fisheries Science Center. He indicated that NOAA science has several partners in Australia but was connected with Professor Pressey's Program 6. He expressed interest in connecting with any relevant science programs that will support the NOP implementation. I invite White House CEQ office and the National Ocean Council to reach out to Professor Pressey and his U. S. west coast colleagues. All nine National Priority Objectives will benefit from the work conducted by Professor Pressey's Program 6 research. Professor Pressey's contact information is as follows: Professor Bob Pressey FAA Australian Research Council Centre of Excellence for Coral Reef Studies James Cook University Townsville QLD 4811 Australia Phone (direct): +61 7 4781 6194 Phone (Centre): +61 7 4781 4000 Fax: +61 7 4781 6722 Email: bob. pressey@jcu. edu. au Here in Oregon, I am available as a contact for the U. S. component of the land-sea planning effort: Chuck Willer 541-231-6651 Email: chuckw@coastrange. org Thank you for the opportunity to submit these comments. Yesterday's listening session in Portland was inspiring. Stakeholder attendance was impressive and the spirit of good will in the room was excellent. Attached is a section of the forthcoming AREES review paper with examples of decision support tool applications.

Attachment:

Attachment included in index: Comment of Land-Sea Conservation Planning Project (2 pages)

Name

Kate Williams

Organization

Alaska Oil and Gas Association

Which Priority Objective would you like to provide comment on?

Coastal and Marine Spatial Planning

Comment:

Attachment:

Attachment included in index: Comment of Alaska Oil and Gas Association (5 pages)

Inform Decisions and Improve Understanding

Name

AnnaRose Adams

Organization

Oregon Sea Grant

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

My first comment is with regard to Action 1. Who is going to be responsible for setting research priorities? How often will these research priorities be set? It has come to my attention that within a number of the SAPs for NOP priorities, that there is numerous calls for interagengy groups (eg. RPB, or EBM "Work groups"). Are all these groups going to be separate, or is the vision to unify these groups into one body? My concern is that if there is an RPB group, a research priorties group, an EBM Science group, etc. , that efforts will A) not be efficiently coordinated in areas that have a lot of overlap, B) lead to burnout of officials who are often called to participate in such groups, and C) stretch already limited funding to run all these different groups. My suggestion is to consolidate these different groups as much as possible to increase efficiency of collaboration and decision making, as well as reduce burn out and increase spending.

Attachment:

Name

Jerome Arnold

Organization

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Ocean policies importance cannot be overstated because of all the stressors that are acting against the health of our oceans. We need to increase awareness of global climate crisis and maintain mitigation and protection as a priority in the White House and Congress despite the many other pressing issues. This priority should be higher than various war expenditures. If the oceans go the way things are predicted, we might as well kiss it all goodbye. I have three great grandaughters and I fear for what their futures will be like.

Attachment:

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

This action plan identifies ocean exploration and the integration of social and natural scientific information. I would encourage the National Ocean Council to continue supporting federal partnerships of ocean research that incorporates multi-disciplinary research efforts. Examples of these successful partnerships can be seen in efforts with the Bureau of Ocean Energy Management's (BOEM) and the National Oceanic and Atmospheric Administration's (NOAA) research on the artificial reef effect of deepwater shipwrecks in the Gulf of Mexico: http://www. boemre. gov/ooc/newweb/shipwreckstudy. htm; http://www. gomr. boemre. gov/homepg/regulate/environ/ongoing_studies/gm/GM-08-03. html; as well as BOEM, NOAA, and the USGS's recent survey efforts off the Virginia and North Carolina coast: http://www. blog. haulinggear. com/2011/06/boemre-noaa-and-usgs-launch-maritime. html

Attachment:

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health , IDIU (4 pages)

Name

Rennie Ferris

Organization

Our Oceans and many more

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

In Oregon's MR process it seemed that the science was the aspect most discounted. It needs to drive the process. Somehow neeed to build trust of scientific community. Can only hope it works with the adult population and we're not left waiting for our youth to grow into the mainstream to get there. Will say many adults do seem to grasp what's iinvolved. Maybe too much to hope the obvious would be more readily believed by so many that are in careers that would most benifit by what MR's and other ocean issues bring forth.

Attachment:

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

SAP #3 - Inform Decisions and Improve Understanding o Overall Comments: It is difficult to provide detailed comments on this SAP since it is based on the update to the Ocean Research Priorities Plan and Implementation Strategy which has yet to be released. Consequently, we urge swift release of this report, which was expected to be released last year, and encourage the NOC to cross reference this SAP in the other SAPs. Overall, more effort should be made to highlight specific partnerships with organizations, academia, and industry that engage with the general population on ocean science Similarly, educating the general public is different than educating policy makers. Also, actions and information needed to improve decisions made at a federal or regional level will be very different than what is needed at the state or local level. Therefore, we recommend the SAP addresses these important distinctions and incorporates some of the findings and recommendations found in the chapter on Education in the Report of the U. S. Commission on Ocean Policy. o Priority Objective: 1. In its current state, Section I neither addresses the importance of understanding how the ocean works as part of the earth system nor articulates how to achieve more generalized science literacy. Understanding the ocean shouldn't be reduced to understanding the benefits of the ocean to us. We should understand how the planet works as a matter of understanding earth systems, and the intrinsic value of maintaining a healthy planet. Therefore, we recommend changing the 4th bullet in Section I to: ? "Increase understanding of the vital role that the ocean, coasts, and Great Lakes play in our daily lives and in maintaining the health of the global ecosystem. " o Action 2 - 1. We recommend this action addresses the science needed to support the use of non-renewable, non-sustainable resources as well as renewable resources. Informed decisions on these types of uses are still needed and should be included in this SAP. o Action 3 - 1. The users and types of decisions should be defined to help identify the types of decision-support tools and processes that will be needed to support managers and policy makers. 2. We believe milestone, bullet 1 should not be a milestone. Instead, it should be a near-term action, which would feed into the outcomes and milestones. 3. We recommend a stronger mention of the explicit role for academia and industry in providing research and value-added information. o Action 4 - 1. This action only mentions scholarships, internships and fellowships starting in high school. Instead, we recommend it should target K-12 or early childhood-adult age groups and should focus on more than scholarships, etc. Beyond scholarships, ocean sciences need to be embedded in the mainstream science curriculum and in the informal/out of school education system at all levels. 2. This action should also include development and promotion of high quality, engaging out of school activities related to the ocean. 3. We recommend the NOC utilize quantitative targets rather than qualitative ones such as "more" and "increased". 4. There is no need to limit this action to federally-supported or fellowship/internship programs. We recommend the 2nd bullet be changed to: ? The number of students, especially from underrepresented groups, entering the workforce related to ocean sciences and management is increased by X. 5. We recommend the list in the 2nd bullet under "Milestones" should include community organizations, churches, high schools, community colleges, etc. 6. We encourage the NOC to examine the full scope of learning opportunities beyond academic

competitions referred to in the 4th and 5th bullets under "Milestones. " Instead these ideas should be expanded to consider other programs and service learning opportunities. 7. We recommend the addition of the following bullet to the "Gaps and Needs in Science and Technology" section: ? A better understanding of the knowledge, skills, and abilities that resource managers involved in CMSP and other ocean management activities need to have to enable the design of better Masters/Ph. D. programs that can produce students with the requisite skill set to be resource managers and advise decisions makers. o Action 5 - 1. We strongly support this action, which is very much needed, but we recommend that the overview sentence is changed to the following: ? Increase Ocean Literacy and fully incorporate ocean content into the regular practice of formal and informal educational programs for students, teachers, and the public. 2. We encourage the NOC to recognize the value of informal education programs in raising awareness as well as improving learners' abilities to assess risk and trade-offs, and to make informed and responsible decisions based on evidence. 3. We recommend the additional outcomes: ? Systemic inclusion of ocean topics and concepts, including the importance of the ocean in the earth system, in mainstream K-12 and informal education systems. A future action plan to accomplish the milestone that stems from an inventory and assessment of existing ocean education programs. 4. We hope the action plan includes a coherent, unified strategy for accomplishing these complex goals which influences the formal and informal education systems. Milestones should include an overall strategy for influencing standards, curriculum, assessment, professional development, exhibits, informal/out of school programs, etc. o Action 7 - 1. We recommend that these efforts should be integrated with local and traditional ecological knowledge.

Attachment:

Attachment included in index: Comment of Consortium of Ocean Leadership (11 pages)

Name

Nina Monasevitch

Organization

Kohola Leo

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Attachment:

Attachment included in index: Comment of Kohola Leo (2 pages)

Name

jack Nounnan

Organization

Communities For Justice And Peace

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Dumping in oceans: The U. S. Navy - 'Worlds Worst Offender'! Destruction of our Great Oceans has become routine practice by the U. S. Navy One carrier produces 34 million litres of untreated liquid waste and 16 tons of plastic waste every 30 days. It was 1993 when Sailor Aaron Ahearn refused orders to dump plastic garbage, broken equipment, and toxic waste into the sea. "I'm no longer willing to participate in killing the environment . against everything I believe. " He was reprimanded by his superior officer who tried to silence him, then Ahearn jumped ship and was court martialed for refusing orders to dump waste. This brought attention to long years of these Navy practices, but was again set aside, ignored, as is being done right now: Naval tests of weapons off our coasts in this latest unprovoked and undeclared war -against Marine Life! with further dumping of every variety of waste and toxic trash Back in 1972', at least, the world finally formalized agreements regarding long, 'taken for granted' abuses of our Great Oceans. II was the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters (MARPOL), known as the London Dumping Convention. More people everywhere should know about this turning of the tide! It was signed by more than 85 countries . prohibiting the dumping of mercury, cadmium, and other substances such as DDT and PCBs, solid wastes and persistent plastics, oil, high-level radioactive wastes, and chemical and biological warfare agents; requiring special permits for other heavy metals, cyanides , etc. That was 72' ! It's time to hold them to it! The basic provisions of the act have remained virtually unchanged since! It was all about: No dumping, degrading or endangering human health, welfare, the marine environment or ecological systems, banning any dumping of radiological, chemical, biological warfare agents nor any high-level radioactive waste or medical wastes. Four federal agencies took responsibilities under this Act: the EPA, the U. S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration (NOAA), and the U. S. Coast Guard. The EPA, to be the primary authorities for regulating ocean disposal! NOAA was to also be responsible for long-range research on the effects of human-induced changes to the marine environment. In conjunction with the Ocean Dumping Act, the Clean Water Act (CWA) regulates all discharges into navigable waters including territorial seas. Although these two laws overlap in their coverage of dumping from vessels within the territorial seas. The Marine Plastic Pollution Research and Control Act of 1987, (MPPRCA) prohibits the dumping of plastics within 200 miles of the nation's territorial waters and in all navigable inland waters. Over the years there have been certain changes, but not regarding the Navy, whose actions consistently overrule all regulatory agencies and world treaty bans, simply stated; "Such bans pose too much of an inconvenience in the lost space such equipment would take". thus routinely given extensions for the hundreds of ships continuing to dump at sea. Congress passed legislation in 1987 that "forced" the Navy to comply with the Treaty and the Navy ignored it! This is reported as "the Navy historically being reluctant", but it's a matter of 'power' submitting to no one! We also have reports by naval personal, of the navy routinely dumping nuclear waste, expended munitions and other toxic substances, which they plan to do again soon, in these next tests off our northwest coasts, unless stopped! The United States Navy has summarily rejected any Congressional or regulatory controls, while ignoring the World Treaty, a military rule probably incorrigible to a majority of the American people The Navy tosses more than 28,000 tons of garbage overboard each year (an older report) including more than 500 tons of plastic . Ships, like small cities with no landfills. www1. american. edu/TED/seawaste. htm - Cached Greenpeace has particularly monitored dumping of nuclear, intermediate level radioactive wastes at sea, many nations using both Pacific and

Atlantic as their dumping sites. archive. greenpeace. org/odumping/radioactive/reports/odhistory. pdf - Similar ***** TOKYO (AFP) - The UN, in Oct. , called for immediate action to save life on Earth, 193 nations and some 15,000 participants in Japan. "The world must act immediately to stop the rapid loss of animal and plant species that allow humans to exist. " said before a major summit on biodiversity, a "defining moment" in the history of mankind. Looking at mortalities and critical harm: Deep-diving beaked whales - already exposed to massive dumpings of all forms of waste, face sonar impacts (much lower than those needed to cause hearing loss), yet consistently turning up with hemorrhaging in their brains, emboli in their livers and other organ tissue. The impact of Navy sonar drives them to alter their highly-evolved dive patterns in ways that induce "bends"-like injuries. This view is supported by multiple peer-reviewed articles on dive physiology, tissue pathology, and other subjects. How to prevent these injuries is most serious, given that beaked whales make up one-sixth of all marine mammal species on earth. Let it also be known: Navy sonar causes whales and other marine mammals to stop vocalizing and feeding, to abandon habitat, to panic, to put themselves at risk of ship collision, and, in some cases, to strand and die. These impacts occur in some species at very low levels of sonar exposure and affect vast numbers of animals. All of these behaviors are obviously critical to survival of entire populations, many of which are already endangered or depleted. "Federal Clean Water Regulations Limits Oil Spills & Marine Pollution. " are mere words with little to no meaning,. unless enforced Sailing the high seas without comprehension of the wonder seems so odd. Is anyone oblivious to the sense of awe and the respect great oceans invoke? How can each individual 'pay back, in kind ' for such extraordinary sea experiences? Impervious to dumping ones own garbage, toxins and untreated human sewage into the very homes of great sea life? Firing even one explosive shell into the sea somehow not begging the question of what's impacted by such an act? Aaron Ahearn was ordered to help dump 200 plastic bags of garbage into the ocean every day, along with old computers and desks, hazardous solvents and raw sewage - all in violation of environmental laws and our own sane beliefs. The Obama Administration put a premium on good science in environmental policy. in 09' . It's time to be enforcing The Treaty - The Prevention of Marine Pollution by Dumping of Wastes and Other Matters (MARPOL) The Obama Administration put a premium on good science in environmental policy. in 09' . It's time to be enforcing The Treaty - The Prevention of Marine Pollution by Dumping of Wastes and Other Matters (MARPOL) and overturning these Naval tests of weapons which promise great harm to all forms of Marine Life. Join our Coalition to stop this madness Nationally inspired by the efforts of Agricultural Defense Coalition of www. agriculturedefense. org. Mendocino, Susan Radebaugh, locally, . Coalition Against Naval Weapons Testing and killing of Marine life . . . connecting with native tribes, environmental, legal and other groups nationwide. passed on by. . . Communities For Justice and Peace, Humboldt. Co. Ca. sending out reports and research studies, exposing media bias and holding government accountable 707-442-8733 ++++++++++

Attachment:

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

o While we applaud the efforts to inform scientific communities, conduct research, and otherwise promote science-based decision making, we also support strong outreach efforts to educate the general public on ocean, coastal, and Great Lakes issues as needed to build a political constituency in support of the National Ocean Policy. This must include support for adequate funding to fully implement the NOP. o We encourage inclusion of heartland states as stakeholders in the process. While they do not have jurisdiction over the coastlines, and would not be part of Regional Planning Bodies, their understanding and support of the National Ocean Policy is necessary for nationwide implementation. Also, support of heartland states is necessary to control land-based activities that ultimately can impact coastal and ocean waters, e. g. the creation of dead zones in the Gulf of Mexico and Chesapeake Bay.

Attachment:

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

ASFPM encourages the strategic plans to explicitly clarify whether the goal is to improve understanding of coastal resources, flood risk, vulnerable ecosystems, human populations, natural processes such as coastal erosion, a combination, or all of the above. Additionally, Action 3 to provide science support for managers and policy-makers needs to assure that the Federal Emergency Management Agency participates in the interagency team, and that FEMA training and outreach are included in the training curricula, decision-support tools, and information services that are developed and provided to coastal/Great Lakes decision makers. Informed decision makers are more knowledgeable decision makers. Increase the public's knowledge by every mechanism possible - including via the social media networks. Educating the public about the pressing issues facing our oceans is vital. Develop and provide a more comprehensive awareness of environmental conditions and trends, as well as human impacts and activities that affect the coastal zones and our oceans. Develop specific messages for specific audiences. Continue delivery of the climate adaptation message.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association, IDIU (3 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Quinault Indian Nation comments to SAP to Inform Decisions and Improve Understanding attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation, IDIU (3 pages)

Name

Michael Stocker

Organization

Ocean Conservation Research

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

Comments attached as a PDF

Attachment:

Attachment included in index: Comment of Ocean Conservation Research (2 pages)

Name

catherine toline

Organization

national park service

Which Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

Comment:

SAP - Inform Decisions and Improve Understanding Text - Develop joint agency aquaculture initiatives through the Joint Subcommittee on Aquaculture and other partnerships. Comment - this is a good idea. There needs to be up-front information and discussion that allows for the understanding of the potential effects of aquaculture on marine and coastal resources. Text - Develop test beds to provide enhanced wind energy forecasts via the High Resolution Rapid Refresh modeling system Comment - This is of particular interest to resource managers in the Caribbean region Text -Create an interagency (Federal, State, Tribal, regional, and local) team that will complete an assessment of existing and needed research, data, information, traditional knowledge, decision-support tools, and training to support ocean, coastal, and Great Lakes decision-makers. Comment - this has the potential to be a tremendous amount of work without new returns Text - Develop one or more pilot projects that use socioeconomics and natural sciences to identify, develop, and test valuation frameworks for ecosystem services. o Based on the results of the pilot projects, develop a framework for valuing the ecosystem services of the Nation's critical ocean, coastal, and Great Lakes resources. o Perform trends analyses to characterize human interactions with the ocean, coasts, and Great Lakes and identify 'cutting edge' issues, with intent to maintain relevant data collection and analyses for the long term Comment - There are several published papers on the theoretical approach to ecosystem "valuation" and application to resource management. It is not completely clear from the text whether new models are to be developed ("develop and test valuation frameworks") or existing theories will be applied to the pilot projects. Additionally, it would be of value to first assess what work has been performed on-the-ground utilizing socioeconomic and natural sciences to assess ecosystem services. This is oftentimes done when compensation is being made for, for example, disasters such as oil spills where a monetary value and socioeconomic value is applied to lost ecosystem services. To this end, data are quite possibly available to perform this task without initiating new efforts.

Attachment:

Coordinate and Support

Name

Jerome Arnold

Organization

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Tsunami planning should be integrated with other ocean planning efforts. There exists tsunami mitigation technologies that could be incorporated to protect people and infrastructure. Restoration efforts for impacted habitat would benefit from pre-event planning. Perhaps wave energy devices could also perform tsunami effects reduction.

Attachment:

Name

Thomas J. Dammrich

Organization

Sport Fishing & Boating Partnership Council

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Attachment:

Attachment included in index: Comment of Sport Fishing & Boating Partnership Council (3 pages)

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

One of the objectives of this action plan is to develop procedures to identify and align mutual and consistent management objectives and actions across jurisdictions. One of the best ways that this goal can be accomplished, in reference to underwater cultural heritage sites, is by incorporating the UNESCO 2001 Convention Annex rules as a set of best practices for preserving underwater cultural heritage sites. These rules can be found at: http://www. unesco. org/new/en/culture/themes/underwater-cultural-heritage/annex-of-the-2001-convention/

Attachment:

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health, CS (4 pages)

Name

C. Elaine Giessel

Organization

Kansas Chapter, Sierra Club

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

As a marine ecologist and resident of an interior "square state," my primary concern is the lack of specific strategies for educating and engaging the general population and/or elected officials from the Heartland. Failing to provide a meaningful place at the table for Midwest interests (as many as 20 states!) during the early development of the National Ocean Policy strategies may prove disastrous politically for building support nationwide. Inland agricultural interests will have few incentives to buy into strategic plans which may be perceived as proposing new water quality regulations or constraints on upstream watershed states not represented in advisory councils. There is a critical need to improve communications to the Heartland on marine issues that face the nation as a whole and the impacts (economic, social, environmental) that can affect non-coastal regions.

Attachment:

Name

Charles Hudson

Organization

Columbia River Inter-Tribal Fish Commission

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

President Obama, through Executive Order in December 2009, directed all agencies of the US Government to formulate tribal consultation policies. As of this date (07/01/2011)those policies are not complete. It is imperative that federal agencies complete draft policies, initiate tribal review, and finalize. When complete, those policies should be integrated into the National Ocean Policy framework.

Attachment:

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Coordinate and Support Great Lakes legal structure is complex and all efforts in the bi-national areas of the Great Lakes require coordination with Canada. Mechanisms for this coordination are in place in the Great Lakes such as the Great Lakes Water Quality Agreement and entities such as the Binational Executive Committee that includes representation from both governments in order to provide coordination and support.

Attachment:

Name

Dave Lacey

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

I suggest choosing real stakeholders who are participating actively in their field for the regional committees. The regional committees need to balanced and diverse similar to Oregon's stakeholder representation dictated by HB3013 in the marine reserve process. These stakeholders were active in the fields and were able to share their experiencial knowledge with each other to come up with a good outcome.

Attachment:

Name

Mary Loos

Organization

Our Oceans

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

I'm glad that there's this much work going on about it. I glad for the people that are working on this and I appreciate the efforts that are going into solving these problems.

Attachment:

Name

Peter Papesch

Organization

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

I am most concerned that the envisaged planning process incorporate policies and mechanisms that will make the plans easy to implement.

Attachment:

Attachment included in index: Comment of Peter Papesch (2 pages)

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Many of the crucial decisions impacting our ocean, coasts, and the Great Lakes take place at the local, state, or territorial levels. This Strategic Action Plan should promote participation by NGOs and the general public as needed to effectively provide bottoms-up input to the governmental entities. This should include identification of local, state, and regional marine and coastal management initiatives already underway.

Attachment:

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

One of the greatest challenges for resource managers and planners is the existing patchwork quilt of planning and regulatory processes, many of which conflict or serve as barriers to effective and sustainable resource management. Planning frameworks need to be national (providing for both horizontal integration across agencies, and vertical integration across levels of government), adaptable to regional variations, and allow for Short-, Mid-, and Long-Range planning horizons. Work Groups need to be formed to work on priorities, as well as for coastal and marine spatial planning. Information, data, and data collection responsibilities need to be shared. Watershed associations, regional planning organizations, and river authorities may provide models for marine and coastal collaboration on such needs as planning, funding, technical assistance, regulatory frameworks, and data.

Attachment:

Name

Leo Stewart

Organization

Confederated Tribes of the Umatilla Indian Reservation

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

See attached comments of Leo Stewart, Interim Chairman, Board of Trustees, Confederated Tribes fo the Umatilla Indian Reservation

Attachment:

Attachment included in index: Comment of Leo Stewart, Confederated Tribes of the Umatilla Indian Reservation (2 pages)

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association, CS (3 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

Quinault Indian Nation comments to SAP "Coordinate and Support" attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation, CS (2 pages)

Name

Laura Todd

Organization

US Fish and Widlife Service

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

We fully support the objectives of the Strategic Action Plan on the Oregon Coast and look forward to continuing with our partners to support the plan.

Attachment:

Name

catherine toline

Organization

national park service

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

SAP - Coordinate and Support Text - Objective: Better coordinate and support Federal, State, Tribal, local, and regional management of the ocean, our coasts, and the Great Lakes. Improve coordination and integration across the Federal Government and, as appropriate, engage with the international community Comment - There should be a focus on increased accountability for every entity involved ie. What are the consequences of not meeting objectives? Text - Enhance intra-Federal agency connection, and enhance interaction with States, through more regularly scheduled (quarterly as the ideal minimum) meetings. Comment - this does not guarantee success and therefore should not be considered a milestone. Text - Identify the most common conflicts and their causes. These might include jurisdictional overlap or uncertainty in statutes, tendencies toward mission creep, cultural differences in agencies and governments, or lack of communication among executing entities. Identify solutions for the most problematic or frequent causes. Comment - This should already be in effect. If not, there are larger issues to address. It should not be necessary to develop a federal policy to initiate this effort.

Attachment:

Name

Robin Winters

Organization

Which Priority Objective would you like to provide comment on?

Coordinate and Support

Comment:

1. On page 8 of the Ocean Policy you refer to the United States "accession to the Convention of the Law of the Sea and ratification of 1994. Correct me if I am wrong, the United States has never ratified the Law of the Sea Convention due to the conflict over deep seabed mineral mining and sharing of tech intel. Plus, other technical jargon. 2. It took 2 years to get this far. This does not show me that you are all on the same page here. Is there too much tension between departments, to be effective? 3. Just look at the Listening Session in Jacksonville, FL. As I made my way from table to table, most of your "Warm Bodies" were not thrilled to even be there. Furthermore, many questions I had could not be answered because they had not even read the 96 page Interagency Ocean Task Force Policy. How do you expect to accomplish setting up any type of coordinating and regulating effort, when you have trouble organizing this Listening Session? How do expect to garner the support of a Nation, when you don't "Advertise" to the Nation. As your "PR" representative said to me, "We sent out emails to people on the list. " Really? How sad is that? You might want to rethink that mentality. You have a wealth of resources you are over looking: The Advocacy Community. Do you know, that is how I found out about the Listening Session. A fellow Advocate who patrols the Government site, gave out the heads-up. Advertise in the Farm and Tractor stores, Aquarium Hobbyist Chatrooms. You need to think out of the box. On Facebook alone, there are over 10 million advocates, and we have a weekly agenda. So you don't have the money to hire more help, we don't do what we do for money. We do it for our families and for people we don't even know. You might think about that in your next meeting. If you want this to succeed, you need to get this out to the people. Not just the "Influential People", but people who actually show up and do what they say they are going to do. Robin Winters Saint Cloud, Fl

Attachment:

Resiliency and Adaptation to Climate Change and Ocean Acidification

Name

Sara Aminzadeh

Organization

California Coastkeeper Alliance

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Attachment:

Attachment included in index: Comment of California Coastkeeper Alliance (3 pages)

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

It is unclear why the following was only included as a milestone in this action plan: "Develop strategies to address the unique needs for adaptation of cultural resources on shores and underwater, including consultation with tribes and SHPOs" (Action 6. 4, page 10). However, it seems that this could easily be applied to most of the strategic action plans. Since this action plan is focused on climate change and ocean acidification, I would direct the Council to a few articles that discuss the loss of coastal archaeological and historic sites as a result of sea level rise. "Shoreline erosion, bluff retreat, and sea level rise all present potential for site destruction. " From, "Threatened Archaeological, Historic, and Cultural Resources of the Georgia Coast: Identification, Prioritization and Management Using GIS Technology" in Geoarchaeology: An International Journal, Vol. 25, No. 3, 312-326 (2010), M. Robinson, C. Alexander, C. Jackson, C. McCabe and D. Crass "In coastal zones and other environments around the world, however; thousands of archaeological sites are rapidly eroding or endangered by other destructive processes. " From, "The Systematic Use of Radiocarbon Dating in Archaeological Surveys in Coastal and Other Erosional Environments" in American Antiquity, Vol. 64, No. 3, 431-443 (Jul. , 1999), J. Erlandson and M. Moss "Projected sea level rise and urban expansion during the 21st century threaten to destroy much of our global coastal archaeological heritage. " From, "Our disappearing past: a GIS analysis of the vulnerability of coastal archaeological resources in California's Santa Barbara Channel region" in Journal of Coastal Conservation, published online, 12 October 2010, L. Reeder, T. Rick and J. Erlandson

Attachment:

Name

Kristi Birney

Organization

Environmental Defense Center

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

On behalf of the Environmental Defense Center (EDC), we write to provide comments to the National Ocean Council for several Strategic Action Plans (SAPs) that address pressing issues facing our coast, oceans, and Great lakes. We commend you for your efforts in developing the SAPs which will guide a more compressive and interdisciplinary approach to ocean management. The Interim SAPs are a great first step towards developing plans that will guide future ocean governance. We appreciate the opportunity to comment on the following SAP: 2) Resiliency and Adaptation to Climate Change and Ocean Acidification a) The Channel Islands National Marine Sanctuary (CINMS) Reserve System would be an ideal candidate for inclusion into a system of 'sentinel sites' to provide baseline and long-term monitoring data that could play a role in determining resiliency and adaptation to climate change and ocean acidification. b) Anthropogenic sources of Carbon Dioxide (C02) should be identified as an example stressor for which we have direct control over. We recommend including the following revised language: "Reduce the impact of stressors over which we have more direct control (e. g. anthropogenic sources of C02, pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes to climate change and ocean acidification. " Please see pg 3 & 4 of the attached document for more details. Thanks Kristi

Attachment:

Attachment included in index: Comment of Environmental Defense Center (5 pages)

Name

Henri Boulet

Organization

LA 1 Coalition

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

The Louisiana Highway One Coalition, Inc. (LA 1 Coalition) appreciates the opportunity to provide written comments on the National Ocean Council's Strategic Action Plan for Resiliency and Adaptation to Climate Change and Ocean Acidification. The LA 1 Coalition is an organization of more than 55 corporations and local government entities actively supporting improvements to the LA Highway 1 Corridor in southeast Louisiana. LA 1 Coalition appreciates the Strategic Action Plan's intent to conduct vulnerability assessments and to identify of adaptive actions for economic resilience. Such tools can better help federal, state, and local governments prioritize their funding needs to address larger issues affecting the public good. The LA 1 Coalition does not agree with the SAP's Action 6, 6th-Bullet Milestone of "no-net increase in the amount of property developed in high-hazard areas. " Coastal resources are hugely important to this nation's security, and to efficiently mine them, development of coastal-located support bases must be allowed as long as developers adhere to international building code requirements and FEMA flood map requirements. Forcing new support bases to be built further inland will significantly increase environmental impacts caused by marine vessels wave action and resulting land-loss on inland waterways. As well, the transportation cost in fuel alone for hundreds of vessels traveling further inland to load support materials bound for the Outer Continental Shelf will only drive up fuel production cost for all U. S. citizens. The LA 1 Coalition also does not agree with the SAP's Action 6, 9th- Bullet Milestone naming "resource extraction" as a stressor. Our country vitally needs these resources, and they should be termed as "assets to national security" within the SAP. It is well known that the U. S. B. O. E. M. R. E. has significantly revised safety procedures for resource extraction. In the interest of furthering high paying jobs in resource production and furthering our national energy security, it is time this administration view domestic resource production as an asset. Without it, the entire nation would go into an energy crisis like we have never before experienced, and the cascading economic impacts of such a crisis would no doubt place the nation's economy into chaos. America's failure to adopt a long-range energy policy that takes advantage of domestic energy resources is costing jobs and boosting energy costs for consumers, putting further strain on the economy.

Attachment:

Name

Jim Carlson

Organization

Chair of Netarts Citizen's Planning Advisory Committee and life-long resident; member of Otter Rock Marine Reserve Working Group

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Jim H. Carlson (Netarts, OR), : Netarts Bay has a commercial oyster hatchery that was awarded a substantial Sea Grant to study oyster production and the effects of ocean acidification. Wants to see continued interest and support from federal government. Netarts is one of the most pristine bays on the West Coast. The hatchery uses water from the bay and is already concerned that it has become acidified. Mr. Carlson wants the federal government to continue it's support for monitoring at Netarts. As we study what's going on with water inside the bay, it's going to give us information on the coastal environment and the relationship with Dungeness larval numbers.

Attachment:

Name

Corrina Chase

Organization

Oregon Shores

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

It is very important that work to address climate change be incorporated into all of the planning areas. This work must be very proactive and strengthen the resiliency of both ecosystems and communities. Steps must be taken to help systems cope with the effects of climate change by releaving pressures in other areas. For example, salmon are facing severe change from increasing water temperatures, changing freshet timing, and ocean effects. To compensate for this, drastic measures like dam removal and intensive habitat restoration need to be pursued strongly. Similar approaches can be used on a larger scale and for other systems. Local planning needs to engage communities, starting with strong science-based predictions of the range of changes that coast communities will face, involving citizens and planners in discusion of how this will effect their community, and ending in plans that will help the communities adjust to change. In Oregon, Oregon Shores is conducting a pilot project with a number of communities to this effect. It is time to move climate change and its effects from a debate on what is happening to real action to limit further release of greenhouse gasses as much as possible and to make very serious moves in terms of adaptation.

Attachment:

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health, Resiliency and Adaptation (6 pages)

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

SAP #5 - Resiliency and Adaptation to Climate Change and Ocean Acidification o Overall Comments: The timescales of actions in this SAP lack near-term and more mid-term focus. Therefore, we recommend providing stepping blocks toward achieving the long-term goals. All action times should allow for continued action, evaluation of program, and opportunity for evaluating and applying new conservation approaches when necessary. In particular, scientific evidence shows that many species (e. g. , corals) will not be resilient and will not adapt to currently projected climate and chemistry changes. Therefore we recommend this SAP recognize the need for new and effective mitigation and conservation approaches beyond those afforded solely by natural resiliency and adaptation. It should also discuss minimizing impacts rather than just managing them. We believe this SAP does not adequately address the need for downscaling climate models to provide regional information to states and nations. In addition, we recommend this SAP incorporate both a focus on international partnerships and references to the recommendations of plans addressing this issue, such as National Research Council and National Academies of Science reports. o Action 1 - 1. We recommend the following bullets in the "Milestones" section: ? Solicit and evaluate potential preservation, restoration, mitigation, and adaptation actions that would conserve ecosystems and their services, beginning with support of actions that help stabilize if not reduce atmospheric CO2 levels. 2. We recommend the addition of the following three bullets in the "Gaps and Needs in Science and Technology" section: ? Understanding and prediction of future thermal, chemical, and physical regimes at local to global scales. ? Solicitation and evaluation of adaptation, management, and mitigation options for conserving species and ecosystems. ? Synthesizing "best available information" for climate change impacts predicted in next 15-25 years. o Action 3 - 1. We recommend the following near-term action: ? The NOC should supplement the existing observing assets operated by the IOOS RAs with additional pH/pCO2 sensors and other related measurements across a representative diversity of coastal and estuarine locations, especially in areas of marine resource vulnerability (e. g. , coral reefs, shellfish beds, etc.), thereby establishing a coastal network of ocean acidification observations. o Action 4 - 1. We recommend the addition of the following bullet in the "Milestones" section: ? Propose and evaluate specific ecosystem management practices that could mitigate, avoid, or ameliorate climate and acidification impacts. o Action 5 - 1. We recommend the addition of the following bullet in the "Milestones" section: ? Assist decision makers in conceiving of and evaluating management practices that may reduce impacts to vulnerable areas.

Attachment:

Attachment included in index: Comment of Consortium of Ocean Leadership (11 pages)

Name

William Gilly

Organization

Stanford Univeristy

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

An important element of ocean climate change is the shoaling of oxygen minimum zone environments on the US Pacific Coast and over the entire Eastern Pacific Ocean in general. Lower oxygen concentrations at shallower depths will lead to an increase in the frequency of upwelling of low-oxgyen water onto the continental shelf, where interactions can take place with other processes that can also directly lead to hypoxic conditions. This situation is unique to the Pacific coast; the Atlantic Ocean off the US does not have a natural oxygen minimum zone. It seems that research into these phenonmena and the key species expected to be impacted (mesopelagic, pelagic, benthic, nearshore) should be put on the same level of concern as ocean acidification. The present draft guidelines explicitly include acidification, and increasing hypoxia should also be included in this way.

Attachment:

Name

Liane Guild

Organization

NASA Ames Research Center, Ecosystem Science

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Please see comments in attached document. Thank you for the opportunity to comment and I look forward to the evolution of the SAP. Best and fond regards, Liane

Attachment:

Attachment included in index: Comment of Liane Guild, NASA Ames Research Center (1 page)

Name

Courtney Johnson

Organization

crag law center

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

I noticed that the implementation timeline for action on adaptation to climate change is "long term. " Given the information we have available regarding the effects of climate change and ocean acidification, we need to be taking action to implement measures to address climate change and acidification NOW. I fully support collection of more data and analysis, we can always learn more, but given the availale information shows a serious risk to ocean ecosystems from effects of climate change and ocean acidification already, actions need to start today, and not be relegated to "long term. " If we are losing ocean resources due to climate change effects then other action items will be in vain. this needs to be a top priority. Thank you for the opportunity to provide these comments.

Attachment:

Name

Phillip Johnson

Organization

Oregon Shores Conservation Coalition

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

The strategy speaks to the need for improved, coordinated modeling and projections of sea level rise, increased erosion rates, impacts on intertidal marsh areas and so forth, which is all to the good. The strategy also addresses the need for reducing community vulnerability and increasing resiliency in the face of these impacts, also well and good. But the abstract language of the plan begs the key question of whether the full range of potential impacts will be forthrightly addressed, however politically inconvenient. To be useful, the plan needs to include clearly informing the public that the IPCC projections are not only the absolute minimum, they are below the minimum, because no one with any actual knowledge of the situation thinks that there will be no glacial melting. Without overemphasizing the more alarming scenarios, it must nevertheless be made clear that drastic melting of the Greenland and West Antarctic ice sheets is entirely within the realm of possibility--the public must be informed of the findings of glaciologists that point to increasingly rapid ice sheet melting. Flexible planning that allows for the possibility of catastrophic sea level rise is essential. The plan mentions fortification among the options, as well as retreat. However, if the Greenland ice sheet collapses, potentially huge investments in fortification against moderate sea level rise impacts could go for naught and actually make matters worse, while wasting huge amounts of precious resources. The vital goal of increasing community resilience, then, requires two elements in the plan: 1) Clearly communicated public information that provides a clear understanding that while projections are uncertain, rapid sea level rise due to accelerated ice sheet melting is a real possibility and must be planned for; and 2) development of planning toolkits that show communities best practices for adaptive planning, which is to say planning that is flexible enough to accomodate scenarios from those slightly above IPCC projections to those involving sea level rise of many feet within a few decades, accompanied by higher storm surges due to increasing wave heights. There may not be any one "best practice," but detailed, useful information on the range of options, from rolling easements to dike removal, together with funding assistance to both local governments and NGOs seeking to apply adaptive planning to their areas, are needed if the abstract language of the strategic plan is to translate into effective adaptation on the ground. Sincerely, Phillip Johnson, Executive Director, Oregon Shores Conservation Coalition

Attachment:

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Resiliency and Adaptation to Climate Change and Ocean Acidification - Current stakeholder efforts in the Great Lakes Region are developing climate adaptation agendas.

Attachment:

Name

Tawnya Peterson

Organization

Oregon Health & Science University

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

I would like to see some language addressing the inter-relationships between this issue (particularly ocean acidification) and other problems such as nutrient pollution (eutrophication) and ocean observing infrastructure (ie, stressing the importance of instrument calibration/data quality/long term records); understanding the relationships between eutrophication and ocean acidification may provide increased robustness in the prediction of expected or anticipated changes.

Attachment:

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

See attachment

Attachment:

Attachment included in index: Comment of Sierra Club Marine Action Team, SAP 5 (2 pages)

Name

Greg Rau

Organization

Univ. Calif. Santa cruz

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

See attached document with NOC listening session statement, and editing of SAP #5 draft wording.

Attachment:

Attachment included in index: Comment of Dr. Greg Rau, UCSC (13 pages)

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

The outcomes/outputs associated with Action 1 (p. 2) and Action 2 (p. 3) need to yield actionable data and other planning products for community development and adaptation planning purposes. Under section 1 (pg 2, Why Do This), first bullet: Managers require improved understanding of not only scale, scope, and intensity of impacts but also timing. Recommend adding this here, and in section 3 (Outcomes). Under Action 2, section 1 (Why Do This, pg 3), fourth bullet: As part of the information that the Federal government can provide, include some characterization of the uncertainty associated with these "best projections. " Managers do need to know our best guess of projected changes at different spatial scales, but they also need to know how certain we are (or are not) about those changes. This is noted within the Milestones section, but it's worth including the point here and anywhere else projections or predictions are noted as outputs. The greatest challenge facing communities working to adapt to anticipated effects of climate change is the need not just for data, but for actionable, legally-defensible data in which to ground development standards and plans. Ranges of data based on uncertainties yield little for a community working to adopt land use, zoning, and hazard mitigation plans that will prepare them for changes to come. It would be most helpful for federal government to guide, and incentivize, those communities who adopt standards based on reasonably foreseeable changes. For example, those coastal communities that adopt substantive and defensible adaptation plans should "go to the front of the line" for federal infrastructure investment in resilient areas of their jurisdiction. Those who do not plan properly, and request federal funding to continue to build in harm's way, should not continue to be rewarded. Under section 4 (Milestones), first bullet on pg 3: Are human responses (either adaptive or maladaptive) to be considered as part of the "coupled natural and human system" in the integrated research projects? As written, the projects would evaluate ecosystem responses to an array of climate drivers, but it will certainly be important to factor in some assumptions about human response to those drivers that can impact ecosystems (e. g. , shoreline armoring, reduction in freshwater inflow or timing due to increased human consumptive uses). Additionally, some of the most vulnerable coastal communities (built environments) should be identified and closely monitored along with the natural "'sentinel sites and systems' to provide information critical for improved forecasts, vulnerability assessments, and adaptation strategies. " (p. 4) Lastly, sentinel sites provide critical information on landscape and ecosystem responses to climate forcings, especially sea-level rise (SLR). Even if every protected area were so instrumented, would we have the information we need to understand spatial and temporal patterns well enough to interpolate or extrapolate (as applicable) trends or projections to developed areas? If not, what can be done to develop the data needed for developed coastal regions? Under section 3 (Outcomes, pg 4), first bullet: Reconsider the appropriateness of trying to provide a "best" or single storyline for each of the selected timeframes. What is the "best" storyline? The most probable? The most consequential? If, instead, you provide a scientifically supported range of values for each parameter at each timeframe, you then are giving people information that would permit scenario development and planning. This approach allows end users to explore plausible futures based on their most critical (impactful) climate uncertainties, and to identify robust management options in light of these uncertainties. Giving a "best" or single future means end-users have no choice but to plan and manage to a single future - the one you've predetermined to be the "best. " Under Action 3, are the Milestones (section 4) and Gaps (section 5) related to observations and monitoring, including related instrumentation and data

management and delivery, linked with SAP 9? If not, such a connection should be called out. Actions 4, 5 & 6 may present the greatest opportunities to meet adaptation needs on timeframes that reduce national exposure. Actions need to encourage interim measures that can be taken to reduce vulnerability while assessments are in development. Planning needs to provide for the active solicitation and support of research on methods to identify areas for protection and restoration, and selection of those areas most suited for new development and redevelopment. From a flood perspective, we need to map for current and future sea level rise, provide the public with awareness about their risk (both current and future), and work toward mitigating that risk. Vulnerability assessments and risk analysis of at-risk communities must be initiated and then publicized to those at-risk communities. Communities must consider those impacts and develop/strengthen mitigation plans. Again, planning is the key. It is squarely in the federal interest to continue monitoring efforts, and to enhance those efforts with expanded stream gage and shoreline data gathering. Planning needs to include incentivizing innovative partnerships for the gathering and analysis of coastal and near-shore data, and for rewarding those communities that plan and implement plans for adaptation. Action 4, under section 5 (Gaps), second bullet: While it's certainly possible to invest resources to conduct robust assessments of landform and ecosystem response and vulnerability of human development / infrastructure to sea-level change alone, a more meaningful product would look at the combined impacts associated with sea-level change and an increase in coastal storm intensity. The latter is also expected to be influenced by climate change. Coastal landforms and ecosystems respond to both SLR and storms in some similar, but also some distinct ways, and both climate drivers have an important impact on the vulnerability of the built environment. In the end, managers are likely to be concerned more with the cumulative impacts rather than just those associated with SLR. Action 6, under section 3 (Outcomes): Is there really such a thing as "climate smart" siting and design? "Climate-informed" may be a more realistic term. Also, consider modifying the end of this bullet to read (substantive additions underlined), ". reductions in the loss of life, property damage, and human misery, and decreased costs of responding to and recovering from disasters. " Also, under section 4 (Milestones): Many of these milestones begin with the verb, "promote. " In these cases, when will you know when you've achieved the milestone? These appear to be actions that bring you to an end (an outcome), rather than being ends or milestones on their own. There is also some redundancy among a few of the milestones on pg 10 (e. g. , bullets 1 and 3 concerning reducing vulnerability via natural systems, bullets 4 and 7 concerning changes to Federal disaster programs to consider climate change).

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association, SAP 5 (3 pages)

Name

Susan Ruffo

Organization

The Nature Conservancy

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Attachment:

Attachment included in index: Comment of The Nature Conservancy (7 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

Quinault Indian Nation comments to SAP "Resiliency and Adaptation to Climate Change and Ocean Acidification" attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation SAP 5 (3 pages)

Name

Deanna Spooner

Organization

Pacific Islands Climate Change Cooperative

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

July 1, 2011 Comment Letter Submitted By The Pacific Islands Climate Change Cooperative To The National Ocean Council On National Ocean Policy Strategic Action Plan On Resiliency And Adaptation To Climate Change And Ocean Acidification (76 FR 4139) I. Summary The Pacific Islands Climate Change Cooperative and its partners are working in a coordinated fashion to provide information, knowledge, and strategies that will inform regional implementation of the National Ocean Policy (NOP) in general and implementation of the Strategic Action Plan on Resiliency and Adaptation to Climate Change and Ocean Acidification specifically (Climate SAP). Although climate change and ocean acidification are cross-cutting issues and thus should be integrated into implementation of the NOP as a whole, we restrict our comments to the Strategic Action Plan on Resiliency and Adaptation to Climate Change and Ocean Acidification (Climate SAP) and the three issues presented in the Federal Register Notice soliciting public comment (76 FR 4139): I. Near-term, mid-term, and long-term actions II. Major obstacles to achieving this objective; are there opportunities this objective can further, including transformative changes in how we address the stewardship of the oceans, coasts, and Great Lakes? III. What milestones and performance measures would be most useful for measuring progress toward achieving this priority objective? II. Background Information on Existing Regional Effort to Address Climate Change and Ocean Acidification in the Pacific Islands We are living in a time of unprecedented global change that poses great challenges to the Pacific Islands. Seas are rising, ambient and ocean temperatures are increasing, weather patterns are shifting, and ocean chemistry is changing. Economic, social, environmental, and cultural impacts associated with climate change and variability threatens the lives and livelihoods of the peoples of the Pacific. This threat is compounded by the geographic isolation of Pacific Islands communities and their lack of fiscal, human, and technical resources. These accelerating and unavoidable changes in the global environmental system are generating an increasing demand for information about the specific local and regional impacts of climate change and variability that is reliable, relevant, timely, and easy to access and use. Meeting this demand requires the understanding, support, and meaningful participation of all responsible agencies, research institutions, non-governmental organizations, and communities, thus linking scientific and social initiatives directed at understanding and responding to a changing climate. At the regional level the US Department of Interior (DOI) through the Pacific Islands Climate Change Cooperative (PICCC) and the US Department of Commerce (DOC) through the National Oceanic and Atmospheric Administration (NOAA) and the Pacific Climate Information System (PaCIS) have agreed to establish mechanisms and methods for interagency communication, coordination, and collaboration directed towards the transformation of climate-related information into actionable knowledge. Co-evolution of the DOI and DOC/NOAA efforts through PICCC and PaCIS serves as a means to nurture essential partnerships, conduct shared assessments, align complementary interests and activities, sponsor joint projects, and leverage funding. This will minimize duplication of effort, maximize the use of agency resources in the Pacific, and foster the growth of a regional culture of cooperation that can serve as a national model. PICCC is a self-directed, non-regulatory conservation alliance whose purpose is to assist those who manage native species, island ecosystems, and key cultural resources in adapting their management to climate change for the continuing benefit of the people of the Pacific Islands. The PICCC steering committee consists of nearly 30 Federal, State, private, indigenous, and non-governmental conservation organizations and academic institutions, forming a cooperative partnership that determines the overall

organizational goals, program objectives, and research agenda. The steering committee is supported by a "core team" of staff from sponsoring DOI agencies, experts from within its membership, and external researchers (grantees). The Pacific Climate Information System (PaCIS) is a programmatic framework to integrate ongoing and future climate observations, operational forecasting services and climate projections, research, assessment, data management, outreach, and education to address the needs of American Flag and U. S. -Affiliated Pacific Islands (USAPI). It includes representatives of institutions and programs working in the fields of climate observations, science, assessment, education, outreach, users, and services in the Pacific as well as selected individuals with expertise in similar regional climate science and service programs in other regions, all working towards the PaCIS vision of "Resilient and sustainable Pacific communities using climate information to manage risks and support practical decision-making in the context of climate variability and change". PICCC and PaCIS each have capabilities that, taken together, constitute an "end-to-end" system of climate services to provide information and assessments about climate variations and trends, their impacts on built, social-human, and natural systems, and climate change adaptation strategies in support of decision making at local, regional, national, and global scales. The many agencies, institutions, and organizations encompassed within PICCC and PaCIS also have capabilities that can be brought to bear in understanding the impacts of a changing climate and facilitating adaptive responses, as do those encompassed within the Pacific Regional Integrated Science and Assessment (Pacific RISA) and the Pacific Risk Management 'Ohana (PRiMO) who are both working closely with PICCC and PaCIS in this effort. The mechanisms for regional coordination include formal and informal partnering of PICCC and PaCIS, ranging from reciprocal representation on governing bodies to joint conduct of climate assessments for the Pacific Islands. This coordination enables more strategic policy engagement at the regional and national levels and increases our collective ability to address regional, national, or international issues that cross geographic boundaries and statutory/regulatory authorities. III. Near-Term, Mid-Term, And Long-Term Actions Would Most Effectively Achieve The Climate SAP Objective The efforts of the PICCC, PaCIS, and our partners encompass all of the Climate SAP Actions: Action 1 - Improve understanding of the impacts of climate change and ocean acidification. Action 2 - Forecast the impacts of climate change and ocean acidification at decision-relevant scales. Action 3 - Strengthen and integrate observations from the Nation's existing array of protected areas, research sites and observing systems into a coordinated framework of "sentinel sites and systems" to provide information critical for improved forecasts, vulnerability assessments, and adaptation strategies. Action 4 - Provide accessible, timely, and relevant climate change and ocean acidification information, tools, guidance, and services to support decision making at all scales. Action 5 - Assess vulnerability of the built and natural environments and their interactions in a changing climate. Action 6 - Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions. All of these actions are of high priority and being implemented in the near-term because we do not have the luxury of time; climate change/variability and ocean acidification are impacting Pacific Islands here and now. Rather than duplicate the collaboration already successfully at work in the Pacific Islands, the PICCC recommends establishing a dialogue between the NOC and (when formed) the Regional Ocean Council and Regional Coastal and Marine Spatial Planning body to ensure that ongoing research and adaptation efforts are meeting NOP goals and objectives. IV. Major Obstacles To Achieving This Objective The primary obstacle to meeting the Climate SAP objective to "[s]trengthen resiliency of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and ocean acidification" is the lack of effective mitigation mechanisms. As long as atmospheric concentrations of CO2 continue to increase, any adaptive measure will provide limited, short-term reductions of risk and little hope of long-term resiliency. With regard to ocean acidification, current technologies can only ameliorate changes in ocean chemistry at localized scales insufficient to address large-scale changes to marine and coastal ecosystems. Likewise, climate variability and change already are testing our limited adaptation toolbox (e. g. , saltwater intrusion due to sea level rise and increased storminess has rendered many Pacific atolls uninhabitable, and there is no 'technological fix' to this problem). V. Milestones And Performance Measures The most meaningful milestone for Pacific Islands is the number of communities able to persist over time and maintain the customs and practices unique to their culture and locale. However, this milestone is not achievable across the region due to severity and rapidity of change. For example, if current sea level rise projections of 1-2 meters by the end of this century hold true, atoll island states like the Republic of the Marshall Islands will be forced to relocate their entire population. An equally important milestone is retaining a functional

percentage of current marine biodiversity and ecosystem function in the Pacific. An obstacle to developing meaningful and achievable targets and performance measures for this milestone is a scarcity of baseline information against which to measure success. A greater investment in observing and monitoring physical, chemical, and biological changes over the long-term is needed to verify model predictions. A near-term need is funding support of efforts to analyze and normalize existing data needed to make projections about impacts to systems, habitats, and species.

Attachment:

Attachment included in index: Comemnt of Deanna Spooner, Pacific Islands Climate Change Cooperative (4 pages)

Name

Stefan Talke

Organization

PSU

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

(1) Better understanding of historical climate change and natural variability is needed to be able to better predict future changes, vulnerabilities to storms, etc. In order to separate direct anthropogenic change (e. g. , dredging, dams) from natural variability (pacific decadal oscillation) and climate change, one needs to analyze long data sets (temperature, tides, etc). For example, there is about 50 years of tide data from Astoria between 1853 and 1925 which was measured but is not available to be researched. This gives information about historical changes in the river and the ocean. Past is preview.

Attachment:

Name

catherine toline

Organization

national park service

Which Priority Objective would you like to provide comment on?

Resiliency and Adaptation to Climate Change and Ocean Acidification

Comment:

SAP - Resiliency and Adaptation to Climate Change and Ocean Acidification Comment - overall there is little in here to reduce the threat. There have been instances where resources have been dramatically affected (e. g. coral bleaching in 2005) but nothing subsequently changed in human behavior. A greater focus on what can be done is needed. Text - Complete inventory and assessment of existing observations and monitoring capabilities in networks/systems of coastal and ocean protected areas, research sites, and observing systems. Based on the inventory (above), determine critical gaps in information/coverage and solutions for addressing these gaps. Comment - this is not a new initiative.

Attachment:

Regional Ecosystem Protection and Restoration

Name

LINDA ABDERSON

Organization

OUR OCEAN

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

top priority should be science based eco managment protection. 0% tolerance for any damage to reefs. Mitigation should only be considered as a very last resort!!!

Attachment:

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

One of the milestones listed under G. 7. 4 (p. 13) states, "Reactivate and repopulate the Sanctuary Evaluation List (SEL) with marine areas that have been identified as nationally significant due to their conservation, recreational, ecological, historical, scientific, cultural, archaeological, educational, or esthetic qualities. " There are numerous opportunities to promote and identify nationally significant underwater cultural heritage sites. The Battle of the Atlantic Expedition, for example, led by NOAA in partnership with other federal, state, academic, local, and NGO partners, is one example of efforts to document a large number of shipwrecks lost in one relatively compact area. These sites make up what could be considered a national underwater battlefield. Information on this effort can be found at: http://sanctuaries. noaa. gov/missions/2011battleoftheatlantic/

Attachment:

Attachment included in index: Comment of National Marine Sanctuary Foundation (4 pages)

Name

Mark Biddlecomb

Organization

Ducks Unlimited

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Attachment:

Attachment included in index: Comment of Ducks Unlimited (4 pages)

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health, Regional Ecosystem (4 pages)

Name

David Dow

Organization

Grassroots Environmental Activist from Cape Cod

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Having attended some of the Gulf of Maine Habitat Restoration and Conservation Initiative meetings, I feel that it is important to move forward with some of these proposals. This would require authorization and appropriations by Congress and support by the Northeast Regional Ocean Council (NROC) could promote this endeavor. Reports from the National Ocean Council listening session in Exeter, NH. (which I didn't attend because of the travel distance/expense issues and other local environmental commitments here on Cape Cod) suggested that we need action and not just planning between now and 2020. The GoMHRCI would fit nicely into the action category. Since population levels are likely to continue to rise in New England coastal watersheds and our coastal waters are already being impacted by human stressors like climate disruption and fishing, we need to begin work on habitat restoration and conservation. These projects need to address emerging concerns in regards to: shifting ecosystem baselines in our coastal waters/estuaries; provision of ecosystem services and conservation of natural capital; use of environmental economic metrics to evaluate success; development of appropriate environmental indicators to guide restoration and conservation priorities; employment of the "resilience' idea that we are are addressing coupled "socioeconomic-environment systems" (i. e. we manage people's behavior in order to protect wild places, wild things);and complex system behavior which leads to non-linear responses to human stressors (hysteresis and new baselines); etc. This requires the federal and state government agencies with regulatory responsibility to look at the world through an entirely different view in balancing human use with environmental protection. This will require the use of an adaptive, Ecosystems-based management (a, EbM) framework to address complex system challenges, while meeting restoration and conservation goals.

Attachment:

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

SAP #6 - Regional Ecosystem Protection and Restoration o Overall Comments: The marine environment is dynamic and current environmental conditions for marine species and habitats may not be available in the future. Protection and restoration strategies must be very adaptive, and accommodate potential change, movement, etc. , which will require long-term, sustained commitments to monitoring. Therefore, observations and monitoring should be considered outcomes for all action items in this SAP. We recommend that this SAP addresses existing, regional programs to leverage existing partnerships between all levels of government, academia, and industry. We also recommend that the restoration efforts in the Gulf of Mexico receive high priority and these efforts should be based on sound science and observations.

Attachment:

Name

Gus Gates

Organization

Surfrider Foundation

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Thank you for the opportunity to provide comments, the Surfrider Foundation Oregon Chapters are very supportive of implementation of the National Ocean Policy and look forward to partnering on the SAP's. On Strengthening Conservation Partnerships: This is a very important area, we should be more explicit in who we are talking about forming partnerships with rather than just Federal and Non-Federal. Let's be inclusive of NGO's, acedamia, tribal entities, community fishing organizations, local and state governments. Creating a broad tent that is fully inclusive of all interested stakeholders will result in the greatest level of engagement and ultimate support for implementing the policy. On Aquatic Nuisance Species: We should really be emphasizing the importance of a strong monitoring program here, if we aren't looking out for problem invaders, we are going to get caught asleep at the wheel. Not paying attention to the changes in community composition that could be happening will result in severe ecological and economic consequences for our communities. We should also be taking more of an ecosystem approach, and focusing on more species that just the Lionfish that has been identified. On Identifying Nationally Significant Areas in Need of Protection: We should establish short and long term goals for protecting ecologically important areas, restoring wildlife populations and ecosystem health. Thru the CMSP process it's important that we put the protection of ecologically important areas and ecosystem health as the number one priority. A key component of identifying important areas and providing them the protection that they deserve is to open up the National Marine Sanctuary program to establish new areas that are worthy of NMS status.

Attachment:

Name

Kerry Griffin

Organization

Pacific Fishery Management Council

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

The Pacific Fishery Management Council has been heavily engaged in ecosystem restoration and protection for 35 years. Many of the priority actions identified in the SAP are actions that the Council (along with NOAA Fisheries Service, as the implementing regulatory agency) is on the forefront of. For example, approximately 90% of the highest quality rockfish habitat in the West Coast EEZ is protected as Rockfish Conservation Area, to protect both the species and the habitat. Also, within the extent of groundfish essential fish habitat (EFH), the Council and NOAA Fisheries have established many Habitat Areas of Particular Concern (HAPCs) that are closed to bottom trawling and/or all bottom contact fishing gear. In all EFH, any Federally-authorized activity that may adversely affect that habitat must undergo consultation with NOAA Fisheries Service. This means that any activity - not just fishing activities - are subject to regulatory restrictions in these important habitat areas. Regarding Action 7 (within the SAP #6), we note that via the Council process, we have already identified many nationally significant marine areas in need of protection. Each of our four existing Fishery Management Plans (FMPs) contains EFH designations, as well as RCAs and other protective overlays, such as the Southern California Cowcod Conservation Area. The Pacific Fishery Management Council requests to be included as a formal member on the Regional Planning Body, and has the institutional expertise, structure, and ability to advance ocean stewardship in a collaborative, meaninful manner. Finally, we note that on SAP #6, there is no definition of ecosystem protection and restoration. Establishing a definition would help define the issues and the SAP. Please feel free to contact either Kerry Griffin or Dr. Don McIsaac at the Council offices with any questions. Ph: 503-820-2280.

Attachment:

Name

Kelly Hepler

Organization

National Fish Habitat Board

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Please see attached comment letter.

Attachment:

Attachment included in index: Comment of National Fish Habitat Board (2 pages)

Name

Cathy Kellon

Organization

Ecotrust

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

The National Ocean Policy offers a progressive framework to guide ecosystem stewardship planning and actions. However, it is not expected to bring significant new financial resources for implementation. In light of this, it makes it all that more important to focus on strengthening existing conservation partnerships, especially where there's high potential for scaling up to amplify the partnerships' effects or for creating a model that can be transferred and replicated elsewhere. As the Director of the Water & Watersheds Program at the nonprofit organization Ecotrust, I would like to bring your attention to two examples of existing and effective means for implementing Objectives 4 and 6 of the National Ocean Policy. The Whole Watershed Restoration Initiative (WWRI) is a unique public-private competitive grant program that focuses on freshwater salmon habitat restoration in areas of high ecological importance in Oregon, Washington and Idaho. Started in 2007, the WWRI is a partnership between Ecotrust, the Oregon Watershed Enhancement Board, USDA Forest Service, the National Oceanic Atmospheric Administration Restoration Center, the Bureau of Land Management and the Natural Resources Conservation Service. Each of the state and federal agency partners contributes restoration dollars to the Initiative. Ecotrust then makes this pooled fund available as grants to local groups for on-the-ground restoration activities. A major contributor to this pooled fund is NOAA's Restoration Center and their Community-based Restoration Program (CRP). Ecotrust is a grantee under the CRP and coordinates agreements with the Forest Service, OWEB, NRCS, and BLM to leverage additional dollars. The Partners recognized we have shared geographic priorities and goals. By working together we can bring new restoration funding to the Pacific Northwest and, as a result, increase our impact. Our philosophy is that by concentrating and coordinating salmon habitat restoration efforts where we have shared priorities and there is strong community support, effective collaboration, and high ecological value, then measurable and sustainable recovery can be achieved faster than when efforts are scattered across the landscape. For all of our successes, though, we still face obstacles in working across jurisdictional and organizational boundaries. Sometimes it is a matter of disparate or conflicting rules but sometimes it is because the institutions are not prepared to work in new ways, particularly with external partners. NOAA's Restoration Center is a bright spot, yet not all federal agencies are set up for taking collaborative actions. Our experience within the WWRI suggests that many of these problems can be readily fixed, if proper attention and resources are allocated. The National Ocean Policy offers a means to creatively resolve rule- or process-based impediments. As a result, partnerships such as the WWRI can realize even greater progress on the ground and in the water. I also applaud the NOC's intent to build local capacity for ecosystem protection and restoration. Capacity can be defined in more than monetary terms; a common resource constraint in the Pacific Northwest is people. Whether it's too few agency staff to attend to contracts or too few local practitioners with the expertise and time to implement needed work, there is clearly a need for more human resource capacity throughout all phases of restoration and conservation activities. In closing, I support the intent of the National Ocean Policy and hope its Strategic Action Plans will first focus on leveraging existing initiatives and partnerships that have proven themselves effective in meeting the objectives of the NOP. Recommended Priority Actions: Action 1 - Support shared regional ecosystem protection and restoration priorities. Action 2 - Strengthen conservation partnerships Action 4 - Create carbon-based incentives for coastal habitat conservation Action 8 - Improving the effectiveness of coastal and estuarine habitat restoration projects

Attachment:

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

The Council of Great Lakes Industries reaffirms its view that the extensive ecosystem protection and restoration plan developed by multi-stakeholders in the Great Lakes should be the basis for activity by the National Ocean Council. The consensus strategy, coordination and the partnerships developed in the Great Lakes do not need to be duplicated and provide a strong platform for any future action. In the near-term the National Ocean Council should limit its activities to bringing together the respective agencies already engaged in spatial planning, natural resource protection and management, and ecosystem restoration. The Council's primary mission should be to seek enhanced coordination -- including the sharing of Federal resources and assets -- among these agencies. Within an immediate mid-term the combined Federal coalition must establish solid links with State resource management and protection agencies as well as regional/local stakeholders. The roll of the Council must be defined as supporting partnerships among local ecosystem protection and restoration activities. Long-term support of these Regionally focused and Regionally directed planning, protection and restoration vehicles must be maintained in the long-term. The National Ocean Council has the opportunity to serve a leadership role in the long needed task of breaking down silos between the many Federal agencies and programs that currently seek to individually pursue stewardship roles for our oceans, coasts and Great Lakes. Evaluation of specific coastal spatial planning needs with respect to the Regional activities and functions already in place is necessary before going forward with new Federally directed planning exercises.

Attachment:

Name

Simone Maloz

Organization

Restore or Retreat

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Please see attached comments. If you have any questions or need more information, please do not hesitate to contact our office at 985-448-4485. Thank you!

Attachment:

Attachment included in index: Comment of Restore or Retreat (2 pages)

Name

Kara Miller

Organization

NOAA

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Attachment:

Attachment included in index: Comment of Kara Miller, NOAA (2 pages)

Name

Mia Nykoluk

Organization

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

-Require Hawaii and other coastal states to create a Coastal Construction Control Line -In Hawaii, do not allow further impacts to wetland areas , on Maui we have less than 50% of our wetlands left. -Create a buffer (no construction/impact area) similar to a CCCL around wetland areas. -For beach nourishment projects (any size) require a State DLNR or DEP (not private consultants) certified underwater survey of marine resources and require mitigation for potential impacts -For beach nourishment projects require a grain size analysis of existing beach (or the closest natural beach) sand and require the sand brought in be with 80% of the same grain size of the natural beach. -Strengthen enforcement on projects and increase fine amounts for impacts to the shoreline

Attachment:

Attachment included in index: Comment of Mia Nykoluk (1 page)

Name

Stephen Phillips

Organization

Pacific States Amrine Fisheries Commission

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

A critical need on the west coast for NOAA to become more engaged in quagga and zebra mussel prevention efforts. Salmon and steelhead are trust resources and threatended by these two invasive species. Specifically we need NOAA engagement in the the permitting process so that we can quickly eradicate/control a new infestation in the Columbia River Basin. This will require advance permitting and planning and needs to begin immediately.

Attachment:

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

We strongly support the initiatives proposed in this SAP, especially the following: o Actions to restore, and reduce further losses of, wetlands. o Recognition of the value of coastal wetlands, mangroves, and sea grasses to sequester vast amounts of carbon in their plant material and sediments (up to five times the rate of tropical rainforests per unit area) as important ecosystem services that can be evaluated and considered to increase the restoration and avoided loss of these habitats. o Addressing aquatic nuisance species in the Great Lakes and elsewhere. o Ensuring full mitigation for injuries to coral reef ecosystems. o Identifying nationally significant marine and Great Lakes aquatic areas in need of protection.

Attachment:

Name

Jerry Rasmussen

Organization

Natural Resource Management Associates

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

I think it is extremely important for the Council to address invasive species issues. I have attached copies of a report which I prepared for the U. S. Fish and Wildlife Service in 2002 and a more recently released report on the threat to the Great Lakes by the Asian carp and the need for ecological separation between the Great Lakes and the Mississippi River Basin for the benefit of both ecosystems.

Attachment:

Attachment included in index: Comment of Jerry Rasmussen, Natural Resource Management Associates (5 pages)

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

ASFPM encourages strategic planning that incorporates both the risks to the built environment and benefits to ecosystems of natural flood cycles and regimes. Natural and functioning floodplains and coastal ecosystems protect human systems far more effectively than any seawall. Where they can be restored and protected, plans should encourage and incentivize those choices. Where existing development provides fewer options or areas for retreat in the short-term, planning should incorporate to the fullest extent softer, greener, infrastructure choices and provide for longer-term strategic withdrawal from areas of greatest risk. Invasive aquatic plants have been demonstrated to reduce valley storage and conveyance, and damage structures during lock and flood gate operations. Strategic frameworks need to include this issue, and prioritize actions to address invasive aquatic species that pose public safety threats. (p. 4 & p. 11) Additionally, FEMA needs explicitly to be included in the agencies tasked with considering coastal wetland loss and impacts, since the relationship between CWA 404 and NFIP Letters of Map Change (LOMC) are often part of local and regional development review and permitting processes. (p. 7) Planning needs to provide for the investigation (and appropriate implementation) of opportunities to ensure that the various federal permitting processes are well-coordinated, grounded in standards that provide for changing conditions, and assure protection of the natural and built environments. Lastly, planning needs to provide explicit opportunities for input and engagement of local and regional planners and officials. Planning needs to encourage and incentivize regional cooperation and adoption of regional management standards, to allow for variation across regions and to reward those who collaborate across a region. Critical to the success of this planning effort, those adopted standards for a given region must be binding and provide for monitoring and enforcement; local governments are in a good position to achieve this, but may need political "cover" and incentives to join regional efforts.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association, SAP 6 (3 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

Quinault Indian Nation comments to SAP "Regional Ecosystem Protection and Restoration" attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation, SAP 6 (3 pages)

Name

Mark Sytsma

Organization

Portland State University

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration

Comment:

My comment focuses on the invasive species outcome. The focus on the lion fish seems inappropriate to me. The West Coast Governors Agreement on Ocean Health has focused on eradication of invasive spartina. The reasons for this are many, but a few include: 1) we have to tools to effectively address the problem, 2) states have invested substantial resources in the effort already, 3) the plant has demonstrated severe impacts on ecosystem services and local economies, and 4) it is a winnable battle. From a west coast perspective, it often appears that the closer an invasive species is to Washington DC the more attention it receives. It is important to consider regional priorities in the Ocean Plan. Thanks for the opportunity to comment.

Attachment:

Name

Jack Engle

Organization

Multi-Agency Rocky Intertidal Network

Which Priority Objective would you like to provide comment on?

Regional Ecosystem Protection and Restoration and Inform Decisions and Improve Understanding

Comment:

See attachment

Attachment:

Attachment included in index: Comment of MARINe (3 pages)

Water Quality and Sustainable Practices on Land

Name

Sara Aminzadeh

Organization

California Coastkeeper Alliance

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Attachment:

Attachment included in index: Comment of California Coastkeeper Alliance SAP 7 (7 pages)

Name

Laura Chariton

Organization

Salmon Protection and Watershed Network

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

For the last 4 years I have been studying the impacts of Riparian Policies, related to preserving salmonids, on local municipalities and counties in central and northern California. Based on all the scientific data these local laws are mostly insufficient in protecting river and estuary systems, critical to the survival of anadromous species, plus water quality in these systems and before their ocean terminus. Maps show the hypoxic ocean zones concentration along the shores of the United States and our population centers. The EPA and the Federal Government through the Oceans Protection program needs to oversee comprehensive federal policies in all jurisdictions in the US and put them all on alert to protect their watersheds if we are to have improved water quality and habitat. What I have discovered is that the piecemeal codes and ordinances either State, Federal or local are insufficient to protect the lifeblood of an entire watershed and ecosystem necessary to support these fish. Because the factors for ecosystem collapse and critical habitat degradation are anthropogenic, the need for better riparian protections is paramount to protecting the watersheds that impact ocean and anadromous fisheries. The deleterious activities that need policy change at the most basic level are these practices that include: pollution from plastics, chemicals and hydrocarbons and stormwater run off; agricultural run off with pesticides, herbicides, antibiotics; agricultural practices in general; pharmaceutical; radio frequencies and electromagnetic fields; radiation; erosion and sediment causing turbidity; water temperature rise; deforestation; urbanization; overdevelopment; development in sensitive areas; fish passage barriers; dams; dirt logging and other poorly designed roads; loss of tree canopy resulting in water temperature increase, etc. The last two decades of riparian restoration have seen marvelous indications that with proper guidance by government agencies, NGOs, tribes and grass roots organizations we can restore damage and bring back these rivers, creeks and estuaries to provide clean water and habitat. Water Quality is adversely impacted in all river systems from the lack of protections of critical riparian and estuarine zones. Estuaries are the primary buffer from sea level rise and are the lungs and fish nursery of the river system. The hydrologic functionality, fluvial geomorphologic function (sediment delivery system), are all impacted by insufficient watershed and riparian protections. The vegetative structures that naturally occur along flood plain banks and along river and stream banks are of paramount importance in maintaining water quality, and providing habitat for anadromous fish and other species. Water quality is maintained through the ability of the vegetative subterranean and surface structure by filtering pollutants, slowing run off, preventing erosion, protecting banks and adjacent lands, cooling water temperature, providing habitat, etc. The comprehensive Ocean Plan needs to address all of these issues in a broader ecosystem wide approach. The federal government must be instrumental in supporting the restoration of our waterways.

Attachment:

Name

Corrina Chase

Organization

Oregon Shores

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Please change the language in the water quality section under the bullet "Assess hypoxia status. " Studying hypoxia will not mitigate or prevent mass fish kills, etc. Actions will mitigate or prevent these things. It is essential that this SAP include language about actions rather than just more research. The causes of the hypoxia are pretty well understood- in the case of the Gulf of Mexico, for example, most of the problem is from land use practices and agricultural practices that put too much nutrients in the water. Because this is such a big problem, policy hasn't addressed it. It needs to be taken on directly. Include language such as "federal, state, and local agencies will work together to change the nature of land use such that there is a positive change in water quality. This will be done through improving BMPs, putting teeth in regulations, and tying tax breaks to BMPs that are expected to protect water quality. "

Attachment:

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health, SAP 7 (6 pages)

Name

Emily Fife

Organization

USDA-NRCS

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

NRCS is developing locally led Conservation IMplementation STrategies identifying resource problems on an areawide scale and working with partners to identify solutions and ways to leaverage partner actions. Many of these strategies are being developed to find solutions to water quality problems including: nitrates, pesticides, sedimentation and fecal coliform/ecoli. The majority of these solutions are being implemented on private lands and the benefits will contribute directly to improvements in the water that enters the ocean. Additionally, alot of focus is being given to forest land and the role good forest management can provide in water quality. Well managed forest land can also provide a good source of cool water. When looking at water quality and sustainable practices on land, more emphasis needs to be given to contaminants in water beyond nutrients. Pesticides, sediments, temperature, pharmaceuticals all have hugely negative impacts and need to be addressed as well. Also, a holistic look needs to be given to forest lands, particularly in the Northwest where many of the forest lands are publicly owned and managed and policy changes can have a direct benefit through management of these public lands.

Attachment:

Name

Sue Goodman

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

This action plan is very important as it provides the impetus to ocean acidification. Hypoxia and it's devasting effects on ocean species and it is critical that we use science and agressive policy and enforcement of new regulation to stop and reverse these horrific conditions which exist in our bodies of water. I do not put the fishing industry at the top of the priority list when it comes to this SAP, we need to correct and reverse the conditions we have created and make sure they don't happen again, ever. Following the fish is not longer an option. I also feel strongly about trash and marine debris and would like to see a way for better enforcement to be implemented, how about cruise ships that dump tons of toxic and damaging materials into the ocean??? Fisherman as well.

Attachment:

Name

Ritchie Graves

Organization

NOAA Fisheries

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

The water quality objective and potential actions fails to consider the emerging science on the impacts of toxics, pesticides, and herbicides on the environment. These issues should be considered of equal import as nutrients and sediment.

Attachment:

Name

Laura Kasa

Organization

Save Our Shores

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Attachment:

Attachment included in index: Comment of Save our Shores (1 page)

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Water Quality and Sustainable Practices on Land: States in the Basin have been particularly diligent in aggressively pursuing innovative land practices for water quality. These activities are ongoing, often advanced and tracked by multi-stakeholder and bi-national Lakewide Management Plans (LaMPs). These are spatial planning style programs

Attachment:

Name

Jim Martin

Organization

Board of Directors, Oak Lodge Sanitary District

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

I support all strategies and actions in the proposed Strategic Action Plan, but will comment on Action 2 - Reduce urban sources of excessive nutrients and sediments. Our Sanitary District is funding a major renovation project on our Wastewater Treatment Plant ($55 million) and Surface Water Projects ($1+ million each) to reduce nutrient and sediment loadings in the Willamette River (thus, ultimately, in the Pacific Ocean). Our small community of 30,000 residents understands and supports these projects as part of a "Clean Water" initiative to improve water quality in the Willamette River and, specifically, to bring back salmon to the creeks in our district. Therefore, I support (and, I believe, the community I live in also supports) identifying practices with the greatest returns and establishing scientifically-based water quality targets which will help us in our local efforts to reach water quality goals.

Attachment:

Name

Mike Matylewich

Organization

CRITFC

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

Many of the threats to water quality in the Columbia River Basin are shared by coastal and ocean ecosystems. Chemical contaminanats that originate in agricultural, urban, industrial and forest management areas run overland from non-point sources into our rivers, streams, and eventually into the ocean and affects the health and productivity of tribal fisheries. The Action Plan should include meaningful action items that will: 1. Limit the initial release of specific pollutants such as nitrates, phosphates, pesticides, herbicides, mercury, etc. through more effective control of non-point sources. Examples include urban stormwater capture, enforceable agricultural best management practices and implementations of water quality standards based on fish consumption rates. 2. Coordinate and support improved data collection on land-based chemical pollutant sources and monitoring of toxic chemicals in fish and shellfish as these are indicative of the health of the world's aquatic ecosystems. 3. Promote funding fro water quality programs within large aquatic ecosystems.

Attachment:

Name

Mia Nykoluk

Organization

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

-On Maui. please provide equipment for water quality testing - support watersheds in Hawaii that are based on the ahupua'a system

Attachment:

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

See attachment

Attachment:

Attachment included in index: Comment of Sierra Club Marine Action Team, SAP 7 (1 page)

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

This planning priority needs to be significantly reworked to incorporate the relationship between stormwater management and flood risk management, and the multiple advantages of integrated resource management approaches that are already operating at local and regional levels with tremendous success. One need look no further than Metro Atlanta, North Carolina and North Central Texas, to name just a few areas, to find interjurisdictional programs integrating flood risk, stormwater management, and water quality. This planning priority needs to support improved assessment and regulation of the causes of degradation of waterways, enhance water quality monitoring, and incentivize adoption of local and regional programs that integrate resource and risk management. It will be important to quantify the economic benefits of naturally functioning waterfronts, coasts, beaches, shorelines, wetlands, and near-shore riparian corridors. As emphasized in the previous planning priorities, sustainable land practices cannot be achieved without the local and regional adoption and enforcement of development standards that incorporate reasonably foreseeable impacts of sea-level rise and other hydrologic changes. Again, the importance of FEMA coastal mapping and the National Flood Insurance Program cannot be overlooked here. As newer coastal flood risk maps become available, they are anticipated to show many communities a lens on their risk to flood and coastal inundation. Some public resistance needs to be anticipated, and incentives put in place to educate and engage the public, and to encourage coastal adaptation measures. Federal planning and investment need to incentivize local adaptation and reward robust planning and discourage the failure to plan for adaptation. This will require federal planning to include education and outreach to state and local officials so that they make informed decisions in the adoption of coastal land use plans. This needs to include planning and other staff, as well as elected officials, volunteer boards, and commissions. The federal government need not go it alone here - numerous state NGOs stand ready to be the federal government's partners in such outreach. Finally, planning needs to incentivize innovative funding mechanisms in any economic climate, but particularly, under current public funding constraints. Public-private partnerships, low-interest loans, loan guarantees, and other funding means will be necessary where funding is needed for acquisition of the most vulnerable lands, protection of sensitive ecosystems, and education on the value to the public.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association, SAP 7

Name

Peter von Langen

Organization

Central Coast Regional Water Quality Control Board

Which Priority Objective would you like to provide comment on?

Water Quality and Sustainable Practices on Land

Comment:

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is the State Agency primarily responsible for water quality on the Central California Coast. We are one of the over 100 partners that makeup, support, and help design the two California Regional Associations of the Integrated Ocean Observing System (IOOS), CeNCOOS and SCCOOS, that encompass our region and serve as conduits between regional stakeholders and national policies. As part of Cal/EPA, the Central Coast Water Board recognizes the importance of the work done by CeNCOOS and SCCOOS, to provide data and observations that aid in our regulatory decision making. These Regional Associations, established under the ICOOS Act of 2009, increase efficiency in designing observing networks, managing diverse data sets, and improve access to information and products that address each of the NOP Priorities and aid decision makers such as ours. We are appreciative and support the recognition of IOOS in Action 4. Priority 9, however we feel there is a need to strengthen the application and utility of IOOS to all other 8 Priorities in the NOP SAP. Much of the text, recommendations and stated plans within the NOP read exactly the same as the charge to IOOS under the ICOOS Act. The successful organizational and data collaboration efforts led by the Ocean Observing Systems can and should serve as a building block to each of the NOP Priorities and goals, thereby making the efforts outlined in the NOP more streamlined, cost-effective and efficient.

Attachment:

Changing Conditions in the Arctic

Name

Linda Anderson

Organization

Our Ocean

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

While I understand this is very important and we need much more science, I feel that it should probably take a less important postition in our National Ocean Policy. This should be an international effort with international funding.

Attachment:

Name

Dave Ball

Organization

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

Executive Order 13547, issued in support of the current National Ocean Council efforts to develop a national ocean policy, clearly identified that one of the policies of the United States is to "respect and preserve our Nation's maritime heritage, including our social, cultural, recreational, and historical values. " However, within the nine strategic action plans developed by the NOC, and currently under public review, this is the only action plan of the nine that incorporates this policy as one of its actions. I am not sure how preserving our Nation's maritime heritage. cultural. and historical values ended up appearing only in an action plan that addresses changing conditions in the Arctic, but this policy should be incorporated into most of the action plans (in particular, the first four action plans that comprise the "How we do Business" category) and that protection and preservation of our Nation's underwater cultural heritage sites should be developed more fully as part of the overall National Ocean Policy.

Attachment:

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

SAP #8 - Changing Conditions in the Arctic o Overall Comments: This SAP outline covers all of the major themes related to the Arctic. However, we recommend that the full plan include the needs, goals, and activity related to both industry (oil and gas development, seabed telecommunications cable activity, tourism, and shipping) and the military. Furthermore, U. S. research and operations infrastructure in the Arctic is insufficient and considerable investment needs to be made in ice capable vessels. These are heavy users of the region and will be in the future. The concept of "map once, use many times", as well as "monitor often, use many times", should be greatly emphasized as it relates to the future monitoring and mapping needs in support of the data requirements for the themes and needs listed in the outline. As research and data collection requirements in the region require much higher costs to conduct, and the annual seasonal opportunity to access the areas of interest are limited, emphasis on "map once, use many times" and "monitor often, use many times" should be considered a mandatory requirement that calls for close coordination of such activities and resources across federal agencies. Furthermore, we encourage the NOC to incorporate the findings from the recent United States Geological Survey's report entitled An Evaluation of the Science Needs to Inform Decisions on Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska. Specifically, we concur with the need for a comprehensive science planning process for the Arctic. On page 122, the conclusion chapter reads, "A collaborative and comprehensive Arctic science planning process would bring great value to the decisions required to proceed with development of oil and gas and other strategic assets in the Arctic in a changing climate environment. " Also, we call for this action plan to address the recommendations found in the recent National Academies Naval Studies Board report National Security Implications of Climate Change on U. S. Naval Forces. o Action 1 - 1. In order to improve Arctic environmental response management and develop an ERMA type decision-support tool, we recommend first identifying the integrated datasets needed to populate such a tool. This should be done in coordination with #2 below. 2. We recommend the following near-term action: ? Develop field spill response procedures and management systems in U. S. Arctic waters to meet immediate needs of decision-making on future oil and gas exploration in the Chukchi Sea. The plan should identify the top five priorities for research and monitoring, including data integration and synthesis, for the next 2-5 years, which are directly connected to funds for those activities. o Action 2 - 1. We agree that improvements to sea ice observations and forecasting is an urgent need. It appears that funding has been secured for a high resolution U. S. Arctic Sea Ice Atlas (through the Alaska Ocean Observing System - AOOS) and for a lower resolution pan-Arctic Sea Ice Atlas (through the Alaska Center for Climate Assessment and Policy - ACCAP). These should be included as specific milestones for this action. o Action 3 - 1. We recommend the title of Action 3 be changed to: "Extend the Arctic observing network to broaden its spatial footprint and to include critical ecosystem and resource management components. " 2. We support the establishment of an internationally distributed biological observatory as a relatively low cost means of establishing time series observation transects and stations in the Arctic. However, we do not believe this - and improved sea ice forecasting - should be the only action items for implementing the observing network and climate and ecosystem themes included in this priority objective. Management of ocean, atmospheric, fishery and ecosystem aspects of the observing system should be coordinated. 3. We recommend the following two near-term actions: ? Downscaling of current climate models for the ocean ecosystems in the Beaufort, Chukchi and Bering Seas in order to incorporate climate change into future

scenario planning. ? Development of an integrated regional data node, such as the one being developed by Alaska Ocean Observing System, for federal, state, local, and industry research and monitoring data, in order to facilitate information sharing and synthesis. 4. We recommend the following two mid- to long-term actions: ? Development of a comprehensive, integrated, ecosystem-based research and monitoring plan for U. S. Arctic waters. Existing plans by agencies (NSF, NOAA, DOI) and other organizations (AK Ocean Observing System, North Pacific Research Board, US Arctic Research Commission) should be part of this broader, integrated plan. ? We recommend support for a fully-developed Alaska Ocean Observing System within U. S. Arctic waters, to complement AON activities. o Action 4 - 1. In order to improve Arctic communication in response to increased shipping needs, we recommend the following near-term action: ? An assessment of baseline ship traffic (all sizes) transiting the Bering Strait. o Action 5 - 1. We recommend establishment of baseline sea level measurements at select locations to complement improved mapping and charting in the Arctic,

Attachment:

Name

Andrew Hartsig

Organization

Ocean Conservancy

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

Please see the attached comment letter.

Attachment:

Attachment included in index: Comment of Ocean Conservancy, Oceana and Pew Environment Group, SAP 8 (40 pages)

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

o This SAP focuses largely on increasing scientific and technical means for observing, mapping, measuring and monitoring changes in the Arctic region, including the state of Alaska. We would like to see more emphasis on the use of policies and tools to protect the unique ecological and cultural values of this region. o The SAP calls for improvement of Arctic environmental response management, including development of management systems and procedures to protect communities and ecosystems from oil spills and other accidents associated with resource extraction (oil and gas) and Arctic marine transportation (e. g. , commercial shipping and tourism). We believe the wisest course would be to prohibit offshore drilling in the Arctic (or Beaufort and Chukchi Seas). o We support the concept of an international distributed biological observatory (DBO) in in the Pacific Arctic sector, and the goals of providing a better understanding of how climate change affects Arctic biology, and identification of the steps necessary to improve stewardship of the Arctic marine ecosystem.

Attachment:

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

As noted in other comments, the planning horizon needs to be adjusted to allow for nearer-term actions while assessments are in progress. We also recommend that an additional action be included to help communities in Alaska develop and implement plans to relocate infrastructure, housing, and employment centers from vulnerable areas. This action needs to include education and engagement of the public and of public officials. Lastly, we encourage a greater emphasis on international cooperation in the development of assessments, acquisition of data, hazard mapping, monitoring, and reporting.

Attachment:

Name

Scott Widness

Organization

Fugro (though writing as a private citizen)

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

To Whom It May Concern: As an Alaska resident with more than 30 years of experience working in the state's Arctic and sub-Arctic waters, I appreciate the opportunity to comment on the National Ocean Policy. In addition to stating my support for responsible development in offshore Alaska, I'd like to comment on the priority objective, "Changing Conditions in the Arctic," which seeks to better understand the Arctic environment through more and improved data collection and analysis, stakeholder communication and agency coordination. As a whole, these are laudable goals. I would, however, like to advocate for including industry in process. Contrary to popular opinion, much of what we know about Alaska's marine environment is the result of oil and gas exploration and development. Working within the OCS, the Gulf of Alaska and Cook Inlet, private-sector surveying firms like the one I work for have provided the bulk of the region's biological, atmospheric, geophysical and geotechnical information. In doing so, these firms have moved the technology and science forward; gains motivated in large part by competition in the marketplace. Success in the private sector mandates continual improvement. You must deliver a better product that typically exceeds regulatory mandates or government initiatives. It is disheartening, then, to have witnessed in recent years government agencies increasing their role in acquiring and processing Alaska-based marine geophysics and seafloor mapping while decreasing the percentage of federal dollars contracted to private sector firms for these same services. This kind of agency-building fails to provide best value and it fails to serve the taxpayer. There is a role for government in overseeing Arctic development and monitoring the effects of climate change. That role is not to duplicate the services already found within industry, but rather to supplement with the private sector where needed, manage the overall process, synthesize the results and report the findings to lawmakers, stakeholders and citizens at large. Relying on the private sector to lead in areas where they maintain expertise will help the United States further advance Arctic mapping and charting. Thank you again for this opportunity to comment. Sincerely, Scott Widness

Attachment:

Name

Robin Winters

Organization

Which Priority Objective would you like to provide comment on?

Changing Conditions in the Arctic

Comment:

The Arctic is a brutal environment. Human beings are not designed to survive in this region of the planet. Mammals migrate to this haven to escape our abuses and raise their young. This ecosystem is very fragile. 1. There should not be any drilling for resources allowed. How would a disaster like the "Gulf" be handled. Not well! We are not made to withstand these harsh conditions. Cleanup would be impossible. The technology is not there. 2. The Inuit's are unspoiled. Why should we sully them? Why force our advances on them and ruin their safe haven? 3. More activity in the Arctic, means more communication devices. We know sonar interrupts whale and dolphin ability to navigate. We also know, that cellular phones interrupt the normal process of bee's. How much farther are we willing to go, before we collapse our entire biodiversity? Robin Winters Saint Cloud, FL

Attachment:

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Name

Lisa DeBruyckere

Organization

West Coast Governors' Agreement on Ocean Health

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Attachment:

Attachment included in index: Comment of West Coast Governors' Agreement on Ocean Health, SAP 9 (4 pages)

Name

Robert Gagosian

Organization

Consortium for Ocean Leadership

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

SAP #9 - Ocean, Coastal and Great Lakes Observations, Mapping and Infrastructure o Overall Comments: This plan needs to address the data and infrastructure needs to accomplish the high priority objectives. This should include: recapitalization of the National Oceanographic Fleet, fixing the Earth remote sensing satellites, and developing/deploying under-ice AUVs. Furthermore, rather than just reiterating the requirement for more observations, we strongly encourage the NOC provide details about the kinds of observations that are required to support NOP priority areas and how the NOC plans to acquire these observations. o Action 1 - 1. Fleet renewal has been a concern for many years. In fact, the examination of the status of the National Oceanographic fleet is an ongoing effort within the Fleet Improvement Committee of UNOLS. An assessment of the requirements, gaps, and priorities that cannot be met with the current fleet is highly recommended as the first step in developing a realistic plan for the National Oceanographic Fleet. 2. Then a recapitalization plan could be developed for the four fleet components (UNOLS, Navy, NOAA and USCG) would embrace past and current efforts to address the aging federal fleet. 3. Fleet renewal should be a milestone of this plan, rather than an update to a report, which is an exercise that has been repeated many times. o Action 2 - 1. Under the "Why do this" section, we recommend adding the following text: "the need for sustained critical global and regional time series observations. " 2. Satellite observations are not mentioned throughout this action item. We recommend an assessment of what parameters are currently being measured by satellites, what parameters need to be measured, and whether there may be gaps in coverage. This assessment should be followed by a plan to improve/fill gaps in these systems. A cost-benefit analysis is also needed to decide which technology is most cost effective for a mission and to fulfill priorities. A status report is inadequate. 3. The focus of this action plan seems to be on unmanned mobile platforms, and we believe there is also a need to mention the role of operational buoy systems. 4. Furthermore, this section is disconnected from ships and we believe this is an opportunity to consider how to use unmanned systems to extend ship capabilities. 5. We recommend the NOC consider tagged animal tracking systems as a component of this action. Animal tracking systems can be a cost-effective means of gathering key information on animal migrations and oceanographic data which are useful for NOP objectives. Specifically, tags on highly migratory predator species return vast amounts of oceanographic data, as well as migratory patterns of the animals, which are useful for NOP objectives. o Action 3 - 1. This action is already underway in a campaign mode. We recommend the expansion of the HOTS-BATS kind of program into other coastal and regional environments. 2. Technology investments might act as "ship multipliers" as well as opportunities to lower costs or increase resilience in current infrastructure. However, this action does not address the leveraging of these resources and investments through a structured framework. 3. This action also does not address the declining marine technician field, which is something UNOLS has highlighted as a problem on several occasions. We recommend the SAP calls for a focus on developing the next generation of this workforce. 4. Global mapping is mentioned as a milestone. However, the community has been measuring and modeling seasonal changes for the last decade fairly well so we would not really see this as a milestone. However, measurements of inter-annual (or year-to-year) and decadal-scale changes in the parameters are needed. o Action 4 - 1. In its current state, this action implies IOOS can "meet the data needs of the National Ocean Policy". We believe it will contribute to the needs, but the NOP has much more breadth (both spatial and data requirements) than does the IOOS. 2. Furthermore, the outcomes listed under this action in the

SAP have been pursued for the past 10 years. While we continue to strongly support the implementation of the IOOS, we are concerned that without a more robust commitment by the federal agencies (including NOAA) to fully fund and integrate IOOS, the outcomes and milestones will continue to be unsuccessful. 3. While improved observations of our coasts, oceans and Great Lakes are central to all priority areas of the National Ocean Policy, there continues to be a lack of a strategic vision for IOOS that sets forth clear outcomes and priorities. For example, IOOS recently invested in the development of a Blueprint for IOOS which was done with little, if any, community or interagency involvement. It fails to articulate a vision for the future of IOOS and does not provide clear strategies for accomplishing this vision. Therefore, the NOC should recommend the development of a strategic vision for IOOS that engages the other federal agencies, the IOOS Regional Associations, and the broader community, and identifies the ways in which IOOS will support each priority area of the NOP. o Action 5 - 1. We acknowledge the fundamental importance of ocean mapping in providing the underlying geospatial context for many cross-cutting ocean-related activities as well as information critical to safety of navigation. 2. We applaud any efforts to increase the efficiency and coordination of mapping programs and note the relevance of this action to the recently passed Ocean and Coastal Mapping Integration Act (part of PL 111-11). 3. We are concerned that Action 5 fails to acknowledge or capture the remarkable technological advances that have taken place in ocean mapping that offer unprecedented views of seafloor and water column processes. Better utilization of these tools in concert with further advancement of ocean mapping technologies (including autonomous vehicles) offers tremendous opportunities for better informed decision-making. 4. We recommend the following near-term action: ? Make DOD and US Navy charts/bathymetry, etc. available to improve Arctic bottom maps for multiple uses. o Action 6 - 1. We support an integrated observation data management system. We believe it should be done at the regional level according to national standards. In its current state, this SAP does not provide information on how the new NIMS fits in with the national IOOS DMAC efforts. 2. This action should be a central element of Action 4. Furthermore, this has been a focus for 25 years and to accomplish data management will require fiscal commitments and continued collaboration with internal and external partners.

Attachment:

Name

Newell Garfield

Organization

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Ocean observing is in a fractured, unorganized and dysfunctional state. First and foremost, the federal government has to put its house in order and create a uniform framework for the significant backbone. The crux of this is to either disband NOAA as it exists or provide it with an authorizing act. Under the present requirement of annual authorization, each division within NOAA competes with every other division each year to secure its funding. This naturally leads to a chaotic state where there is significant duplication and/or omissions of ocean observing and a lack of a sense of national unified objective. NOAA divisions focus so much on their own survival that there is a significant lack of cooperation, even obstruction, with non-NOAA organizations. So long as NOAA remains without an authorizing act, national ocean observing will remain dysfunctional. Robust and sustained funding for the Regional Associations is critical for a successful ocean observing network. While the large backbone infrastructure (ships, satellites, navigation, etc) should be maintained by the federal government, it is far more important to have regional associations coordinate the observational needs of each region. There needs to be both the national "standard" set of measurements and the flexibility to sustain observations that address local needs and conditions. It is not efficient to try to address all needs at the national level. In addition, much of the local infrastructure exists and can be implementation can be done immediately. For example existing educational marine laboratories are generally located in areas of importance and serve as extremely important anchors for monitoring, education and outreach. Therefore, support to IOOS and the regional associations should be an immediate, short term objective

Attachment:

Name

Debra Hernandez

Organization

SECOORA

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

My comments apply to several of the Priorities, but I have noted the one of most relevance to my organization.

Attachment:

Attachment included in index: Comment of SECOORA, SAP 9 (2 pages)

Name

Michael Kosro

Organization

Oregon State University and NANOOS

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Attachment:

Attachment included in index: Comment of Michael Kosro, OSU and NANOOS

Name

George Kuper

Organization

Council of Great Lakes Industries

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

o Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure - We strongly believe in the continued support for the Great Lakes Observing System to enhance data availability and data management in the Lakes.

Attachment:

Name

Molly McCammon

Organization

NFRA

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Attachment:

Attachment included in index: Comment of NFRA, SAP 9 (4 pages)

Name

Dave Raney

Organization

Sierra Club Marine Action Team

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

We support the goals of this SAP as necessary to provide the tools and data required to implement Ecosystem-Based Management, Coastal and Marine Spatial Planning, and adaptive management principles.

Attachment:

Name

Sam Riley-Medlock

Organization

Assoc. State Floodplain Managers (ASFPM)

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Key questions include the following: o How does NFIP coastal mapping of flood risk figure into this strategic plan framework? (p. 6) o How can mapping of coastal resources, erosion, and surge hazards better inform these objectives? o What roles do downstream and near-coast components of the USGS stream gage network play in understanding coastal dynamics and hazards? Public and private efforts at observation, sensing, data collection, data management, and mapping need to be combined into a cohesive whole. Cooperating technical partners / cooperating technical international partners must be established - they will be the ones sharing and receiving this information. Data gaps need to be assessed and filled. More data collection sources must be funded - buoys, satellites, data collection vessels /sampling vessels and monitoring vessels. More laboratories must be funded and existing laboratories upgraded. Use of new technologies and techniques, such as unmanned autonomous vehicles and remote sensing satellites, and use of sophisticated data collection formats, must always be at the forefront. The information from this observation, sensing, and data collection must be passed on to the public in easy, understandable terms and language. Lawmakers and stakeholders must be educated on the environmental and economic impacts of the data. Trends, changes, health risks, and disaster risks must be passed on to the public in easy, understandable terms and language. Education should be provided about the connection between ocean health and human health.

Attachment:

Attachment included in index: Comment of ASFPM SAP 9 (6 pages)

Name

Dale Robinson

Organization

San Francisco State Univeristy

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

I have concerns about infrastructure of data management at the level of data providers and regional associations. Standards for data format, metadata, and funding to impliment.

Attachment:

Name

Rebecca Roth

Organization

National Estuarine Research Reserve Association

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

See attached letter

Attachment:

Attachment included in index: Comment of National Estuarine Research Reserve Association SAP 9 (3 pages)

Name

Ervin Joe Schumacker

Organization

Quinault Indian Nation

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Quinault Indian Nation comments on the SAP "Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure" attached.

Attachment:

Attachment included in index: Comment of Quinault Indian Nation SAP 9

Name

Pete Stauffer

Organization

Surfrider Foundation

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

Spatial data on both natural (ecological) and human uses is critically important for CMSP. With respect to ecological, we need robust baselines related to habitats, species abundance, biodiversity, etc. to inform the planning process and help us monitor and assess tradeoffs with new uses. With respect to human uses, mapping information should address both the spatial and economic dimensions. A key category of human use data is non-consumptive data (surfing, diving, sailing, beach going, scenic enjoyment, wildlife viewing, etc.) The Surfrider Foundation collaborated with the State of Oregon on an Oregon Non-Consumptive Recreational Use Study to inform Oregon's Territorial Sea Plan process and is interested in supporting/ collaborating on similar efforts in other states and regions, as well.

Attachment:

Name

Stefan Talke

Organization

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

(1) Seems like there should be some way of prioritizing what measurements to take. (2) The most useful measurements are those that can be used and reused for a long time (3) It seems like there can be better reuse of existing data. The tendency in science funding seems to be to go out and make expensive new measurements, rather than funding the analysis or reanalysis of old data. In an era of decreasing resources, it seems like better re-use of old data is a way of getting a better 'bang for the buck' (4) As an example, it costs something like 10k to 50k a year to setup and monitor a tide gauge. However, there are many hundreds, if not thousands, of years of old tide data (particularly from the 19th century) that are buried in government archives. These could be used for climate studies, studies of anthropogenic change, etc for a fraction of the cost of new measurements. (5) Any measurement system has to have a long-time frame. Ocean processes are subtle and change over long time scales (e. g. , the 18. 6 year tide cyle or the 50-70 year Pacific decadal oscillation). For understanding and predicting the effects of climate change and natural variability, some of the most useful ocean data sets we have are also the longest.

Attachment:

Name

Brian Zelenke

Organization

Cal Poly Corporation

Which Priority Objective would you like to provide comment on?

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

Comment:

I very much appreciate and greatly support the recognition of the Integrated Ocean Observing System (IOOS) in Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure (Action 4, Priority 9). There is a great need to strengthen the application and utility of IOOS to this and all other eight Priority Objectives. IOOS and the Regional Associations, established under the ICOOS Act of 2009, do more than any other program to increase efficiency in designing observing networks, manage diverse data sets, and improve access to information and products that address each of the National Ocean Policy (NOP) priorities; and to directly benefit decision makers throughout the nation. In these our economic times, I find it important to consider too the jobs at over 100 partners (non-profit; tribal, state and federal government; industry; academic and research institutions) in the makeup, support, and design the two California Regional Associations (RA) local to me, CeNCOOS and SCCOOS. These RAs serve as a conduit between regional stakeholders and national policies -- bringing stakeholder needs to the table in both regional and national governance structures and design efforts. The successful organizational and data collaboration efforts led by the Ocean Observing Systems can and should serve as a building block to each of the NOP Priorities and goals. It will only make the efforts outlined in the NOP more streamlined, efficient and cost-effective!

Attachment:

Index: Attachments to Comments

All 9 SAPs:

Comment of Darryl Brown, State of Maine State Planning Office

(9 pages)

SPO Maine State Planning Office
Executive Department

PAUL R. LEPAGE
Governor

DARRYL BROWN
Director

July 1, 2011

Nancy Sutley, Chair
Council on Environmental Quality
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

FILED ELECTRONICALLY

RE: National Ocean Council; Comments on Full Content Outlines of Strategic Action Plans to Address National Objectives

Dear Ms. Sutley:

I am writing in response to the Council on Environmental Quality's (CEQ) June 9, 2011, Federal Register notice.[1] CEQ's notice solicits comments on the National Ocean Council's (NOC) draft "full content outlines" for strategic action plans (SAPs) to address the nine priority objectives which are identified in final recommendations of the CEQ-led Interagency Ocean Policy Task Force (Task Force) and incorporated by reference in Executive Order 13547.

On April 29, 2011, in response to the Office of Science and Technology Policy's January 24, 2011, Federal Register notice, the State of Maine (State) provided comments expressing a variety of concerns about the proposed SAPs and related issues. The State continues to have fundamental concerns about the far-reaching National Ocean Policy (NOP) which calls for development of the SAPs outside the legislative process in a manner that not only bypasses and excludes current, statutorily established entities from decision-making but may also, as implemented, unduly hamper and interfere with those entities' exercise of their statutory authorities.

General Comments and Policy Recommendations

The State offers the following comments and recommendations regarding the overall approach, focus, and concepts evident in the draft full content outlines of the SAPs.

- Work within the existing statutory framework.

[1] The Maine State Planning Office (SPO) developed these comments in consultation with the Office of the Governor, Maine Departments of Marine Resources, Environmental Protection, and Conservation. SPO's duties include administration of the State's networked coastal zone management program.

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Protecting and enhancing the biological productivity of the ocean environment and optimizing opportunity for related beneficial human uses, such as commercial fishing and renewable ocean energy development, are among the State's fundamental interests. Exercising its constitutionally recognized stewardship role, the State has long been and remains an active participant and decision-maker on regional resource management bodies with statutory authority that directly involves these interests, such as the New England Fisheries Management Council and Atlantic States Fisheries Management Council.

The NOP's stated aims include ensuring compatibility and minimizing potential conflicts among, as well as identifying potential constraints and opportunities for, fishing and other valuable, traditional ocean uses and emerging uses of the marine environment, such as deep-water offshore wind energy production. As the NOC has emphasized, its work, which is based not in statute but in an executive order, must be conducted within and subject to the requirements of the existing statutory framework. In order to ensure that the NOC operates within that framework, it is necessary to ensure that statutorily-mandated federal, regional, and state resource management bodies, including regional fisheries management councils, have a decision-making role, not simply a consultative one, on issues within their spheres of responsibility. Accordingly, the State continues to urge that NOC clarify how it intends to provide this assurance and to develop SAPs that appropriately reflect and account for these bodies' statutorily-established decision-making roles.

- Ensure the pre-requisites for effective coastal and marine spatial planning are met.

The NOP makes coastal and marine spatial planning (CMSP) a principal tool for meeting a number of its main objectives. CMSP has the potential to serve the State's above-noted, overarching public policy goals. As emphasized in the State's April 29, 2011, comments[2], to lay the foundation for effective CMSP, the SAPs should ensure that:

  - coastal marine spatial plans are designed to be dynamic, information-oriented tools, and not static, prescriptive zoning plans;
  - fisheries managers and the interests of the fishing industry and other existing users and stakeholders of the marine environment, such as the New England Fisheries Management Council and interstate management bodies such as the Atlantic States Marine Fisheries Commission, are represented at all planning and decision-making stages;
  - expectations about state participation in CMSP efforts are commensurate with available resources;
  - Maine's interests are considered on par with those of other more densely populated and more developed states in its Northeast planning region; and
  - the unique resources and environmental conditions of Maine's coastal waters are taken into consideration in developing policy options that may affect uses of or in its coastal waters.

- Specify tangible natural resources-based outcomes for each SAP.

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[2] The State incorporates those comments, as applicable, by reference.

The full-content outlines' well-written preface states that the use and intent of the SAPs is to describe specific actions that are feasible and achievable in accordance with stated milestones and timeframes and, in the near- and mid-terms, without additional resources. Moreover, the actions are meant to eliminate redundancy, encourage efficiency, and evaluate and set priorities among current and new initiatives. We suggest that the NOC revisit the format and content of SAPs to ensure that suggested actions synch better with the preface's explanation, and thus the President's charge in the executive order.

Many of the SAPs address broad, multi-year issue areas, lack specificity, do not include actual milestones and include no discussion about feasibility of efforts for which there are no new resources. In our view, the Ocean, Coastal, and Great Lakes Observations, Mapping and Infrastructure SAP comes closest to meeting the charge in its specificity. At this stage, the full-content outlines, particularly those regarding ecosystem-based management and CMSP, do not specify the tangible, natural resources-based outcomes that the plans are designed to accomplish or support. Inter-agency meetings, no matter how frequent or well-attended, and spatial planning documents, no matter how detailed and comprehensive, for example, are not themselves adequate to justify the extensive and sustained effort and commitment that these draft SAPs seem to envision.

The State urges the NOC, as it proceeds with development of the SAPs, to be as specific as possible in articulating each SAP's aims and desired outcomes stated in terms of progress in protecting or enhancing ocean and coastal resources, environmental conditions, and related opportunities for beneficial, natural resources-based human uses. In addition, the State recommends that the NOC ensure that its SAPs make optimal use of existing studies of pertinent ocean and coastal issues, problems, and opportunities rather than devote time and limited public resources to going over old ground and thus make efficient use of available resources. The measure of NOP's success must be reckoned in terms of improvements in the health and productivity of the ocean environment and expansion of opportunities for sustainable economic development. Improvements in governmental efficiency and information resources, although necessary, must be considered means to such ends. We suggest that the NOC be mindful of the need for immediate, visible, and useful results in the short term. The effort needs to demonstrate utility if it is to survive in agency cultures over multiple election cycles.

- Complement, don't detract from existing ocean and coastal resources management efforts.

The State is convinced that in pursuing activities under the SAPs during this time of limited resources, no resources should be diverted from existing resource management bodies such as the New England Fisheries Management Council and other regional fisheries management councils, or the Atlantic States Marine Fisheries Commission and other such interstate marine fisheries commissions. The on-going work of these entities, which have decades of experience in marine spatial planning, is vitally important and should be a cornerstone of the NOC's efforts. Likewise, existing ocean and coastal resources, water quality, and related ocean and coastal-oriented programs, including those under the Coastal Zone Management Act and Clean Water Act, with long-standing records of success in successfully addressing issues and creating opportunities for beneficial use of the marine environment, should serve as a foundation for and not be undermined to support this new initiative.

Comments on Content and Organization Common to all SAPs:

- Each SAP should include, as Action 1, a review of redundant efforts, efficiencies, evaluation of existing efforts, and prioritization. The full-content outlines do not detail how federal agencies will coordinate and how coordination with other governmental jurisdictions will be carried out in a meaningful way. Given that each SAP is intended to include federal activities and partnerships with other governmental jurisdictions, we suggest that the SAPs detail how that coordination will happen in a meaningful way. Including a section on "coordination and support" and "inform decisions and improve understanding" in each SAP (instead of a separate SAP) should be considered. These two, as now, separate SAPs may not be specific enough if not included in issue areas, and if kept separate, may not be fully integrated into each issue area SAP.

- Similarly, the NOC should ensure that each SAP avoids efforts that duplicate or are at odds with related state efforts. Activities involving direct stakeholder communication bear particular scrutiny – states are closest to stakeholders and often have better, well-established, and ongoing working relationships.

- Each SAP should include a list of published analysis, agency evaluations, and other resource materials that were used in its development. The derivation (beyond brainstorming among writing teams) of the conclusions and subsequent proposed actions is unclear. The Resiliency and Adaptation to Climate Change SAP includes this type of useful information.

- We suggest that, with respect to many of the NOP issue areas, the appropriate role for federal agency activity and use of federal funding is data collection and analysis specific to regions and states, on-going monitoring and assistance with indicator development, and development of tools and technologies that can be used by state and local governments. Each of these areas of suggested emphasis is often well beyond individual state efforts. Federal efforts might be better spent on analyzing and addressing gaps and obstacles contained in each SAP. Each SAP should assess and address this pivotal federal role as appropriate.

- Numerous SAPs reference affiliation or coordination with CMSP; so, read as a whole, the full content outlines imply a broader charge for CMSP than may be feasible. Not all issue areas have a spatial component, and thus do not relate to CMSP. Likewise some of the SAPs include reference to working with the Regional Planning Bodies. We understand the charge to RPBs to include CMSP only; referring other issue areas to RPBs could overload already under-resourced efforts. The NOC should revisit the document's references to CMSP and ensure that related roles and relationships are made clear.

- Several SAPs reference websites, written guidance, and listservs to improve the delivery of information to managers and others. We suggest that there may already be information overload and that dissemination of information use best available technology and creative new techniques to reach intended audiences.

Comments on Specific SAPs:

The following comments highlight issues or concerns regarding specific provisions in the draft full content outlines.

Ecosystem-Based Management (EBM)

- The EBM SAP is of particular concern to the State. With current lack of understanding among scientists and managers regarding the definition of EBM beyond single sectors or species, as in the case of the notable work of the Regional Fisheries Management Councils, this SAP should focus on the gaps and needs in science and technology identified in the SAP. The SAP has unrealistic expectations, timeframes, and milestones and lacks specificity regarding roles, responsibilities, and composition of working groups. The proposed efforts are data and staff intensive, lack measurable results, and are beyond the means of sustained efforts of states. The California-based Packard Foundation invested $32 million over a five-year period on advancing ecosystem-based management. The evaluation report for the initiative (executive summary at http://www.packard.org/wp-content/uploads/2011/03/Evaluation-of-the-EBM-Initiative-Executive-Summary.pdf) acknowledges that EBM is still largely conceptual and major obstacles exist to its implementation.

- The State supports the incorporation of lessons from models that have successfully used collaborative, stakeholder driven, place-based tools – such as fisheries management councils (p. 2).

- The complexity and comprehensive nature of EBM make its ultimate application difficult to envision in practical terms. While it is commendable in concept, there remains a great deal of uncertainty about how it will be applied. Maine supports the approach of conducting small pilot efforts to demonstrate the feasibility of EBM in practice. Smaller scale EBM pilot projects have been undertaken in Maine (Taunton Bay) and on the West Coast. All are or were staff intensive, data driven, and expensive undertakings. Pilot projects suggested in this SAP need to model realistic approaches that overcome these very real obstacles.

- Action 4 seeks to incorporate EBM principles into federal, regional, state, territorial, tribal, and local project planning and environmental review processes, and suggests that it needs to be incorporated into the environmental statutory and regulatory regime, including the Magnuson-Stevens Fisheries Conservation and Management Act (MSFCMA). The State opposes amending MSFCMA for the purpose of incorporating EBM. The 2006 reauthorization addressed the timeline for rebuilding overfished stocks; established a regional cooperative research and monitoring program and a regional ecosystem study; strengthened the role of science in decision-making; and developed new measures for fish habitat. These amendments were practical steps to ensure the incorporation of ecosystem-based management into fishery conservation plans. The SAP's reference to potential legislation to incorporate EBM principles into policy and governance under other key federal laws, such as the Coastal Zone Management Act and the Endangered Species Act, is similarly objectionable and seems premature pending further clarification and development of a shared understanding of the meaning and application of EBM.

Inform Decisions and Improve Understanding

- The State has a concern regarding the use of "Science for an Ocean Nation" (document not yet available) to influence agency decisions about resource allocations and priorities within their

science or education budgets, particularly if it could be used as a rationale to divert resources away from work currently done in support of fisheries management activities.

- While the State supports the action to develop human capacity and a knowledgeable workforce, funding to provide scholarships, internships, fellowships, and other opportunities to ensure a "future ocean workforce," these endeavors can only be accomplished with additional funding sources. The State does not support a diversion of existing federal resources away from current critically important work done in support of fisheries management.

Coordinate and Support

- This SAP references an "evaluation of existing or new non-Federal funding sources and options to protect, maintain, and restore ocean resources" (page 1). Again, the State does not want to see diversion of existing federal resources away from critically important work done in support of fisheries management.

- The actions in this SAP concerning joint ocean and coastal budget requests to the Office of Management and Budget are of particular interest to Maine. This type of effort is sorely needed to eliminate redundancies and increase efficiencies. The NOC should ensure that this effort is coordinated with the states to ensure that resources are not diverted from programs, offices, and initiatives that are priorities for the states, including grants to states.

- Action 2 states that there will be an initiative to identify, prioritize, and seek to resolve legal barriers to implementation of the NOP. Previous documents have been clear that the NOP sets priorities for federal actions, but does not create new authorities. Without a clearer understanding of this action item, the State has concerns about extension of authority at the federal level. Further, any such analysis must involve all stakeholders before additional authorities or realignments are proposed.

Resiliency and Adaptation to Climate Change and Ocean Acidification

- This SAP is comprehensive and ambitious. Clearly, significant additional resources would be needed to execute the plan in its entirety. Since provision of the requisite resources appears unlikely, the NOC should carefully review the actions and milestones with an eye to identifying those things that can be accomplished under realistically anticipatable funding scenarios. Many of the identified actions are considered long-term and several mid-term. There are some milestones within most of the actions discussed that are relatively inexpensive and would be valuable short-term goals in light of current funding scenarios. The first milestone under Action 2 – synthesize literature and compile existing data - and the first milestone under Action 3 - complete inventory and assessment of existing observations and monitoring capabilities - are salient examples.

Regional Ecosystem Protection and Restoration

- The state of Maine shares a border with New Brunswick, while the Gulf of Maine is bounded by both New Brunswick and Nova Scotia. Assurance of opportunity to engage representatives from these Canadian provinces early in the process is vital for success. Accordingly, the State supports

the SAP's proposal to identify appropriate opportunities for engaging the international community about the NOP. (p. 8). Participation and consultation with these provinces will not only increase awareness and support for the NOP, but also will ensure a coordinated effort is made by aligning goals and objectives for dealing with ocean and maritime issues. In addition, representatives from Nova Scotia can also provide lessons learned from their efforts with the Eastern Scotian Shelf Integrated Management (ESSIM) Initiative and from consultation with representatives from St. Pierre et Miquelon (French colonies) consulted during its development. These lessons learned also relate to the EBM SAP.

- In its June 2011 letter, the Gulf of Maine Council on the Environment (GOMC) recommended that the Gulf of Maine region be included under Action 1 of this SAP as one of the five priority geographic areas where the NOC's efforts will be focused initially. The State concurs with this recommendation. For over two decades, GOMC has served as a bi-national, collaborative forum for governors and premiers, state and federal agencies, NGOs, and businesses from the three Gulf of Maine states (Maine, New Hampshire, and Massachusetts) and two Canadian provinces (New Brunswick and Nova Scotia) to come together to develop, coordinate, and assess policies and activities to protect and restore the Gulf's shared ecosystem. The strong and cooperative working relationships that the GOMC has helped forge, the information and analysis it has produced, and the region's rich and varied resources and traditional and emerging ocean uses make the Gulf of Maine ideal for inclusion among the initial priority areas considered under this SAP. The Gulf of Maine is referenced for inclusion in future SAPs with the action proposed described as "identify actions": the Gulf of Maine has a well-developed, specific restoration plan that requires federal attention now. An immediate need for the Gulf of Maine is the establishment of a Program Office within EPA or NOAA for which additional authorizations could be sought. Agency advocacy for formal recognition of this unique and valuable resource should be a short-term task in this SAP.

- Milestones in this SAP should be related to monitoring results that demonstrate the effectiveness of restoration efforts.[3] The specific emphasis proposed on invasive species, e.g. Indo-Pacific lionfish, needs to be justified in the context of the greatest threats in all states and territories.[4] Sites off Maine that may remain on the National Marine Sanctuary Site Evaluation list may be of considerable importance to Maine fishermen and should be evaluated with Maine agencies and stakeholder groups. The action related to identification of nationally significant areas in need of protection is better placed in the CMSP SAP.

Water Quality and Sustainable Practices on Land

- This SAP fails to consider the varied and unique water regimes and pollution problems specific to different regions and states. We suggest that this SAP reconsider support for existing water quality programs that are currently the source of severe budget cuts. This SAP should also draw on "lessons" learned from the CZARA Section 6217 Coastal Non Point Source Initiative. That effort was burdensome, lengthy, inefficient, and under-resourced and involved two federal agencies (NOAA and EPA) that did not adequately coordinate efforts.

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[3] See previous comments on the SAPs submitted by Maine GCC member, Kathleen Leyden on behalf of NROC, related to the lack of relevance of the CWRP in some states and the lack of relevance of the described actions related to wetland loss trends.

[4] See also previous comments about reactivation of the National Marine Sanctuary Site Evaluation list.

Changing Conditions in the Arctic

The State has no specific comments on this SAP at this time.

Coastal and Marine Spatial Planning

- This SAP is currently unacceptable despite the explanation that its format differs from that of the other SAPs. Its proposed actions are better suited to a guidance memo and do not sufficiently detail the actions of federal agencies in support of CMSP, assistance to regions, and related matters. Most of the proposed actions can be included under a short term action "Develop guidance memo for RPBs." We suggest that the timeframe for completion of the NIMS and national data portal is out of synch with the preparation of regional plans: RPBs are supposed to be convened in 2011, with the completion of the data work in 2015 and expectation of plans by 2020. Consideration should be given to completion of data for the Northeast region, which is widely acknowledged to be ahead of other regions of the country. The SAP content outline, in many places, references allocation of use areas, whereas recent public statements from federal agencies about CMSP has offered regions flexibility in the content, focus, and outcomes of regional CMS plans.

- The overview of this SAP (p. 1) explains that the CMSP process would begin with assembling relevant stakeholders and gathering critical data elements, and then move to a mapping exercise and assessment of "ecological, economic, cultural, and societal resources as well as transportation, recreation, other off-shore uses, and security information within the context of an ecosystem model." This overview further explains that the Regional Planning Bodies (RPBs) would consider this assessment to "comprehensively and proactively identify those areas best suited for certain uses based on all relevant factors." The State's concern about this proposal derives from lack of clarity about the entity that is conducting the assessment in support of the RPB's work. Who would assemble the stakeholders and design the process by which they may provide input? Who would gather the data and ensure its validity? Who in turn would conduct the analysis of the data that would be presented to the RPBs? Lacking resources to devote to these efforts and recognizing their central importance to the CMSP process, the State wants to ensure that it has the opportunity to endorse whatever entity would be carrying out the analysis, especially since it would be relying on this information in its role as a member of the RPB.

- This section again notes that the RPBs would carry out their work in consultation with the Regional Fisheries Management Councils (RFMCs). As emphasized elsewhere, the State considers it essential that the RFMCs function as members of the RPBs.

- Section II, Context and Continuity, states that CMSP should promote national objectives such as enhanced national energy security, and goes on to say that the Four Key National Objectives are listed below. The listed national objectives do not include enhanced national energy security. If the CMSP plans must support national objectives, there needs to be a clear and comprehensive list of what those objectives actually are.

- Objective 1 references the CMSP Development Agreement. It is our understanding that the Development Agreement is an agreement to follow a specified process in development of a plan,

but is not a commitment to the plan itself. We appreciate the acknowledgement that each partner in the RPB will have different authorities and non-discretionary mission objectives that must be fully addressed.

- An unanswered question that was raised at the CMSP National Workshop is whether the adoption of a CMSP plan is a federal action with respect to NEPA and ESA. We look forward to having this question addressed.

- Finally, an issue highlighted at the CMSP National Workshop was that states must have incentives to participate in the CMSP process. These may take different forms, but are a necessary component of the ability of states to participate in this exercise. Further specification regarding these incentives would be helpful.

Thank you for the opportunity to comment, and for your agency's on-going efforts to engage coastal states and other stakeholders in the development of these strategic plans. I look forward to continued constructive engagement on issues of concern to our state as this planning process moves forward.

Sincerely,

Darryl Brown
Director, Maine State Planning Office

cc:
Senator Olympia Snowe
Senator Susan Collins
Representative Michael Michaud
Representative Chellie Pingree
Carlisle McLean, Office of Maine Governor Paul LePage
Norman Olsen, Commissioner, Maine Department of Marine Resources
Patricia Aho, Acting Commissioner, Maine Department of Environmental Protection
William Beardsley, Commissioner, Maine Department of Conservation

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Comment of Ecotrust

(11 pages)

April 29, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Via webform at http://www.WhiteHouse.gov/administration/eop/oceans/comment

Re: National Ocean Policy Strategic Action Plan Comments

Dear Chairs Sutley and Holdren and National Ocean Council Members:

Ecotrust submits the following comments to the National Ocean Council (NOC) for use in developing the Strategic Action Plans (SAPs) on the nine National Priority Objectives (Objectives) for the National Policy for the Stewardship of the Ocean, our Coasts, and the Great Lakes (National Ocean Policy).

Ecotrust's mission is to inspire fresh thinking that creates economic opportunity, social equity and environmental well-being. Ecotrust was founded in 1991 to bring new approaches to community development and conservation in rural, natural resource-dependent communities. Our organization's many innovations include co-founding the world's first environmental bank, starting the world's first ecosystem investment fund, creating a range of programs in fisheries, forestry, food, farms and children's health, and developing new scientific and information tools to improve social, economic and environmental decision-making. We own and manage commercial timberlands through Ecotrust Forests LLC including carbon credit sales, and through the New Market Tax Credit program our Community Development Entity program works to bring much needed capital to low income communities to further conservation-based forestry and will soon also be working with fishery industry stakeholders. We have a collective staff of over 130 professionals and more than $300 million in assets.

Ecotrust believes we need fresh thinking--innovation--that creates market (economic), environmental, and social —value. We need an innovative systems approach to our challenges because social, economic and environmental conditions are all interconnected and interdependent parts of a larger system of life support. Only systemic solutions solve systemic problems. And we need resilience in order to survive and restore in times of stress. We need to innovate our way towards more resilient ecosystems, economies and social systems.

The National Policy for the Stewardship of our Ocean, Coasts, and Great Lakes by Executive Order 13547 was a critical step forward for the protection, restoration and sustainable management of our marine and Great Lakes ecosystems. The National Ocean Policy's foundation of stewardship is integral to maintaining the Nation's public trust of our ocean, coasts, and Great Lakes. Our ocean and coasts provide hundreds of billions of dollars of economic benefit each year, and in order to gain the full economic, social and environmental benefits that can come from the implementation of the National Ocean Policy, the NOC and

every relevant federal agency must be engaged in implementation of the National Ocean Policy to the full extent of their statutory responsibility.

The Final Recommendations of the Interagency Ocean Policy Task Force identify nine National Priority Objectives which are meant to "provide a bridge between the National Policy and action on the ground and in the water."[1] In accordance with the Final Recommendations, the NOC is to develop strategic actions plans for the Priority Objectives. The comments below offer recommendations regarding Priority Objectives linked to fisheries management, coastal and marine spatial planning, and resiliency/adaptation to climate change.

Objective 1: Ecosystem-Based Management

Just as there are complex, interlinked communities on land, there are complex social, economic and cultural communities connected to the ocean. All of these together, as we have come to understand, require an innovative systems approach (or ecosystem-based approach) to management challenges – an approach that takes into account the interconnected social, economic and environmental elements.

With regard to fishing, a vital element of our nation's heritage, the best available natural science suggests that we must move from single species management to ecosystem based management if we want to secure the long-term viability of our nation's fisheries. Similarly, the best social science suggests that we need to move from single sector management to portfolio based management, i.e., we need to recognize that fishermen prosecute a diverse set of fisheries in both state and federal waters, are active in both limited entry and open access fisheries, and target species with and without fishery management plans. These fishing portfolios, in turn, form part of a larger set of fishing-related infrastructure and assets—processing, distribution, retail, charter operations, and maintenance, to name a few—that serve as an important engine for job creation and economic growth in coastal communities. In order to protect both the biological communities in the sea and the fishing communities that depend on them on land, management authorities need to be mindful of how management actions affect the entire portfolio of fisheries and related fishing assets.

The National Ocean Policy recognizes the challenges to our oceans and fisheries, and calls for a national management framework that applies

"…the principles of ecosystem-based management (which integrates ecological, social, economic, commerce, health, and security goals, and which recognizes both that humans are key components of ecosystems and also that healthy ecosystems are essential to human welfare) and of adaptive management (which calls for routine reassessment of management actions to allow for better informed and improved future decisions) in a coordinated and collaborative approach…"[2]

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[1] White House Council on Environmental Quality, Final Recommendations of the Interagency Ocean Policy Task Force, p.30 (2010).

[2] Ibid,p.2.

Within this framework, the National Oceanic and Atmospheric Administration's (NOAA) role is to "conduct and use outstanding science to seek policy and management outcomes that support healthy and resilient coastal economies and ecosystems and foster innovation."[3] In recognition of this role, NOAA recently released its National Catch Share Policy to address one particular fisheries management tool (catch share programs[4]) with the purpose of "encourage[ing] well-designed catch share programs to help maintain or rebuild fisheries, and sustain fishermen, communities and vibrant working waterfronts, including the cultural and resource access traditions that have been part of this country since its founding."[5]

In keeping with an ecosystem-based management perspective, catch share programs should adopt a community, portfolio-based management perspective, just as NOAA is moving toward ecosystem-based management in the environmental realm. Catch share programs need to take a broader look at the range of communities that may be impacted by management programs and go from there, rather than, for example, narrowly designing programs to benefit just one gear sector in a multi-gear, multi-species fishery. Such an approach to management would amount to single species management on a social scale and runs counter to the intent of the National Ocean Policy.

Fishing community sustainability is a critical element of ocean and coastal ecosystem-based management, and NOAA's own Catch Share Policy recognizes this as it encourages regional fisheries management councils to "develop policies to promote the sustained participation of fishing communities and take advantage of the special community provisions in the Magnuson-Stevens Act."[6] However, application of this sentiment to the development of catch share programs is deficient. To ingrain the concepts regarding fishing community sustainability in NOAA's Catch Share Policy in the development of catch share programs, the agency should develop clear regulations for the implementation of catch share programs, based both on the Limited Access Privilege Program sections in the Magnuson-Stevens Act and on the agency's own Catch Share Policy.

<u>Priority Objective 1 Recommendations:</u>

- **In order to protect both the biological communities in the sea and the fishing communities that depend on them, management authorities need to be mindful of how management actions affect the entire portfolio of fisheries and related fishing assets.**

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[3] NOAA Catch Share Policy, http://www.nmfs.noaa.gov/sfa/domes_fish/catchshare/docs/noaa_cs_policy.pdf

[4] "Catch share" is a general term for several fishery management strategies that allocate a specific portion of the total allowable fishery catch to individuals, cooperatives, communities, or other entities. Each recipient of a catch share is directly accountable to stop fishing when its exclusive allocation is reached. The term includes specific programs defined in law such as "limited access privilege" (LAP) and "individual fishing quota" (IFQ) programs, and other exclusive allocative measures such as Territorial Use Rights Fisheries (TURFs) that grant an exclusive privilege to fish in a geographically designated fishing ground. NOAA Catch Share Policy.

[5] NOAA Catch Share Policy, http://www.nmfs.noaa.gov/sfa/domes_fish/catchshare/docs/noaa_cs_policy.pdf

[6] Ibid.

- **In keeping with an ecosystem-based management perspective, catch share programs should adopt a community, portfolio-based management perspective, just as NOAA is moving toward ecosystem-based management in the environmental realm.**

- **To ingrain the concepts regarding fishing community sustainability in NOAA's Catch Share Policy in the development of catch share programs, the agency should develop clear regulations for the implementation of catch share programs, based both on the Limited Access Privilege Program sections in the Magnuson-Stevens Act and on the agency's own Catch Share Policy.**

Objectives 3 & 4: Inform Decisions and Improve Understanding & Coordinate and Support

To inform decisions and improve understanding of fisheries catch share program management, and with an eye toward encouraging coordination and partnership between NOAA and other federal agencies regarding opportunities to further community sustainability, Ecotrust respectfully submits as part of its comments to the NOC the report, "Community Dimensions of Fisheries Catch Share Programs: Integrating Economy, Equity, and Environment." A link to the report is below. Released on March 15, 2011, the report was developed by the National Panel on the Community Dimensions of Fisheries Catch Share Programs, which is the first national, bi-partisan panel to address the important issue of how communities can participate and benefit under a catch share model of fisheries management.

Comprised of 11 diverse experts in academia, rural economic development, social/conservation finance, and fishing community leaders, the Panel met three times in 2010 to review existing and emerging catch share programs and to learn about three specific programs in the U.S., including the New England Groundfish Sector Program, the Gulf of Mexico Reef Fish Individual Fishing Quota Program, and the Pacific Groundfish Trawl Individual Fishing Quota Program. The Panel was convened by Ecotrust with the purpose of advancing the understanding, development, and implementation of catch share programs such that they benefit communities whose economic, cultural and social fabric may depend upon fisheries.

As NOAA and fisheries councils move forward with implementing NOAA's Catch Share Policy, both agency and councils have an important opportunity to emphasize and support fishing communities and jobs in the development of catch share programs. The Panel's report contains a set of forward-looking recommendations for making catch share programs work for fishing communities and for furthering the social and economic elements of ecosystem-based management.

<u>Priority Objectives 1, 3 and 4 Recommendations</u>:

- **We incorporate the full set of recommendations contained in the following report, "*Community Dimensions of Fisheries Catch Share Programs, Integrating Economy, Equity and Environment*" to address these Priority Objectives:** http://www.ecotrust.org/fisheries/NPCDFCSP_paper_031511.pdf

Objective 2: Coastal and Marine Spatial Planning

As Coastal and Marine Spatial Planning (CMSP) is gaining momentum as an effective means to protect sensitive marine ecosystems around the world, care needs to be taken both to protect marine biodiversity and to minimize impacts to fishermen. Since 2001, Ecotrust has worked with federal and state agencies, nonprofit organizations and fishing communities to integrate the social, economic and ecological assessment of fishery policy and marine conservation. Our tools and analyses enable local knowledge collection and compilation; real-time, participatory scenario development and visualization; and monitoring of outcomes at appropriate scales.

Coastal and Marine Spatial Planning (CMSP) principles call for consideration of multiple objectives planning across management sectors in pursuit of mutually beneficial outcomes that minimize costs.[7] In the past, consideration of multiple objectives and associated tradeoffs presented an information management challenge, but a new generation of web technologies now provides for managers and stakeholders the ability to interact in real-time with data, management alternatives and each other in ways never before possible. As ocean resource managers begin to rely on a wide range of technological tools when engaged in the design and implementation of coastal and marine spatial planning processes, they must make strategic choices with that support both short- and long-term process needs. When making those choices, they must (or should) consider that effective decision support tools (DSTs) are often designed in response to real-world planning processes, which require a) spatially-explicit science-based data; b) public participation; c) transparency; d) speed and efficiency; and e) consideration of multiple scenarios. Furthermore, effective DSTs are adaptively developed; often in response to the specific and changing needs of a particular planning process.

Ecotrust has pioneered the use of integrated marine spatial planning tools such as Open OceanMap[8], bringing over 6,000 fishermen's local knowledge into decision making processes in California, Oregon, and Massachusetts. In addition, Ecotrust has worked together with a consortium that includes the University of California Santa Barbara and The Nature Conservancy to develop MarineMap[9], a real-time, web-based decision support tool that allows users to create, compare, analyze and discuss alternative spatial planning proposals. The use of such integrated approaches in well-designed stakeholder processes has led to robust conservation outcomes, such as the establishment of a comprehensive network of marine protected areas off the coast of California, as well as zoning for offshore renewable energy development in Oregon, and the monitoring of biological and socioeconomic effects of protected area implementation along the Pacific coast.

Priority Objective 2 Recommendation:

[7] See The White House Council on Environmental Quality (CEQ) 2010.Final Recommendations of the Interagency Ocean Policy Task Force (2010). July 19, 2010.
[8] See http://www.ecotrust.org/ocean/OpenOceanMap.html
[9] See http://marinemap.org/

- **NOAA should actively invest in the development, refinement and use of marine spatial planning tools and processes such as Open OceanMap and MarineMap, and learn from the success of the state initiatives in California, Oregon and Massachusetts to create effective CMSP processes around the country.**

Objective 5: Resiliency and Adaptation to Climate change and Ocean Acidification

The international trade in coastal and marine fisheries currently contributes $70 billion to our nation's economy each year, provides jobs, and sustains communities all along the Pacific, Alaskan, Atlantic, and Gulf Coasts.[10] These communities, and the marine species upon which they depend, are our canaries in the coal mine with respect to the impacts of climate change. Fisheries may witness some of the earliest impacts from climate change.

Climate change related impacts on marine fisheries will reflect changes in ocean conditions; including water temperature, ocean currents, acidification, and coastal upwelling. As a result, climate change may lead to large-scale redistribution of global catch potential. Recent analyses suggest that climate change may have a large impact on fisheries productivity by mid-century, but with significant regional variation. Changes in the size and distribution of fish populations have already been observed along U.S. coasts.

Oceans play an important role in the global carbon cycle, absorbing carbon dioxide emissions released from human and terrestrial sources. Excess carbon dioxide emissions from fossil fuel combustion, deforestation, and other human economic activities are lowering the pH levels of our oceans. Acidification from fossil fuel emissions is compounded by the effects of local acidifying factors, such as river runoff containing high loads of nitrogen and carbon.

Ocean acidification poses grave implications for marine food webs and the viability of commercially important species. Acidic ocean waters make it difficult for species like corals, oysters, crabs, scallops, clams, and other shellfish to extract minerals from the water for shell formation. Ocean acidification is dissolving the shells of pteropods, tiny marine snails that form the basis of the marine food chain. Losing these organisms, which scientists now warn is very possible over the next fifty years if ocean acidification is not addressed, would unleash catastrophic changes in marine ecosystems that could potentially lose the U.S. commercial seafood industry billions of dollars each year.

To identify the coastal communities most vulnerable to climate change impacts and to design policies to improve their resilience to climate change related threats, we recommend the following:

<u>Priority Objective 5 Recommendations</u>:

[10] See http://stateofthecoast.noaa.gov/economy.html, last accessed 4/20/10.

- **Detailed analysis of climate change impacts on specific stocks and fisheries in the U.S.**

- **Better understanding of the contributions of fisheries to coastal communities and economies.**

- **Identification of local acidifying factors and estimating the economic benefits and costs of actions to reduce those sources.**

Objective 9: Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

As indicated in our comments on CMSP, the development and use of appropriate technologies is as vital to achieving the NOC's objectives, as are the right processes. There is much to be done, and agencies should invest in the infrastructure for observation of the ocean and great lakes socio-ecological systems, paying particular attention to the deficit in socioeconomic data to support policy decisions, and to the infrastructure for serving up and curating that information, especially spatial information, in effective platforms for use by researchers, stakeholders, and decision-makers.

Priority Objective 9 Recommendation:

- **NOAA and other agencies should invest in infrastructure for observation of the ocean and great lakes socio-ecological systems, paying particular attention to the deficit in socioeconomic data to support policy decisions, and to the infrastructure for serving up and curating that information, especially spatial information, in effective platforms for use by researchers, stakeholders, and decision-makers.**

The National Ocean Policy is meant to strengthen ocean governance and coordination, and was founded on sound science and an open and transparent public and stakeholder engagement process. We urge the NOC to implement the National Ocean Policy with an approach that accounts for the interconnected social, economic and environmental elements of our ocean and coastal ecosystems in order to truly enhance our ability to maintain healthy, resilient, and sustainable ocean, coasts, and Great Lakes resources for the benefit of present and future generations.

Sincerely,

Edward Backus, Vice President, Community Ecosystem Services
Megan Mackey, Fisheries Policy Associate
Dr. Astrid Scholz, Vice President, Knowledge Systems
Dr. Kristen Sheeran, Executive Director, Economics for Equity and the Environment Network
Charles Steinback, Director of Marine Planning

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Comment of The Nature Conservancy April 29

(4 pages)

April 29, 2011

The Honorable Nancy Sutley
Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Director John Holdren
Office of Science and Technology Policy
725 17th Street, NW
Washington, DC 20502

Re: Comments on the Coastal and Marine Spatial Planning Strategic Action Plan

Dear Chairwoman Sutley, Director Holdren, and Members of the National Ocean Council,

The Nature Conservancy appreciates the opportunity to comment on the proposed Strategic Action Plan currently in development for Coastal and Marine Spatial Planning (CMSP). In preparing the recommendations that follow, the Conservancy draws from a wealth of staff, partners, and stakeholders working in all nine regions identified by the Interagency Ocean Policy Task Force. We engage in ongoing discussions with senior federal, state, and tribal staff, commercial and recreational fishery representatives, energy development interests, and others, and are frequently called upon by the states to assist with science, data, and innovative solutions to conservation problems. Recently, the Conservancy has been providing spatial data, decision support tools, and policy advice about the path forward for CMSP.

Rather than attempting to address every issue relevant to the implementation of CMSP, the Conservancy's comments to the National Ocean Council (NOC) are focused around three actionable items:

- Encourage early investment of resources in targeted proof of concepts that focus initially on four regions to demonstrate success and build momentum more broadly for CMSP.
- Incorporate spatial data and decision support expertise from partners in the development of the National Information Management System.
- Ensure that the Regional Planning Bodies utilize an inclusive and transparent process that engages and empowers diverse stakeholders to use the CMSP process to identify solutions to the problems the regions face.

The Conservancy continues to strongly support CMSP as a key tool in the President's vision of a national policy for our ocean, coasts, and Great Lakes. The challenges are many as timelines are tight, misconceptions are common, and funding is limited. But by taking prudent, yet bold and committed action to the implementation of CMSP, we as a nation have an opportunity to manage our ocean, coasts, and Great Lakes for multiple uses to secure long-lasting environmental and economic benefits.

I. Targeted Proof of Concept

If CMSP is to take root as a transformative process for better managing our increasingly crowded ocean, coasts, and Great Lakes, the Administration and the planning regions must have early successes that demonstrate CMSP can solve real problems that people face. To facilitate success, the NOC should require Regional Planning Bodies to set clear objectives as a critical first step in the planning process. They should rely on advisory bodies to help move from conceptual objectives (e.g., Conserve Ecosystems, Produce Energy) to more operational objectives with indicators. Further, the regions should clearly link any data compilation or collection efforts to their planning objectives. It is human nature to desire more data -- and the data gaps are numerous -- yet in an evaluation of CMSP processes around the globe, the Conservancy found that most processes relied on fewer than 50 data sets for decision-making.

In the near-term, launching CMSP with new and increased sources of funding will be challenging as the Administration and Congress are focused on reducing the federal budget deficit. Moreover, the prospect of adequately funding all nine regions during the initial planning period is slim. Given this, the Conservancy recommends that the NOC commit a significant portion of its multi-agency resources to the four regional ocean partnerships most invested in and committed to advancing CMSP: the Mid-Atlantic Regional Council on the Ocean (MARCO), the Northeast Regional Ocean Council (NROC), the West Coast Governors Agreement on Ocean Health (WCGA), and the Governors South Atlantic Alliance (SAA).

The Final Recommendations rightly emphasize a certain degree of flexibility in implementation of the CMSP framework and these four regions have shown significant promise and have taken a number of the initial steps necessary to launch CMSP processes. Compared to other planning efforts, these US CMSP regions are very large; to achieve early successes, the NOC should be open to subregional planning efforts. By focusing the Administration's resources, the NOC can establish proof of concept models – success stories – that serve to illustrate what thoughtful spatial planning can accomplish and subsequently provide momentum to launch CMSP processes in the remaining regions.

II. Data Portals / Decision Support Tools

The Conservancy supports the formation of the National Information Management System. At a national level, creating a system for storing, accessing, and managing data for CMSP upfront should dramatically improve efficiency and spare regions from having to repeat these costs. Our experiences with assisting and leading CMSP approaches have taught us that the timely delivery of a plan is most often affected by decisions on data collection and management. Beyond delivery, much of the success or failure of a CMS Plan will lie in the utility of the decision support systems (DSS) established. The Final Recommendations state, "During the first six to nine months… the NOC would begin development of a national information system and CMSP portal(s), adopt minimum data standards consistent with government-wide information quality standards, identify a federal lead agency or entity to manage, implement, and update the CMSP portal(s), identify and begin development of any new standard tools or models needed for CMSP in all regions, and identify additional CMSP information and research needs" (p.71). With that scope of activity and timeline in mind, the Conservancy offers its experiences to help the NOC establish a workable foundation of scientific knowledge and data from which all effective CMS Plans are ultimately derived.

We recommend establishing science advisory panels to advise Regional Planning Bodies on issues regarding science and data. These panels can help determine the ideal and minimum data needs for evaluating how well spatial management scenarios meet regional CMSP objectives for different sectors. For example, conservation sector data on distributions of key habitats and species; energy sector data on wind resources and transmission costs; and recreational and fishery sector data on culturally and

economically important fishing areas. A sharp focus on acquiring the subset of available data that is most relevant to each region's planning needs will help make the CMSP process less expensive and more effective. As datasets are collected and prepared for potential use for CMSP, a science advisory panel can lead a peer-review process to ensure that there is a process transparent to all stakeholders for incorporating information.

The Conservancy is very actively engaged in ongoing work to help our government partners develop CMSP DSS in several regions and encourages the NOC to leverage this work to inform development of the National Information Management System. Our advice regarding DSS could easily have fallen into our third section, "Participation and Transparency", in that effective DSS will create a forum around which decision makers and the stakeholders they represent can use shared information to develop and evaluate alternatives in real time. Governing bodies will need to make difficult choices between alternative proposals and effective DSS will need to inform and support those choices by providing *a priori*, agreed evaluation criteria for multiple objectives. Decision support systems that lack transparency and are based on (or perceived as) 'black box' software programs, closed-door committees, or pre-determined solutions will undermine and impede successful CMSP implementation. The Conservancy has identified the following best practices related to DSS:

- Conduct a needs assessment to identify users and DSS requirements. Keep these needs at the forefront throughout multiple iterations of DSS development.
- Enable diverse stakeholders to use DSS to develop and negotiate potential solutions themselves, before and after formal meetings.
- Develop and refine DSS technology that provides ease of use, aesthetics, and integration with existing databases and technological formats.

The Conservancy would welcome the opportunity to provide the NOC with further information that expands upon the practices listed.

III. Participation/Transparency

The Final Recommendations rightly acknowledge the need for a planning framework that "operates through an open and transparent approach that encourages broad public participation" (p. 18). In our work across the country, regardless of the region, some vocal stakeholders express reservations, stating that CMSP will be a top-down federal process, that it's a thinly disguised tactic to zone the ocean to reduce fishing opportunities, etc. Many of the actions recommended in this letter -- especially developing and sharing proof of concept success stories in targeted regions and establishing easily accessible and intuitive decision support systems – will go a long way towards clearing up these misperceptions. We believe that with increased support and more active involvement from a broad cross-section of stakeholders, the benefits of CMSP to provide good solutions for shared problems will become more apparent and help lead to successful implementation.

In a letter addressed to the NOC in January, the Conservancy expressed its hope that greater clarity could be provided concerning the relationship of Regional Fishery Management Councils (RFMCs) to the regional planning bodies. We asked the NOC to issue a clear statement that each region has the flexibility to include RFMC members on the regional planning bodies, and we ask that again now. The Final Recommendations repeatedly affirm the value of an open and transparent planning process; a good faith effort to include the RFMCs in the regional planning bodies would go a long way in truly advancing those values.

Closing Thoughts

The Conservancy appreciates the leadership of the NOC on CMSP. We hope you consider the Conservancy to be an enthusiastic partner in this endeavor and know that we are happy to share our science, tools, and expertise whenever useful. In addition, the Conservancy has launched a 12-month effort to try to identify innovative sources of funding for ocean conservation. Thus far, we have identified fifty potential ideas and are now winnowing those ideas down to those that show the most promise. The Conservancy will keep you apprised of this project as it progresses.

In closing, we appreciate the opportunity to provide input on this matter and look forward to continuing to work with the National Ocean Council as the Strategic Action Plan for Coastal and Marine Spatial Planning is shaped in the months ahead. Should you have any questions or comments regarding these recommendations, please do not hesitate to contact me (703.841.4229 / konley@tnc.org).

Sincerely,

Kameran L. Onley
Director, U.S. Marine Policy

Index: Attachments to Comments

All 9 SAPs:

Comment of Environmental Defense Center

(5 pages)

July 1, 2011

National Ocean Council
1600 Pennsylvania Ave NW
Washington, DC 20500

Re: National Ocean Policy - Interim Strategic Action Plans

Dear National Ocean Council:

On behalf of the Environmental Defense Center (EDC), we write to provide comments to the National Ocean Council for several Strategic Action Plans (SAPs) that address pressing issues facing our coast, oceans, and Great lakes. We commend you for your efforts in developing the SAPs which will guide a more compressive and interdisciplinary approach to ocean management.

EDC is a non-profit, public interest law firm that has worked to protect and restore California's environment and natural resources for more than 30 years. EDC's work focuses primarily within California and the Counties of San Luis Obispo, Santa Barbara, and Ventura, including the northern Channel Islands and the ocean waters seaward of these region's shores. Our mission is to protect and enhance the local environment through education, advocacy, and legal action.

Our coast and ocean work has increased significantly since 1998, when EDC's Chief Counsel Linda Krop was appointed to be the Conservation Representative on the Channel Islands National Marine Sanctuary Advisory Council[1] (SAC) and chair of the SAC's Conservation Working Group (CWG). The CWG recently received the National Marine Sanctuary Partner of the Year Award (2009) for work the EDC and the CWG have done on ocean acidification.

[1] The CINMS Advisory Council website includes detailed information on membership and process. It is available at: http://channelislands.noaa.gov/sac/main.html.

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www.edcnet.org

The Interim SAPs are a great first step towards developing plans that will guide future ocean governance. We appreciate the opportunity to comment on the following SAPs:

1) Coastal and Marine Spatial Planning
   a) Consider including representation from National Marine Sanctuary Advisory Councils, an existing body of marine stakeholders, on the Regional Planning Bodies (RPBs).

2) Resiliency and Adaptation to Climate Change and Ocean Acidification
   a) The Channel Islands National Marine Sanctuary (CINMS) Reserve System would be an ideal candidate for inclusion into a system of 'sentinel sites' to provide baseline and long-term monitoring data that could play a role in determining resiliency and adaptation to climate change and ocean acidification.
   b) Anthropogenic sources of Carbon Dioxide ($C0_2$) should be identified as an example stressor for which we have direct control over. We recommend including the following revised language:
      "Reduce the impact of stressors over which we have more direct control (e.g. anthropogenic sources of $C0_2$, pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes to climate change and ocean acidification."

3) Regional Ecosystem Protection and Restoration
   a) We support the recommendation to identify nationally significant marine areas and support updating and re-populating the Sanctuary Evaluation List (SEL).

Each recommendation is discussed in more detail below.

1) **Coastal and Marine Spatial Planning SAP 2**

   a) **Consider including representation from National Marine Sanctuary Advisory Councils, an existing body of marine stakeholders, on the Regional Planning Bodies (RPBs).**

   Objective 1 of the Coastal and Marine Spatial Planning (CMSP) SPA identifies the need to establish nine RPBs that will undertake CMSP by 2020 (pg. 4). Understanding that each of the nine RPB will have a unique makeup of members, we recommend incorporating representation from the National Marine SACs on each RPB. Each SAC consists of a diverse membership of marine stakeholders who bring valuable community advice and expertise to ocean management. In addition, the SAC also serves as a public forum where consultation and community deliberation takes place on a wide variety of ocean issues. Leveraging existing SAC infrastructure, decision making processes, and

stakeholder resources by including SAC representation in to each RPB would further the goals of CMSP SAP.

2) Resiliency and Adaptation to Climate Change and Ocean Acidification SAP 5

a) **The Channel Islands National Marine Sanctuary (CINMS) Reserve System would be an ideal candidate for inclusion into a system of 'sentinel sites' to provide baseline and long-term monitoring data that could play a role in determining resiliency and adaptation to climate change and ocean acidification.**

Strategic Action 3 from the Resiliency and Adaptation to Climate Change and Ocean Acidification SAP recommends:

> "Strengthening and integrate observations from the Nation's existing protected areas, research sites and observing systems into a coordinated framework of 'sentinel sites' and system to provide information critical for improved forecast, vulnerability assessments, and adaptation strategies." (pg. 4)

The CINMS Reserve System would be an ideal candidate to include in a system of 'sentinel sites' for determining resiliency and adaptation to climate change and ocean acidification. In partnership with the California Department of Fish and Game, the CINMS was first in the United States to adopt a network of marine reserves. In general, sanctuaries and marine reserves are representative gems of our marine ecosystem. They can provide excellent resources for research and monitoring, as well as resilience to climate change, increased ocean acidification and other stressors on the marine environment.

Specifically, data collected at the CINMS reserves has demonstrated that within these areas fish and invertebrates have larger average biomass, density, and size.[2] In addition, reserves have higher biodiversity when compared to areas just outside the reserves with no protection.[3] Baseline and long-term monitoring data collection in the CINMS reserves has been occurring since 2003. Thus, in addition to providing data on biological ecosystem function it is expected that data from the CINMS reserves could also play a role in determining resiliency and adaptation to climate change and ocean acidification.

b) **Anthropogenic sources of Carbon Dioxide ($C0_2$) should be identified as an example stressor for which we have direct control. We recommend including the following revised language:**

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[2] California Department of Fish and Game, Partnership for Interdisciplinary Studies of Coastal Oceans, Channel Islands National Marine Sanctuary, and Channel Islands National Park. 2008. Channel Islands Marine Protected Areas: First 5 Years of Monitoring: 2003-2008. Airame, S. and J. Ugoretz (Eds.). 20 pp. www.dfg.ca.gov/marine

[3] *Id.*

> **"Reduce the impact of stressors over which we have more direct control (e.g. anthropogenic sources of $C0_2$, pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes to climate change and ocean acidification."**

The Resiliency and Adaptation to Climate Change and Ocean Acidification SAP identifies reducing impacts from stressors for which we have direct control such as pollution, habitat destruction etc… (pg. 9), but fails to include anthropogenic sources of $C0_2$ as a stressor. There is no longer any serious dispute that global climate change is happening, causing harm, and that anthropogenic sources of $C0_2$ are the source of this change.

The Intergovernmental Panel on Climate Change ("IPCC") expressed in the strongest language possible its finding that global warming is occurring: "Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level" (IPCC 2007, Working Group 1 Report, Summary for Policymakers at 5).[4]

The IPCC concluded that greenhouse gas emissions produced from human activities have increased dramatically since the pre-industrial era and are the primary driver of observed climate change: "Global atmospheric concentrations of CO_2, CH_4 and N_2O have increased markedly as a result of human activities since 1750 and now far exceed pre-industrial values determined from ice cores spanning many thousands of years." Further, "[m]ost of the observed increase in global average temperatures since the mid-20th century is *very likely* due to the observed increase in anthropogenic GHG concentrations."[5] Thus, the world's leading scientific body on the subject has now concluded, with greater than 90 percent certainty, that emissions of anthropogenic greenhouse gases like carbon dioxide are responsible for climate change. Since human activities are the source of anthropogenic CO_2 pollution, we recommend including the following revised language:

> "Reduce the impact of stressors over which we have more direct control (e.g. anthropogenic sources of $C0_2$, pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes to climate change and ocean acidification."

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[4] Intergovernmental Panel on Climate Change (IPCC). 2007. IPCC Fourth Assessment Report: Climate Change 2007. All sections available at: http://www.ipcc.ch/publications_and_data/publications_and_data_reports.shtml#1 (accessed June 26, 2011).

[5] IPCC. 2007. See full reference at footnote 4.

3) Regional Ecosystem Protection and Restoration SAP 6

a) **We support the recommendation to identify nationally significant marine areas and updating and re-populating the Sanctuary Evaluation List (SEL).**

Action 7 in the Regional Ecosystem Protection and Restoration SAP identifies outcomes that would include identifying nationally significant marine areas and updating and re-populating the Sanctuary Evaluation List (SEL). It has been nearly two decades since the public last had an opportunity to identify nationally significant ocean areas and formally propose that protections be enacted for them as National Marine Sanctuaries. The SEL list is an important tool for the designation of new or expanded National Marine Sanctuaries. Placement on the SEL list elevates special areas so that they can become active candidates for consideration as a National Marine Sanctuary. We support all efforts reactive the Office of National Marine Sanctuaries' SEL. This will allow for the identification of new or expanded significant marine areas furthering the SAP goal to protect and restore regional ecosystems.

Conclusion

Now is the time for a national perspective that pursues smarter strategies for managing the use of our oceans. We support the efforts of the NOC and believe development of the SAPs is a good step in the right direction for ocean governance. Recently we had the opportunity to hear Dr. Jane Lubchenco speak about the importance of our oceans. She sent a strong message that healthy oceans matter to our coastal communities, our nation, our economy, our national security, and to the diverse marine life found within. EDC is encouraged by the paradigm shift taking place in ocean management and, at this crossroad, we look forward to the next set of actions that we can take together to ensure that our oceans are healthy and productive now and for future generations. Thank you for your consideration of our comments.

Sincerely,

Kristi Birney
Marine Conservation Analyst
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Linda Krop
Chief Counsel
LKrop@EDCnet.org

Index: Attachments to Comments

All 9 SAPs:

Comment of Arctic Slope Regional Corporation

(12 pages)

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arctic slope regional corporation

July 2, 2011

Hand Delivery and Electronically

National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Comments of Arctic Slope Regional Corporation
National Ocean Policy -- Draft Content Outlines

Dear Council Representative:

Arctic Slope Regional Corporation (ASRC) appreciates this opportunity to submit these comments on the Draft Content Outlines prepared by the National Ocean Council (NOC) pursuant to the National Ocean Policy (NOP) and the *Notice of Availability, Strategic Action Plan Content Outlines; Request for Comments* published at 76 Fed. Reg. 33726 (June 9, 2011) (NOP Content Outlines).

ASRC is an Alaska Native regional corporation, formed pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. §1601, et seq. (ANCSA), that is owned by and represents the business interests of its approximately 11,000 Iñupiat Eskimo shareholders in the villages of Point Hope, Point Lay, Wainwright, Atqasuk, Barrow, Nuiqsut, Kaktovik, and Anaktuvuk Pass. ASRC owns approximately 5,000,000 acres of land on the North Slope, including surface and subsurface lands that have a high potential for the development of oil, gas, coal and base metal sulfides. ASRC and its family of companies are also integrally involved in various enterprises that operate in and around the Arctic Ocean, the Beaufort and Chukchi Seas, and the coastal areas in Alaska. Our operations create and provide jobs to our Iñupiat shareholders and provide sources of revenue for ASRC and other regional corporations.

The survival of our Alaskan communities and villages depends upon both the maintenance of a healthy environment and the safe and responsible development of natural resources, including oil and gas and mining. ASRC's congressionally-mandated mission is to

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provide for the well-being of our Iñupiat Eskimo shareholders, while preserving the over 10,000 year old subsistence culture of the Iñupiat. Much of the area that contains our natural resources is increasingly subject to policies and decisions driven by the federal government, including the NOP, that impact the ability of ASRC to fulfill this congressionally-mandated mission. No one is more vested in these policies than ASRC and our shareholders who subsist from the land, who live in the nearby communities and who rely on the responsible development of Alaska's natural resources. It is critical that the NOC take into consideration the views of entities such as ASRC as it develops and implements the NOP.

ASRC supports the goal of the NOP -- to uphold stewardship responsibilities regarding our oceans and coasts and to ensure accountability to future generations. ASRC also believes, however, that there are existing federal, regional, state and local regulatory programs and processes in Alaska that have a proven track record of accomplishing these goals while balancing the need for protection of subsistence resources and cultures, and conservation, and responsible and sustainable development of the Alaska's abundant natural resources. ASRC urges the NOC to implement the NOP in a manner that (i) does not duplicate existing programs/processes, (ii) builds on existing programs and processes to fill gaps and develop even more robust science-supporting sound policies, (iii) provides for significant input opportunities for regional, state and local stakeholders, and (iv) does not erect additional, unnecessary barriers to responsible development of natural resources in Alaska.

ASRC Background

In seeking to resolve the issue of aboriginal title to lands in Alaska, Congress decided to avoid duplicating the traditional federal Indian policy framework of tribes, reservations, federal trust oversight, and litigation that was established with respect to Indian tribes in the lower 48 states. Instead, Congress enacted ANCSA, which included a framework whereby title to the subsurface estate of all lands conveyed in settlement of Alaska Native land claims, as well as large surface land entitlements (approximately 40 million acres of land) would be conveyed to 12

for-profit regional corporations (a non-land holding 13th corporation was also created).[1] These regional corporations are owned by Alaska Natives as shareholders. The stock owned by shareholders of the corporation is inalienable; therefore the level of benefits received by shareholders is tied to the success of the corporation. One of the goals of ANCSA was to endow Alaska's Natives with the ability, though the regional corporations, to explore, develop, produce and market the resources from the lands for the benefit of their shareholders.

In creating this unique framework, Congress expected that these regional corporations would develop the economic infrastructure to provide for the sustainable economic well-being of their Alaska Native shareholders. One of the many ways that ASRC carries out its mission is through the responsible development of our region's natural resources. Leasing and development activities on our lands generate revenues that are broadly shared among all Alaska Natives. These development activities also create many jobs for Iñupiat living in the area, including those working directly on the projects and those providing essential support services through other companies that implement those development projects. For example, ASRC is affiliated with a number of subsidiary companies that provide support services and employ a large number of our shareholders. In addition, basic health, education and welfare services are expensive (and those services are especially expensive in the Arctic due to its remote location and extreme environment). Resource development activities on Native-owned, State and Federal lands fund the region's tax base, enabling the villages and the North Slope Borough to provide essential services to communities within its boundaries. Finally, ASRC provides its shareholders with dividends that are derived from income earned from these activities.

The Arctic Slope region encompasses the entire North Slope of Alaska north of the Brooks Range. There are eight villages within the Arctic Slope region whose residents are predominantly Iñupiat. Pursuant to ANCSA, Iñupiat Eskimos living on the North Slope of Alaska enrolled as original ASRC shareholders in 1971. ASRC has since issued additional

[1] *The Alaska Native Claims Settlement Act at 35: Delivering on the Promise,* James D. Linxwiler; Paper 12, 53rd Annual Rocky Mountain Mineral Law Institute, 2007, page 2.

shares to their descendants, growing its shareholder base to approximately 11,000 members. ASRC owns approximately 5,000,000 acres of land within its region.

The Iñupiat living on the North Slope are wholly dependent on the region's abundant natural resources to provide them with the necessities of life, including subsistence hunting, jobs, economic activity, and tax revenues that allow them to live in the harsh arctic environment. Responsible management and development of these resources and resources on adjacent State and Federal-owned lands provides the jobs, economic activity, tax base, and revenues that the eight villages within the ASRC region rely upon to fund such basic amenities as schools, health care, fire and public safety protection, and sanitation facilities.

The ability of ASRC to ensure that its natural resources on its lands , or natural resources on State- and Federal-owned land, are managed in a manner that balances responsible development (to provide Congressionally-mandated economic sustenance to the Iñupiat and to all other Alaska Natives) with protection of these resources and preservation of the subsistence way of life is substantially, if not wholly, dependent on ASRC's ability to participate in the development and implementation of policies such as the NOP that impact its ability to manage these uses.

The North Slope Borough has actively engaged in developing policy positions and criteria for Arctic OCS activities. These policy positions include: developing a collaborative approach for baseline data acquisition; developing stricter regulation to use shore-based pipelines versus tanker transportation; better addressing cumulative impacts of multiple projects in one area; developing zero-volume discharge and emissions for air and water; using the best available technology for spill prevention and response for the Arctic OCS; ensuring an effective Coast Guard presence; and requiring by law state-licensed Alaska marine pilots for activities. Several of these policies have received serious consideration by agencies and companies active in the Arctic OCS, and ASRC believes they provide a framework for improving the standard of operations in our waters. Local engagement and implementation of locally-developed polices

such as those listed above provides more assurances to ASRC that broad policies developed under the NOP by agencies with little or no understanding of the Arctic Ocean. Utilizing our local knowledge, combined with western science, is imperative when developing and implementing policy that will affect ASRC's ability for responsible resource development.

General Comments on the NOP and NOP Content Outlines

ASRC strongly suggests that there are four broad themes that the NOC should consider as it develops and implements the strategic action plans for each of the nine priority objectives:

- The NOP must not create regulatory mechanisms or bodies that simply duplicate or conflict with existing federal, regional, state and local programs that are designed to address issues that were identified in the Executive Order;
- The NOP must be adaptive and sufficiently flexible to take into account the differences between the various oceans/coastal areas and between the existing regulatory frameworks that govern the uses of these oceans and coastal areas;
- All actions of the NOC pursuant to the NOP must be based on sound science and policy and must not substitute a general risk avoidance-based approach for an approach based on science and risk management; and
- The NOP must be developed and implemented with adequate participatory opportunities for all affected stakeholders, including local individuals and organizations, which arguably have the best and most complete knowledge of local conditions.

Avoidance of Duplication. As the NOC has noted, there are a panoply of federal, regional, state and local regulatory entities and regimes that address many of the issues identified in the NOP and that will be included in the strategic action plans developed by the NOC for each of the nine priority objectives. These multiple regimes set forth processes and procedures that must be followed for activities that potentially impact oceans or coastal areas. In many cases, these processes and procedures are complex and time-consuming. The NOP must be implemented in a manner that integrates with and fully utilizes the existing frameworks and does not unnecessarily duplicate existing programs or create conflicting programs. Examples of these

current programs include: the Outer Continental Shelf Lands Act, the Coastal Zone Management Act, the National Environmental Policy Act, the Endangered Species Act, and the Marine Mammals Protection Act.

If the NOP creates additional complexities or conflicts with existing programs the inevitable result will be confusion, uncertainty and in many cases, litigation, all of which will likely create additional and unnecessary delays with respect to responsible natural resource development projects that are critical to ASRC, its Iñupiat Eskimo shareholders, and all Alaska Natives.

It is also critical that the NOC respect the primacy of state and regional programs when appropriate. One example is the eight Regional Fishery Management Councils created by Section 302 of the Magnuson-Stevens Fishery Conservation and Management Act. Those councils are responsible for developing fishery management plans and management measures for the fisheries within the area adjacent to their member states. In Alaska, the North Pacific Fishery Management Council has effectively and efficiently developed and implemented these measures for the 900,000 square mile Exclusive Economic Zone off of the Alaska coast. There is simply no need for the NOP to attempt to duplicate these measures or to seek to develop another set of policies or measures that overlay the NPFMC program.

Instead, as discussed below, the NOP should be used to identify and fill knowledge and science gaps and to resolve problems that cannot be resolved using existing programs and processes.

Adaptivity. The NOC has recognized that there are differences between the oceans, the Great Lakes and the coastal areas that are covered by the NOP. ASRC submits that these differences are significant and fall into three distinct categories. There are: (i) differences in the resources themselves, (ii) differences in the uses of those resources, and (iii) differences in the legal regimes that govern the resources. The NOP must be implemented in way that ensures that these differences are taken into account. Our shareholders rely on ocean and coastal resources

for subsistence and cultural well-being, and these resources serve as one of the primary economic engines that provide income and tax revenue necessary to build and maintain basic infrastructure.

There are too many differences between and within the nine NOP regions to have a federally imposed, one-size-fits-all approach to management of these resources. The ultimate success of the NOP will be dependent upon the ability of the NOC to create a NOP program that recognizes and accounts for these significant differences. This includes affording local experts the opportunity to provide input on the implementation of the NOP.

The most significant role the NOP can play is in the development of more robust and complete science, which can then be used in the implementation of existing programs and processes that address ocean and coastal resources. Accordingly, as more complete science is developed, the NOP must be sufficiently adaptive to change based on new information.[2] In addition, as conditions in various coastal areas change, the NOP itself will need to be sufficiently flexible to accommodate the changing conditions. All of this suggests that the NOP and the strategic action plans for the nine priority objectives must be iterative strategies that are modified both between and within the regions, to account for both differences and changing conditions.

Sound Science and Policy. Development and implementation of regulations and requirements must be based on the best science and policy understandings available, taking into account economic, societal and legal policies. This requires the input of local and regional experts who know their communities and the traditional ecosystems and who understand the multiple uses of resources that may impact those ecosystems. ASRC believes that the NOC can have the greatest positive impact on NOP implementation by promoting the continued development of science that is necessary to allow informed decision-making.

[2] "The plans will be adaptive to allow for modification and addition of new actions based on new information." 76 Fed. Reg. 33726, 33727 (June 9, 2011).

The NOC should refrain from taking action in any form before there is sufficient scientific information and learning to support the action. ASRC emphasizes that -- especially with respect to Arctic Ocean and coastal resources -- there exists a robust base of scientific knowledge and learning that serves as the foundation for the federal, regional, state and local regulatory programs that currently govern development of resources in those areas. ASRC also recognizes that scientific understanding of those resources and the manner in which they may be responsibly developed is not a static exercise. ASRC supports efforts to gather additional information and data regarding mammals (both marine and land-based), fisheries, and ecosystems so that we can better understand and manage the potential impacts of responsible development.

A "precautionary principles-based approach" should not substitute for an approach that is based on good science. ASRC does not support and strongly disagrees with such a "risk-avoidance" approach, which would run counter to the successful strategies that have been implemented in Alaska with respect to the development of natural resources and would unnecessarily and counterproductively impede further responsible development of those resources. Such a "risk-avoidance" approach would have a significant detrimental effect on the ability of ASRC, our communities, and our Iñupiat shareholders to continue to develop and support our culture and lifestyle.

Consultation and Input. ASRC appreciates the NOC's efforts to solicit input and advice from a wide variety of stakeholders as it implements the NOP, including the publication of the Request for Comments. We believe that in order for the NOP to be successfully implemented, the NOC must have substantial input from and the support of all regional, state and local stakeholders. This is especially true in Alaska, with its unique ANCSA-based framework of regional corporations and village corporations and the home-rule local government of the North Slope Borough. Each of these entities has certain and varying responsibilities for local and regional land management decisions that are likely to be directly impacted by the implementation of the NOP. These land management decisions include explicit responsibility

for the development of resources for the benefit of Alaskans in a sustainable and responsible manner that does not adversely impact the cultural history or subsistence lifestyle of the Iñupiat.

ASRC believes that these state and local resources are best used in the NOP process by building a program from the bottom up, maximizing the benefits of existing relationships between local stakeholders and federal, regional, state and local governments, tribes, organizations and individuals. Put another way, the NOP process should not be built using a top down, one-size-fits-all federal mandate model.

As the NOC proceeds with development of the NOP and the strategic action plans, it will maximize the chances of developing a successful program only if it implements the NOP in a manner that (i) does not duplicate existing programs/processes, (ii) builds on these existing programs and processes to fill gaps and develop even more robust science supporting sound policies, (iii) provides for significant input opportunities for regional, state and local stakeholders, and (iv) does not erect additional, unnecessary barriers to responsible development of natural resources in Alaska.

Comments Specific to Priority Objectives

In addition to these four themes, ASRC has objective-specific comments for several of the nine priority objectives and the applicable strategic plans.

Ecosystem-Based Management (Objective #1), Coastal and Marine Spatial Planning (Objective #2), and Regional Ecosystem Protection and Restoration (Objective #6). ASRC submits that the ecosystem-based planning process that is envisioned in the NOP, including that for Coastal and Marine Spatial Planning (CMSP), is a process that already exists with respect to offshore development of oil and gas resources off the Alaskan coast. Offshore development of oil and gas resources in the Beaufort and Chukchi Seas is a critical component of the broader strategy for resource development; according to the USGS, Alaska's Outer Continental Shelf

(OCS) region contains the most significant prospects for additional new oil and gas production.[3] Development of these resources is critical for the economic future of both the North Slope and the State of Alaska.

In some respects, ASRC believes that the NOP, as it relates to oil and gas development on the OCS, is unnecessary. Section 18 of the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. § 1344, sets up an ecosystem-based framework for oil and gas development in OCS areas that is intended to balance conservation, economic activity, user conflicts and sustainable use in the development of these resources. The processes established and implemented pursuant to OCSLA already accomplish the goals envisioned in the NOP, and they have been in place and effective for well over three decades.

The NOP should not be used to develop a new set of ecosystem-based or CMSP-based requirements that are duplicative of the OCSLA requirements. The NOC should be very careful to avoid duplication or conflict with the OCSLA program as it develops the strategic action plan for the ecosystem-based management and CMSP objectives.

Resiliency and Adaptation to Climate Change and Ocean Acidification (Objective #5). Alaska Natives, including our Iñupiat shareholders, are heavily dependent on Alaska's natural resources, including its oceans and coastal areas, for the continued viability of their cultural and economic futures. Alaska also has over 2/3 of the nation's coastlines and over half of the nation's wetlands and the Arctic has over 11% of Alaska's coastline and up to 30% of its wetlands. To the extent that climate change impacts these natural resources, coastlines and/or wetlands, no one is more directly impacted than we are, and we support efforts to address global climate change in a comprehensive, meaningful and logical way. We do not believe, however, that the NOP is an appropriate vehicle to address global climate change. We suggest that with

[3] As oil and gas production from larger onshore fields in Alaska declines, development and production of oil and gas from these OCS sources is also critical for the future operation of the Trans Alaska Pipeline System. *See, Prepared Comments of Richard Glenn,* U.S. House Subcommittee on Energy and Mineral Resources Hearing on "Domestic Oil and Natural Gas: Alaskan Resources, Access and Infrastructure," June 2, 2011.

respect to the climate change aspect of this objective, the NOC focus on identifying the most efficient and cost-effective resiliency/adaptation measures and strategies that are available under existing laws and regulations. To the extent that the NOC identifies gaps or issues that cannot be addressed through the application of existing laws and regulations, the NOC should develop recommendations for addressing the gaps/issues legislatively, and should not seek to develop requirements or regulations that are not authorized under current statutes.

With respect to ocean acidification, we believe that additional studies are needed to gather a more robust scientific understanding of ocean acidification, the potential impacts of acidification on marine and coastal waters and their ecosystems, and the potential impacts of varying uses of ocean and coastal area resources on ocean acidification. Consistent with the discussion earlier in these comments, we believe that this additional information and science must be gathered, analyzed and developed before any new requirements or regulatory efforts are implemented.

Changing Conditions in the Arctic (Objective #8). ASRC recognizes that oceans and coastal areas are vital to the well-being of the Iñupiat for cultural, economic and subsistence reasons. ASRC also recognizes that the economy of Alaska as a whole, and of its Iñupiat Eskimo shareholders and eight villages, is based in large part on responsible development of the natural resources that are present throughout the North Slope and the State of Alaska. To the extent that conditions are changing in the Arctic in a manner that impacts these areas and/or resources, ASRC supports efforts to study those changing conditions and their attendant impacts, and to generally "improve the scientific understanding of the Arctic system and how it is evolving in response to climate change and other forces."[4]

ASRC cautions, however, that the NOC must take account of the fact that the marine and coastal areas of Alaska and the uses of resources in those areas are already governed by a mature framework of federal, regional, state and local programs that have a proven track record of

[4] National Ocean Council, "*Strategic Action Plan Full Content Outline for Changing Conditions in the Arctic*," June 2, 2011, page 1.

protecting these areas and resources while permitting the responsible development and sustainable management of the natural resources that are so critical to Alaska. To the extent that the NOC focuses on policies broadly impacting the Arctic Ocean, ASRC suggests that the NOC take full advantage of the existing resources, capabilities and knowledge of the myriad organizations that play a role in the management of Arctic Ocean resources, and that the NOC implement activities to ensure increased and better coordination between and among these entities.

Conclusion

No people in the world know more about, or are more dependent upon, the natural resources in the Arctic ecosystem than the Iñupiat people of the Arctic Slope. As the NOC proceeds with its efforts to implement the NOP and develop objective-specific strategic plans, we urge that the Council consider these comments, including those addressing the need for full, forthright and transparent participation in the process. We look forward to working with the NOC on broad NOP issues as they relate to the Arctic and on Arctic-specific issues, as well as other issues of importance to ASRC and its Iñupiat shareholders. Please feel free to contact me at (907) 339-6031 or tsweeney@asrc.com if you have any questions regarding these comments.

Sincerely,
ARCTIC SLOPE REGIONAL CORPORATION

Rex A. Rock, Sr.
President and CEO

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All 9 SAPs:

Comment of PMRC

(11 pages)

PCMRC ▪ PO Box 336 South Bend, WA 98586 ▪ 360.875.9424

Co-chairs
Ms. Nancy Sutley, Chair CEQ
Dr. John Holdren Office of Science and Technology Policy
and Members of National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

RE: Coastal Marine Spatial Planning & national objectives

As added comments to the Ocean Shores, Washington Listening Session

- National Strategic Priority Objectives MUST preserve and enhance existing coastal community JOBS and the ecosystems that provide goods and services as an additional specific objective
- Maintenance and Direct Involvement of Local Communities is ESSENTIAL to improving outcomes
- Maintenance of the Public Trust Doctrine is essential
- NOC guidelines MUST not only establish of a clear path to yes but also a clear path to **"NO".**
- NEPA process applied to marine water development needs to be more than just a process
- National Ocean Policy MUST guarantee VISIBLE ecosystem protection
- Updates to Water Resource Development Principles and Standards MUST also apply

Dear co-Chairs Sutley and Holdren, Members of the National Ocean Council:

The members of the Pacific County Marine Resource Committee [PCMRC] are pleased to be offered this opportunity to focus the course of future national Coastal Marine Spatial Planning [CMSP as a part of the review of the ~~nine~~ identified priority objectives as CMSP will produce the single most dramatic impact to our "LOCAL" coastal communities since the introduction of the Magnuson/Stevens Fishery Conservation and Management Act in 1976. CMSP is undoubtedly the single largest marine waters event of this generation. Unlike the Magnuson/Stevens FCMA which has a regional scope, CMSP must go further and initiate sub-regional development at a minimum developed to the state consistency level with full consideration of "LOCAL" impacts, empowering coastal communities to care for and nurture the long term well-being of the coast.

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National CMSP has the potential for serious "LOCAL" impact [positive as well as negative] and demands attention at the "LOCAL" level. National CMSP must not foreclose "LOCAL" solutions which have often historically been the case in prior water resource development projects where only the net national gain or loss was considered at all too often huge "LOCAL" expense.

CMSP if done RIGHT from the start must properly balance core ecosystem management to include the human element that preserves and enhances our existing sustainable marine waters based economy as a high priority, continuing the special nature of existing historical **Public Trust Doctrine's** clear purpose to preserve and continuously assure the public's ability to FULLY use and enjoy marine waters goods and services uninterrupted – Navigation, Commerce, Fishing, Recreation, Aesthetics, Scientific Study.

New marine water uses must compliment, not disrupt or displace existing use.

The reasonably foreseeable endless demand for new use must not be a foregone conclusion. There must be a clear path to NO for new development that must meet certain standards (yet to be developed). All new use must be conditional and must compliment not disrupt or displace existing use. NO NET LOSS of ecosystem function must be initiated. The new use must not unduly infringe on historical public trust protections. The precautionary principle must be realistically applied. Public trust obligations must be maintained for ourselves and our successors from unreasonable and excessive privatization of public resources.

Federal actions like leasing and permitting in the EEZ (Exclusive Economic Zone from 3 – 200 miles off shore) MUST be a shared responsibility with the states so that compatibility with local interactions maintains COINSISTENCY utilizing the Coastal Zone Management Act to the maximum extent practical. Forging strong national/state bonds in developing marine waters policy must become an essential part of the process. Re-enforcing and enhancing the CZMA broadly will help integrate the national/state responsibilities. Collaboration is essential to the future quality and accessibility of marine waters.

Regional management must be broken into smaller units that are more manageable and more responsive to local impacts, not just net national objectives. Sub-regional management areas align on the west coast at the state level. This is especially true in the northwest of Washington where the marine waters are already co=-managed by five sovereign nations, further complicating wider regional management. Over laying federal tribal treaty obligations will be much more difficult in excessively large regional dimensions.

The maintenance of a healthy ocean and marine ecosystems has become more critical than ever. CMSP policy must be grounded in resource conservation that fosters economically sustainable and ecologically responsible development from all coastal stakeholders, new and old.

Sustainable ecosystem-based management must be at the core of CMSP and supported by "Precautionary Adaptive Management".

A primary concern is for the unintended consequences of over-reaching onerous never ending enactment of excessive regulations that debilitates existing ocean/estuary use, destroying existing marine water's economy while accomplishing "little" for the conservation of our oceans and estuaries extracting a high price on coastal communities.

We appreciate the attention you obviously have given to the many prior comments that were submitted earlier in the development of the National Ocean Policy and CMSP framework:

- Strong support the precautionary approach as a core principle

- Recognition of cumulative impacts of a variety of stressors of ecosystem health
    - Toxic chemicals, pollution, and climate change, sea level rise, ocean acidification
- Importance of using the best scientific information available and research to fill data gaps
- Importance of monitoring and adaptability in implementing marine spatial planning
- Inclusion of important "local" socio-economic considerations that address the "lifeblood of the fishing communities.

ACCESS to SUSTAINABLE SEAFOOD

CMSP needs to maintain the direct link between the fishery resources and the local communities. The best way to do that is that those basic public fish resources must only be accessed by working commercial and recreational fishermen, not speculators or manipulators in seafood commodities. If this direct fishing community to fish link is not maintained the coastal fishing communities will be at serious RISK of extinction as speculators and resource manipulators consolidate quota shares into fewer and fewer corporate and or NON-fishing hands destroying the character, heritage, culture, and economic well-being of local coastal communities. Too many coastal communities have already been severely and negatively impacted through excessive consolidation of fishing access making it excessively expensive for the next generation to share in the bounty of our national marine treasure, the oceans goods and services as a PUBLIC resource. Privatization of the ocean eliminates freedoms many of the coastal communities cherish today and stop future generations from enjoying once those freedoms are eliminated.

We also support the definition of Coastal and Marine Spatial Planning as "a comprehensive, adaptive, integrated, ecosystem-based, and transparent marine spatial planning process, based on integrity of science, for analyzing current and anticipated new uses of the ocean, coastal, and Great Lakes areas." New use must sustain ecosystem function and productivity that provide goods and services to the nation, the states and yes the individual local communities.

Implementing a responsible national policy for economically and ecologically sustainable development and regulation of ocean resources is not for the faint of heart. There will be major conflicts among stakeholders and authorities with different responsibilities, goals, and objectives. Throughout the process of Coastal and Marine Spatial Planning, it will be essential to ensure that the health of the ecosystem--and hence human welfare over the long term--takes highest priority, while remembering that there are also immediate human needs [energy and open ocean food production] that sorely tempt us to unwisely forestall or foreclose future options if excessive tracts of the sea are privatized. As such, the human role in the ecosystem should be taken into full consideration, including their duties as stewards as well as their needs as responsible marine water resource users. Users must be environmental stewards not only for themselves but for future generations. Maintaining open access to the high seas will be a vital policy that must not be undermined by short sighted, greed.

The suggestions below primarily are designed to fill gaps we see and to avoid predictable conflicts to the extent possible. We believe that these suggestions will provide additional assurance that the implementation of Coastal and Marine Spatial Planning will be done in harmony with the conservation of marine ecosystems and ecosystem services with the understanding that humans who rely on these marine waters goods and services will benefit as a primary objective.

The CMSP Framework should include an expanded description of the principles to guide the dispute resolution process. While the Framework assigns the NOC the task of developing a dispute resolution process at the national level with implementation to be determined at the regional level (p. 18), the Framework should establish principles or a framework upon which such a process is based. For instance, how does the NOC decide which use takes priority? We suggest that to ensure sound ecosystem-based management, resolution of conflicts must ensure that the health of the ecosystem takes high priority and that existing use and coastal community dependence on marine waters is preserved.

Clearly defined attributes of healthy functioning marine ecosystems, which could be adopted as criteria in dispute resolution:

- Maintaining or restoring native species diversity;
- Controlling invasive species
- Prohibit nonnative species from culture in "open ocean" aquaculture
- Providing ESA and other protected species protection from extinction but with reasonable limits that allow humans to continue to benefit from marine goods and services; i.e., allow, no encourage, control of excessive avian and mammalian predation on ESA salmon that obviously deny human access to salmon in general – this is a major conflict that needs to be addressed
- Maintaining habitat diversity and heterogeneity;
- Ensuring connectivity (including coastal and estuarine connectivity to offshore areas)
- Maintaining key species.
- Additional attributes that should be considered include ensuring the maintenance of key oceanographic processes such as sediment movement, shoreline maintenance, upwelling, nutrient exchange, species mitigation routes, and areas of naturally occurring high primary productivity.
- Another mechanism for resolving disputes is to apply the **public trust doctrine** as an effective and ethical solution to regulating and managing ocean activities. It would support sustainable ocean uses while protecting marine species and habitats in the interest of citizens and in recognition of the needs of future generations including open access to the high seas.
- Make energy extraction a conditional use & develop those conditions that preserve existing use.
- Make Public Trust Doctrine uses priority uses including commercial & recreational fishing, commerce, Navigation

The CMSP Framework should provide standards for identifying uses of the ocean that are incompatible with maintaining the health of marine ecosystems and ecosystem services locally, regionally or nationally. There needs to be a clear pathway to a "no" determination for activities that are incompatible with the maintenance of healthy marine ecosystems or simply do not fit in some local areas. Proposed activities should be expected to meet specific criteria of low impact on the marine ecosystem, and if they cannot, they should not be permitted. The draft framework lists existing uses and anticipated future uses of the ocean as if they are automatically acceptable and need only be assessed for appropriate locations and conditions. It is reasonable to expect CMSP to include the option of prohibition of certain activities on a local, regional or national level. There is precedent for such action in the ocean because of strong likelihood of negative environmental impact. For example the burial of radioactive wastes at sea has been prohibited globally, as has the dumping of garbage and chemical

wastes. Oil and gas development has been the subject of moratoria in some offshore areas such as the Olympic National Marine Sanctuary offshore of the northern Washington state while continuing to allow fishing as chartered. The use of plastic containers is becoming a serious problem on land that is inundating our ocean, entering the food chain, and already causing fertility problems in nations that have a high rate of fish consumption like japan.

The CMSP Framework should provide a description of the process for adaptive management to be developed by the NOC. We laud the mention of the need for performance measures. What happens, however, when these performance measures are not met or show a decline in ecosystem health? A national plan of action is needed for declining or substandard performance measures to ensure that the regional MSP plans are not paper plans only. Public involvement in development and review of performance measures is integral to this process at ALL levels, national, regional, state, and "LOCAL".

Precautionary Adaptive Management needs to be developed.

The CMSP Framework should account for the diversity of stakeholders that may participate in coastal and marine spatial planning process and to encourage their full involvement. The Framework should encourage stakeholder participation at key steps in the process including the very earliest stages, should acknowledge differences among stakeholders, and should direct the NOC to develop guidance on ensuring and accounting for the input of information into the stakeholder process by those most connected to the marine ecosystem and its resources. Pomeroy and Douvere suggest an analysis approach, which may be used to weight the various stakeholders according to their interest and connection to the area or its resources. This analysis allows stakeholders to be involved in the process in a way that reflects the complexity of the decisions being made. Furthermore it ensures that stakeholders, who often feel the greatest impact from a variety of activities in ocean and coastal areas, including local community-based fishermen and coastal communities, are not ignored and or run out of business by new uses. **New marine water uses MUST compliment, not disrupt or displace existing use.**

The CMSP Framework should more explicitly incorporate the following ecological considerations:

a. For a variety of uses of living marine resources the scales of the operations, management and associated research and monitoring must be well matched to the critical scales of the ecosystem, both spatially and temporally. Appropriate scaling is also critical for conservation measures and area designations, and for the assessment of ecological impacts for other uses of coastal and marine areas. This is important to both the initial Coastal Marine Spatial Planning and to precautionary adaptive management properly applied in a PRECAUTIONARY manner to new ocean uses. Too often a single broad scale is applied to management decisions while the biology operates at multiple scales where INDIVIDUAL LOCATION is vitally important to various outcomes. The demographics of species distribution and specific ecologies of the geobiochemical interactions may be overlooked to the detriment of LOCALIZED areas like pristine Willapa Bay. Appropriate scales may vary from region to region, and they may be defined, for example, by topographical features, current patterns, upwelling features, migration routes, and breeding patterns, distribution of distinct population segments, etc.

b. The Framework should include guidelines on how to effectively incorporate environmental variability in both the spatial planning and the adaptive management processes. Such variability includes both seasonal and inter-annual fluctuations in physical and biological characteristics as well as long-term impacts due to climate change.

The Framework should include recommendations and guidance for incorporating data and information from a variety of sources: e.g. information from history, anthropology, and sociology research; knowledgeable stakeholders; and a variety of governmental and academic sources.

NEPA

CHANGE REQUIRED: SCIENTIFIC INTEGRITY NEEDS DRAMATIC IMPROVEMENT

Marine waters ecosystem management is in its INFANCY. Very little is actually known about the complex scientific geobiochemical and physical interactions' working between the living and physical attributes of the sea especially with strong introduction of new direct anthropogenic influences. The future uncertainty and RISK associated with cumulative injected new uses into marine waters will not be insignificant and is compounded by the very waters themselves which lend all too easily to "out of sight out of mind" phenomenon which the USACE/EPA has perfected to always reach a FONSI (Finding of NO Significant Impact); locally known as the "Paul King Syndrome".

NEPA currently is only a "PROCESS". NEPA does not guarantee Substantiative ecosystem protections. The "PROCESS" currently has evolved from a well-intentioned protective legal requirement, to simply a managed path to "YES". FONSI as is all too often the case in most projects on land that requires the NEPA process and must not be allowed to destroy our coastal seas through business as usual. The old adage of "my project is so small and the sea is so big" must never be a part of arguments to proceed. Projects have local cumulative impacts.

As the National Ocean Council moves forward with building a solid foundation for future marine waters' operations we want to reiterate the importance of ensuring that the final implementation of the WRDA 2007 mandated water resources policy Principles and Standards under revision by the CEQ are applied to marine waters' new projects and strong enough to insure sustained ecosystem function and adequately applied to New Marine Waters Uses now, instead of after damaging impacts are magnified and existing uses displaced. The policy requires that the water resources projects reflect not only national, but also state and "LOCAL" economic stability, development and protects the marine environment by: (1) seeking to maximize sustainable economic development; (2) seeking to minimize adverse impacts and minimize vulnerabilities (example - revise 2009 Deepwater oil drilling standards) where such areas must be used; (3) require protection and restore functions of disturbed natural systems; (4) thoroughly investigate use of chemical oil dispersants or other chemicals injected in volume (millions of gallons as used in the BP Deepwater Horizon disaster) into the marine waters on purpose; (5) require mitigation and/or restoration of any unavoidable damages to those natural systems detected through ongoing monitoring robust enough to determine if environmental damages are occurring or not; and (6) set up a revolving reserve fund (funded through those with the most potential to do harm [oil drilling, oil transport, new ocean energy extraction, dredging, etc.] to aid those current users like fishermen and oyster growers damaged by oil spills, new use displacement, or other anthropogenic injury.

DECADAL observations of individuals that spend their lives at sea are often just as valid as and at times considerably more accurate than traditional science that only looks at the sea in short sporadic time intervals in small areas. While the Framework provides guidance for the handling of scientific information, the Framework should provide similar guidance for the collection, evaluation, and incorporation of a variety of other types of information and data that provides useful information for effective spatial planning and adaptive management decisions. This includes among others: socio-economic information; traditional knowledge of tribes, fishermen, and other multigenerational users of ocean resources; historical knowledge; and a variety of long-term data sets and natural history observations. The inclusion of tribal advisors and authorities in the CMSP process regionally and nationally should encourage the incorporation of traditional knowledge, with its recognition of the oceans as a "**true commons"** and with stewardship as the core of the human use of the ocean's resources.

The National Ocean Council needs to closely examine the NEPA process and integrate significant environmental concerns and improvements that are demanded in Water Resource Development Act (WRDA2007). The 1983 Water Resource Development Guidelines are woefully inadequate to protect the marine waters' ecosystem from massive development today.

Council on Environmental Quality: RE: Updated and Improved Water Resource Development Principles and Standards need to apply to new uses in marine waters associated with National Ocean Council initiatives. "Least Cost" MUST not be the primary driver of new marine waters development. **Environmental concerns need to be fully addressed**. Maintenance of coastal communities and the fisheries needs serious attention. Preservation of existing coastal communities JOBS and the ecosystems that support those jobs needs to be a very high priority and added specifically to the nine national objectives.

CHANGE REQUIRED: SCIENTIFIC INTEGRITY NEEDS DRAMATIC IMPROVEMENT

Preface remarks: These suggestions are based on many decades of torrid interactive experience dealing with the USACE Water Resource Development Projects. The reforms called for in WRDA 2007 are falling short, far short of expectations and we strongly suspect that NO CHANGE to business as usual is the intention. PCMRC's principle interests is to shine a bright light on flawed past practices and provide suggestions for constructive, positive CHANGE that provides "basic protections" for human health and safety, conservation of a properly functioning ecosystem, and examine flaws in "least cost policy" that has produced some extremely costly unintended consequences accumulated over long time frames. The reviewers must also keep in mind that PCMRC is not anti-development – our county's business organizations currently rely on Water Resource Development Projects to thrive, they also need a Properly Functioning Ecosystem to survive.

PROCESS ALONE should not automatically lead to initiation of the project, but must be rooted in sound scientifically valid information readily available to agencies and the general public that can pass outside peer review BEFORE DECISIONS ARE MADE. Outcomes must be supported by comprehensive collection of scientifically valid facts that all parties are able to bring to the table for full consideration and integration into the final record of decision that is not solely dependent on a "current least cost solution" that does not properly consider our grandchildren's future.

Building a new framework of national ocean policy that is capable of responsiveness to local issues and concerns will require some new ways of doing business. We respectfully request and urge you to ensure that the final product sets forth a clear and compulsory set of policies and criteria to guide federal/state/local water projects, permits, and leases that properly includes (not balances or plays off) environmental considerations that are always sold short. For example, enact a

clear requirement to utilize non-structural and restoration approaches to solve water resource problems like a predicted rising sea level by preparing NOW, utilizing existing dredge spoils beneficially on the beach where they will make a difference instead of waiting a century wasting a sand resource that will be invaluable to future generations.

1) **Updated Water Resources Development of Principles & Standards** must produce Substantiative results that support or deny a proposed project not just an outdated, inadequate NEPA "PROCESS" for a pre-determined "YES" outcome or reliance on adaptive management that produces irreparable damages to marine waters' ecosystems.
    a. Substantive Results must be of the highest scientific standards capable of outside ("outside" being the KEY) peer review at any stage in the development of supporting documents, not just after the documents are complete. Peer, public, and agency reviews must be continually incorporated into project design, not ignored or changed at the very last minute that is illicit common practice.
    b. DATA used must be of the highest scientific uncompromised INTEGRITY.
    c. DATA must be openly available to the public at all stages of development.
    d. Public comments must be actually incorporated into the final project decisions, or rejected based on sound scientific reasoning.
    e. The best scientific methodology must be used to resolve scientific differences, not agency opinion as currently upheld by the courts.
    f. Studies need current information; not out-dated data use that influences the wrong decisions.
    g. Studies are often truncated in design to knowingly omit KEY information vital to informed decisions, negatively influencing study impartiality leading to the WRONG endpoint.
    h. Studies are sometimes designed to "MISS" peaks in resource abundance by design - EGREGIOUS.
    i. Studies need to use the "BEST" collection devices and practices available that lead to numerically clear, not inferred end points designed to hide TRUE variations in collection results.
    j. Studies and the underlying data need to be made available <u>before decisions are made</u>.
    k. Studies are often released in stages (great) but the graphic depictions are displayed with variations in magnitude that distorts the end result making the impact look larger or smaller than it really is to the untrained eye of the public and decision makers.
    l. Studies need to use differences, not averages which usually hide true results over wide areas.
    m. Studies that are shared with decision makers and the public are often preceded by misleading statements;

<u>CHANGE REQUIRED.</u>

2) **Timely Open ACCESS** to data and studies is essential to producing a "Results Oriented" Water Resource Development Projects before decisions are made and will improve the scientific integrity of the process.
    a. Access to original DATA is essential to peer review and ability to reproduce, support, or deny conclusions of the Water Resource Development Project.
    b. OPEN Access to data breeds confidence and TRUST in getting to an "HONEST" answer, which is NOT always and automatic "YES".
    c. Access to data will improve data quality, numbers supporting a pre-determined end point will be harder to arbitrarily inject just to benefit or deny the project.
    d. Access to data will increase public TRANSPARENCY.
    e. Access to data will improve overall project design.
    f. Access to data must be "User Friendly" to the general public and freely available.
    g. The materials must be in a format readily available and understandable to the public at minimal cost.
    h. Websites "obstructionary" design must CHANGE with improved open navigation using key word or phrase searches that lead directly to the desired materials.
    i. Documents and materials must be properly page numbered, indexed, electronically word and phrase searchable (not scanned to obscure transparency).

j. Documents and materials need complete "Scientific Integrity and standardization" throughout that is straight forward, not half-truths, purposeful omissions, continual adjustments to scale of presentation[example, changing numerical representation of the same dot size], color change for the same information, averaging, and other types of data manipulation designed to increase confusion in reaching informed decisions.
k. Referred to data and studies must include "hot links" directly to referenced materials, easy today on the internet.

3) **Human Health and SAFETY** must be central to ALL Water Resource Projects without exception!

4) **Ecosystems** and the services they provide must be fully considered as a "cost" of the project and fully mitigated if unavoidable damages occur and access denied as a result of privatization of marine waters denying public trust doctrine uses.
   a. Environmental BASELINE studies quantifying KEY species must be successfully completed before decisions to move ahead occur.
   b. Environmental Baseline studies must actually represent a PROPERLY FUNCTIONING ECOSYSTEM including the interrelationships of the geobiochemophysical interactions.
   c. Environmental Baseline studies must present a clear understanding of the physical processes interactions prior to mutation by proposed actions.
   d. Baseline studies must accurately quantify natural resources that local communities depend upon for their economic activity.
   e. Environmental protection and ecosystem function must be a fundamental objective for water resource planning not strictly driven by project economic development objectives at least cost.
   f. Economic Development needs to be environmentally sustainable as almost all mitigation falls well short of the original undamaged ecosystem function and history speaks volumes as over 60% of current mitigation is NEVER completed let alone successful.

5) **Precautionary Adaptive Management** needs to progress slowly and use intermediate steps to evaluate changing environmental conditions mutated by actions so that a large initiated project will not produce irreversible ecosystem harm before it is detected.
   a. Adaptive Management currently means do the project and live with the results – not acceptable.
   b. Adaptive Management requires follow up studies to determine impact of an action.
   c. Adaptive Management must build slowly enough to make mid-term corrections or even yes, TERMINATE THE PROJECT.
   d. Example: Dredge spoils in the Lower Columbia River Estuary produced perfect Caspian Tern habitat on such a large scale that the tern colony became the largest in the world annually devouring over 20 million salmon smolts reared at tremendous expense (billions and billions of dollars) to compensate over-industrialization of the West's once greatest a salmon producing system.

6) **Federal Responsibility** for cumulative mutations to the ecosystem function needs to be a part of the long-term MITIGATION process including contingency plans when ongoing monitoring recognizes failures in mitigation success at preserving ecosystem function.
   a. Example: Taming the Columbia River through dam construction, altered river flows, water withdrawals, channel dredging, diking, jetty construction, offshore dredge spoils dumping, and other taming actions are having major effects on increasing coastal erosion.
   b. Federal Responsibility needs to mitigate for over a century of ecosystem mutation with a permanent sand bypass system directly to the beach, not attempt to shift the ECOLOGIC AND ECONOMIC burden on to the negatively affected LOCAL areas through cost sharing when the nation as a whole originally benefited from the projects.

c. Beneficial Use of sediments "over least cost" can provide long-term relief from a rising sea.

7) **Public Involvement** and perspective strengthens the value of the "PROCESS", fosters TRUST, and hopefully improves the quality of project planning and implementation that preserves existing sustainable use and protects ecosystem function.

PCMRC recognizes the challenging nature of the development of a national ocean policy and appreciate the commitment of the NOC to a program that is a national asset for present and future generations.

Washington is Unique: We would also like to remind you that the Coast of Washington State cannot fit the national ocean policy mold. Washington is far different than any other part of our national coast. There must be room in any national ocean policy for" LOCAL" variation and consideration.

- Washington is the only state in the nation sharing all coastal fisheries resources and coastal management with 4 other sovereign nations on a 50/50 basis on 70% of the coast to honor federal tribal treaty obligations with a substantial social e-allocation cost to the coast;
  - Loss of 559 square miles of prime crab grounds as NO Fishing No Income Zones for state fishers;
  - Loss of from 49 - 80 days of fishing season;
  - Loss from the crab fishery since federal judge Rafeedie Decision honoring federal treaties is over $80 million:
  - Loss from the salmon fishery since Boldt Decision is $billions;
  - Washington only has 38 miles of unencumbered coast line;
  - Additional loss of ACCESS to fish will KILL the coastal fishing industry.
  - Washington needs commitment to preserving our coastal fishing heritage from further decline- New Ocean Uses MUST supplement existing uses not displace them.
- Washington has the highest storminess index in the nation, making new offshore development difficult at best, tragic at worst (Cliff Mass UW). Ocean Energy Development off Washington as a result will require more area per kilowatt generated than anywhere else in the nation outside Alaska.
- Storm force in the Pacific Northwest has been increasing over the last 25 years (Rod Moritz USACE).
- Washington has a National Marine Sanctuary off the majority of our northern coast.
- Washington has 644,000 acres of marine protected areas already according to recent WDFW report not including the National Marine Sanctuary outside 3 miles
- Washington has hundreds of miles of dedicated towboat and shipping lanes restricting use.
- Washington has offshore military training areas vital to our national security.
- Washington has one of the highest RISKS of oil spill disaster in the nation with the majority of oil transported into the Columbia River, arguably the most dangerous river entrance in the world.
- Washington has a NO trawling zone the length of the coast out to 3 miles.
- Existing use already consumes the vast majority of our nearshore ocean to the continental shelf.

PCMRC on behalf of those citizens on the Washington coast again urge the National Ocean Council to dramatically improve the lack of scientific integrity displayed in past ocean actions with a much more open transparent process that NEPA has failed to supply that allows open public and agency participation in a collaborative manner throughout the entire process that is actually incorporated and retained in new marine waters projects, not "short circuited" by business as usual. Human

Health and Safety, conservation and meaningful mitigation of lost ecosystem function including damages to natural resources valuable to coastal economic base; beneficial uses over larger time frames MUST be included into project and maintenance costs not just the direct "least cost" of new economic development needs.

Major portions of these PCMRC comments are adapted from a previous testimony to the CEQ of 175 national organizations previously submitted by the Water Protection Network including those of CRCFA.

Respectfully submitted, Thank you for your time in considering our suggestions,

PCMRC ▢ PO Box 336 South Bend, WA 98586 ▢ 360.875.9424

Mission Statement:

"The Pacific County Marine Resource Committee serves as a steward for the marine and estuarine resources in our county by facilitating science based policies, research, and education that enhance the sustainability of the economy and ecology of our communities."

Index: Attachments to Comments

All 9 SAPs:

Comment of CRCFA

(10 pages)

Columbia River Crab Fisherman's Association

P.O. Box 461 Ilwaco, WA 98624 – 360-642-3942

…Serving the needs of the coastal crab fishing industry and coastal fishing communities…

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National Ocean Council 1 July 2011
Ocean Shores Washington, Listening Session, written follow up
http://www.whitehouse.gov/administration/eop/oceans
RE: Today's take home message

- **Add 10th national objective**: Preservation and enhancement of existing coastal communities including existing use (JOBS) and ecosystem function
- Fish must have "water rights"
- Coastal Communities must have "sediment rights"
- National Ocean Policy must be able to FOCUS and ACT at a local community scale directly
- National benefits must not come at desecration of local communities
- There must not only be a path to "yes" but just as clear a path to "NO"
- Precautionary Adaptive Management principles and guidelines are needed
- **Request for a 60 day response extension**.

To all those concerned for the health of our coastal communities:

My name is Dale Beasley, President of the Columbia River Crab Fisherman's Association [CRCFA] representing local community family owned fishing businesses that fish primarily crab, tuna, shrimp, shellfish aquaculture, black cod, bottom fish, and historically salmon. Our primary focus is to maintain an economically viable local Dungeness crab fishery on a semi-regional scale throughout the range of our fleet.

The fishing fleet is here today to focus National Ocean Policy and link scale sensitive management policy directly to the local level where the rubber meets the road and national actions permeate and often dramatically impact individual local communities – ground zero high impact zones cannot be protected or enhanced effectively at the national or even regional scale; attention to detail at the local level is absolutely essential. Localized input needs to occur early, often, and collaboratively in a manner that is significantly reflected in the final outcome of any new proposed use in that particular location. **Place matters!**

CRCFA accepts and appreciates this opportunity to comment on the development of a National Ocean Policy and nine priority objectives of the strategic action plan. Since the crab fleet is the one group with the most RISK and the most to lose from new industrial development we are not going to sugar coat our comments. Disappointment and serious consternation would be the first two words that come to mind. We are extremely disappointed that preservation of existing use like fishing and sustainable coastal communities is not even one of the nine priority objectives listed. "CHANGE" to policy must include

preservation of existing sustainable uses as a high priority, not just addition of a 10th objective as an afterthought. If governments at all levels do not begin to place fishery preservation as a MUST consideration our coastal fishery heritage will be gone long before the end of this century. Individual communities can and will be eliminated in just one storm if event if industrial development is improperly placed. **Place matters!**

Marine waters supply a dominant portion of the many local coastal economies**. National Ocean Policy MUST elevate sustaining coastal communities as a primary objective.** Preserving coastal communities is saving and enhancing existing **JOBS**, jobs directly related to marine waters like fishing and shellfish aquaculture, all so important in our local area, Pacific County, Washington. As a fishing organization it is hard for us to understand why this major oversight has occurred to initial national ocean policy.

It is all about location; location, location location; **PLACE MATTERS**, especially at the local level.

"The local people who live and work on the ocean must have a significant place at the table and the new ocean uses must benefit – not disrupt or displace existing economic and recreational uses of our ocean." Without this critical and vital link directly to individual coastal communities national policy will often miss the mark by a WIDE margin causing unnecessary GRIEF and JOB LOSS to the individual communities accelerating an alarming rate of coastal economic decline.

Sub-regional development preferred:

Regional Coastal Marine Spatial Plans should be developed at sub-regional levels, ideally along state boundaries especially on the west coast where state areas are often hundreds of miles long. San Diego is a long long way from Neah Bay and so are the local objectives. The very northern area has five sovereign nations as co-managers that have federal treaty obligations making them unique compared to any other area of the coastal United States. The southern areas are completely unfamiliar with this serious division of management authority and court mandated continual consultation where VETO power is evocable anytime. The area is too large to effectively manage as a unit without stretching imaginations beyond reality. Sub-regional development adjacent to states would provide the most amount of meaningful input in the direct impact areas and provide local areas adequate input potential to actually be heard **and even better yet responded to in a meaningful manner** that is protective of local JOBS that are important to coastal community preservation. CZMA authorities will be much simpler to align along state boundaries simplifying the legal maze. Excess legal jurisdictions in the permitting process will frustrate development when cross boundary issues are encountered. Any other regionally oriented definition of area would unduly complicate new development and cross jurisdictions would make matters worse. This does not forego the states sharing ideas and resources where applicable on a larger regional basis. The states are already individually entering MOU agreements with permit/lease action agencies like FERC and BOEM. State boundaries are ideal divisions on the west coast for sub-regional development of CMSP. Even within the State of Washington CMSP is subdivided into three regions for better definition and application recognizing the fact that inter-coastal Puget Sound and the Columbia River have different and unique features that require specific differentiation and even management approaches. States progress at different rates and advancement in sub-regional areas will be better suited to individual areas oriented along state lines. Narrowing the scope of the region will make it much easier to direct national ocean policy to specific localized development areas. Simpler is often better and preferred course of action producing superior end results for individualized areas. The cultural fabric is different in San Diego and Quileute; a difference that needs accommodation in National Policy.

History matters, some things need to "Change" as this nation begins comprehensive national CMSP. Hopefully history has taught us that unrestrained growth is not only unhealthy for nature, but unhealthy for ourselves as well. The canaries in marine waters have quit singing quite some time ago; some are floating, some have already sunk. Revival necessary.

Centralized Coastal Marine Spatial Planning (CMSP) with its accompanied real estate zoning will be the single largest event to affect coastal communities since the Magnuson Fisheries Conservation and Management Act of 1976.

The Magnuson FCMA shed our shores of foreign fishing fleets re-directing fish back home where they belong, growing local coastal community economic base; over-growing many fishing communities through government guaranteed 'subsidized' loan programs artificially forcing unsustainable fish harvest capacity. A historical policy of over-subsidy failed to recognize the fact that the ocean capacity to naturally produce goods and services is indeed limited. Coupled with subsidized over-expansion was inland "over-industrialization" of our waterways, "over-protection" of fish predators, devastating magnificent SALMON populations. In my home port of Ilwaco, Washington in 1976 there were over 300 "small scale" family owned commercial vessels plying the Northeast Pacific supplying hundreds more local family wage jobs on land. Salmon was truly KING. Today there is over a 75% reduction in jobs, today there are **less than 75 commercial vessels and shrinking**. The statistic for trawl vessels off Washington is even more dismal. In the early 1980's there were over 75 trawlers in Washington, today there are less than 10. These numbers in themselves may not seem so large until you examine larger areas and support business jobs on a regional scale. The loss of salmon in the Columbia River Basin alone eliminated 25,000 family wage jobs at a half a billion dollars per year- significant locally. Until the mid-1970's, Salmon was the second largest economic engine in the entire state of Washington. What caused the precipitous decline to obscurity? **NO water rights for fish**. It has taken 35 years of ramping up our fleets too far, throttling back, adjusting to maximum sustained fish yields to eliminate all over-fishing bringing an uneasy balance to current reality of a greatly reduced productivity of our inland industrialized ecosystems and salmon production. The ride remains turbulent to say the least. We still have a long long way to go inland to bring SALMON back to public use for both commercial and recreational enjoyment. **CHANGE REQUIRED**.

History tells us that "subsidized" unrestrained growth produces unsustainable over production severely damaging natural ecosystems to the breaking point. Unrealistic over-subsidized artificial "Green Energy" policy will not only dramatically impact marine ecosystems but eliminate many existing coastal jobs in the process. Currently in the Northwest we are dumping massive excess cheap hydropower and feathering production of existing green energy wind turbines. In spite of the current over energy supply locally another 5 – 10,000 megawatts of wind energy is already slated for local inland bi-state production. **Location matters**! This subsidized over production is welcomed by farm land owners who receive substantial capital for the rent of extremely small parcels of their real estate for wind turbines. The chafe in this situation is that much of the 'green energy' production is shipped out of state to excess artificial demand in other areas that are unwilling to site projects in their own backyards where they belong. Placing ocean/estuary energy devices in local northwest marine waters, disrupting or displacing exist use like fishing and then shipping energy out of the area to "greener artificial demand areas" is absolutely not acceptable**. PLACE MATTERS!**

Initial FERC and BOEM requests for interest in offshore energy ventures have been dismal, and entirely disrespectful of existing productive fishing grounds, handing our development permits like a clown throwing candy into a crowd at a kid's parade. The "gold rush" to stake a claim to federal subsidies and privatize large tracts of ocean public commons must **CHANGE, ABSOLUTELY REQUIRED**.

Ocean energy applicants have requested "least cost options" for their private development and simply been issued thoughtless development permits which have compromised public trust doctrine development closing off eons of public access to prime fishing grounds. WHY? Have we learned nothing from history? Must it be necessary to destroy the last vestiges our coastal fishing heritage, culture, and quality of life on the coast for current and future generations to over-subsidized industrial ventures clamoring for new uses producing excess local impact in the hope of profits for multi-national or offshore global conglomerates like Finavera, a Canadian company that sank the only wave energy buoy ever launched in US waters through mid-2011.

Policy matters. Policy MUST actively preserve SUSTAINABLE existing uses as a first priority as "necessary" new use is developed. There must not only be a clear path to yes for new use development, but also a clear path to **"NO"** when the request jeopardizes existing use and ecosystem health! "**Yes" must be conditional** with ongoing monitoring for impacts and a continuous review of cumulative development that can easily get beyond necessary control if not always on the radar. National Ocean Policy MUST be able to accommodate the individualized needs of local communities across our nation. The only way to accommodate local needs is to "communicate" openly with local communities, early, often, and collaboratively on a continuing basis adjusting often to prevent elimination of existing precious freedoms in new invasive developments wake; especially when abundant energy is readily available and in excess locally to meet future demands? This nation cannot and must not continue to issue off shore energy permits in the past FERC manner like a clown throwing candy into the crowd at a kid's parade. CHANGE REQUIRED!

Even though National Ocean Policy serves the overall national public interest it must do so without desecrating localized coastal communities just to achieve a net national economic benefit or new social objective like "Green Energy" or getting this nation free of foreign oil addiction.

Marine science is still in its infancy and mistakes will be common place as we move into the future therefore the "Precautionary Principle" needs full implementation. If the RISKS associated with a project are uncertain the project needs to move forward slow enough to allow science time to develop answers before damages to the marine environment are discovered only after substantial damages have outstripped any known mitigation as has all too often been the case on land. Ecosystem Management effectiveness will depend on improving the science and the integrity of that science as well.

Scientific Integrity needs to be improved including the incestuous peer review process that all too often sanctions scientific results that are often obviously *'slanted'* to the desired end point before the first scientist ever engaged in the process.

The dark side of the NEPA process is that it only guarantees a "process". NEPA is not required to produce any actual measurable prevention of damages to coastal communities or the environments that support those communities. NEPA is so out of touch with the original intent of the initiating legislation that it allows tainted agency opinion to overrun science that is even recognized to be superior and upheld in the court system as sufficient to sustain an EIS that is known to be faulty. In fact the NEPA process has regressed so far from its original intent that the USACE actually flaunted numerous court decisions in its recent channel deepening NEPA process of the Columbia River.

The response by the Corps to comments on the Draft EIS by Mark W Schneider (PERKINS COIE LLP), Attorneys for Paul L. King. Sorry no page numbers, they were not supplied in the draft EIS; change required.

Note the opportunity for abuse of reasonable scientific discretion by the Corps: It is incomprehensible that this ever occurred, let alone in print in a corrupt NEPA EIS process that must change.

Corps of Engineers Response

21 (continued). The Corps has no legal obligation under NEPA to "ensure the scientific integrity of its studies." As federal courts have frequently held in the context of preparing EIS's, "when specialists express conflicting views, an agency must have discretion to rely on the reasonable opinions of its own qualified experts even if, as an original matter, a court might find contrary views more persuasive." Price Rd. Neighborhood Ass'n, Inc. v. US Dept of Transp., 113 F.3d 1505, 1511 (9th Cir. 1997), quoting, Greenpeace Action v. Franklin, 14 F.3d 1324, 1332 (9th Cir. 1992) (internal citations and quotations omitted); Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 378 (1989).

The Corps is entitled to rely upon its own experts' studies, and under no circumstances need it affirmatively defend those studies' "scientific integrity." "Even when a[n opposing party] presents expert opinions raising questions regarding an agency's analyses, methodology, and conclusions, such opinions have been viewed by the courts as 'a difference of scientific opinion.'" Hells Canyon Preservation Council v. Jacoby, 9 F.Supp.2d 1216, 1239 (D.Or. 1998), quoting, Greenpeace Action, 14 F.3d at 1333.

Accordingly, to the extent the comments question the Corps' experts, the "difference of scientific opinion" will not render the EIS inadequate. NEPA does not require a reviewing court to decide whether an agency's evaluation is based on the best scientific methodology available or to resolve disagreements among various scientists as to methodology. Hells Canyon, supra. Even if the comments had produced some evidence that the Corps' experts lack proper qualifications or relied upon flawed scientific methods (which they failed to do), that evidence would not discredit or otherwise render the Corps' studies unreliable or its EIS legally inadequate.

The above egregious section was copied & pasted since NO electronic copy was available.

Flabbergasting!

Change Required. This cavalier attitude must not be allowed in a National Ocean Policy and needs immediate attention. Scientific integrity is absolutely demanded! Denigrating the intent of NEPA in this manner is a total disgrace. CEQ Updating Water Resource Development Guidelines and Principles MUST eliminate even the possibility of such shenanigans as the USACE was so brazen to brandish in print is reprehensible and will not be forgotten. **History matters and must not be repeated!**

As the Columbia River Channel Deepening EIS progressed the scientific integrity stooped to even greater depths of deception. Even more egregious was the pure manipulation of the science through the averaging of the original data that masked the true concentrations of crab in the area of the Deepwater site to manipulate the smaller 103 dredge disposal site placement on the eastern edge of an area the size of the city of Longview (14 square miles) since it was the "Least Cost Option" to the US Army Corps of Engineers. The difference factor of crab abundance in specific areas which exhibited a 12:1 ratio was not released until after the public comment period was over, the site had been established, and spoils caused increased rates of crab mortality at the "Least Cost Site." Original data was requested during the

public comment period and was refused on multiple occasions. This is only part of the torrid re-accounting of the historical facts, there are more huge discrepancies and scientific breaches of integrity but for this brief introduction of our historical interactions with Marine Spatial Planning spanning over the last 4 decades the point is made explicitly why we are very uneasy about future new use manipulation of the science to produce the always desired result – FONSI. CRCFA uses the term the **"Paul King Syndrome"** to mean everything always directed to a FONSI and scientific integrity is often conveniently ignored and often manipulated to the desired end point. **History matters!**

Change required in all marine waters' projects. Repeat, Scientific integrity is absolutely demanded! CEQ needs to finish the job they have begun and strengthen the principles so that a NEPA process does in fact supply results that actually protect ecosystem function! History Matters & will not be forgotten. National Ocean Policy must be to eliminate abuse of science through significant improvement to scientific integrity.

Precautionary Adaptive Management: Historically adaptive management has meant, do the project & only then attempt to correct the ill effects of a project if we bother to even look for the negative effects. **Precautionary Adaptive Management** is anticipating ill environmental effects, tackling and minimizing those ill effects before significant damage occurs.

- Recognize that not all marine waters projects or locations are acceptable.
- There must not only be a clear path to "YES" but also a clear path to "NO"!
- The NEPA process must change so that REAL results prevent environmental degradation.
- Cumulative impacts that destroy coastal communities and ecosystems over time must be continually assessed for a future "NO MORE"!
- Limitless new growth is not an option.
- New growth must be located outside of existing use and high value ecological areas.
- Inefficient energy devices must not be allowed to privatize ocean commons.
- Location, location, location: PLACE MATTERS, especially locally!
- Develop small parcels, monitor, assess incremental impacts re-evaluate expand incrementally.
- Employ the "Precautionary Principle", eliminate excess RISK, incrementally and slowly advance, expanding and improving the science to get answers before damage occurs.
- Development permits cannot and must not be handed out like candy in a kid's parade.
- **Water Rights for fish must be established.**
- **Sediment Rights for coastal communities must be established.**

The invisible price tag associated with CMSP's privatization of ocean real estate will be the loss of 1500 years of Public Trust Doctrine protections, continual erosion of coastal quality of life, and additional loss of existing sustainable family wage jobs not to mention the long-term environmental impacts that 'will occur'. In the history of the world industrialization always brings impacts no matter what the preassessment FONSI's claim.

The public needs to know the invisible price tag associated with new use development not just the "green energy feel good". Just a simple outright comparison between ocean energy in Europe and localized development areas in US waters will help begin to make well-reasoned public decisions easier and more accountable at individual coastal areas. Some development may be warranted in some localized areas, but not in universal areas covering 4000 square miles like off BOEM RFI off Rhode Island. This type of BOEM request for interest in development is against every possible precautionary adaptive management principle and highly detrimental to existing uses like fishing and totally disrespectful of existing use.

In the UK, Denmark, Germany, and other European Union countries initial installation of ocean energy devices (monopole wind turbines similar to what we have locally on land) is put in place with a 50% installation subsidy with current overall electrical rates of $0.30 to $0.40 or more per kilowatt, making those ventures economic in Europe where each country the size of Oregon or Washington has close to 60 million people or more; yes 60 million in an area the size of our local states that have about 6 million; no wonder they are forced into the sea for electricity. Compare that to local electric rates in the Northwest of about $0.06 per kilowatt. Ocean green energy's invisible price tag needs to become "public knowledge"; current estimates of wave energy off central Oregon is approximately approaching $0.70/kilowatt. Additional area per kilowatt will be required off Washington which has a considerably larger area per kilowatt demand since the Mass Weather Index is about 50% higher off Central Washington than off central Oregon increasing the invisible cost to coastal communities. Is the "Green Public" willing to pay 10 or more times their current electric bill? Example – Current bill is $90/month, your New Use ocean energy bill at $900 to a $1000/month. Demand for ocean energy especially in the Northwest is completely artificial created by "green energy politicians" that are willing to create new jobs at the expense of existing jobs with NO future guarantees of success what so ever. Even the "Green Public" won't support excessive electric rates put artificially in place as just a **"feel good"** measure.

Northwest ocean waters off Washington and Oregon MUST be guaranteed not to become outsource areas like eastern Washington/Oregon wind farms for California's 33% green energy requirement where over 20% of all energy consumption is used just to pump water around the state to areas that cannot locally sustain water demands. It was not too many years ago California was proposing tapping the Columbia to meet their excess water demands; a proposal that fortunately did not get traction or the Columbia would look like the Colorado River draining into Mexico; a trickle.

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We're in uncharted territory in developing ocean wave energy as NO comparable 'ad'venture has been done successfully anywhere in the world. A lot of rhetoric, not much real action, and the action that is occurring is demanding "BIG SUBSIDIES" to finance their unsustainable growth at rates that FAR exceed the current energy market rates which will not increase enough to ever cover a Purchase Power Agreement in line with other energy, let alone hydropower that the rate payer will ever accept. The invisible cost of "green energy" from northwest marine waters needs to be common public knowledge, another "Strategic Action Plan" with merit for the general public. Full public cost needs to be exposed and publicized so that every American knows exactly what that cost to them is individually.

This ocean energy gold rush will fizzle fast when subsidies subside leaving in their wake devastated coastal communities that have been wiped out by just a hand full of ill place wave energy industrial developments that corral, snare, entangle, and destroy all errant crab gear sent scurrying up the coast in a BIG winter storm. Locally, location, again location, in early December 2007 over 20,000 crab pots moved in just one storm up to 50 miles, many 12 or 15. This could put an entire community out of business in just a day or two, never to recover. Try paying your family's bill when your income is irretrievably tangled in an ill-placed industrial wave energy development forever. Preliminary FERC permits are prime breeding grounds for disaster to a community and they have NO contingency plans of how to bridge the difficult economic situation they have potentially initiated.

Oil Spill Prevention must become a high priority in national policy. We as a nation must closely examine the BP Deepwater Oil Spill Catastrophe and finger the causes that MUST correct the defects so that it will be unlikely in the future. Locally, at the Columbia River, arguably the most danger river entrance in the world, also known as 'Graveyard of the Pacific' must establish more preventable measures needed prevent oil spills. A rough weather rescue tug stationed in Ilwaco, Washington the closest port the disaster zone will be required. The recent Millacoma oil barge marine casualty where

the oil barge beached on rocks of North Head is more than a wakeup call. The New Carissa grounding near Coos Bay should have taught us that after the fact attempts at mitigation of the catastrophic event are often futile in mid-winter tragedies.

Additional National Policy Objective

All public comments should be available for public review. At the listening session in Ocean Shores it soon became evident that the CRCFA comments to the panel about creating a 10th National Policy Objective to Preserve and Enhance coastal communities was taken out of context by those responsible synthesizing and for recording the verbal comments. Thankfully an explanation was requested at the break and the intended definition was able to be properly placed on the discussion table. The intended meaning was to maintain and preserve the existing historical uses and JOBS, culture, and quality of life including those tied to marine waters like commercial and recreational fishing, shellfish aquaculture, navigation, commerce , other public trust obligations and the ecosystems those marine waters JOBS depend upon for their very survival; not the inferred national objective for community resilience to bounce back after a tsunami or other catastrophe. Preserving and enhancing coastal communities also implies that new use MUST not disrupt or displace existing use. Further implications include controlling pollution, litter, and pesticide inundations by employing upland buffer zones that help corral and neutralize toxic wastes before environmental damages become excessive. This is a snowcap to white cap endeavor. It does not mean completely eliminating all sources of trouble as all acts necessary to maintain a 'comfortable society' require a 'small' degree of inappropriate byproducts that need proper management to minimize cumulative impacts and still attempt to maintain a healthy marine ecosystem. No Net Loss of Ecosystem Function is desired. If possible enhance and reverse of the historical ill effects of things like increasing ocean acidification, mitigate sea level rise by utilizing sediments in the MOST beneficial manner achievable, not tying these issue to the current "Least Cost Option" but managing them now for future generations instead of leaving an irreversible situation for our grandchildren. This 10th National Policy Objective is permeated throughout the existing 9 objects but needs to be called out specifically so that rational focus can be applied and not just as an oversight.

Policy can only go so far. If meaningful ACTION on the ground is to occur, that action will require funding. Excessive planning eats dollars fast and does not usually produce any product that is essential to enhancing JOBS that actually contribute to our gross national product. Our marine waters are a self-sustaining treasure that fuels the economy and society. Half of our entire nation's people live within an easy drive to the coast. Our commercial economy and even recreation is marine centric. The Obama administration has finally begun to hone in on this fact. CMSP is a unique opportunity to reassess national priorities and maximize rational economic gain while maintaining ecosystems on a continuing basis for future generations as well. Reinvesting royalties from the sea back into coastal community support, especially those that already have traction and a willingness to be models for others to follow is a national virtue. Future advancements in the CMSP tool are rooted in preserving existing use, i.e., JOB preservation by realizing the ocean/estuaries are currently large employers and MAY have capacity to increase job creation. The MAY needs stressing. All new uses need to be conditional, as many many past economic expansions were excessive and need to be pared back to better match the marine waters actual capacity wasting untold gross national product. Funding in today's economic climate is limited and will require a pooling of resources from multiple sources, must be focused on coastal economies, fostering near-term success to warrant addition investment. Just simply gathering data for data's sake is a loser. Focus is required to find methods and results, not just paper strategies of scientific wonderings like LIGO hoping to detect deviations in the gravitational field from some far away black hole in a distant galaxy, in reality a black hole for taxpayer dollars. We need to focus on solving existing marine water problems like failure of natural oyster set in many West Coast Estuaries. Focus resources on

practical solutions, not paper solutions that stack up in computer storage banks eating capital in an unending quest to maintain inland desks that never get down to the practical applications necessary to make society prosper and actually contribute to our nation's gross national product.

Summary:

Place matters. Zoning new industrial development cannot happen by decree from Washington DC. Finding a place for development must not hinge on excess subsidies or the "Least Cost Development Option". Existing uses like fishing need to be preserved as a high priority. Properly functioning ecosystems must be maintained. Science and its integrity needs to be improved dramatically. Process alone must not automatically lead to a FONSI. There also needs to be developed a clear path to NO; not every proposal is honestly fit for automatic placement upon demand. Precautionary Adaptive Management needs to become standard operation procedure. Cumulative impacts need continuous monitoring to prevent over-development before marine waters are severely impaired.

- Fish must have "water rights" throughout their range to continue to supply food to a hungry world.
- Coastal Communities must have "sediment rights"
- National Ocean Policy must be able to FOCUS and INTERACT at a local community scale
- National benefits & new social objectives must not come at desecration of communities
- There must not only be a path to "yes" but just as clear a path to "NO"
- Invisible costs of development need to become public knowledge
    - Subsidies
    - Artificial demand
    - Excessive energy rates
    - Avoidable loss of ecosystem function and marine diversity
    - Loss of existing use and community JOBS
    - Waste of tax dollars
- Process must achieve tangible results that prevents environmental degradation
- Inefficient energy devices must not be allowed where excess area is required
- Development permits cannot and must not be handed out like candy in a parade
- **History matters** and often does not warrant repeating.
- Subsidies often lead to over-production, over-capitalization, unnecessary and completely avoidable excess environmental damages
- Oil Spill Prevention MUST be a high priority
- Fund strategic solutions that actually contribute to our nation's gross national product
- **PLACE MATTERS!**

- **Additional National Objective: preservation and enhancement of coastal communities existing job base and supporting ecosystem.**

These comments prepared by the Columbia River Crab Fisherman's Association

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CRCFA includes by reference other known testimony submitted on National Ocean Policy

Pacific County Marine Resource Committee
Water Protection Network testimony on Water Resource Development updating Guidelines and Principles to CEQ
Marine Conservation Network comments of 4-29-11 on NOP objectives
CRCFA Water Resource Development comments Updating Guidelines and Principles to CEQ

Index: Attachments to Comments

All 9 SAPs:

Comment of US FWS, Office of Science Advisor

(6 pages)

U.S. Fish and Wildlife Service, Office of the Science Advisor

Comments on the Draft Strategic Action Plan for the National Ocean Policy

Staff reviewed all of the nine Strategic Action Plan (SAP) Full Content Outlines. Overall, we were impressed with the breadth and quality of the recommended actions including the way actions were accompanied by explanations of reasons for those actions, and the relevant timeframe, outcomes, and milestones. The Office of the Science Advisor is deeply involved in development of the National Fish, Wildlife and Plants Climate Adaptation Strategy (NFWPCAS), as are some staff at NOAA who are also contributing to the National Ocean Policy (NOP). Although there have not been joint meetings of the two efforts , it is clear from reviewing these SAPs that there will be a large measure of congruence between the actions recommended in each effort relative to the ocean realm and climate adaptation. NOAA deserves great credit for cross-staffing these two efforts as this will go a long way to providing the necessary coordination.

Beyond these general observations, we offer the following comments for consideration:

<u>SAP 1: Ecosystem–Based Management</u>

We applaud and fully support the approach of ecosystem-based management (EBM). In the terrestrial realm, this support for EBM is complemented by our adoption of a landscape level approach to species and habitat conservation. These concepts are highly compatible and complementary because they both require looking not just at the big picture, but at the whole picture, and understanding the larger context for management decisions, actions and investments.

We appreciate the NOPs recognition that the Landscape Conservation Cooperatives (LCCs) can contribute to the evolution and assimilation of EBM as well as landscape level conservation. It may also be relevant to mention the LCC

network as a possible framework for "building collaborative, stakeholder-driven, place-based tools and approaches" as described in Action 1.

Action 1-Milestones calls for establishment of a joint interagency-regional EBM Working Group. We would suggest that the National Ocean Council (NOC) consider making this an Inter-governmental Working Group. In developing the LCC concept it has become clear to the Department that we cannot succeed in our conservation efforts without the involvement and collaboration of our state and tribal colleagues and, ultimately, the private sector as well. We suspect the same will hold true if we really mean for EBM to become a broadly accepted and supported way of doing business in American society.

SAP 2: Coastal and Marine Spatial Planning

Much of what is described in the "Overview of the Priority Objective" (Page 2, Bullet 2) parallels the logic behind LCCs, but with some major differences. The Regional Planning Bodies established by Federal Executive Order seem to be more of a top-down mechanism to get at the issue of joint planning and priority setting among various agencies and levels of government. LCCs aim at taking a more bottom-up approach. Although LCCs are, at the moment, predominantly defined in the terrestrial realm, there is active discussion within the network on how far they should extend their work beyond the coast. At a minimum, these two efforts need to meet and compare notes and determine how they can best complement each other.

SAP 3: Inform Decisions and Improve Understanding

The objective and actions described in this section are very consistent with the National Fish, Wildlife and Plants Climate Adaptation Strategy, which includes a key goal to increase knowledge and information. To increase coordination between these efforts, it may be helpful to explicitly mention the need to improve understanding in how human activities and resource uses affect marine fish, wildlife and plant species, especially in a changing climate (Action 2). In addition, the LCC network may be able to play a role in providing science support for managers and policy makers (Action 3).

SAP 4: Coordinate and Support

This is a crucially important area, not just for the NOP, but also for the National Fish, Wildlife and Plants Climate Adaptation Strategy and the whole arena of fish and wildlife conservation. The network of LCCs is a major investment by the Department of the Interior to bring the essential partners in fish, wildlife and other natural resources conservation together and provide a forum for identifying and discussing each partner's priorities. In the process, joint priorities may be identified where collaboration among the parties can lead to win-win collaborations and where the simple act of organized communication can at least lead to the minimization of conflicts or investments that are at cross purposes. We are pleased to see that this SAP recognizes the potential of the LCCs as one model of a capacity building collaboration. We would suggest, however, that the NOC participate in this endeavor through the NOP as opposed to merely exploring it.

SAP 5: Resiliency and Adaptation to Climate Change and Ocean Acidification

This SAP is the major area of overlap between the NOP and the NFWPCAS. In fact, some of the same staff (at NOAA, at least) are working on both efforts. Although the NFWPCAS is just reaching the point of having an initial draft document, it is clear that there will be much commonality betweens its recommendations and those of the NOP with respect to climate change adaptation in the ocean realm. We appreciate the NOP recognizing the NFWPCAS as a companion effort. To ensure consistency, we suggest an explicit inclusion of the need for research and modeling on the impacts of climate change to coastal, marine, and Great Lakes species, evaluation of potential costs related to sea-level rise on wildlife habitat, and actions to evaluate the vulnerability of priority species in the "Priority Objectives."

Action 1-Milestones (Bullet 6) includes an important mention of research into carbon storage and sequestration. We suggest also including a call for research into the potential effects of managing coastal habitat for carbon storage on coastal fish, wildlife, and plant species.

Under Action 2.1 (Bullet 3), we agree that projections are urgently needed to plan and conduct vulnerability assessments to inform adaptation efforts. Actually, the problem is not too few projections, but too many. There are currently approximately two dozen global circulation models available for projecting broad patterns of temperature and precipitation well into the future. These models are too coarse for most biological applications and need to be downscaled. There are two major approaches to downscaling (dynamic and statistical). In addition, the last IPPC report contained 4 different emissions scenarios. Thus, we have [24 x 2 x 4] = 192 possible futures against which to assess a species' vulnerability. Clearly, this will not happen. Also clear is that fisheries and wildlife biologists are not the ones to select the three or four benchmark combinations of GCMs/downscaling approach/emission scenarios that are best to be used across sectors for adaptation planning efforts. This is one example of why we need something like a National Climate Service. Until we have one recognized and accepted authority that can define what climate scenarios each sector should include in their climate change adaptation planning we are unlikely to end up with sufficiently coordinated and integrated climate change adaptation plans across sectors (e.g., agriculture, conservation, health, transportation, etc.).

Under Action 2.3 (Bullet 1), we would like to note that the NFWPCAS has been organized around the principle that it is a strategy for the next 5-10 years, in the context of what science is currently telling us the world will be like in 50-100 years. Perhaps a similar approach would work for the NOP. It would be one small way in which our efforts could begin to explicitly merge.

We strongly agree with the recommendation in Action 3, and suspect something similar will emerge in the NFWPCAS. Right now, in many ways, fish and wildlife conservation is flying blind when it comes to being able to detect climate change impacts on species distributions, abundances and phenologies in real time. Because many of our inventory and monitoring programs are structured to look for things where they have been in the past, many of these programs may miss where species are moving to, and only record that they are disappearing from

where they recently were. If we are set up to detect only species losses, the impacts of climate change may appear to be worse than they actually are. A few programs like the Breeding Bird Survey and the Forest Inventory and Analysis may be capable of detecting both disappearances and appearances, but we need to at least assess our whole portfolio of programs to determine their utility in assessing climate change impacts on our biota.

Under Action 6, we appreciate the mention of the need to modify practices that could promote mal-adaptation. We suggest expanding the discussion of this important point, especially as it relates to addressing sea level rise in coastal areas.

SAP 6: Regional Ecosystem Protection and Restoration

We strongly support the objective of increasing coordination across jurisdictional boundaries to address complex ecosystem threats. Under the "Context and Continuity" section, the NFWPCAS is another interagency effort coordinated across regions that seeks to help resource managers at all levels of government build shared approaches to ecosystem protection. In addition, actions under Action 1 could also mention the NFWPCAS's collaborative work between states, federal agencies, tribes, and other stakeholders.

Under Action 4, we appreciate the important discussion of mitigation opportunities and the need to create carbon-based incentives for habitat conservation. We suggest also calling for an assessment of how managing coastal habitats for carbon storage would affect coastal species and habitats, and the inclusion of predicted impacts to species in any protocol evaluating carbon gains.

SAP 7: Water Quality and Sustainable Practices on Land

We suggest that an effort is made to ensure that the important actions addressed in this SAP are consistent with the recently released "National Action Plan: Priorities for Managing Freshwater Resources in a Changing Climate" developed by the Council on Environmental Quality's Water Resources Working Group.[1]

[1] http://www.whitehouse.gov/administration/eop/ceq/initiatives/adaptation

SAP 8: Changing Conditions in the Arctic

Strategies for addressing the impacts of climate change on the Arctic Ocean will also be addressed in the NFWPCAS, and we expect that approaches will be highly compatible with actions outlined in this SAP. It may be helpful to mention the NFWPCAS effort as being consistent with the SAP in the "Context and Continuity" section. We appreciate the inclusion of actions to improve understanding of the effect of climate change on ice-dependent species, traditional uses and dependent communities, and potential invasive species in the region. We also suggest inclusion of the need to avoid maladaptive actions and activities that could result in negative effects on Arctic Ocean species and ecosystems.

Index: Attachments to Comments

All 9 SAPs:

Comment of NRDC Activists with edits

(406 pages)

Mr. Peter Sweeney
5711 Columbia Way Spc 160
Quartz Hill, CA 93536-3186

Jun 17, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
Try a sailing navy,Wooden Walls.John Adams

Sincerely,
Mr. Peter Sweeney

Mr. Bill & Marilyn Voorhies
38 Clark Point Rd
West Tremont, ME 04612-3656

Jun 17, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We strongly recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Bill & Marilyn Voorhies

Mr. jay ball
77 westwood blvd
los angeles, CA 90025-4611

Jun 17, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. jay ball

Ms. Susan Greenberg
200 Winston Dr Apt 908
Cliffside Park, NJ 07010-3217

Jun 18, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.
I grew up in the early 1950's near Lake Michigan & it was lovely and safe for swimming.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Susan Greenberg

Ms. Yvette Tapp
1255 Avenida Morelia Unit 204
Santa Fe, NM 87506-9543

Jun 18, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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As a vegetarian, I believe in rights for all sentient beings, and am against humans eating fish and marine life. Human "needs" are debatable. Planetary Needs are not. WHERE IS BP ACCOUNTABILITY, BTW?

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Yvette Tapp

Mr. Kenny Vaher
219 W 24th St
New York, NY 10011-1701

Jun 18, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Kenny Vaher

Ms. carol cowbrough
moscrop court
bounty road
basingstoke, None rg21 3da

Jun 19, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

carol cowbrough

Sincerely,
Ms. carol cowbrough

Mr. Stephen Cardwell
27 Chalfont Court
Knutsford, None wa16 8le

Jun 19, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am a Mechanical Design Draughtsman from the United Kingdom.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Stephen Cardwell

Mrs. MARY ROJESKI
2603 3rd St
Santa Monica, CA 90405-4128

Jun 19, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our oceans die we die.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. MARY ROJESKI

Ms. Mary Rausch
15201 Admiralty Way
Unit C7
Lynnwood, WA 98087-2437

Jun 19, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Please keep in mind that our planet is mostly covered by water. Keeping that water clean and healthy will keep our planet clean and healthy for all of us.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Mary Rausch

Ms. annabel CANER
1592 Laurel Hollow Rd
Syosset, NY 11791-9636

Jun 19, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. annabel CANER

Mr. Tad Caudill
121 Saint Julien St
Worthington, OH 43085-2229

Jun 20, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Anytime you want to go fishing I'm up for it!

Sincerely,
Mr. Tad Caudill

Mrs. Linda Thomas-Boiteux
20700 79th St
California City, CA 93505-2501

Jun 21, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need - and that the well being of our entire planet requires - policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need" - as well as a healthier home-planet on which the survival of all of us depends.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans. Great Lakes and the billions of people and other living beings who depend upon them.

Sincerely,
Mrs. Linda Thomas-Boiteux

Mrs. Judithp Pecho
702 Coronado Rd
Corrales, NM 87048-9526

Jun 21, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Please review this article about the current state of the oceans:
http://www.dailymail.co.uk/sciencetech/article-2005935/Worlds-oceans-shocking-state-say-scientists-warn-marine-extinction.html

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Judithp Pecho

Mr. Daniel Marshall
3030 109th Ave SE
Bellevue, WA 98004-7535

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I mean, personally, I like jelly-fish and sludge, but that's just me...

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Daniel Marshall

Ms. Mary Liss
9002 Southview Ave
Brookfield, IL 60513-1549

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the five-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Mary Liss

Ms. Florence Echtman
211 Trent Rd
Wynnewood, PA 19096-3217

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
can talk about debt and deficit and their effects on the next generations all they want, but if we do not protect oceans and the environment in general, the rest is futile.

Sincerely,
Ms. Florence Echtman

Mrs. debbie & ken tunnell
282 Moore Mountain Rd
Pittsboro, NC 27312-8493

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We need a National Ocean Policy that protects and restores our valuable oceans and coasts for generations. Work hard to make it so.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. debbie & ken tunnell

Mr. Jeffrey Long
855 Granite Ridge Dr
Santa Cruz, CA 95065-9753

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Jeffrey Long

Ms. Nancy Givens
1108 Highland Way
Bowling Green, KY 42104-3863

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Strong protections for oceans is essential for long-term prosperity at home and around the world. We are absolutely dependent on healthy oceans. For this reason, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Only healthy oceans can provide the full range of services that people want and need. Therefore, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Nancy Givens

Mr. Matthew Herman
2015 W Wabansia Ave # 1
Chicago, IL 60647-5501

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Did you see the IPSO state of the oceans report yesterday? The scale and consequences in the long-term of our short-term complacency is staggering. Thank you for having the foresight to have an oceans policy and please have the courage to make it adequate.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Matthew Herman

Mr. Trick Runions
4881 Roosevelt Ave
Loveland, CO 80538-1728

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

THIS HAS TO BE DONE!

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Trick Runions

Mrs. Kim Doumen
1820 Auburn Dr
Richardson, TX 75081-3122

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Thank you for thinking of our future generations and the environment we leave them.

Sincerely,
Mrs. Kim Doumen

Ms. Laurie Kuntz
11850 W Alfred St
Boise, ID 83713-1756

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a biology graduate and someone who is passionate about protecting the marine life that sustains us, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Laurie Kuntz

Mr. Joseph Wilson
212 Richardson St
2
Sausalito, CA 94965-2488

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Because only healthy oceans can provide the full range of services that people want and need, I encourage you to adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Joseph Wilson

Ms. Patrice Schexnayder
5025 Scottish Thistle Dr
Austin, TX 78739-1434

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Life First! Bottom line profits must be secondary!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Patrice Schexnayder

Ms. Ann Hernday
5851 Monte Verde Dr
Santa Rosa, CA 95409-3957

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our Oceans, Lakes, Rivers, Waterways = are the life blood in OUR veins and that of our home = Planet Earth!!!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Ann Hernday

Ms. Kristine Elinevsky
11 Red Gate Ln
Amherst, MA 01002-1818

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Kristine Elinevsky

Mr. Todd Monaghan
53 W 104th St Apt 4a
New York, NY 10025-4281

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them....

Now is the time to act... please don't wait.

Best,

tm

Sincerely,

Mr. Todd Monaghan

Ms. Karen Sorensen
388 11th St
Brooklyn, NY 11215-4011

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

It is vital that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

To that end, please adopt in the plans the definition for ecosystem-based management in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Karen Sorensen

Ms. Joni Bosh
3708 E Cholla St
Phoenix, AZ 85028-2113

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am very glad the government is finally taking action to protect the planet's oceans. I think the draft strategic plan could be improved by a couple of changes that will actually protect and restore them.

The whole point is to protect, maintain and restore the ocean so our kids and grandkids will inherit clean, fruitful oceans. So adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." That seems screamingly obvious to me.

But the plan can't just state what it wants to achieve, it needs to detail how it will achieve those lofty goals. That calls for specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Joni Bosh

Mr. Joshua Hartke
303 S Fair St
Champaign, IL 61821-3122

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am recently married, hope to have children, and want them to live in a world with at least some of the natural beauty and diversity I grew up with.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Joshua Hartke

Mr. Neil Jones
PO Box 1195
Pacific Palisades, CA 90272-1195

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
PLEASE!

Sincerely,
Mr. Neil Jones

Ms. Paulette Zimmerman
5254a Oleatha Ave
Saint Louis, MO 63139-1338

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people and other species who depend upon them.

Sincerely,
Ms. Paulette Zimmerman

Ms. Rose Bertrand
201 Division St
Madison, WI 53704-5330

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Too few people understand the danger to our waters. I hope you do understand the intense and immediate need to do something immediately to protect those water sources.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Rose Bertrand

Mr. Jack Stansfield
16314 62nd Ave NW
Stanwood, WA 98292-8981

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a veteran teacher, a parent, and a grandparent who understands that we do not inherit the earth from our parents but borrow it from our children and our grandchildren, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Jack Stansfield

Mrs. margaret kreager
box24
sandusky, OH 44870

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Stop the greed for profit on earth and humans before you destroy it all....I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. margaret kreager

Mr. Allan Jenkins
6050 Williams Ferry Rd
Lenoir City, TN 37771-7313

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Saving the oceans may represent our last chance to preserve species diversity, our climate, and prevent staggering future food shortages. Our earth is predominantly covered by water - the oceans - and so much that is vital to preserving the earth's ecology begins in the oceans! Please revise the draft strategic action plan to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Only healthy oceans can provide the full range of services that people want and need. Our policies must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for "ecosystem-based management" whose fundamental goal is to maintain "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Allan Jenkins

Mr. James Lukas
961 Ellington Cir
Greenwood, IN 46143-8460

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please make the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. James Lukas

Mr. Erik Freeland
8116 State Route 97
Cochecton, NY 12726-5249

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our oceans are in an incredibly fragile state. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Erik Freeland

Mrs. Louise Meyer
13 Juniper Meadow Rd
Washington Dt, CT 06794-1213

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please develop STRONG policies to protect and restore the oceans and coasts of our amazing planet.. This earth is all we have to sustain our life and that of future generations. If we don't have our environment we don't have anything. WE CAN NO LONGER WAIT, WE NEED TO TAKE STRONG ACTION NOW. Thank you for giving this your careful attention and action.

Sincerely,
Mrs. Louise Meyer

Mr. Peter Myer
11062 Honeycreek Rd
Thornville, OH 43076-9241

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I challenge you to actually do what is needed, and not pander to big business I realize that the likelihood of this is about the same as a snowball rolling through Phoenix today (predicted-113). Please cut and paste some Rocky Mountain oysters on Obama, and at least attempt to do something to thwart our own destruction. An alternative suggestion: bury those deniers of global warming neck deep just above current high tide levels, and wait. Right now, we are the ones buried there.

Sincerely,
Mr. Peter Myer

Ms. susan Garelik
44 Yale Ave
Swarthmore, PA 19081-1607

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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STRONG ACTION ON GLOBAL WARMING TO MITIGATE THE ILL EFFECTS OF ACIDIFICATION ARE THE MOST IMPORTANT STEP YOU CAN URGE!
Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. susan Garelik

Ms. Carole Adams
7473 Carriage Side Ct
Jacksonville, FL 32256-0469

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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I live not too far from the Atlantic Ocean and often take my great-grandson to the beach with me. A healthy ocean is so very important especially thinking about what we are leaving to future generations.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Carole Adams

Ms. Lyn Washington
6 Atherton Ln
Amherst, NH 03031-3063

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Just this week a report issued by a panel of expert scientists convened by the International Program on the State of the Oceans (IPSO) stated that ocean life is now at high risk of entering a phase of massive extinction of marine species unprecedented in human history. This will have huge implications for humanity. The scientists are experts from various disciplines including coral reef ecologists, fisheries scientists, ecologists and marine biologists. Your children and mine will be affected by this unless something is done immediately. The time for bickering among politicians is over. Humanity expects action on the part of world governements not petty delays.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Lyn Washington

Ms. Susan Hathaway
5107 Passons Blvd Apt 313
Pico Rivera, CA 90660-2842

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I'm not sure why you don't think environmental issues are urgent, but they are. All of them are.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Susan Hathaway

Ms. Laura Horowitz
6544 Darlington Rd
Pittsburgh, PA 15217-1840

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations. Our oceans are in immediate danger, and that puts all of us at risk.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Laura Horowitz

Ms. Pat Martin
3599 W Menlo Ave
Fresno, CA 93711-0854

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I agree 100% with the following letter to you. I just read in the Fresno Bee yesterday about how stressed our oceans are and how the coral reefs are in deep trouble and how the oceans cannot snap back to insults such as oil spills and plastics, etc. We do need a health ocean and we must keep it for our children and grandchildren, etc. Thank you.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Pat Martin

Ms. Cindy Abbott
51 Salada Ave
Pacifica, CA 94044-2527

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans.

Sincerely,
Ms. Cindy Abbott

Mrs. Marcia Guzzetta
1397 Merrywood Dr
San Jose, CA 95118-2933

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Yesterday, June 21, 2011, our local paper, the San Jose Mercury News, had an article with the headline: "Report: Oceans' health worse than predicted" by Seth Borenstein. How many more reports like this does it take to open our eyes to what we are doing to our planet?

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Marcia Guzzetta

Mrs. C Sharyn Magee
314 Pennington Rocky Hill Rd
Pennington, NJ 08534-2129

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that peopleand wildlife want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. C Sharyn Magee

Ms. J Kristin Hedges
616 E Capitol St NE
Washington, DC 20003-1240

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Marine life is in serious decline all over the globe, which is of utmost seriousness because the very viability of human life depends on the health of the oceans. Humans depend on marine ecosystems not only for food, but even for oxygen. We must start reversing the deterioration of the oceans immediately, and having policies in place that will prevent more disastrous oil spills is an absolutely critical key part of such policies. Because these are my views, I adopt the message below in its entirety, as my own:
***** **********
*****

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. J Kristin Hedges

Mrs. Sue D'Onofrio
805 Watson Dr
Keysville, VA 23947-2001

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I lived near the Atlantic Ocean for nearly all of my life....I know how important it is, not only to people, but the the creatures that depend on a healthy environment. Therefore, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Sue D'Onofrio

Mr. Harold Chichester
2800 Indianola Ave
Columbus, OH 43202-2358

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of living functions that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Harold Chichester

Mr. Glen Anderson
5015 15th Ave SE
Lacey, WA 98503-2723

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

YOU ARE RESPONSIBLE FOR TAKING LEADERSHIP TO PROTECT OUR OCEANS.

Please change the draft strategic action plan as follows to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

FACT: Only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

THEREFORE: Please adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

SPECIFIC ACTIONS: The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health.

EXAMPLE: All federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

PROTECT ENDANGERED SPECIES AND HABITATS: I urge you to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected.

EXAMPLE: Protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

THANK YOU: Please work hard to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Glen Anderson

Ms. Teresa Rogers
1830 Beld St
Apt 1
Madison, WI 53713-1300

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I have spent my life near or surrounded by the Pacific Ocean, and have first hand observed its gradual degradation. As child, I observed tide pools teeming with diversity, clean beaches, littered only by the natural cycles of ocean inhabitants, and water of deep clarity and purity. Now I see the dead tide pools, with only the heartiest of species hanging on for life, beaches strewn with plastic debris, and there are places I will not swim or even enter the water, often posted with signage with health warnings. Over thirty years in Hawaii, I personally witnessed the depletionof fish and the bloom of algae that chokes the humpback whales who winter there.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Teresa Rogers

Ms. Susan B
319 S 10th St
Philadelphia, PA 19107-6145

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Susan B

Ms. Michelle Rainville
1725 Gillespie St
Santa Barbara, CA 93101-4641

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a person who is on the ocean several days a week all year round, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Michelle Rainville

Mr. Ron Jones
16699 E Auburn Hills Dr
Parker, CO 80134-3033

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The following changes to the draft strategic action plan outlines will help to ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

BeOnly healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Ron Jones

Ms. JEANNE France
13530 Aurora Dr
San Leandro, CA 94577-4035

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

If we don't take action now, our grandchildren will be hurt and the damage will not be reversible.

Sincerely,
Ms. JEANNE France

Mr. Fred Bichl
366 S 76th Ave
Yakima, WA 98908-4113

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

THE MORE CRUISES I TAKE, THE LESS SEA LIFE I SEE IN THE OCEAN. THAT IS FACT. GO THERE AND SEE FOR YOURSELF. IT IS HAPPENING FAST AND NOW.

OCEAN SEA LIFE IS BEING FORCED TO LIVE IN THE EQUIVALENT OF DOWNTOWN LOS ANGELES ON A BAD DAY.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mr. Fred Bichl

Ms. Dorothy Duda
4570 N Citrus Ave
Crystal River, FL 34428-6028

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I strongly recommend the following changes to the drafted strategic action plan outline to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. In the plans the definition for the ecosystem-based management must be adopted, which is supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, and states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will use to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and sea mounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Dorothy Duda

Mr. John Commerford
356 E Alvarado Rd
Phoenix, AZ 85004-1405

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Yesterday, I read about the IPSO study, soon to be released, that shows changes in the ocean which were not expected for hundreds of years. Anthropogenic changes. We must stop exploiting a resource that is crashing.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection from pollution and overfishing, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mr. John Commerford

Ms. Marlene VanDYke
5345 E Van Buren St
Phoenix, AZ 85008-6788

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
We only get one chance to protect our oceans for to Generations come... Do it now before it is too late , once gone there is no getting it back.

Sincerely,
Ms. Marlene VanDYke

Mrs. M H Robbins
53 Fearing Rd
Hingham, MA 02043-1836

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please ensure the National Ocean Policy protects and restores our valuable oceans and coasts for generations.
Thank you.

Sincerely,
Mrs. M H Robbins

Dr. Ellen Perchonock
3300 Darby Rd
Haverford, PA 19041-1061

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

It is urgent that we take immediate action to save our oceans. Please consider the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Ellen Perchonock

Mr. Kim Young
2929 Selena Dr Apt G104
Nashville, TN 37211-2535

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I strongly recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy truly protects and restores our valuable oceans and coasts for generations. This effort is vital for the sake of everyone.

Because only healthy oceans can provide the full range of services that people want and need, truly need, policy actions MUST prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." This is SO IMPORTANT for the sake of healthy oceans and ultimately the health of all of us.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected at whatever cost is necessary. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

THANK YOU for undertaking this very important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Kim Young

Mr. Jeremy Williams
10218 HWY 3
Yarmouth, CA b0w1b0

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

You need to use more of your resources on protecting the oceans. It's common sense.

Sincerely,
Mr. Jeremy Williams

Ms. Sandra George
13 Laurel Hill Rd
Greenbelt, MD 20770-7772

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Without our oceans, mankind cannot survive so we need strong changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sandra George

Ms. Malynda Eastman
2050 Lakemoor Dr SW
Olympia, WA 98512-5568

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Ocean ecosystems must be protected.I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Malynda Eastman

Mrs. Ann Heard
2341 Legend Dr
Colorado Springs, CO 80920-3805

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

A report on the health of our oceans, worldwide just came out this week from the International Programme on the State of the Ocean (IPSO). As a nation, we need to support these findings and solutions in a worldwide effort to save our oceans from extinction.

from the report - 'Technical means to achieve the solutions to many of these problems already exist, but that current societal values prevent humankind from addressing them effectively.
Overcoming these barriers is core to the fundamental changes needed to achieve a sustainable and equitable future for the generations to come and which preserves the natural ecosystems of the Earth that we benefit from and enjoy today. This meeting of experts offers the following recommendations to citizens and governments everywhere to transform how we manage, govern and protect the ocean'.....

Because only healthy oceans can provide the resources that people need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

We must stop living as though resources are limitless. We must quit using and abusing the oceans for today's convenience and profit and think of the generations to come that must live on this earth.

Let common sense and scientific evidence prevail and the United Sates step up to be a leader in making this world a healthy place to live, with resources for generations to come.

Thank you for undertaking this important effort to ensure a healthy future for our oceans.

Sincerely,
Mrs. Ann Heard

Ms. kim skrobiza
531 Turfwood Ln
Solana Beach, CA 92075-2405

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

I AM VERY DISAPPOINTED IN YOU AND KEN SALAZAR'S STANCE ON DEEP SEA DRILLING. PLEASE DO NOT LET A HANDFUL OF RICH GREEDY OIL COMPANIES DESTROY OUR OCEANS JUST SO THEY CAN MAKE MORE MONEY. YOU ARE STRONGER THAN THEY ARE.

Sincerely,
Ms. kim skrobiza

Ms. Sue Blake
550 Belmont St Apt 37
Watertown, MA 02472-4951

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

We all would like healthy oceans. I encourage you to adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Sincerely,
Ms. Sue Blake

Mr. Adam Cornford
6616 Mokelumne Ave
Oakland, CA 94605-2213

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Th report released this week by scientists from the International Program on the State of the Ocean (IPSO) and the International Union for the Conservation of Nature (IUCN) says that unless we act quickly, marine life as we know it will be gone by 2050. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Adam Cornford

Dr. Rael Nidess
100 Stonecreek Dr
Marshall, TX 75672-4557

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Our oceans, just like our atmosphere, are in crisis! It's high time you focused on that fact rather than the corporate interests responsible for our current disastrous future.

Sincerely,
Dr. Rael Nidess

Mrs. Fritzi Cohen
PO Box 82
Nahcotta, WA 98637-0082

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

My concerns about the Ocean are numerous. However, I have submitted a comment on my particular issue which is the West Coast Governors Plan to eradicate spartina grass from Mexico to Alaska as part of their policy to restore the oceans health. This eradication policy has been based on politics, continuing pesticide programs, and not about science which would show that these grasses are important ecosystem servers as well as sequestering CO2 . It seems to me that that the Governor's plan must be consistent with National Ocean Policy. I hope the Council Members will review my comment.
But to continue I am fully in support of
the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy

future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Fritzi Cohen

Mr. Russell Hart
7850 Strathmore Ln
Hanover Park, IL 60133-2233

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Yale Environment 360, a publication of the Yale School of Forestry and Environmental Studies, recently reported a summary of extremely dire findings:

"...A series of marine threats -- including warming waters, ocean acidification, the spread of oxygen-free dead zones, habitat loss, and overfishing -- are pushing the world's oceans toward a phase of mass extinctions not seen in millions of years, according to a new report by a consortium of marine scientists. In a report sponsored by the International Programme on the State of the Oceans (IPSO), the scientists said that the rates of coral loss, fish stock depletion,

open-water "dead zones," and toxic algae blooms have surpassed even the worst-case projections of just four years ago. And these trends could portend significantly wider disruptions on the world's marine ecosystems; all five mass extinctions in the planet's history -- the most recent of which occurred 55 million years ago -- were preceded by similar ocean conditions, scientists say. "The findings are shocking," said Alex Rogers, scientific director of IPSO. "As we considered the cumulative effect of what humankind does to the oceans, the implications became far worse than we had individually realized." The group called on states, regional bodies and the UN to establish programs to better conserve ocean ecosystems -- particularly in the largely unprotected high seas that make up most of the planet's oceans -- and to reduce the greenhouse gas emissions driving ocean acidification and rising sea temperatures..."

We are looking at a MASS EXTINCTION EVENT. In the near future, the world's oceans will NOT be a significant source of food for an increasingly desperate world. It would be a crime to pass along such a legacy.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Russell Hart

Mr. Adam Sloan
270 S Kearney St
Denver, CO 80224-1043

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Adam Sloan

Mr. JOHN B. Morgen
11619 E Via Salida
Yuma, AZ 85367-7264

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coast lines for all generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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The best way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans. Thank you.

Sincerely,
Mr. JOHN B. Morgen

Ms. M'Lou Christ
11485 SW Greenburg Rd
Portland, OR 97223-5392

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The draft strategic action plan needs to be edited to ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for this and future generations.

In order for policy actions to prioritize protection, maintenance and restoration of ocean ecosystem health--which they must in order to be of any use-- you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management. It states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. M'Lou Christ

Mr. Paul Rosenberger
356 E Holiday Dr
Decatur, IL 62526-2338

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please consider future generations.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Paul Rosenberger

Ms. Suzanne Duarte
1567 Twin Sisters Rd
Nederland, CO 80466-9600

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We know that the ocean health worldwide is declining rapidly due to human activities such as over-harvesting and polluting, as well as climate change. A new report warns of mass extinctions in the oceans if drastic measures are not taken. http://www.stateoftheocean.org/

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Suzanne Duarte

Ms. Cheryl Zimmermann
520 W Harvard Ave
Gilbert, AZ 85233-3256

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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This is so critical. Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Cheryl Zimmermann

Mrs. Margie MacDonald
1176 Camp Branch Rd
Waynesville, NC 28786-4786

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

As you are likely aware, a report on the dangerous decline of our oceans was released yesterday. The health of our oceans and earth is in direct correlation to the health of the earth's inhabitants. Like the canary in the coal mine, it's health is relevant to human health. Do not let large corporations make the rules for the health of our earth. They will not do the right thing voluntarily. We must make them do so! The almighty dollar is all they are concerned about.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Margie MacDonald

Ms. M'Lou Christ
11485 SW Greenburg Rd
Portland, OR 97223-5392

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The draft strategic action plan needs to be edited to ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for this and future generations.

In order for policy actions to prioritize protection, maintenance and restoration of ocean ecosystem health--which they must in order to be of any use-- you must adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management. It states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. M'Lou Christ

Ms. Judith SDandoval
2536 SW 25th Ter
Miami, FL 33133-2219

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

want to recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our oceans and coasts for many generations.

Since only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize healthy protection, maintenance and restoration. Please adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which recommends maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs undertaken right now, such as the development of the 5-Year Offshore Oil and Gas Leasing Program. and the Smart from the Start Initiative at DOE.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. These places are part of our ocean heritage and need protection. Thus, areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Judith SDandoval

Mr. Dennis Lyday
1737 Glendon Ave Apt 7
Los Angeles, CA 90024-5738

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a longtime supporter of the NRDC, I fully endorse their concerns and their recommendations as detailed below. We have always treated our oceans as if they were a limitless resource so vast as to be impervious to damage. We now understand that this is not the case.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Dennis Lyday

Ms. Laura Lynch
908 W Islay St
Santa Barbara, CA 93101-4602

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an environmental artist whose work centers around the ocean and marine habitat, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Laura Lynch

Mr. M S Dillon III
4100 Malaga Ave
Coconut Grove, FL 33133-6325

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

There is a very real urgency to protecting the oceans. The conclusions of a panel of international scientist will be presented to the United Nations on Friday, June 24th warning that within a generation entire marine ecosystems could be wiped out, rendering the ocean unable to support human needs.

Jobs, the economy, the wars in Afghanistan (Pakistan), Libya, etc will

become insignificant if the global environmental crisis is not addressed, and sooner rather than later.

Sincerely,
Mr. M S Dillon III

Ms. Carla Eisenberg
1345 Laguna Ct Unit A
Hanover Park, IL 60133-5264

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Making the following changes to the draft strategic action plan outlines will help ensure that our National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must emphasize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Carla Eisenberg

Mr. Michael Frazier
PO Box 1157
Newport, OR 97365-0091

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We only have one ocean. It is the source of life. We must protect it.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Michael Frazier

Ms. Maxine jaffee
4743 N Lavergne Ave
Chicago, IL 60630-3802

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.
I encourage you to adopt in the plans the definition for ecosystem-based management which is supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management. This is a fundamental goal that maintains an ecosystem in a healthy, productive, and resilient condition which will provide the services people want and need.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. All federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and for the millions of people who depend upon them.

Sincerely,
Ms. Maxine jaffee

Ms. Maxine jaffee
4743 N Lavergne Ave
Chicago, IL 60630-3802

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and for the millions of people who depend upon them.

Sincerely,
Ms. Maxine jaffee

Ms. Garland Riggs
8603 Nightingale Dr
Lanham, MD 20706-3952

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The health of our vast oceans affects the whole planet. It is very important to keep them in really good condition

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Garland Riggs

Mr. Peter Widin
800 W College Ave
Saint Peter, MN 56082-1485

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Hello, I would recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Peter Widin

Mrs. Katherine Beaty
509 N 2nd St
Farmington, IA 52626-9552

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Thank you for your service to our country.

Please consider the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

Also consider setting up or tying into a network to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Katherine Beaty

Sincerely,
Mrs. Katherine Beaty

Ms. Lisa Ragsdale
2009 Bryant Ave S Apt 4
Minneapolis, MN 55405-2828

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Only healthy oceans can provide the full range of services that people want and need, Therefore policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. Please adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management. This states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans require and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For example, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you very much for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Lisa Ragsdale

Dr. Edward Walworth
8 Manning Ave
Lewiston, ME 04240-5921

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an owner of a small piece of the Maine coast, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Edward Walworth

Ms. Eileen Sutter
1085 Warburton Ave Apt 524
Yonkers, NY 10701-1011

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I was shocked to read in the Huffington Post a frightening report on the ongoing deterioration of our oceans, and the existence of massive dead areas, one off the Gulf bordering several of our own states. We cannot pretend this is a Third World problem, it is one we have created, and that we have the power to fix.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. Eileen Sutter

Mr. Joseph Laite
PO Box 130
Newburyport, MA 01950-0130

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Thank you so much.

Sincerely,
Mr. Joseph Laite

Dr. Eileen Yager
1510 E 10th Ave Apt 2w
Denver, CO 80218-3104

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am a Colorado physician concerned with the health of the world's oceans.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Eileen Yager

Dr. Eileen Yager
1510 E 10th Ave Apt 2w
Denver, CO 80218-3104

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Eileen Yager

Dr. William Leavenworth
PO Box 69
198 Pond Rd S
Searsmont, ME 04973-0069

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Dear President Obama:
I am a PhD marine historical ecologist. I know as much as anyone living about the environmental history of the New England fisheries, having studied them for about 22 years, and having fished occasionally in those waters, as well as sailed through them for many years.
My estimation is that the edible marine life of the Gulf of Maine has been reduced by 95-100% since 1900, depending on the species and closely-defined area. To put it in perspective: in 1889 more edible marine products were taken by New England shore fisheries than by offshore vessel fisheries: about twice as much by weight and by value.
The value of those fisheries was, in 2011 dollars, many tens of millions, spread along the entire coast, and employing 36,536 fishermen, not counting boat-builders, etc. These fisheries have been nearly destroyed by reckless use of damaging gear, principally otter trawls and pair seines, that have destroyed bottom feeding grounds while exterminating billions of fish before they could spawn.
What you do about it may well determine how well your grandchildren eat when they are your age.
Very truly yours,
Dr. William Burgess Leavenworth
UNH Gulf of Maine Cod Project, etc.

Sincerely,
Dr. William Leavenworth

Mr. Frank Pilholski
1 Nixon Rd
Framingham, MA 01701-3016

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

ingI am recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes.

Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected.

A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mr. Frank Pilholski

Dr. Martha P Nochimson
5020 Tibbett Ave
Bronx, NY 10471-3414

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

THE HUMAN SPECIES CAME FROM THE OCEAN AND IT CONTINUES TO NOURISH OUR LIVES--BUT NOT FOR MUCH LONGER UNLESS WE ALTER OUR BEHAVIOR.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Martha P Nochimson

Ms. Roberta Parrish
8828 Ridge Hollow Ct
Springfield, VA 22152-1424

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a concerned citizen who cares deeply about this issue, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Roberta Parrish

Ms. Skye Coe
3164 Mapu Pl
Kihei, HI 96753-9451

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

It seems pointless to try to affect the decisions of President who seems to have NO evironmental or eco-logicl background, but I will keep signing petitions as long as you keepsending them!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Skye Coe

Ms. Paisley Davidson
203 Nassau Ave # 1
Brooklyn, NY 11222-3509

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.Davidson

Sincerely,
Ms. Paisley Davidson

Dr. Gerrit Crouse
38 4th Ave
Apt 2n
Nyack, NY 10960-2119

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

90% of the large fish in the oceans are gone. There is 10x as much plastic as phytoplankton in the oceans, accumulating increasingly rapidly in several midocean gyres. Carbonic acidification of the world ocean increases steadily, as do growing anoxic dead zones. 200 more nonhuman animal & plant species are driven extinct every day. Real changes need to be made in the draft National Ocean Policy strategic action plan outlines so there is effective restoration & then persisting maintenance of our now severely-degraded & rapidly worsening oceans & coasts.

Adopt in the plans the definition for ecosystem-based management supported by 220 scientists & policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management. The goal which we must achieve is to recover "an ecosystem in a healthy, productive, resilient condition."

Identify specific, short-term actions that agencies will take to halt ocean degradation & recover ocean health.
5-Year Offshore Oil & Gas Leasing Programs are not consistent with ocean health. The Smart from the Start Initiative at the Dept. of the Interior, developing renewable biocompatible energy sources (wind, tidal, solar, geothermal, conservation technology) is consistent with ocean health.

Identify & protect important ecological areas & processes.
Certain areas of the ocean host habitat for endangered species, or serve as critical areas for spawning, breeding & feeding, like the midAtlantic's offshore canyons & seamounts, & need to be protected.

I write as an emeritus member of the American Institute of Biological Sciences (AIBS).

References:

www.globalchange.gov/usimpacts

"Summary for Decision-makers", /Millennium Ecosystem Assessment Synthesis/ (Washington, DC: Island Press, 2005).

Sincerely,
Dr. Gerrit Crouse

Mr. Robert Meehan
9117 Jerusalem Rd
Temperanceville, VA 23442-2645

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Big Oil has a lot of money to throw around and line pockets. All the money in the world cannot compensate for the loss of the largest, most critical resource in the world. Hope you've learned from the Deep Water Spill of 2010. I was there and am following the continuing damage that has been done to the Gulf of Mexico. Don't let this idea for an oversight group go by the wayside. Think of the generations to come, not the immediate, obscene profits being reaped by the oil companies.

Sincerely,
Mr. Robert Meehan

Mrs. Nancy Jacques
11550 Meadwmeer Cir NE
Bainbridge Island, WA 98110

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

THIS IS SO IMPORTANT!!!!!!!!!!!!!!!!!!! NHJ

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Nancy Jacques

Mr. Michael Melcalfe
1421 Pandora Ave
Los Angeles, CA 90024-5164

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

And please read & act upon the suggestions in this week's edition of the June 27, 2011 Editorial in The Nation. We are hoping you will.

Sincerely,
Mr. Michael Melcalfe

Ms. Lynda Goin
304 Calle Florista
Las Cruces, NM 88005-7720

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am an American citizen who has been very much alarmed by the recent report by the International Programme on the State of the Ocean. We are facing the worst extinction event in our history. Much of our sea life will die off, due to overfishing, warming, acidification and pollution, unless we act soon..This is terrible in itself and has terrible implications for human life. Our government cannot afford to ignore this crisis.

Thank you.

Sincerely,
Ms. Lynda Goin

Ms. darynne jessler
4408 Gentry Ave
Valley Village, CA 91607-4115

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am told that as a decision maker you won't pay attention to this form letter. Well, I hope that's not true because you absolutely should! I'll tell you why. I work full time. I have to. I'm single. In addition to that I have a full time personal life, a dog, a cat, a horse, you get the picture. Why should my voice not count simply because I want to have a voice on every single one of the thousands of matters and issues that effect me and that I care about, simply because I haven't the time to write 10 letters a day? How could you not take this form letter to heart? It comes from me from the heart! Yes I rely heavily on these form letters. I have a right to! And as a public servant I think you have an obligation to accept my form letter. It's a vote on the subject matter at hand. So here is a letter that I've read and am in agreement with.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. darynne jessler

Ms. virginia Prevost
PO Box 5
Mc Clellanville, SC 29458-0005

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. virginia Prevost

Ms. Sylvia Wulf
5 Ruthenbeck Rd
Shandaken, NY 12480-5400

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

All life on Earth ultimately comes from the ocean and depends on its continued health for survival. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sylvia Wulf

Mr. Doug Landau
popcomic@tampabay.rr.com
St. Petersburg, FL 33707

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I voted for change!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Doug Landau

Ms. Alahna Allen
2222 Old Port Ct NW
Olympia, WA 98502-3962

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a scuba diver, I regularly see changes to the ocean environment that make me wonder about it's resilience, our actions, and our willingness, as individuals and as a country, to do the hard work of protecting our oceans from further damage, and helping to restore them to a sustainable balance for the future. Concerns voiced by an individual are rarely heard, which is why I join with the NRDC to recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. Alahna Allen

Mr. Mr. and Mrs. Gene and Doris Peters
204 W Havens Ave # 150
Mitchell, SD 57301-3906

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

WeI recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Peace!

Sincerely,
Mr. Mr. and Mrs. Gene and Doris Peters

Ms. Diane Sonntag
1527 143rd Ave SE
Tenino, WA 98589-9658

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan.

Becasue the health of our oceans effect EVERYTHING in our ecosystem, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Thank you,
Diane Sonntag
1527 143 Ave SE
Tenino, WA 98589

Sincerely,
Ms. Diane Sonntag

Ms. Robin K. Elkman
468 12th St
Brooklyn, NY 11215-5247

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
Sincerely,
Robin K. Elkman
468 12th St.
B`klyn, NY 11215

Sincerely,
Ms. Robin K. Elkman

Ms. Christine Manor
910 Grandin Ave
Rockville, MD 20851-1321

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I just visited Pensacola beach for the first time in many years. As usual, it was the most beautiful beach ever and had wonderful shells to be collected. However, I also found tar balls and the water left my hands feeling sticky. This is not the beach I remember.

Please do whatever you can to protect our waters and beaches from this scourge of oil drilling waste.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Christine Manor

Ms. Janice Jackson
1047 59th St
Oakland, CA 94608-2303

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I care deeply for our oceans and the health of the planet. That is why I count on the NRDC to keep me informed and watch for anything that threatens the planet. That is why support the recommended changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Janice Jackson

Mr. Bryce Hutchinson
PO Box 2100
Rogue River, OR 97537-2100

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

If the Ocean goes so do we. A no Brainer except for a politician.

Sincerely,
Mr. Bryce Hutchinson

Dr. Preston Manning
203 Rose Hill Cir
Staunton, VA 24401-2146

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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REMEMGER THE OLD MAXIM FROM BIOLOGY--"ONTOLOGY RECAPITULATES PHYLOGENY". IT REMINDS US THAT WE ALL CAME FROM THE SEA, AND WE ALL NEED THE WATER AND MNERALS OF THE SEA THAT ALLOW US TO LIVE LIKE OTHER CREATURES.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Preston Manning

Ms. Christine Holmes
785a Francisco St
San Francisco, CA 94133-7288

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We already know that the oceans are being impacted exponentially by the devasting trio of over-fishing/destructive fishing pratices, salinity changes due to climate change, and pollution. Since the earth is 70% ocean, if our oceans aren't healthy, our eco system as a whole cannot possibly be healthy. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Christine Holmes

Ms. Caron Gibson
2001 Rum River Dr NW
Isanti, MN 55040-4423

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. I may not live by the ocean but I realize that what affects it will ultimately affect all of us!

Sincerely,
Ms. Caron Gibson

Mrs. Ellen Wasfi
286 Pine Valley Rd
Dover, DE 19904-7111

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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I urge you to consider the information on the fragile nature of our oceans at: http://news.yahoo.com/s/nm/20110621/sc_nm/us_oceans

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Ellen Wasfi

Ms. Barbara Robins
16745 Bajio Rd
Encino, CA 91436-3520

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Barbara Robins
16745 Bajio Rd
Encino, CA 91436-3520
United States

Sincerely,

Ms. Barbara Robins

Mr. Chet Hepburn
1445 N Longfellow St
Arlington, VA 22205-2322

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

When our oceans die we are next.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Chet Hepburn

Miss Allison Cole
185 Davis Ave Apt 7
Brookline, MA 02445-6042

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please implement the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Miss Allison Cole

Mr. William Tyson
14170 SW 144th Ave
Portland, OR 97224-1449

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. If our oceans don't survive, we will not have to worry anymore because we will not survive also.

Sincerely,
Mr. William Tyson

Ms. Sandra Trahan
4131 Prytania St
New Orleans, LA 70115-3838

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please adopt these recommendations- keep our oceans healthy!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sandra Trahan

Mrs. Shannon Rapuano
1437 Ridge Ter
Tarpon Springs, FL 34689-6202

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Shannon Rapuano

Dr. Keith Alstedter
1297 N Ontare Rd
Santa Barbara, CA 93105-1954

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Keith Alstedter

Ms. Susan Didrichsen
229 W 16th St Apt 1a
New York, NY 10011-6038

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We worked hard to elect you a couple of years ago partly because we believed that you were pro-environment and that you would work hard to make necessary changes in regulation, etc to move towards environmental health on all fronts.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Susan Didrichsen

Mr. Ejay Clark
160 Imperial Ave
Westport, CT 06880-4908

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Thank you for undertaking the important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Ejay Clark

Mr. Gregory Smith
12628 Pompanic St
San Antonio, FL 33576-7121

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I have confidence that you will do the right thing. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. We are counting on you.

Sincerely,
Mr. Gregory Smith

Dr. Joan Bell-Kaul
4225 Esch Ln
Madison, WI 53704-2160

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Our oceans, along with forests, are the "lungs of our planet, as well as the home of myriad valued animal and plant species; to kill the oceans amounts to killing ourselves "down the road."

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Joan Bell-Kaul

Mr. Doug & Robin Thompson
PO Box 800
Morongo Valley, CA 92256-0800

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

My wife Robin and I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Doug & Robin Thompson

Ms. johanna kopp
12 Dongan Pl
Apt 607
New York, NY 10040-1595

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the MILLIONS of PEOPLE WHO DEPEND ON THEM.

Sincerely,
Ms. johanna kopp

Ms. Maya Maya
PO Box 1012
Columbus, NM 88029-1012

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans. Jobs could certainly be created by a crew of garbage collecting ships to clean up that continent-sized bunch of waste floating in the Pacific!

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Maya Maya

Mr. Paul Mayer
108 Rainbow Dr # 825
Livingston, TX 77399-1008

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

DESTRUCTIVE ENVIRONMENTAL HABITS OF THE 19TH AND 20TH CENTURIES DO NOT WORK IN THE 21ST CENTURY. WE ARE POISONING OURSELVES AND HURTING OURSELVES IN EVERY IMAGINABLE WAY.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Paul Mayer

Mr. George M. Williams
309 E Edgewood St
Sidney, OH 45365-1603

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

I have read this petition to you and agree with it all !!

P.S.-- Just in 6/22/11 State of the Ocean report--
health of the oceans declining much faster than thought--report to the UN.
We must act NOW with vim, vigor and vitality to stop our excessive ensatiable consumption and waste to save these oceans, seas and lakes

!!!

Sincerely,
Mr. George M. Williams

Ms. Peggy Oba
9109 Main St
Kansas City, MO 64114-3638

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Remember the effects of the GULF OIL SPILLL are not yet over...the true ecological damage may take years to unfold and centuries to correct..

Sincerely,
Ms. Peggy Oba

Mr. Earl Hatleberg
143 Silver Hollow Rd
Chichester, NY 12416-5128

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please make the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Earl Hatleberg

Ms. rachel wieland
33 Ruckman Rd
Hillsdale, NJ 07642-1719

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We need an enormous amount of MPA's (Marine Protected Areas) and need to control pollution and acidification. We are smart people, let's shift change into high gear; and now!!!

Prof. Wieland

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. rachel wieland

Ms. Roseanne Laan
1320 Lakeway Dr Apt 250
Bellingham, WA 98229-2028

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

WE ALLOWED BP TO DESTROY THE GULF OF MEXICO WITH OIL AND CHEMICALS THAT HAVE CONTAMINATED AND KILLED MILLIONS OF TONS OF MARINE LIFE NOT TO MENTION MAKING PEOPLE SICK THAT LIVE OFFSHORE OR EAT WHAT COMES FROM THE AREA. THIS MAKES ME SICK AND FOR ANY SENATOR OR OTHER GOV OFFICIAL WHO EVEN THINKS ABOUT ALLOWING MORE DRILLING IN WHAT IS LEFT OF OUR OCEANS OR LAST WILD PRISTINE WILDERNESS AREAS WILL BE VOTED OUT OF OFFICE. INCLUDING THE PRESIDENT. WE ARE KILLING THE PLANET WITH OUR

INSANE GREED AND STUPIDITY. FUTURE GENERATIONS HAVE LITTLE TO NOTHING LEFT. THEY WILL BE THE ONES DEALING WITH EFFECTS OF GREED AND WASTE THIS AND PAST GENERATIONS HAVE FAILED TO PUT A STOP TO.

Sincerely,
Ms. Roseanne Laan

Mr. Mark Bartleman
1984 Del Mar Ave
Laguna Beach, CA 92651-3816

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I'd like to see the following changes to the draft strategic action plan to help ensure the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. Please adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you.

Sincerely,
Mr. Mark Bartleman

Mr. Edward Day
1670 Center Rd
Montpelier, VT 05602-8534

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Mr. President, as an old retired U.S. Coast Guard reserve officer who spent three years at sea in the North Atlantic, the Bering Sea and North Pacific, I know and respect the world's oceans, and I am concerned at what we are doing to trash them.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Edward Day

Mr. Derek Gendvil
9030 W Sahara Ave # 360
Las Vegas, NV 89117-5744

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Thanks!

Sincerely,
Mr. Derek Gendvil

Ms. Terry Ellen Robinson
3662 Midvale Ave Apt 5
Los Angeles, CA 90034-6623

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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This National Ocean Policy also applies to the west coast. After the Gulf disaster, then Gov. Schwarzenegger declared that no new drilling or any other harmful activity in the Pacific Ocean would be allowed off or on the shores of California. I thank you for respecting California wishes on the protection of our ocean.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. Terry Ellen Robinson

Mr. Andrew Bugbee
13 Maple St
Waretown, NJ 08758-1540

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I'm not against business making a profit, but I am against business making a profit at the expense of the world we all share.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Andrew Bugbee

Ms. Paula Menyuk
162 Mason Ter
Brookline, MA 02446-2772

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Paula Menyuk

Ms. Alexandra Welsko
7538 Warner Ave
Saint Louis, MO 63117-1537

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations. Only healthy oceans can provide the full range of services that people want and need, therefore, policy actions must prioritize protection, maintenance, and restoration of ocean ecosystem health. I encourage you to adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining, "an ecosystem in a healthy, productive, and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Alexandra Welsko

Ms. Sharon Intilli
260 Pine Island Tpke
Warwick, NY 10990-2432

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Without healthy oceans, there will one day be no healthy human beings!!

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sharon Intilli

Mr. Alex Brownstein
1082 Regent St
Niskayuna, NY 12309-5825

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an environmentaI attorney, I support the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Alex Brownstein

Mr. Siddharth Mehrotra
3230 Orange Dr
Camarillo, CA 93010-1322

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores the oceans and coasts; firstly to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition";

Secondly to identify specific short-term and long-term actions to improve ocean health, including a promise to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in all processes and programs; and

Thirdly to ensure healthy ocean resources, and to achieve this to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as sites of spawning, breeding, and feeding. Places like these must be protected. A requirement to protect offshore canyons and seamounts also should be included in the relevant strategic action plans; as should the Great Lakes and other inland waters.

Sincerely,
Mr. Siddharth Mehrotra

Mr. Bill Lanier
2701 Robinson St Lot C1
Colorado Springs, CO 80904-3140

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Sincerely,
Mr. Bill Lanier

Ms. Joyce Carroll
1530 SW 13th Ave
Apt 404
Portland, OR 97201-3395

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

Scientists warmned us just this week our oceans are facing thte greatest extintion known to man if we do not act soon.
One critical way to ensure the healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Joyce Carroll

Ms. Eva Uran
No more postal mail please!
Naalehu, HI 96772-0964

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Save our oceans from pollution. We swim in it and depend on our oceans various resources. Our ecosystems depend on a clean ocean as well. It is imperative to keep them clean.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Eva Uran

Ms. Stacy Boudreaux
859 N Mountain Ave Apt 16c
Upland, CA 91786-4115

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Don't forget about the gulf of mexico!!!!!!!!

Sincerely,
Ms. Stacy Boudreaux

Dr. John Bernard
56 Mildred St
South Portland, ME 04106-2727

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. John Bernard

Dr. Jim Livingston
3135 County Road 456
Skandia, MI 49885-9601

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our health now -- and that of the entire future planet -- depends on that of the oceans. For this reason we must maintain and secure the purity and balance of species in our waters before every other consideration. To ignore our responsibility here is to condemn our descendants to relentless contamination.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Dr. Jim Livingston

Ms. Beth Paransky
PO Box 2552
Pittsburgh, PA 15230-2552

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I support the following recommendations by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Managemen to the draft strategic action plan outlines of the National Ocean Policy. These recommendations will help protect and restore our valuable oceans and coasts for generations.

1. The definition for ecosystem-based management which states the fundamental goal of maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." (MEBM)

2. Action plans that identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right (i.e., 5-Year Offshore Oil and Gas Leasing Program. Smart from the Start Initiative at the Department of the Interior).

3. Identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected.

4. A requirement to protect areas like the mid-Atlantic's offshore canyons and sea mounts also should be included in the relevant strategic action plans.

Only healthy oceans can provide the full range of services that people want and need. Policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Beth Paransky

Mrs. Alec Malyon
Seminole Ave
07436, NJ 07436-2931

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Alec Malyon

Ms. Marilyn Flam
9480 SW 91st St
Miami, FL 33176-1922

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Marilyn Flam

Mr. T. Ed. & Marie Webb
825 Kimry Moor
Fayetteville, NY 13066-1840

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Please adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. T. Ed. & Marie Webb

Mr. Gary Tonkin
239 W Winona St
Duluth, MN 55803-1906

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We need to make the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

In order to insure healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Gary Tonkin

Ms. Rebecca Moraine
4901
Denver, CO 80237

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Forty years ago, Jacques Cousteau said that if the oceans start to die, it is only a matter of time before we will perish as well. This is an irreversible process.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Rebecca Moraine

Dr. Lih Young
1121 Pipestem Pl
Potomac, MD 20854-5550

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

PROTECT PEOPLE'S RIGHTS (CONSTITUTIONAL, LITIGATION, DUE PROCESS, JURY TRIAL, ETC.), FREEDOM OF ALL FORMS; PROMOTE JUSTICE, PEACE, HEALTH, PRODUCTIVITY, WELL- BEING OF GENERAL PUBLIC.
TOP PRIORITIES: Society is in vicious cycles, as in need of revolution, if we don't act:
(1). Prosecute, eliminate "MURDER- fraud- crime- injustice networks"= cruel tyranny= robbery machine = ROBBER- ISM; destroying essences of democracy, capitalism; continuing, on-going; relaying, penetrating every segment of our lives (inc. civic non- profit organizations); expanding here domestically to overseas- foreign countries; with threat, coercion, victimization, deprivation, discrimination; unjust practices, manipulation, influence; bad legislative bills; unjust hidden agenda with false/ misleading excuses (inc. private- public partnership, economic development, housing, school construction, transportation, abandonment of properties, maintenance of "paper roads", nonsense grants, programs; ..., whatever) to benefit/ facilitate "MURDER-fraud- crime- injustice networks" (inc. officials, judges, developers, lawyers, employees, etc.); expand further unjust operation; endless unlawful- immoral acts; rob/destruct resources (rights, land, properties, home, buildings, assets, accounts, income, pension, documents, evidences; public, private; business, civic, political); frivolous litigation, levies, foreclosures, garnishment, guardianship, power of attorney; improper processing of complaints, procedures, proceedings, docketing, bookkeeping, accounting; cause vicious cycles: socio- political- election-media- budget- legislative-system problems; civil-human rights backwards; people-slave. Examples of problems are provided below: **
(2). Restore: principle, fairness, cost-effectiveness, accountability, reliability, capability; fair election, justice, peace (including civic, non-profit organizations), "check and balance"; Restore: TRUE essence of democracy, fair election process; easy access to government, files, records, transcripts; not unjustly manipulated, influenced, misled by wrong person, information, or "official misconduct-government gang- fraud- crime- injustice networks" = serious causes of socio- political election media- budget- legislative problems, which destroy people, families, society, peace, justice, democracy. Based on merits, justification; NO double standards, improper processing of complaints, procedures, proceedings; falsification, false records, tampering of evidence, data; harassment, intimidation (complainant, witnesses); false charges, citation, bond, imprisonment; disparities and improper treatments, etc.; abuse of laws, power, authorities.

(3). Promote democracy, fair election, quality, competition, people input (policies, issues, officials, judges); televise public hearings, citizen/candidate forum/debate; maintain, disseminate meaningful accurate information, records, capability, reasoning, good sense of justice, public interest, endurance. Objective screening by meaningful rigorous examinations, evaluations for quality, capability, endurance and public interest.

* To capture extended serious problems of "MURDER-fraud- crime-injustice networks" with official misconduct- government gang, please incorporate the following: (A). complaints/ cases: administrative and judicial levels; (B) frequent testimonies before government bodies, official, legislators, law enforcement, committees, public hearings; local federal; (C) spin-off complaints, improper processing of complaints, procedures, proceedings, accounting, bookkeeping, docketing, etc.; (D) Candidate statements, see Webs and archives. Urge to re-open and investigate Congress.org, DNet (by League of Women Voters), links, etc.; (E) complaints and reports to police, law enforcement, consumer affairs, other authorities/agencies against "fraud- crime- injustice networks"; (F). Numerous TV programs on social issues that Dr. Lih Young has produced, hosted and as a speaker. (G). Frequent recommendations/petitions to officials, agencies, law enforcement, local - federal; as individuals or with civic organizations.

** EXAMPLES OF PROBLEMS - "MURDER- FRAUD- CRIME- INJUSTICE NETWORKS"- with official misconduct, government gang- endless unlawful immoral acts:
(A): OPM, IRS, DHHS, SSA, DOJ, FBI, DOD, USDA, DOC, USCIS (US citizens/ neutralization services), custom services, various agencies, law enforcement; 3 branches, local federal- global; National Park Service (Prettyman?), Library of Congress (Neil Gladd); many financial/brokerage/ accounting/ bill-payment processing/ collection institutions/agencies; insurance, car related businesses, utilities..., more; dealers Lakeforest Oldsmobile; phone/utilities/cable, judges, legal/court personnel, detective/ process server/ impersonators, with phony names, or would not provide names even in the court cases (Complainant could not get access to court files; could not even make copies); Leslie Gradet, Tamera Jones, William D Roessler; Offices of Treasury, Comptroller, Attorney Gneral: Joel Jacob/Jacobson, Gail Malle-Davis, Sylvia J. Brokos, Mary Hawse, Linda Tanton, Gerald Langbaum, John Barry, Pamela Porter, Leo F. Partridge, Mark Vulcan, Jamis Riley, James Britt, Audrey Thomas, Jeanne Lippy, Jesse Rosenburger, Ralph Lepson; transcribers Margaret Bauer, Senators: Walter Baker, Barbara Hoffman, Thomas Middleton, Trooper: Marty Sealey, Vincent Mass, State Election Board Ross Goldstein; Maryland DOEd Susan Page, Barbara Smith(?), SSA employees and supervisors (especially in Rockville, Md), and Bullivant (?, probably in N. J.; or other states). Lobbysts/ municipal attorneys/lawyers/affiliates, Paul Glasgow, David Venable, Joseph Stoltz, Jr., Barry Gordon, Stephen Perouka, David Steinberg, Wolpoff & Abramson, Richard D. Mirsky, Poppleton, Garrett & Polott, P.C., accountant Hilda K. Matijevic; Marc Sliffman (Silver Spring, Wheaton area), Samuel White and his law firm and lawyers Shawn Bartley, Daniel Pesachowitz, Laura Jolly (phony person, named as "substitute trustee", but can never be found or contacted even through official agencies); many court personnel and

judges (District Court Court of Special Appeals). Court Auditor Robert Romero. State, county health services organizations/ agencies, Department of Health and Human Services, Montgomery County Crisis Center, Jean Burgess (white, female), Marsha Aaron; Department of Aging; Adult Protective Services, Sherry Davis, Suzanne Lord (?), Odick Esq., Bonnie Klem, etc.; Suburban Hospital, physicians, emergency staff; social worker Jody Crecensi (?), case manager Patricia Grafferty (?), Robert Rothstein, M. D. (?), Tipp Woodward; Manor- Care in Potomac Maryland: Cheryl Paulson (?, administrator) and nurses, etc.; forensic services, Maryland Department of Health and Mental Hygiene: Jolie Smith; numerous psychologists, psychiatrists, social workers, etc.: Potomac Ridge Steven Israel, Collin, Gabriel (?); social worker Tracy Lewit; Springfield Hospital Center: forensic services, Kevin Knight, Dr. Valadez (refused to give full name, despite repeated requests); Carla Craville, Francoise Reynolds, Roxanne Heyman, Amy True; Judges James Sasfield, Gary Crawford, Cheryl McCally, etc., prosecutors/government attorneys, e.g., John McCarthy, Nunylny (?), Peter Mitchell (Montgomery County Office of Human Rights); District Court Commission (Rockville, Md) M. Dickerson; Court Personnel T.M. (only initials, no full name available); many judges, clerk of the courts (Jeffrey Ward, Loretta Knight, Bettie Skelton, Molly Rhul, etc.), other court personnel, various counties, states; local federal; law enforcement, FBI; police e.g., in Rockville, Md. Sgt. Cowell (first name not available), C.P. Sadleson; officer Davis (MCPD); Denis Lewis (Baltimore County); sheriff: R. Lewis (Female, White, Montgomery Countym Md.), K. Naff (white, male, Montgomery County, Md); fire and rescues (abuse, even when there is no fire, and no rescue necessary; conspired with police and fraud- crime- networks. Private attorneys: Robert McCarthy (Bethesda, Md.), Olivia Cammack (Silver Spring, Md.), David Slacker (Bethesda Md.); Ria Rochvarg (assigned as legal assistance provider to certain counties by Md. Department of Health and Mental Highgiene, but she went around the state for various abuses with Sherry Davis, Police Davis, etc. attorneys (public and private), Timonthy Adelman, Esq., (?) and law firms Adelman, Sheff and Smith(?, in Annapolis, Md), Robert McCarthy, Suburban Hospital, etc. Landlord/ landladies e.g., Jiewen Tan (Rockville, Md.) and Chia Yao (Gaithersburg, Md.) had been unjustly influenced/ conspired.
(B): The problems are interrelated horizontally and vertically, among all issues, local- global. Clerks of the Circuit Court (Montgomery County, Md.) Loretta Knight, Bettie Skelton, Molly Rhul; District Court Clerk Jeffrey Ward, Administrative Judge Cornelius Vaughey, Sheriff Elliot Tolbert, etc. government attorney John McCarthy, Kristen Bender, court personnel, attorneys (public, private), law enforcement (FBI, sheriff, police, fire/rescue, etc., contractors) are part of the ":fraud- crime- networks: with spying, surveillance, harassment, unlawful search, stealing, robbery, injuries; false arrest, imprisonment, citation, trespass, testimony; withholding witnesses; destroy information, documents, evidence, etc.
(C). False/ unjust/ frivolous levies, liens, garnishment, guardianship, power of attorneys, foreclosure, tenant-hold-over-eviction, etc. Thousands of cases are pending in the court systems for years or even decades; believed to be filed by "fraud- crime- networks" to victimize people; without due process, proper services, proceedings; cause homelessness, poverty; not because of the problems of homeowners/citizens, but because of unjust judicial/court/legal personnel, court auditor Robert Romero as part of "official misconduct-

government gang- fraud- crime- injustice networks". Judges (unjust, irresponsible, judicially disabled) include Warren Donohue, John Debelius, Durk Thumpson, Ann Harrington, Louise Scrivener, Lawrence De Beard, Eric Johnson, James McKenna; District Judge Gary Everngam, Judge Gary Crawford; court personnel/ sheriff, attorneys, affiliated law firms; Sheriffs Earnest Turner, R. Lewis, K. Naff, etc.
(E). Problems of privatization, irresponsibility, disabilities of government attorneys and judicial/legal/court personnel are very serious, expanding, local- nationwide- global; exporting injustice overseas; Rockville city, Montgomery County, Maryland state; New Jersey Monmouth County, Judge Robert McLeod (private attorney), Judge Patricia Bueno Cleary, Prosecutor (private attorney) Patrick Healy, police David D'Arcy.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Lih Young

Dr. Randall Tyers
1510 Lexington Ave Apt 16d
New York, NY 10029-7170

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The following changes to the draft strategic action plan outlines are required to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Randall Tyers

Ms. Sharon Wheeler
3337 Octavia St Apt 4
San Francisco, CA 94123-2225

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

In the draft plans, I encourage you to adopt the definition for ecosystem-based management supported by more than 220 scientists and policy experts. A fundamental goal of the Scientific Consensus Statement on Marine Ecosystem-Based Management is maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." This definition should be integral to the strategic planning process for all the nation's ocean and Great Lakes resources.

The plans also need to identify specific, short-term actions that agencies will take to improve ocean health. In their current undertakings, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles. For example, development of both the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior should be guided by the National Ocean Policy.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our precious oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sharon Wheeler

Ms. Irma Botvin
130 Valley View Ave
San Rafael, CA 94901-1143

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Irma Botvin

Ms. Rita Gentry
2202 N Norton Ave
Tucson, AZ 85719-3831

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an American much concerned about damage to our oceans and shores, I write to urge you to make the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. We need healthy unbounded oceans for the unbinding of our constricted hearts.

Thank you.

Sincerely,
Ms. Rita Gentry

Mr. Scott Maclowry
2314 NE Wygant St
Portland, OR 97211-6454

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Let's try and leave our children a few resources to manage the staggering debt we've bequeathged them.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Scott Maclowry

Ms. marsha Sheiness
365 W 28th St Apt 21g
New York, NY 10001-7919

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Marsha Sheiness
365 W 28th Street #21G
NY NY 10001-7919

Sincerely,

Ms. marsha Sheiness

Ms. Carol Russell
89 Greenwood St Apt 417
Lake Placid, NY 12946-7005

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The acidity, the temperature and the deadly man-made irradiation/poisoning, the climate changes causing the rise that will swallow up such places as Venice and Miconesia - scientists predicting mass extinction and still you support the MERCHANTS OF DEATH: oil, gas, coal, nuclear, the CAUSE of all the planet's demise: the Industrial Military complex and Plutocrats....someone once asked Pres. Carter who was responsible for the greatest evil in the world, his unguarded reply, "THE RICH" - With the permeating radiation, poisoned air and water and the corrupt excesses of all governments, the oceans are now beyond reclamation - our great-grandchildre, if they survive, will never know what once was.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Carol Russell

Ms. Fern Bassow
20 Chestnut St
Cambridge, MA 02139-4850

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am writing to you because I care deeply about our oceans and marine wildlife, and I want to do whatever I can to help protect them.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Fern Bassow

Mr. Evan Collins
1743 Powder Ridge Dr
Palm Harbor, FL 34683-4847

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Evan Collins

Ms. Dorothy Foster
3522 SW 33rd Ter
Topeka, KS 66614-3341

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Because I know that we must wake up and start protecting our oceans I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Dorothy Foster

Ms. B. Braastad
7827 Fondren Rd
Houston, TX 77074-4601

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. B. Braastad

Ms. Chuck Kottke
W10527 County Road X
Crivitz, WI 54114-8045

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
The web of life we are all part of, and we owe it to ourselves to maintain healthy ocean ecosystems, as part of the health we all share on this planet.

Sincerely,
Ms. Chuck Kottke

Mrs. Carol Laymon
5704 Spanish River Rd
Fort Pierce, FL 34951-2895

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. I live about a mile from the ocean so this work is especially meaningful to me.

Sincerely,
Mrs. Carol Laymon

Mr. John De Camp
156 Lawrence St
Saratoga Springs, NY 12866-1355

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. John De Camp

Mrs. Jill Wettersten
5244 N Sawyer Ave
Chicago, IL 60625-4716

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Please put preservation ahead of politics in this endeavor. Thanks for your help.

Sincerely,
Mrs. Jill Wettersten

Mrs. Eve Duplissis
PO Box 2364
Lewiston, ME 04241-2364

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please consider the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Eve Duplissis

Mr. Jonathan Sanborn
170 W 73rd St
New York, NY 10023-3006

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

If the earth were an organism (which it really is in a way), the oceans are a major portion of the respiratory system. We should not pollute these precious resources for the same reason that we wouldn't dump garbage and raw sewage into a bathtub or a swimming pool.

Sincerely,
Mr. Jonathan Sanborn

Mrs. Ursula Weuste
30 Elsinore Dr
Watchung, NJ 07069-6130

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ursula Weuste
30 Elsinore Dr
Watchung, NJ 07069-6130
United States

Sincerely,
Mrs. Ursula Weuste

Mr. hank kulesza
2961 S 37th St
Milwaukee, WI 53215-3514

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Lets keep our oceans clean. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. hank kulesza

Miss Rosita Aranita
1440 Randolph Ave
Apt 305
Saint Paul, MN 55105-2561

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. I am very encouraged by this move and fully support these efforts!

Sincerely,
Miss Rosita Aranita

Ms. Susan Strelec
545 Centre St Apt 406
Boston, MA 02130-2033

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. The lackadaisical response to BP and almost immediate issuing of more and more permits is beyond nightmarish. These poor short-sighted policies must be halted now; permanent damage has surely already been done in every ocean on our beleaguered planet.

Sincerely,
Ms. Susan Strelec

Ms. Elizabeth Knowlton
361 Arizona Ave NE
Atlanta, GA 30307-2203

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance, and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive, and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Elizabeth Knowlton

Mr. John D'Ambra
74 High St
Butler, NJ 07405-1108

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I RESPECTFULLY recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. John D'Ambra

Dr. Katharine Odell
1415 Vilas Ave
Madison, WI 53711-2225

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

1. policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

2. identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

3. identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Katharine Odell

Mr. Nick Stevens
18100 NE 95th St
Redmond, WA 98052-6931

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I encourage you to adopt the Scientific Consensus Statement on Marine Ecosystem-Based Management.

Sincerely,
Mr. Nick Stevens

Mr. Frank Costanza
5160 Washington St
Hillside, IL 60162-1246

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

One last critical point . If I correctly understand ocean scientists much more knowledgeable than myself,such as Dr Sylvia Earle, about the environment , if we do not improve the health of our oceans in the next ten years or so it will ultimately lead to the extinction of all life.
I know I am going to do everything I can but it is going to take more than you and me.

Sincerely,
Mr. Frank Costanza

Ms. Christina Bays
508 N Nevada St Apt J
Oceanside, CA 92054-2461

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

NOW is when we need to act...not when species die off and our grandkids never see whales, polar bears etc..I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Christina Bays

Ms. Mary Rausch
15201 Admiralty Way
Unit C7
Lynnwood, WA 98087-2437

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Please keep in mind that most of our planet is covered in water and it that water is not healthy our planet is not healthy. It is up to you to defend our waters from those who would do harn to them for a profit.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. Mary Rausch

Ms. Jenny O'Neil
Otero County
Alamogordo, NM 88310

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I respectfully recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Jenny O'Neil

Ms. Robin Vosburg
912 Rockwood Ave
Bakersfield, CA 93308-1421

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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As was posted to Thom Hartmann Blog today, "Are we on the verge of seeing a mass extinction in Earth's oceans? That's what a group of top ocean scientists warn in a new report released this week by the International Programme on the State of the Ocean. Because of pollution and global warming - the oceans are losing oxygen and becoming more acidic - threatening to trigger a mass extinction not seen in over 50 million years - when half of all the life in the oceans was wiped out.

"Scientist Daniel Laffoley - a co-author of the report - said, 'We now face losing marine species and entire marine ecosystems, such as coral reefs, within a single generation...and we are also probably the

last generation that has enough time to deal with the problems.'

"We all have to realize soon that we can't live above and beyond our environment anymore - if [the ocean] dies - then we die too."

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Robin Vosburg

Ms. Emily Lancaster
95 Renfield Street
Guelph, CT 63864

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please regard my concerns; this issue is very important to me!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Emily Lancaster

Ms. Grace Neff
800 28th Ave SE
Albany, OR 97322-4177

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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I hear that our Oceans are in serious trouble from overfishing to unsustainable amounts of pollution. This is a frightening outcome of lax government oversight and I hope it is not too late to remedy the damage.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Grace Neff

Ms. Leila Raim
144 Dominga Ave
Fairfax, CA 94930-1605

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a retired national park ranger-naturalist and active conservationist, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Leila Raim

Ms. Ria Tanz Kubota
671 El Cerro Dr
El Sobrante, CA 94803-1807

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Of course, plans also need to name specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

Important ecological areas and processes must be found and named. Certain areas of the ocean are
important habitat for endangered species or are critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Let's protect and restore awe-inspiring and life sustaining critical habitat.

Sincerely,
Ms. Ria Tanz Kubota

Ms. Lauren Brown
3309 Glenmoor Dr
Chevy Chase, MD 20815-5641

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Together, we really can do it! Thank you so much for protecting our oceans.

Sincerely,
Ms. Lauren Brown

Dr. John Cosgrave
191 Laurel Dr
Boulder Creek, CA 95006-9014

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our Oceans are Dying! Can you help reverse this trend? When the oceans die, how much longer do you think we can live?

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. John Cosgrave

Ms. Hilary von Waldenfels
Manteuffelstraße 76
Berlin / New York, NY 10009-5101

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Before beginning this letter, I would like to refer you to this recent article on the BBC Website. It very thoroughly and grippingly relates the severity of the current condition of our planet's blue oceans, and defines not only what we stand to lose, but what we need to do, on a global basis, as citizens of the world, to endeavor to turn this terrible trend around:

BBC Article from 20th June, 2011:
"World's oceans in 'shocking' decline"

http://www.bbc.co.uk/news/science-environment-13796479

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Hilary von Waldenfels

Dr. Jill Hoehlein
602 Powderhorn Trl
Hesperus, CO 81326-6701

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Having lived near a beach most of my life - I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Jill Hoehlein

Mr. Robert Mazairz
75 Donald St
Weymouth, MA 02188-3962

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please do all you can to protect our oceans. You are the one best suited to achieve this for us.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Robert Mazairz

Mr. George L. Trigg
143 W Franklin Ave Apt 316
Pennington, NJ 08534-1442

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. George L. Trigg

Mr. George L. Trigg
143 W Franklin Ave
Apt 316
Pennington, NJ 08534-1442

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. George L. Trigg

Ms. Pat Kennedy
4 McLean
Irvine, CA 92620-6207

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

For the sake of our children, grandchildren and the world we all live in, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Pat Kennedy

Mr. Donald Chu
8909 Admiral Dr
Laurel, MD 20708-3511

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Another important step toward protecting the oceans would be to ratify the UN Law of the Sea Treaty.

Sincerely,
Mr. Donald Chu

Dr. Wilfred Guerin
259 Atlantic Ave
Shreveport, LA 71105-3026

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am aware of the efforts of the NRDC to marshal support for its positions on the plans and regulations to be developed by the National Ocean Council.

Without merely repeating the general letter prepared by the NRDC on this important matter, please count me in as one more person that understands and accepts the carefully developed positions of the NRDC.

Please give thoughtful attention to the NRDC as a positive contributor to the plans for the the ocean waters..

Sincerely,
Dr. Wilfred Guerin

Mr. Paul Hopkins
12 Bennett Ln Unit F
Norwalk, OH 44857-2642

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I would like the National Ocean Council to copy California in its creation of Marine Sanctuaries all along the coast where fishing is prohibited. This has proven to be a very useful method of protecting the oceans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Paul Hopkins

Mrs. Judith Burroughs
47 Hillendale Dr
New Milford, CT 06776-2140

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

IF NOT US, WHO?

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Judith Burroughs

Ms. Margaret Southwell
113 Glenwood Rd
Fanwood, NJ 07023-1474

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our Oceans are of vital importance to the world's ecosystems. They are in drastic decline ecologically. Won't you please, for once , understand the importance of ecosystems and the well being of the Earth and all the creatures inhabiting it.

Sincerely,
Ms. Margaret Southwell

Dr. Roger Morton
157 Sawmill Dr
Penfield, NY 14526-1037

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I fully support the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Roger Morton

Dr. Elizabeth Bettenhausen
345 Plymouth St
Cambria, CA 93428-2716

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please read the State of the Oceans report, a summary of which has just been released.. This warnings confront our conscience.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Elizabeth Bettenhausen

Mr. Gabriel Gardner
907 E 8th St
Duluth, MN 55805-1648

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Gabriel Gardner

Mrs. Barbara Robbins
288 Golf Course Rd
Madison, ME 04950-3806

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Barbara Robbins

Mrs. Mary Ann Cordray
104 Syracuse Ave
Medford, NY 11763-3625

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sound science based policy, please! There is decades worth of compiled scientific data that can show us how to maintain healthy ecosystems and a healthy economy at the same time. Sustainable development is our hope for the future of all humanity. It is by now a cliched statement but my motto is "think globally, act locally". Thank you.

Sincerely,

Mrs. Mary Ann Cordray

Ms. Constance Franklin
808 1/2 Laguna Ave
Los Angeles, CA 90026-6197

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an advocate for the environment and wildlife, I am writing to recommend the following changes to the draft strategic action plan outlines. We need to makde sure National Ocean policy protects and preserves our oceans and coasts for generations.

All of us know that only healthy oceans can provide the full range of services that people want and need, so policy actions must make protection, maintenance and restoration of ocean ecosystem health a priority. Please, adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Constance Franklin

Ms. Dorothy Wake
1120 - 35th Ave
Sacramento, CA 95822-2438

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

If our oceans don't survive, neither do we! I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance, and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Dorothy Wake

Mr. Richard DeCicco
6168 Walnut St
Mays Landing, NJ 08330-3092

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you very much for your time.

Sincerely,
Mr. Richard DeCicco

Mr. Kevin Kahover
1127 Loyola Dr
Libertyville, IL 60048-1277

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

During your development of marine management strategies over the next couple of months, please make a special effort to address the horrid conditions of the fisheries in our waters. More than 90% of species in our fisheries are over-fished, and action needs to be taken to ensure and ecologically and economically responsible solution to the current state of our fish population. I know that these issues are already regulated by the NMFS, but multi-departmental action can lead to good results. In general, sound, scientific research should be used when addressing any ocean conservation issue, and oftentimes the suggestions of ecologists and systems biologists can lead to suggestions for long-term marine-based economic growth that is based on responsible resource management.
Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Kevin Kahover

Mr. Joseph Dubaniewicz
606 Nordic Ct
Libertyville, IL 60048-3036

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Although I don't understand the topics fully, I advocate more action to keep our oceans as healthy as possible. The following narrative was supplied by the Natural Resources Defense Council, and I concur.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Joseph Dubaniewicz

Mrs. Lori Smith
2266 Howell Mill Rd NW
Atlanta, GA 30318-1664

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. Our oceans are far from healthy, and it's getting worse instead of better.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Lori Smith

Mr. Justin Lamkin
PO Box 532
Kittery, ME 03904-0532

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Please protect our oceans.

Sincerely,
Mr. Justin Lamkin

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Please protect our oceans.

Sincerely,
Mr. Justin Lamkin

Ms. mary white
2327 5th St
Berkeley, CA 94710-2407

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. mary white

Ms. Lorraine Conlen
709 Woodland Dr
Los Osos, CA 93402-3819

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

We humans have royally screwed up this beautiful earth and we need to do everything we can to help it heal. For all our children, be a leader in showing us the way.

Sincerely,
Ms. Lorraine Conlen

Ms. Lorraine Conlen
709 Woodland Dr
Los Osos, CA 93402-3819

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

We humans have royally screwed up this beautiful earth and we need to do everything we can to help it heal. For all our children, be a leader in showing us the way.

Sincerely,
Ms. Lorraine Conlen

Ms. Andrea Cortese
2451 Brighton Ave
Scranton, PA 18509-1022

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Protecting the oceans is something that should come without much thought at this time.

Sincerely,
Ms. Andrea Cortese

Mr. Luke Asbury
2945 Lexington Dr
Ventura, CA 93003-2913

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I STRONGLY recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. Given the fact that we are destroying our planet, including the oceans, at an alarming rate, I STRONGLY encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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It is time to show some real leadership and support this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. If you don't do this, we're toast.

Sincerely,
Mr. Luke Asbury

Mr. Alex Oshiro
1920 Kahakai Dr
Honolulu, HI 96814-4820

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

We all need to take better care of our planet so that we all can share its resources.

Sincerely,
Mr. Alex Oshiro

Mrs. Leigh Lustre
1517 N 8th St
Boise, ID 83702-3602

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The ocean is like another world. I have heard we are more familiar with parts of space than we are the earth's oceans. Measures need to be taken to protect it. We don't even know the repercussions of our ocean practices on the wildlife, the whole ecosystem, and eventually our own children's health.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mrs. Leigh Lustre

Mr. Bobbie Flowers
418 W 17th St Apt 22a
New York, NY 10011-5826

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Bobbie Flowers

Mr. Stuart Perkins
15/57 Latrobe st
Warragul, None 3820

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Evidence has shown that marine sancturies greatly assist in repopulating ocean species adding to the fishing industries sustainability and the overall health of the oceans.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Stuart Perkins

Mr. Roger Nott
2335 Stephens Cir
Gainesville, GA 30506-1115

Jun 22, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Sincerely,
Mr. Roger Nott

Ms. F Hammer
1490 Chestnut St
San Francisco, CA 94123-3159

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. F Hammer

Ms. Julie Glover
7292 Maxwelton Rd
Clinton, WA 98236-8814

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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PLEASE make this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. THIS REALLY, REALLY MATTERS!!!!!

Sincerely,
Ms. Julie Glover

Mr. Scott Korman
20 Linford Rd
Great Neck, NY 11021-4929

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Scott Korman

Ms. Bistra Staykova
Boyana 772-16
Sofia, None 1000

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

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Sincerely,
Ms. Bistra Staykova

Ms. Bistra Staykova
Boyana 772-16
Sofia, None 1000

Jun 23, 2011

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722 Jackson Place, NW
Washington, DC 20503

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Thank you for undertaking this important effort to ensure a healthy future for the oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Bistra Staykova

Ms. Cheryl Johnson
1538 Palmgren Dr
Glenview, IL 60025-4372

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am writing about a strategic action plan to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Cheryl Johnson

Ms. Alta Lee
PO Box 413781
Kansas City, MO 64141-3781

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

I pay a water bill for the clean water I drink and bath in. There are water processing plants that assure the public safety. True, this is fresh water. However the Oceans are just as vital to planetary health and should be maintained to their best condition to support marine life (Whales, dolphins, fish, crustiations, coral reefs...)Perhaps some of that sewage runoff charge should be for ocean maintenance.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Alta Lee

Mr. Archer V. Elmendorf, Jr.
3204 Harrison Pike
Chattanooga, TN 37406-1443

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a Native American father, grandfather, and great-grandfather, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for present and future generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." We share the responsibility of protecting these beautiful, and valuable, natural resources and ecosystem for the benefit of our children and grandchildren, and their grandchildren; as well as the beautiful, and valuable, imperiled species which depend on them.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mr. Archer V. Elmendorf, Jr.

Ms. Elayne Kushner
1440 23rd St Apt 219
Santa Monica, CA 90404-2923

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am very concerned about the fate of our planet, and the oceans, of course, make up the majority of the planet and are being constantly contaminated by us -- in so many ways. therefore, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Elayne Kushner

Ms. Regina Quincy
6435 Alomar Ave
Las Vegas, NV 89118-1131

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. I and all life on the planet thanks you for your hardwork.

Sincerely,
Ms. Regina Quincy

Mrs. Jenny Gillespie
4409 Green Spring Cir
Kingsport, TN 37664-2154

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." The unfortunate reality is that people are willing to preserve and protect only what they deem worthwhile and beneficial to them, and only a specific mandate such as this will hold up in court.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Jenny Gillespie

Ms. Nicole Williams
43 Doranne Ct SE
Smyrna, GA 30080-8080

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Not only does the ocean provide these services, it is time humans stopped being so selfish and had a regard for other species and their well-being.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Nicole Williams

Ms. Nancy Hazard
30 Spring Ter
Greenfield, MA 01301-3017

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am very concerned about the rapid decline in ocean eco-systems!

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Nancy Hazard

Ms. Jinny Lee
402 Centre St
Melrose, FL 32666-3950

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. It's morally and spiritually the right thing to do.

Sincerely,
Ms. Jinny Lee

Ms. Terri Armao
812 S Adams St
Arlington, VA 22204-2137

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Terri Armao

Mrs. Laurel Rule
PO Box 207
Westport, NY 12993-0207

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. We need to step up and take care of our home.

Sincerely,
Mrs. Laurel Rule

Mr. Harry McDaniel
9680 98th St
Ozawkie, KS 66070-5056

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As my wife and I travel around the country, we are always struck by the beauty of the oceans and beaches bordering our country. These need protection through wise use and preservation. Therefore, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Harry McDaniel

Ms. Daria Flores
4429 New Hampshire St
San Diego, CA 92116-1045

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines:

The definition for ecosystem-based management which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

An action plans that identifies specific, short-term actions that agencies will take to improve ocean health.

A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts.

Thank you.

Sincerely,
Ms. Daria Flores

Mr. Richard Kuehn
PO Box 178
Council, ID 83612-0178

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. SAVE THE OCEANS!

Sincerely,
Mr. Richard Kuehn

Mr. Sean Parrott
4826 Lambeth Dr
San Antonio, TX 78228-1019

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Also, we need to take multiple steps to clean up run off water from toxins that are killing our food and life sources in rivers and oceans.this would include the problematic storm, chemicals and waste products convergence.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Sean Parrott

Ms. Sara Perron
38148 Beecher Dr
Sterling Heights, MI 48312-1406

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Now is the time to get started protecting our oceans.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sara Perron

Ms. Lorelei Mercer
15609 Capitol Cir
Omaha, NE 68118-2013

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I have some realistic and straight forward requests.
First, America in general needs to stop using the ocean as a landfill. Oil spills kill, but we really need to stop dumping trash in the ocean. Scientists are going to new depths in our oceans all the time, and what new discoveries have they made? Trash. Tons of it lining the bottom floor killing our oceans.

My dream is not only will ocean dumping be illegal, but inforce stiff penalties for the ceos of companies that encourage it. Like prison time. Giving them a monetary fine means nothing.

Second, if we must drill for oil, we must have better guidelines and safer means of which to accomplish these tasks. And when a major company such as BP flagranty ignores all measures of saftey, once again, not only have stiff financial penalties but ban them from drilling in the ocean. Simply put, if they don't care about poisoning the oceans they can't drill.

I realize that this seems radical. But what will you eat and drink if our ocean is beyond filtering and ALL the fish have died?

Sincerely,
Ms. Lorelei Mercer

Ms. Pat Medeiros
32 Pineview Ter
Taunton, MA 02780-1150

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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We are losing diverse species, coral reefs and healthy numbers of fish stock.
We are experiencing increasing area of no oxygen ocean environments that cannot sustain it's ecosystem. We are at a tipping point of no return and we must make a concerted front effort.
Every government agencies must be included in an integrated solution plan on every level to return our oceans to healthy ecosystems teaming with the different forms of life that have existed for centuries no matter what has to change.

If we lose the ocean we lose irreparably the quality of life and food

venue that has always existed on our earth.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Pat Medeiros

Ms. Carol Brecht
1811 121st Ln NW
Apt 405
Coon Rapids, MN 55448-7573

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

From concerned citizen Carol Brecht in Coon Rapids, MN.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Carol Brecht

Ms. Carolyn Chris
1016 Prague St
San Francisco, CA 94112-4449

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and sea mounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Carolyn Chris

Ms. Linda Heagy
706 Ross Trl
Arlington, TX 76012-4619

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a kid I grew up in a home that had no inside plumbing. We had a pump in the backyard. That was my first lesson in responsible environmental management. You see, in order to get water the next time, we had to "PRIME THE PUMP".

These simple words are more important now than ever before for our oceans' fish and mammals. We are taking out more than the oceans can sustain.

WE ARE NOT PRIMING THE PUMP!

At the rate we are taking fish and leaving nothing behind, we will soon be setting at a table of consequences. And the table will be empty.

We must now begin to establish a sustainable management of forage fish like Atlantic sea herring, river herring including blue-backed herring and alewives, mackerel and shad populations.

Forage fish are food for whales and dolphins, as well as for tuna, haddock, striped bass and blue fish. Jeopardizing the foundations of many ocean food
pyramids has enormous impacts to ocean and coastal ecosystems. A quality of life for all of us is in peril.

Also one critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Linda Heagy

Ms. Carolyn Ricketts
207 Riverside Rd
Edgewater, MD 21037-1507

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

ONE CRITICAL WAY TO ENSURE HEALTHY OCEAN RESOURCES IS TO IDENTIFY AND PROTECT IMPORTANT ECOLOGICAL AREAS AND PROCESSES. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank You for UNDERTAKING THIS IMPORTANT EFFORT TO ENSURE A HEALTHY FUTURE FOR OUR OCEANS AND GREAT LAKES and the millions of people who depend upon them.

Sincerely,
Ms. Carolyn Ricketts

Ms. natalie Reed
2638 Sutter St
Carlsbad, CA 92010-7904

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.PROTECT BELUGAS&ALL OCEAN LIFE!!

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. natalie Reed

Dr. Clarkson & Andrea Palmer
158 Crosslands Dr
Kennett Square, PA 19348-2018

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We hope it is not too late with all the recent reports of dying oceans.

We recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Clarkson & Andrea Palmer

Mr. Jerry Broadbent
410 S Main
Bucoda, WA 98530

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The oceans may be the basis for our existence. We need to protect all of the planet and this part has been badly neglected.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Support UN work to rid the trash in the ocean and fines for those that do not comply. We need to reverse the dieing coral and loss of oxygen.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Jerry Broadbent

Mr. James Sorrells
564 Timber Run Ln
Groveland, FL 34736-8205

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our family is deeply saddened by the recent events in the Gulf. The lack of accountability and action in response to this environmental disaster is disturbing at best! When we respond to questions surrounding our leadership concerning environmental issues there are often times excuses for the failure of our approach. We lack a sense of urgency that will ultimately lead to the demise of the future generations we claim to adore. If we are not going to save the environment and all of its inhabitants for our own benefit, we should do so for our children. Conservation is the foresighted utilization, preservation and...renewal of forests, waters, lands and minerals, for the greatest good of the greatest number for the longest time."
--Gifford Pinchot, first Chief of the United States Forest Service

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. James Sorrells

Ms. Katherine Russell
409 Sandhill Rd
Savannah, GA 31410-1008

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Do not let big corporations bully or blackmail you! American citizens are more important than corporations. If Americans are too sick to work or eat or buy things OR THEY DIE OFF FROM A POLLUTED ENVIRONMENT THEN REALLY AND TRULY CORPORATIONS WILL STOP MAKING MONEY!! Just from a practical point of view corporations do not seem to understand that point in their greedy quest for the immediate gratification of riches.

Although we are in a very strained economic situation, WE WOULD NOT BE IN THIS PREDICAMENT IF DECADES AGO WE HAD SWITCHED TO CLEANER SOURCES OF ENERGY! Now we MUST do so, EVEN THOUGH IT WILL BE MORE DIFFICULT THAN IT WOULD HAVE BEEN EARLIER. However, the longer we wait, THE MORE DIFFICULT IT WILL BE!! While we need money and jobs IN THIS COUNTRY, we should NOT DESPOIL THE OCEANS FOR GENERATIONS TO COME. We need solutions that do not create bigger problems in the future. If the seemingly hard choices had been made earlier, WE WOULD NOT BE FACING THE DISTRESSED CIRCUMSTANCES IN WHICH WE NOW FIND OURSELVES! Short-term solutions that give in to the demands of the oil barons and their self-serving minions, WILL NOT SAVE THE AMERICAN ECONOMY or the AMERICAN ENVIRONMENT!!!

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Katherine Russell

Dr. Bruce Collette
PO Box 108
Casanova, VA 20139-0108

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As a professional marine biologist, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Only healthy oceans can provide the full range of services that people want and need so policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Bruce Collette

Ms. Karolyn Zimmerman
1141 Carlson Dr
Klamath Falls, OR 97603-4103

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations. Because that is what governing is all about: protecting and improving our precious resources--our children and their children's children.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Karolyn Zimmerman

Dr. Yuko Nakajima
1510 Lexington Ave Apt 16d
New York, NY 10029-7170

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The following changes to the draft strategic action plan outlines are required to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Yuko Nakajima

Ms. Althea Gutteridge
254 Plymouth Rd
Wilmington, DE 19803-3117

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Thank you for taking public comments on the strategies the NOC is charged with developing for protecting our oceans. There have been recent reports from international scientists that due to several critical factors, the world's oceans are heading towards mass extinctions and coral death in one human generation. This is nothing less than an emergency that requires immediate action on behalf of governments the world over. These factors include: uncurbed global warming, continuing pollution, and rampant habitat loss. Together, these factors are having devastating effects on the oceans and indeed all bodies of water in our ecosystem. Unchecked, they will lead to widespread death of water life. The time to address these critical issues is now! We cannot put this off any longer. I have the majority of my life left to live, and I do not want to witness the world lose the beauty of the corals and sea life. I want our future generations to be able to witness these wonders. Please, on behalf of all people who see the very real threat of our polluting ways, DO EVERYTHING YOU CAN to make new regulations regarding fishing and pollution discharge as strong as possible! In addition, please develop plans to create permanently protected areas in our oceans as large as possible. Recognize and widely declare and list creatures that are in danger of population decline. Ban any interference with them, and advocate for strong punishment when they are harmed. These are important steps to take right now! Please work closely with groups such as EDF, NRDC, the Ocean Conservancy, and Oceana for the best recommendations and advice on protecting the ocean. Again, thank you for listening, we are all looking to you to help save the world's seas.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Althea Gutteridge

Dr. Bill Blank
PO Box 85
Chaffee, MO 63740-0085

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The present and coming environmental changes will caused changes in civilization that will make the current economic conditions seem trivial.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Dr. Bill Blank

Ms. Nancy Stratford
240 Rocco Dr Apt H
Harrisonburg, VA 22801-2972

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
When I was a little girl I heard my father say that we need to pay more attention to our oceans than space.I think is was right.

Sincerely,
Ms. Nancy Stratford

Ms. Helen White
48 Waterloo Road
Leighton Buzzard, None LU7 2NS

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We have been using the oceans like sewers for far too long and the recently released IPSO report shows how dramatic the effects are and might be: http://www.bbc.co.uk/news/science-environment-13796479 Unless we act soon a mass extinction event is likely.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Helen White

Mr. Philip Green
250 Sinsbury Dr N
Worthington, OH 43085-3563

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please make the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I encourage you to adopt in the plan the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plan should also identify specific, short-term actions that agencies will take to improve ocean health, e.g. all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, especially the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Philip Green

Miss Sarah Peters
11302 Treeview Ln
Monrovia, MD 21770-9506

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I highly recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations. We depend upon our oceans and we must ensure that they recover and are protected from from overfishing, pollution, and other threats. Only healthy oceans can provide the full range of services that people want and need; policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

I strongly urge you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this critical effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. I strongly urge you to follow the above recommendations. Thank you for your time.

Sincerely,
Miss Sarah Peters

Ms. Sheila Desmond
3148 Piper Ct
Cameron Park, CA 95682-9130

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance, and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Sheila Desmond

Ms. Janet and Scott Carmichael
5920 Widmer Rd
Shawnee, KS 66216-3874

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Janet and Scott Carmichael

Mr. Luke Farrell
114 Creek Rd Apt 1e
Haskell, AR 72015-1472

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Please help support strong strategic plans that will help protect are oceans and restore them to healthy levels.

Sincerely,
Mr. Luke Farrell

Ms. Susan Johnson
265 W Tujunga Ave Apt 219
Burbank, CA 91502-2852

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The only real problem I have with the Obama administration is for our environment. It seems that this administration is no better than the Bush administration, who was horrible. I helped to vote this president in thinking that he really cared about our planet, but we are finding out that he is doing nothing to change our world into a better one.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Ms. Susan Johnson

Mr. James Owen
2030 Pheasant Hill Rd
Lansdale, PA 19446-5025

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I am pleased to see that our country is trying to establish government policies regarding the healthy functioning of our oceans and seashores. I hope that even at this early stage of the process that we can approach the task with the needs of marine life in mind.

Unfortunately, our oceans and shores are already in need of cleaning up. So any policy needs to recognize the reality that business as usual is not good enough. Determining the worst polluters and requiring they change their ways should send the right message that the United States is changing its approach to the maritime environment.

I wish you good fortune in what will surely be a contentious process, but that strife is only testament to the importance of the issue.

Sincerely,
Mr. James Owen

Mr. Michael Weil
1202 Greendale Ave
Needham, MA 02492-4626

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Michael Weil
1202 Greendale Ave
Needham, MA 02492-4626

Sincerely,
Mr. Michael Weil

Mrs. Patricia Wood
PO Box 58
Oysterville, WA 98641
Ocean Park, WA 98640-0058

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

When the oceans die the planet dies, then becomes inhabitable for humans. Very simple, protect the oceans.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Patricia Wood

Mr. Kevin Riley
97 White Bridge Rd Apt B/S
Nashville, TN 37205-1413

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

The following is a form letter that I support the content of. Can we not stop trying to appease the GOP and the super wealthy and do something to give our children a future?

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Kevin Riley

Dr. Lucy Knoll
2580 Kenzie Ter Apt 303
Minneapolis, MN 55418-4148

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

President Obama,

My concerns about our National Ocean Policy are many. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations. Some of your recent decisions seem to me not ones that will protect our oceans, the living creatures or the health of those who fish or even live on the shores of our oceans.

Only healthy oceans can provide the full range of services people want and need. Policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Dr. Lucy Knoll

Ms. Mary Rausch
15201 Admiralty Way
Unit C7
Lynnwood, WA 98087-2437

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

The earth is covered mostly by water. So, it stands to reason we need to keep our waters clean and healthy so our earth is clean and healthy.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. This is very important, please treat it as such.

Sincerely,
Ms. Mary Rausch

Ms. Bernadette Keenan
12745 115a Ave
Surrey, BC V3V 3R3

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

We also need to protect our rivers, especially the Fraser River that will be negatively, environmentally impacted by construction of the proposed South Fraser Freeway. Such projects that promote fossil fuel dependency and destroy the environment have to stop and we need to look to clean energy and transit transportation solutions.

Sincerely,

Ms. Bernadette Keenan

Mrs. Rosanne Klarer
374 Muir Ln
Georgetown, KY 40324-9420

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We live on the 'blue planet'. Let's protect our oceans.I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Rosanne Klarer

Mr. Simon Validzic
Froudeova 1
Novi Zagreb, None 10020

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores the valuable oceans and coasts of the United States of America for generations.

Because only healthy oceans can provide the full range of benefits, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal the maintaining of an ecosystem in a healthy, productive and resilient condition.

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One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of your ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for the oceans and Great Lakes of the United States of America.

Sincerely,
Mr. Simon Validzic

Mr. Brian Anderson
1218 Perry St NE Apt 201
Washington, DC 20017-2555

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

It is about all we have left! Make sure you take steps to save it for
future generations.

Sincerely,
Mr. Brian Anderson

Ms. Cheriel Jensen
13737 Quito Rd
Saratoga, CA 95070-4752

Jun 23, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now. This includes stopping oil and gas leasing in the oceans and lakes. Critical to this effort is to control fishing and preventing the stripping of the ocean floor with drag nets. Also critical is stopping CO2 emissions as fast as is humanly possible.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Cheriel Jensen

Ms. Ruth Leibowitz
137 Seabreeze Way
Keansburg, NJ 07734-1067

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

It would be shameful not to protect the amazing presious beauty of our world, for it is what makes our planet so special, & beautiful. It is horrific how we are treating the planet that God created, how we are disrespecting it. We have to pay closer attention to what is becoming of our world with so much loss, & devestation due to global warming, pollution, clear cutting, etc., & protect it from any more demise, & heartbreak.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Please protect the world that God created, for us, for future generations, & for all etenity to live in a beautiful, healthy, & clean environment. It really is a beautiful world, so please

let's try & keep it that way.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ruth Leibowitz
137 Seabreeze Way
Keansburg, NJ 07734

Sincerely,
Ms. Ruth Leibowitz

Mr. Thomas and Linda Serra
881 Dry Pond Rd
Waleska, GA 30183-2438

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Thomas and Linda Serra

Mrs. Vanessa Carmichael
1822 Shreya St
El Paso, TX 79928-1787

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Vanessa Carmichael

Ms. Lynda Goin
304 Calle Florista
Las Cruces, NM 88005-7720

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

As an American citizen and a lover of the oceans, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Lynda Goin

Ms. L. Bassett
13101 NE 129th St
Kirkland, WA 98034-1684

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

"It is horrifying that we have to fight our own government to save the environment." ~Ansel Adams

"The conservation of natural resources is the fundamental problem. Unless we solve that problem it will avail us little to solve all others." ~Theodore Roosevelt

"...or, They went on playing politics until their world collapsed around them." ~U. Thant

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy

future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. L. Bassett

Mr. David Robertson Sr
467 Newton Pl
Longwood, FL 32779-2225

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Get rid of the EPA.

Sincerely,
Mr. David Robertson Sr

Ms. Charlotte Regennas
561 Blackbeard Rd
Little Torch Key, FL 33042-5510

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. The survival of life as we know it depends upon the lifeblood.of our planet. Do not underestimate this threatened resource's peril and its impact!

Sincerely,
Ms. Charlotte Regennas

Mrs. Nancy Sullivan
7 Richard Rd
Hudson, MA 01749-1009

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Nancy Sullivan

Ms. L Kuhn
PO Box 979A
Centralia, IL 62801-9115

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. L Kuhn

Mr. Thomas Berg
909 Van Buren St
Herndon, VA 20170-3254

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I'm writing today to recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Thomas Berg

Mrs. Jo and Mr. Ted Greenwald
144 Kakahiaka St
Kailua, HI 96734-3459

Jun 24, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

We recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Jo and Mr. Ted Greenwald

Ms. Ruth Rogers
5225 White Willow Dr
Fort Collins, CO 80528-6377

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should develop off-shore windmills, and more on shore windmills, and many solar panels and on existing building, and in already developed areas

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Ruth Rogers

Ms. Ruth Rogers
5225 White Willow Dr
Fort Collins, CO 80528-6377

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.
What NEEDS TO BE WRITTEN is develop off-shore wind turbines, and on-shore solar and wind on buildings, and in already developed areas.
NO MORE OFF=SHORE DRILLING, BECAUSE THIS HAS BEEN ONE OIL SPILL AFTER ANOTHER SINCE THE 1970'S AND ALWAYS TOO MUCH DESTRUCTION OF THE ECOSYSTEM -- THE FISH, THE MARINE MAMMALS SINCE THE 1970'S.

WHAT ON EARTH NRDC? WRITE MORE SOLAR AND WIND IN GOOD PLACES FOR IT, AND NO MORE OFF-SHORE OIL DRILLING.
Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Ruth Rogers

Mr. Amitav Dash
26 Hasler Crescent
Guelph, ON N1L 0A2

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Given that others have stated this before me and stated it succinctly, let me quote and reiterate those points with my full support:

"I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining 'an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need.'

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans."

Aside from these changes, I wanted to thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Amitav Dash

Ms. Terianne Bailey
8671 SW Loop 410 Lot 99
San Antonio, TX 78242-2946

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Good job Mr. President!!! Now, don't let yourself be swayed! I would think the first thing to look at would be cities dumping trash in the ocean! How despicable! The sooner you get this started, the better. I applaud you for taking on such a monumental task! KUDOS!!!

Sincerely,
Ms. Terianne Bailey

Ms. Alice Ali
8602 E Whitton Ave
Scottsdale, AZ 85251-5045

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our Oceans are dying. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Alice Ali

Mr. Thomas Bound
1433 Old Virginia Ct SE
Marietta, GA 30067-8463

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Having been raised in Clearwater, Florida, I am aware of the need to protect our oceans, which have been under a multi-pronged attack for years.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Thomas Bound

Ms. Sara Pemberton
PO Box 2984
Summerville, SC 29484-2984

Jun 25, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Again, stop being so reckless by continuing to rape this planet!!!
This earth is a gift for YOU to take care of not to destroy on a whim.

Sometimes you just have to STOP being so self-absorbed.

Sincerely,
Ms. Sara Pemberton

Ms. Lesley Pillsbury
549 Elmwood Dr
Petaluma, CA 94954-6619

Jun 26, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Our oceans are in jeopardy. There are already spots in the ocean that are dead; having no living organisms in them. When our oceans die the rest of our planet will be in jeopardy also. I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Lesley Pillsbury

Mr. Ramon Manuel Laiño Vasques
R/ Alcalde Lorenzo, p.2, 3.ºG
Bertamirans, Ames, A Coruña, None 15220

Jun 27, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ramon Manuel Laiño Vasques
R/ Alcalde Lorenzo, p.2, 3.ºG
Bertamirans, Ortoño
15220 Ames
A Coruña
Spain

Sincerely,
Mr. Ramon Manuel Laiño Vasques

Mrs. Daphne T Stevens
15 Arnold Rd
Fiskdale, MA 01518-1145

Jun 27, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Because our planets health is in very serious condition, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mrs. Daphne T Stevens

Ms. Joyce Stoffers
14202 N Baywood Ct
Sun City, AZ 85351-2331

Jun 27, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

Please PROTECT, MAINTAIN, RESTORE ocean ecosystems! How? Adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." Only healthy oceans can provide the full range of services that people want and need; therefore, I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Joyce Stoffers

Mrs. Carol Clarke
7255 E Snyder Rd
Unit 7206
Tucson, AZ 85750-6245

Jun 28, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I personally have sailed across the ocean from Africa to America in a small yacht and sadly I have seen Coke bottles, Cd's and plastic containers floating in what is after all ' ONE OCEAN' no matter where you are.

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,

Mrs. Carol Clarke

Mr. Denis C. DeGrandpre
16 Cedar Ln
Merrimack, NH 03054-4723

Jun 28, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Please do not allow over fishing, polluting, or disrupt the natural food chain of the ocean for a profit. This capitalist society has lost respect for the very thing that supports the very air we breath. Only a tragic event will cause for a change in a way of life, to re-learn how powerful these oceans can be. Respect the oceans, the oceans are far from ours. Thank you for taking minimal steps towards hopefully restoring and protecting what we already have destroyed.

Sincerely,
Mr. Denis C. DeGrandpre

Ms. Vanessa Machuca
2484 Paloma St
Pasadena, CA 91104-4920

Jun 29, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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The ocean is where all life comes from. If we cannot ensure its health, we are jeopardizing the health of the whole planet and all life on it.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Vanessa Machuca

Mr. John Farina
85 Courtland Ave Apt 6
Stamford, CT 06902-3409

Jun 29, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations:

Because only healthy oceans will provide the services people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management.

The action plans also need to identify specific, short-term actions agencies will need to take to improve ocean health. All federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered and other species or are critical for spawning, breeding and feeding. These are part of our ocean heritage and need to be protected. A requirement to protect the mid-Atlantic's offshore canyons and seamounts for example, and areas like them should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. John Farina

Ms. Candace Hallmark
510 Hiller St
Belmont, CA 94002-2523

Jun 29, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Protecting our environment is at the top of my most important activities of the 21st century--if we don't succeed in this mission, we will inflict misery on the millions of future inhabitants of this very small and very special blue planet.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Candace Hallmark

Ms. Linda Kissel
71 Grandview St
E Stroudsburg, PA 18301-1305

Jun 29, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

There are many current articles and books presenting the case that the oceans are in serious, even critical, trouble in regards to being healthy for marine life and for the world's population.

I'm sure all of the issues are known and have been discussed by your National Ocean Council. I urge you to include in the strategic plan measures that will protect and restore our oceans and coasts of which we have a limited knowledge.

Because only healthy oceans with policies to eliminate pollution can provide for the future of all marine life, their food web and use by all people. Policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health.

The action plans also need to identify specific, short-term actions that agencies will take to improve ocean health. For instance, all federal agencies should commit to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative at the Department of the Interior.

One critical way to ensure healthy ocean resources is to identify and protect certain areas of the ocean which host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans, marine life and the millions of people who depend upon them.

Sincerely,
Ms. Linda Kissel

Ms. Peggy La Point
1900 Highland Park Cir
Denton, TX 76205-6932

Jun 30, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Peggy La Point

Ms. Andria Payne
4487 Manitook Dr
Little River, SC 29566-7319

Jun 30, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Never lose sight that WE came out of the ocean, why do you think we are as embrio in the womb? our place of origin Must be protected, once we polute the oceans we are Dead. Only we are to blame, Want to take on that responsibility? Get your acts together or is it you do not care about anyone but yourself.? What right do you think you have to violate what god has given us? Wake up love and care abnout the earth, do not rape & pillage there are no infinite resourses. We will pay the price for our greed and stupidity.

Sincerely,
Ms. Andria Payne

Mr. Matheus Vianna
Luis Silverio
Campinas, None 13042-010

Jun 30, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.Please, also clean the most polluted beaches. Thank you.

Sincerely,
Mr. Matheus Vianna

Dr. Jennifer Pugh
250 S Reynolds St Apt 1201
Alexandria, VA 22304-4424

Jul 1, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them. Please keep our oceans protected.

Sincerely,
Dr. Jennifer Pugh

Ms. Joan Swain
30780 Longcrest St
Southfield, MI 48076-7601

Jul 1, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

President Obama, whom I support, often refers to his daughters. May I suggest that he and his administration consider the environmental heritage we leave them as well.

With all children in mind, may I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Joan Swain

Ms. Lynne Harkins
PO Box 606
Cambria, CA 93428-0606

Jul 1, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

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Of special critical importance is the ending of once-through-cooling for all antiquated conventional and nuclear power plants... without delays for any
reason!

One critical way to ensure healthy ocean resources is to identify and protect important ecological areas and processes. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding. Places like these are part of our ocean heritage and need to be protected. A requirement to protect areas like the mid-Atlantic's offshore canyons and seamounts also should be included in the relevant strategic action plans.

Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Ms. Lynne Harkins

Mr. Robert Lyle
30452 10th Ave S
Federal Way, WA 98003-4118

Jul 2, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I realize that you are an old style conservative Republican and will probably throw this email in the electronic circular file, but I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.

Sincerely,
Mr. Robert Lyle

Index: Attachments to Comments

All 9 SAPs:

Comment of NRDC Activists unedited

(3 pages)

NRDC
THE EARTH'S BEST DEFENSE

40 West 20th Street
New York, NY 10011
(212) 727-2700
Fax (212) 727-1773

July 5, 2011

Mr. Noah Chesnin
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: NRDC Activist Comments on the Strategic Action Plans

Dear Noah,

As discussed, enclosed please find comments to the National Ocean Council on the Strategic Action Plans from NRDC's online activists and members. The CD contains all of the comment letters and the Excel workbook which includes information on the activists who sent in a letter.

A total of 9,213 NRDC activists commented on the SAPs; the vast majority used the sample letter provided (attached). There are two zip files on this CD – one contains unedited letters and one contains the 332 letters that were edited.

Please contact me at 212.727.4551 with any questions on the CD and/or letters. Thank you for your assistance in this matter.

Sincerely,

Alison Chase

cc: Andy Lipsky

Start | C:\WINDOWS\system32... | earth action - Microsoft ... | Tell the Obama admin... | 2:15 PM

Tell the Obama administration to develop strong plans to protect our oceans - Message (HTML)

Message

From: TEST MESSAGE FROM: NRDC Activist Alert [earthaction@nrdcaction.org]

Sent: Tue 6/21/2011 1:43 PM

To: Catapano, Lisa

Cc:

Subject: Tell the Obama administration to develop strong plans to protect our oceans

Donate
Join NRDC and help protect the planet's wildlife and wild places

Explore
Subscribe to *NRDC Online*, our weekly newsletter, for news you can use

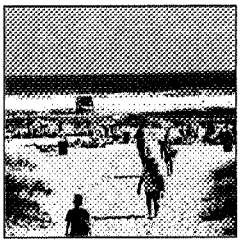
Plug In
Connect to Switchboard, the NRDC blog

Reach Out
Send messages in style with our beautiful nature postcards

Update
Use your Action Center Profile to manage your subscriptions and personal info

Find us on Facebook

Tell the Obama administration to develop strong plans to protect our oceans



Last July, President Obama established America's first-ever National Ocean Policy. Like a Clean Air Act for our air or a Clean Water Act for our water, we finally have a bedrock environmental policy for our oceans. This is a huge victory for everyone who treasures the wonder of the seas, who values ocean life, who flocks to the beach, who loves seafood and who makes a living on or from the water.

TAKE ACTION NOW

As part of this effort, a new National Ocean Council (made up of existing federal agencies) was tasked with developing strategies to fix some of the most pressing challenges facing our oceans' health. The council just released outlines of the steps that federal agencies plan to take to address these priority issues, and is accepting public comments on these outlines through July 2nd.

We need to ensure that the final plans developed from the outlines prioritize protection, maintenance and restoration of ocean ecosystems and include specific, short-term actions that agencies will take to improve ocean health. Further, the plans should require that important ocean areas like the mid-Atlantic canyons and seamounts will be protected from harmful activities. Certain areas of the ocean host important habitat for endangered species or serve as critical areas for spawning, breeding and feeding; these places must be protected.

What to do

Send a message, before the July 2nd comment deadline, urging the National Ocean Council to develop robust strategic action plans that protect, maintain and restore our oceans' health.

Mr. Peter Sweeney
5711 Columbia Way Spc 160
Quartz Hill, CA 93536-3186

Jun 17, 2011

National Ocean Council members
722 Jackson Place, NW
Washington, DC 20503

Subject: Develop strong strategic action plans that protect, maintain and restore our oceans' health

Dear National Ocean Council members,

I recommend the following changes to the draft strategic action plan outlines to help ensure that the National Ocean Policy protects and restores our valuable oceans and coasts for generations.

Because only healthy oceans can provide the full range of services that people want and need, policy actions must prioritize protection, maintenance and restoration of ocean ecosystem health. I encourage you to adopt in the plans the definition for ecosystem-based management supported by more than 220 scientists and policy experts in the Scientific Consensus Statement on Marine Ecosystem-Based Management, which states as a fundamental goal maintaining "an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need."

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Thank you for undertaking this important effort to ensure a healthy future for our oceans and Great Lakes and the millions of people who depend upon them.
Try a sailing navy,Wooden Walls.John Adams

Sincerely,
Mr. Peter Sweeney

Index: Attachments to Comments

All 9 SAPs:

Comment of American Sportfishing Association

(12 pages)

July 1, 2011

The Honorable Nancy Sutley
Chair, Council on Environmental Quality
Co-Chair, National Ocean Council
Executive Office of the President
Washington, DC 20500

Dr. John P. Holdren, Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Executive Office of the President
725 17th Street Room 5228
Washington, DC 20502

Re: Strategic Action Plans Outlines for the Nine Priority Objectives for Implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. Request for Comments.

Dear Ms. Sutley and Dr. Holdren,

In reference to the recently released outlines for the National Oceans Policy (NOP) Strategic Action Plan (SAP) outlines, we would like to ask you and your staff to go back to the comments submitted by the recreational fishing and boating community on April 29, 2011 and ensure that the final SAP's acknowledge the input we provided in those comments. The leading national organizations from that community, including the American Sportfishing Association, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association and The Billfish Foundation submitted comments regarding the notice of intent to prepare SAP's for the nine priority objectives of the NOP. Having reviewed the SAP outlines, the American Sportfishing Association (ASA) finds that the comments we submitted in April remain valid and applicable for these outlines. We do not see significant specific acknowledgment of the comments we made in April in the SAP outlines you have developed and would strongly urge you to reexamine our April comments (enclosed) and incorporate our recommendations in the final SAP's.

Now, just as in April, we are trying to answer increasingly frequent questions from our members, businesses and partners regarding how the NOP will potentially affect recreational anglers and boaters. There are 13-million recreational saltwater anglers in the United States and recreational angling and boating collectively support a $200+ billion industry and 1.5

AMERICAN SPORTFISHING ASSOCIATION
225 Reinekers Lane, Suite 420, Alexandria, VA 22314 • 703-519-9691 • Fax: 703-519-1872
Web: www.asafishing.org • E-mail: info@asafishing.org

million American jobs. Most of the questions we are getting are focused on the issues of Ecosystem-Based Management and Coastal and Marine Spatial Planning (CMSP). In examining the SAP outlines for these two objectives we find ourselves with the exact same concerns we had after reviewing the "Notice of Intent" on which we commented in April.

In the SAP outline number one on Ecosystem-Based Management, there continues to be a lack of attention to basic needs regarding how "Ecosystem-Based Management" is defined. Overall, this SAP outline continues to read as a framework for implementing ecosystem-based management that the National Oceans Council (NOC) will define later. There is an acknowledgment of this problem in the "Gaps and Needs in Science and Technology" section on page 5 that we are glad to see but this problem needs to be more directly dealt with in the final SAP and we request that you review our original comments regarding this definitional problem.

We also appreciate the references in this SAP outline to engagement with state and regional entities but do not see adequate acknowledgment of the specific need to acknowledge the importance of the Regional Fishery Management Councils. Again – please see our comments from April on this crucial point.

The SAP outline on CMSP lacks sufficient acknowledgement of our chief concern that CMSP will properly acknowledge public recreational uses of public ocean resources or reassurances regarding CMSP potentially leading to the closure of large marine spaces to recreational activities. We appreciate the language included on page 3 in the "Context and Continuity" section referencing fishing and boating as "sustainable recreational uses" but we again recommend you examine our substantive and specific comments made in April on this priority area and strongly stress the need to much more adequately acknowledge the importance of public recreational access in the SAP on CMSP.

We also strongly urge you to ensure Regional Fishery Management Council representation on each regional planning body. The Councils have decades of experience in compiling technical information and data, analyzing that information, and making well-informed decisions on fishery management actions that include an array of marine spatial management aspects. The Councils bring a wealth of experience to the table, and it is critical that they are represented on the regional planning bodies.

There remains an inconsistency between NOP documents to date, including these SAP outlines, and the stated goals and objectives of the president's America's Great Outdoor initiative, which specifically mentions increasing and improving recreational access is one of the primary goals. We strongly recommend the NOC take decisive and immediate steps to achieve consistency between the two policymaking frameworks. Without taking such steps, the recreational angling and boating community will continue to become less confident in this process.

We also continue to believe that you are not adequately acknowledging the extraordinarily heavy burden CMSP would place on state natural resource agencies at a time when their

budgets have been slashed and they are struggling to meet their most basic management responsibilities. The recent CMSP workshop hosted at the Department of Interior was a constructive step toward better engagement with the state agencies on this NOP priority but the SAP outline for CMSP does not adequately address this issue. There continues to be a heavy emphasis on process without practical treatment of the realities associated with successfully partnering with state agencies.

Given our focus in our previous comments and discussions with administration officials throughout the NOP development process on insuring that our community has the ability to directly interface with the NOC, we are anxious to see what will develop from the "Stakeholder and Public Engagement and Participation" language on page seven that references "recreational fishing interests." Given how large our community is, how economically important we are, and this Administration's stated prioritization of outdoor recreational access we continue to wait for some specific action that will give us a seat at the NOP table. We have discussed several ideas with Administration officials but have not seen any follow-up on these discussions.

Apart from our strong interest in SAP outlines one and two, we have interests in Objectives/SAP's three, four and six and strongly urge you to review our comments below submitted in April as the points we made then continue to apply to the SAP outlines on this strategic priority areas.

I hope we can use this new submission of comments and resubmission of our April comments to re-energize our dialogue in a manner that leads to significant and substantial improvements to the SAPs. We stand ready to provide input and ideas and thank you for this opportunity to reiterate our ideas.

Sincerely,

Gordon Robertson
Vice President

Enclosure

American Sportfishing Association
Center for Coastal Conservation
Coastal Conservation Association
Congressional Sportsmen's Foundation
International Game Fish Association
National Marine Manufacturers Association
The Billfish Foundation

April 29, 2011

The Honorable Nancy Sutley
Chair, Council on Environmental Quality
Co-Chair, National Ocean Council
Executive Office of the President
Washington, DC 20500

Dr. John P. Holdren, Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Executive Office of the President
725 17th Street Room 5228
Washington, DC 20502

Re: Notice of Intent to Prepare Strategic Action Plans for the Nine Priority Objectives for Implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. Request for Comments.

Dear Ms. Sutley and Dr. Holdren,

The above listed organizations are pleased to submit the following formal written comments on the Priority Objectives of particular interest to the recreational fishing and boating community for implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. Our organizations represent the overwhelming majority of recreational boating and angling interests in the United States, collectively a $200+ billion industry in the United States that supports over 1.5 million jobs. The recreational fishing and boating community is anxious to engage in the National Ocean Policy development to insure our community is adequately represented in this significant policymaking process. We come to this engagement trying to answer an ever-increasing number of questions from our members, businesses and partners as to what exactly will be the impacts of this process on the interests of recreational anglers and boaters.

An overarching concern of our community with the National Ocean Policy, particularly as it pertains to coastal marine spatial planning, is the treatment of recreational uses as one of numerous ocean "sectors," along with oil, gas, mining, commercial fishing, transportation, defense, security. We firmly believe that there is a distinct and inherent difference between recreational and industrial ocean uses, and their respective impact on the ocean environment. Members of the public who choose to spend leisure time on the water fishing with family and friends are fundamentally different than commercial activities in which a public resource is extracted for the purpose of selling that resource. Recreational use of our public waters is not only compatible with, but in fact is essential to sound conservation and natural resource stewardship, as highlighted by contributions made to such successful conservation programs as the Sport Fish Restoration Program. Because recreational angling and boating contribute directly to funding the conservation of our Nation's aquatic resources and provide other significant social and economic benefits, we know these activities warrant special and elevated consideration as a national priority as National Ocean Policy development moves forward. In addition, saltwater recreational activities are compatible with the America's Great Outdoors initiative and play an important role in providing outdoor recreation, exercise and life skills.

Objective 1: Ecosystem-based Management

The near-term, mid-term and long-term actions that would most effectively help the Nation achieve this policy objective are to NOT mandate the implementation of ecosystem-based management in a "one-size fits all" application. Ecosystem-based management is not legally defined and is not part of any statutory authority. In fact, the recent 2006 reauthorization of the Magnuson-Stevens Fishery Conservation & Management Act (MSA) specifically avoided mandating Regional Fishery Management Councils implement ecosystem-based management because there is not one consistent definition or application of this management practice. The Secretary of Commerce should review the findings of the study that was mandated by MSA to "complete a study on the state of the science for advancing the concepts and integration of ecosystem considerations in regional fishery management."[1]

The National Ocean Policy final recommendations note that the strategic action plan for implementing ecosystem-based management should establish "a process for working with States, tribal, and local authorities and regional governance structures to apply the most successful approaches."[2] Certainly the Regional Fishery Management Councils will be important "regional governance structures" with which to work in attempting to develop effective ecosystem-based management systems. The concern is that under the National Ocean Policy structure, the National Ocean Council (NOC) will simply consider what the Regional Councils are doing in their respective regions and require additional requirements or entirely different approaches to implementing ecosystem-based management. This would ultimately undermine

[1] Magnuson-Stevens Fishery Conservation and Management Reauthorization Act, 16 U.S.C. 1882(f) (P.L. 109-479)
[2] Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010), pg. 32.

the Regional Council process. It is understood that the Regional Council process is not perfect, however, the council process does provide for local, transparent public input on policies and regulations that will directly impact the use of the relevant marine environment.

One of the major obstacles to adopting ecosystem-based management as a foundational principle for the comprehensive management of the ocean is that this type of management approach is neither defined in the National Ocean Policy final recommendations nor anywhere else in law. Ostensibly, part of this request for comments is to get a better understanding of what ecosystem-based management might look like. But, the request for comments does not ask for information on what is ecosystem-based management, rather it simply poses a series of questions on how it might be implemented effectively. In addition, Appendix C – "Public Engagement" – the National Ocean Policy final recommendations explains that "[h]ow ecosystem-based management will be defined and implemented would be further addressed by the NOC as it develops a strategic action plan for this priority objective."[3]

Thus, it appears comments are being received on how to implement ecosystem-based management and the NOC will then determine how to define it. This seems like a backward approach. The National Ocean Policy would be better served by having a clear definition of ecosystem-based management and then receiving comments on how to implement such an ocean management construct.

The closest the National Ocean Policy final recommendations comes to defining ecosystem-based management is by explaining that it "integrates ecological, social, economic, commerce, health, and security goals, and which recognizes both that humans are key components of ecosystems and also that healthy ecosystems are essential to human welfare."[4] An ocean management approach that attempts to consider everything ultimately considers nothing very well. To be effective, such a comprehensive and far-reaching approach would require a considerably greater understanding of the living and non-living factors in the environment than currently exists. For example, there are numerous recreationally and economically valuable fisheries with which humans have interacted for centuries, yet we have little knowledge of their basic life history traits. We believe it is premature to attempt to embark on this fundamental shift in management given the general lack of scientific data to support this approach.

Implementing ecosystem-based management must not be a top down federal mandate. The states and their fish and wildlife agencies play a significant and successful role in managing coastal resources, commercial uses and recreational uses. We observe that the states' authority and role in the process has been diminished. In our view this slight must be changed and the states must have a role commensurate with their authorities, expertise and interest in this planning process.

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[3] Id., pg. C-III
[4] Id., pg. 2

Objective 2: Coastal and Marine Spatial Planning.

Pursuant to Executive Order 13547, President Obama defines coastal marine spatial planning (CMSP) as "a comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of ocean, coastal, and Great Lakes areas."[5] The Co-Chairs of the NOC are responsible for then approving the coastal marine spatial plans that are consistent with national objectives and "guidance the NOC has articulated, and any other relevant national priorities."[6]

The near-term, mid-term and long-term actions that will help achieve this policy objective are maintaining constant input from the public and local users of the marine environment. This will help eliminate perceptions that this will be a planning process that will only be driven by the NOC and input from local users will not be fully considered.

The primary concern from the recreational fishing and boating community with the implementation of CMSP is that it could lead to large areas of the ocean environment being restricted to access. There are numerous competing interests in our oceans, be it shipping, commercial fishing, energy production, and defense. Recreational interests, however, are too often afterthoughts in marine policy, but this must not be the situation with the implementation of CMSP.

It is encouraging to see that the National goals of CMSP include the requirement to "provide for and maintain public access to the ocean, coasts, and Great Lakes."[7] In addition, the National Ocean Policy includes the need to "preserve our Nation's maritime heritage, including our social, cultural, recreational, and historical values" as a core policy objective.[8] These are important changes made to the Interim Report and ones that provide some comfort to recreational fishermen, who want to have access to the ocean and sustainable fishery resources.

Ultimately CMSP must be a policy/process that seeks to better inform decision-making in the ocean environment and address gaps in science and data to improve conservation, management and environmental objectives. It is imperative, however, that CMSP not be a means to catalogue, map and designate vast marine areas as marine protected areas (MPAs). While MPAs may serve as potential tools amongst many in a given marine fishery management toolbox, in recent years there has been an alarming drive toward adopting MPAs without adequate regard for science, data, economic impacts, or public access.

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[5] Exec. Order No. 13547 pg. 3 (July 19, 2010)
[6] Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010), pg. 63.
[7] Id., pg. 7.
[8] Id., pg. 15.

The National Ocean Policy final recommendations still maintain numerous references to ambiguous terms such as "healthy," "pristine," and "resilient" and articulate broad management concepts that call for the protection of biological diversity – all of these terms are undefined and can be interpreted broadly. The report then couples these hard-to-define terms and concepts with a precautionary approach when there is scientific uncertainty.[9] It is our concern that under this approach CMSP could lead to the preservation of the ocean based entirely on precautionary principles and arbitrarily exclude users – primarily recreational users, we fear – from the marine environment and its resources.

To avoid this potential and mitigate concern that this will be the result of the CMSP, the National Ocean Policy should simply follow the law under the MSA for how and when restricted areas are created in the marine environment. The legal requirements in MSA for establishing any marine restricted area are: 1) be based on sound science; 2) be the smallest marine area possible to achieve an articulated conservation goal, and 3) be continuously reviewed to determine whether the marine restricted area is necessary to achieve these conservation goals.[10]

It should not be the goal or result of CMSP to determine or catalogue marine areas that should be simply set-aside as marine reserves or no-go zones. Any policy to set-aside large areas of the marine environment from access to recreational fishing or the private boating public is not acceptable and will be inconsistent with goals and policy articulated in the National Ocean Policy final recommendations. CMSP should not be a means to lock-up the ocean to public access and recreation.

It is worth noting that within this Administration's other major resource conservation initiative – America's Great Outdoors (AGO) – increasing and improving recreational access is one of the primary goals.[11] Because of its elevated support for outdoor recreation access and opportunities on public lands and waters, our community has strongly embraced and promoted the AGO initiative, whereas the National Ocean Policy, particularly as it pertains to CMSP, has created considerable concern. To provide consistency between these two initiatives, recreational access should be cited as a priority in CMSP. When this administration promotes getting more Americans outside in our public spaces and getting more Americans physically active, please remember that America's great outdoors do not end at the shoreline.

We are deeply concerned that the process thus far is not adequately acknowledging the difficult position states in general and their natural resource management agencies in particular are now facing. CMSP will clearly rely heavily on state agencies and if this is carried out in a "top-down" manner that is insensitive to the harsh economic burdens state agencies are carrying, the endeavor will be crippled before it has truly started at the regional level. This

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[9] Id., pg. 16.
[10] MSA, 16 U.S.C. 1853(b)(2)(C) (P.L. 109-479).
[11] America's Great Outdoors: A Promise to Future Generations (February 2011), pg. 17.

problem is compounded by the inadequate outreach thus far in approaching states as partners in this effort. If CMSP is to succeed at any level, it must be carried out in a collaborative manner with the states, which have done a much better job historically of managing marine resources than has the Federal government.

Finally, to ensure that CMSP is developed through a fair and balanced approach, it is essential that the federal government not seek or collect private funding to aid in the development of the regional plans. Much of our community's concerns over CMSP are attributable to the perception that it will follow a similar course as the Marine Life Protection Act initiative in California, through which large areas of the state's coastal waters are now permanently closed to recreational fishing with no scientific justification. This once seemingly beneficial program for recreational anglers had remained idle for years due to lack of state funding, but became clearly biased towards excessive and unnecessary closures once development began in 2006 as a result of the funding partnership between the state and private organizations that support closures. Given the potential, real or perceived, for CMSP to follow a similar path, it is critical to avoid engaging in a public-private funding partnership.

Objective 3: Inform Decisions and Improve Understanding

The action that can best achieve the priority objective to increase knowledge to continually inform and improve management and policy decisions for the oceans is to make it a national priority to fund stock assessments for all federally managed fisheries. The basis for properly managing and conserving fishery stocks is to understand the abundance of the resource, and this can only be achieved with reliable and up-to-date stock assessments.

A major obstacle to implementing the priority objective for improving understanding in the ocean environment is the use of questionable science and making ocean policy decisions based on poor or out-of-date information. Unfortunately, this is the exact problem we have today with some fishery management decisions that shut down recreational fisheries based entirely on old stock assessments and incomplete information.

The National Ocean Policy must endeavor to increase our understanding of the oceans and this begins with maintaining sustainable fishery resources through sound science and up-to-date stock assessments.

Objective 4: Coordinate and support Federal, State, Tribal, local and regional management of the ocean, our coasts and the Great Lakes.

The National Ocean Policy final recommendations place a substantial focus on coordinating the numerous agencies and laws that ultimately intersect with the stewardship of our oceans. The report recommends a policy coordination framework that would provide a structure to

strengthen ocean governance and coordination by "providing clear and visible leadership and sustained high-level engagement within the Federal Government."[12] Within this policy coordination framework, the report does recommend greater participation by local and regional governance structures. However, the policy provides absolutely no options for the public or recreational organizations to have a formal position or presence within policy coordination framework or regional planning bodies.

This is a failure of the policy and a significant long-term obstacle to the success and ultimate value of the National Ocean Policy. Maintaining regional input and expertise is absolutely critical for establishing a balanced and uniquely responsive national ocean policy.

A national ocean policy should not be a mechanism to establish an overarching bureaucracy that consists entirely of governmental officials implementing federal-down mandates. But over and over again in the National Ocean Policy it references "Federal, State, Tribal, and local authorities," as the people who will either fill out the positions within the Policy Coordination Framework and also the nine Regional Planning Areas.[13]

Thus, the organizing structures for the National Ocean Policy will consist entirely of governmental officials, and will therefore lack the necessary perspectives of actual interested groups in the ocean environment. By establishing that only governmental officials can serve on the various committees and regional planning bodies, it will likely be the case that the public will become highly skeptical of the mandates coming from these new bureaucratic structures.

The national ocean policy must encourage better coordination between agencies and promote policies that focus the stewardship of our oceans, but not at the expense of regional ingenuity. To improve and succeed with this priority objective, provide a formal position within the coordination framework and the regional planning bodies for ocean users – recreational fishermen – to participate and have a formal role in making decisions regarding the National Ocean Policy.

Objective 6: Regional Ecosystem Protection and Restoration

The sportfishing and boating community's approach to conservation and management of our natural resources is focused on the resources on which the public depends for high quality, easily accessible recreational fishing opportunities. Over the last 30 years, significant strides have been taken to improve the health of America's aquatic resources, including water quality and fish habitat. We are faced with many fisheries resource challenges but by and large, state and federal agencies, backed by important pieces of legislation including the Clean Water Act, the Sport Fish Restoration and Boating Trust Fund and the Magnuson-Stevens Fisheries

[12] Interagency Ocean Policy Task Force (July 19, 2010), pg. 19.
[13] Id., pg. 52.

Conservation Act, have succeeded in reversing a declining trend in many of our nation's rivers, streams, lakes and coastal areas. Much of this success can be attributed to the tremendous infusion of funding for federal and state water and fisheries management in the form of excise taxes on fishing and boating related purchases and fishing license sales. American sportsmen have undoubtedly played an important role in the stewardship of our natural resources for over 100 years.

We support the National Ocean Policy's objective to "(e)stablish and implement an integrated ecosystem protection and restoration strategy that is science-based and aligns conservation and restoration goals at the Federal, State, tribal, local, and regional levels."[14] Acknowledging the importance of natural resource conservation, it is also vital that protection and restoration strategies included in the National Ocean Policy also balance, maintain and enhance recreational access. Rather than locking up areas for protection and prohibiting access, these strategies should engage the public with the environment in a collaborative manner that educates them on the importance of resource conservation and promoting environmental stewardship. Public use promotes care and stewardship.

There are several efforts underway that promote ecosystem restoration and allow individuals and communities to actively participate in the conservation of our nation's coastal habitats that are vital to recreational fisheries, such as the National Fish Habitat Action Plan, NOAA's Community-based Restoration Program, and the Great Lakes Restoration Initiative. Combining the collective energy of state and federal agencies with local partners offers the best chance of success. The National Ocean Policy should embrace and promote these programs which operate from a "bottom-up" approach, assuring that priority areas, species, and systems are identified by partners with a working knowledge of what habitats most need to be addressed.

Conclusion

The recreational fishing and boating community will continue to try to impress upon those shaping the National Ocean Policy that it is critical to cite public access for recreation as a specific top priority and criteria when contemplating CMSP and other relevant objectives. In the nine National Priority Objectives of the policy, "recreation" and "access" are not mentioned. We strongly recommend that the National Ocean Policy follow examples within the Department of the Interior (DOI) and its public lands management. For example, the National Wildlife Refuge System explicitly lists recreation and access as a top management priority.

We have appreciated the outreach from CEQ and others throughout the development of this policy. We are grateful for the progress made to date to in elevating the importance of providing and maintaining public access to the ocean, coasts and Great Lakes. However, many in our community remain hesitant to support this policy given the treatment of recreational activities as one of numerous ocean uses with which it may have to compete for continued

[14] Id., pg. 37.

access to marine recreation areas and the use of publicly managed resources. Much of this concern could be alleviated by elevating recreational activities as a priority ocean use given their conservation, cultural and economic values.

We look forward to a continued positive dialogue with the National Ocean Council, its staff and the Administration on effective ways to enhance oceans policy coordination and governance. Thank you for your consideration.

Sincerely,

Mike Nussman, President
American Sportfishing Association

Jeff Angers, President
Center for Coastal Conservation

Pat Murray, President
Coastal Conservation Association

Jeff Crane, President
Congressional Sportsmen's Foundation

Rob Kramer, President
International Game Fish Association

Thom Dammrich, President
National Marine Manufacturers Association

Ellen Peel, President
The Billfish Foundation

Index: Attachments to Comments

All 9 SAPs:

Comment of People for Puget Sound

(2 pages)

June 30, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Recommendations for the Strategic Action Plans

Dear Chairs Sutley and Holdren and National Ocean Council Members,

Thank you for the opportunity to provide comment on the National Ocean Council (NOC) on the *Regional Ecosystem Protection and Restoration* Strategic Action Plan Outline. People For Puget Sound is a nonprofit, citizens' organization whose mission is to protect and restore Puget Sound and the Northwest Straits. We represent nearly 10,000 members throughout the Puget Sound region who care about the ecological health and vitality of this inland sea.

As a signatory to two other comment letters, Restore Our Estuaries and Natural Resources Defense Council, we submit the following comments.

Puget Sound and the Pacific Ocean are ailing and threats to ecological health keep mounting - from ocean acidification to depleted salmon runs to degraded water quality to toxic orcas. Everyone wants and deserves clean water, clean beaches, and healthy coasts. We now have a tremendous opportunity to protect and restore our oceans, Great Lakes, coastal ecosystems and the wildlife that depend on them for future generations.

The Ecosystem-Based Management SAP should emphasize estuary areas. Too often "ocean" policy is seen as focused only on federal waters and/or offshore waters. Our nation's estuaries, including Puget Sound, are the nurseries of the oceans. Unfortunately, these are also the areas most degraded because of the collision of urban and industrial activities with fragile and complex ecosystems. To address these complex and compromised bays, sounds and estuaries, systems, national policy must recognize that water quality, land use, transportation and other programs need to be realigned. We appreciate that the move to a national ocean policy is in part motivated by the plethora of uncoordinated efforts around the government. But it is not only the lack of coordination that must be addressed--it is the content of the actions and policies that need to be changed, both to rectify past damage and to make sure that actions and decisions in the future contribute affirmatively to ocean health.

The Coordinate and Support SAP should establish oil spill citizen oversight committees at the regional level. Oil spill prevention is a critical Ocean Policy need. We risk spending billions on recovery that could be wiped out by a large oil spill. One specific recommendation is to establish Citizen Advisory panels in every marine area around the country, modeled after the Prince William Sound committee established after the 1989 Exxon Valdez spill. The Coast Guard works in partnership with other federal and state agencies to prevent and respond to spills, but there is ample evidence that not enough is being done to prevent devastating spills, and to respond adequately when they occur.

The Coordinate and Support SAP should include the Puget Sound Partnership Action Agenda. In the Puget Sound basin, the Puget Sound Partnership is tasked to restore Puget Sound back to health by 2020. The Partnership's Action Agenda sets the goals and targets, establishes the indicators and prioritizes actions to meet the 2020 goal. The Partnership includes local, state and federal agencies, businesses, local elected officials, conservation organizations, scientists, and the public stakeholders, all working for a common goal- a healthy Puget Sound. The National Ocean Policy must consider, integrate, and help implement this type of regional action/recovery plan. They are each unique, different and regionalized.

The Regional Ecosystem Protection and Restoration SAP should specifically highlight the recovery of federally-listed endangered species. This is an area where the federal government has clear responsibility, yet performance has been dismal. In Puget Sound, endangered salmon and orca whales need actionable, accountable, implemented recovery plans. What we have are voluntary, open-ended efforts with very little improvement to show, even years into the listings.

The Ocean Policy should provide long-term dedicated federal funding for the protection and restoration of our oceans, coasts and estuaries. The Ocean Policy should explicitly lay out a funding plan for coastal and estuary habitat restoration. Puget Sound and other areas are so ecologically compromised that not only do we have to stop new damage; we must restore the legacy of destruction. NOAA's community-based restoration program is an excellent but woefully underfunded model for how this can be done. In the recent round of stimulus funding, there were $3 billion of shovel-ready restoration projects competing for $170 million of funds, a compelling indication of the unmet need.

The Coastal Marine Spatial Planning SAP should include the protection of biodiversity as a primary goal, not just fisheries recovery and listed species recovery. This may require more investments in benthic habitat science such as remotely sensed bathymetry and bottom typing with ground-truthed habitat typing. Certain rate benthic communities like deepwater coral and glass sponge reefs are poorly mapped in the northeast Pacific Ocean. Similarly, certain upwelling zones are critical for pelagic species feeding and migration patterns which shift locations base on wind and current conditions. CMSP zoning needs to be set up with the ability for overlays that are not fixed in time. Ocean acidification is often linked to these upwelling

events and will be of interest to the shellfish community, especially in Washington state, to predict oncoming water events when they occur along the coast.

We appreciate the opportunity to share these recommendations with you and welcome the chance to discuss them in more detail. Thank you for all of the effort you and your agencies have invested in this process. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, inland seas, and Great Lakes.

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Index: Attachments to Comments

All 9 SAPs:

Comment of Ocean Gold Seafoods

(2 pages)

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Strong Communities.
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Comments on national ocean policies listening sessions

Comment 1. Listening session's attendance was not representative of stakeholders

The makeup of the attendees at the listening session was inconsistent with the makeup of the stakeholders groups that will be impacted by the design and implementation of the national oceans policy. Of the 90 or so attendees that I would estimate attended the listening session in ocean shores on the 26th only about 5 represented the interests of commercial harvesters and processors from the marine aquaculture and fishing communities who derive their livelihoods from marine resources were in attendance. The remaining 85 or so represented environmental NGO's, government agencies or tribal entities. The industries and coastal communities who rely on access to marine resources were underrepresented.

Comment 2 Comment period is inadequate

One of the points of emphasis at the listening session was that this is designed to be a bottom up process. It seems that given the listening session I attended was scheduled for June 26th that a comment period deadline of July 1 is too short. The timeframe for written response is designed to limit public input and should be extended to at least August 1 2011.

Comment 3. The list of 9 priority objectives is incomplete

None of the 9 priority objectives recognize commercial or recreational fishing, the fisheries management councils, the economic importance of sustaining coastal resource based industries and the communities in which they reside. The priority objectives are inconsistent with the objectives of the Magnusson-Stevens act. There is nothing to address the important role of maintaining access to marine resources and the economic impact it generates. 75% of the locally harvested marine resources are exported and that percentage is growing. This country currently runs a 9 billion dollar annual trade deficit in seafood products that is growing at 10% per year. Any national oceans policy needs to address this trade deficit issue.

Comment 4. Ecosystem based management

Has been a component of marine management policy and decision making at the local and state government and regional management council level for some time, particularly here in Washington State. How we define ecosystem based management at a national level will determine its usefulness as a policy tool.

Comment 5. Water quality and sustainable practices on land

We wholly endorse strict water quality and sustainable environmental waste management practices. It is our position these standards should be applied uniformly across similar industry activities regardless of their locale. We are proud that we adhere to new source standards for effluent discharge outlined in our NPDES permit. We find it problematic that the companies that we compete with in Oregon 50 miles way along the Columbia River operate under a lax general seafood discharge requirement, and some facilities have operated for years without any wastewater permitting at all dumping untreated wastewater and fish offal into the Columbia River.

Offshore fish processing platforms operating in the waters of the national marine sanctuary are allowed to discharge enriched effluent such as stickwater and fish offal into marine sanctuary waters contributing to localized oxygen depletion and environmental marine acidification with no consequence. While the national marine sanctuary does not have regulatory authority to regulate fishing it can regulate wastewater discharges for floating processors operating within the sanctuary as they have done with the cruise ships.

Our company at great expense has invested in facilities and persevered to maintain local water quality by processing our wastewater and offal into recoverable solids and convert them to marketable products which contribute jobs and revenues to the local coastal economy. To allow this disparity to continue puts companies like us at an economic disadvantage which further jeopardized coastal communities and perpetuates the environmental impact in marine sanctuary waters along the Washington coast and along the Columbia River. In no other marine sanctuary are offshore fish processors allowed to operate.

We need uniform science based coast wide standards for wastewater that are individually permitted by facility that are uniformly and fairly applied, that are based on best available data, that raise the standard for everybody and that do not disadvantage local coastal communities in favor of offshore processors interests based outside the area. This would help to create level playing field to compete for local marine resources.

Comment 6. Regional ecosystem protection and restoration

Regional ecosystem protection and restoration is an important national objective and will require in sacrifice from all Americans who stand to benefit. We support and endorse ecosystem protection and restoration programs that do not place a disproportional burden on the viability of resourced based businesses and the coastal communities on which they reside.

Comment 7. Coastal and marine spatial planning

Coastal and marine spatial planning has been a fact of life on the Washington coast for quite a while we have special management areas for commercial recreational and tribal fishers as well as estuarine environments. We have learned it can be a valuable tool if used expeditiously. I would hope that the pursuit of marine spatial planning on the national scale will include some form of economic impact as well as environmental impact studies to determine feasibility of proposed uses in the planning process

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All 9 SAPs:

Comment of West Coast Integrated Ocean Observing System

(5 pages)

The West Coast Integrated Ocean Observing Systems

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
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RE: Comments on the National Ocean Council's strategic action plan outlines

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SCCOOS: Southern California Coastal Ocean Observing System
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La Jolla, CA 92093-0214
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Dear Chairs Sutley and Holdren:

Thank you for the opportunity to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines. Together, we represent the regional components of the national Integrated Ocean Observing System (IOOS) on the West Coast of the United States. We are pleased to submit these comments as a West Coast region in order to express our collective priorities and to present a unified voice from the regional IOOS components that manage the area of the West Coast Regional Planning Body under the National Ocean Policy's (NOP) Coastal and Marine Spatial Planning (CMSP) priority objective. The three West Coast IOOS regional entities are effective entities to coordinate and unify regionally and are working as a system on issues central to the NOP.

We want to begin by expressing our support for Action 4 of the Ocean, Coastal and Great Lakes Observations, Mapping and Infrastructure SAP, "Implement the Integrated Ocean Observing System." As the document expresses, this action will be crucial to supporting the data needs of the other SAPs. Therefore, we strongly urge the NOC to more strongly and explicitly integrate the capabilities of the inter-agency IOOS into the other SAPs, not only to help achieve their stated objectives, but to eliminate redundancy, encourage efficiency, and leverage ongoing activities. We offer constructive suggestions on how to achieve this in our comments below.

Background on IOOS and the role of regional systems

In March of 2009, the signing of the Integrated Coastal Ocean Observing System (ICOOS) Act mandated the establishment of a national integrated system of ocean, coastal, and Great Lakes observing systems coordinated at the federal level by 17 federal agencies. The ICOOS Act formally recognized the U.S. Integrated Ocean Observing System (IOOS) at the national level. Within the IOOS are 11 Regional Information Coordination Entities (RICE) that cover every mile of the U.S. coastline and EEZ and represent regional ocean observations, science, needs and technologies to the national IOOS. We represent the three RICEs that cover the West Coast. The law also established the Integrated Ocean Observing Committee (IOOC), led by Co-Chairs from NOAA, NASA, and NSF, tasked with overseeing the development of IOOS. The entire network is well-established and ready to contribute to each of the NOP priorities.

IOOS saves lives, ecosystem services, and money. Together, the RICEs and IOOS coordinate people, organizations, technology, and data to develop and provide a cost-effective ocean monitoring program at regional and national scales for all to access in order to make more informed decisions and improve understanding. IOOS efforts aid in management decisions regarding climate change, emergency response, coastal hazards, marine transportation, water quality, ecosystem based management, marine protected areas, and fisheries.

Along the U.S. West Coast, the Northwest Association of Networked Ocean Observing Systems (NANOOS), the Central and Northern California Ocean Observing System (CeNCOOS), and the Southern California Coastal Ocean Observing System (SCCOOS) work collaboratively to provide information on multiple scales, from local to the California Current Larger Marine Ecosystem (CCLME). Collectively, over 200 partners representing tribal, state and local government, non-profits, industry, and academic and research institutions participate in and provide guidance to the development of the U.S. West Coast RICEs.

Our comments are organized by SAP and address how the NOC can successfully achieve SAP goals and reduce redundant efforts by more closely integrating ongoing and planned IOOS activities. We believe it will be vital for the NOC to take advantage of the full capabilities of the IOOS program and to leverage the strengths of the existing RICEs to achieve the goals of the National Ocean Policy.

Ecosystem-Based Management

The EBM SAP recognizes the importance of integrated research, observation, and monitoring capacity to support EBM, and includes continued development of IOOS as a need in science and technology (Action 2). The SAP also includes an integration of EBM approaches into the decision-making process (Action 1), and a strategy for doing so in Action 3. We agree that to effectively achieve Action 1, the relevant ocean information and scientific knowledge will need to be effectively communicated to decision makers. Specifically, successful EBM projects along the U.S. West Coast require real-time and historical observations of ocean, coastal, and estuarine conditions collected, synthesized and delivered by IOOS. While the SAP does

recognize the importance of IOOS for its near real time observations, IOOS capabilities in disseminating ocean information through timely and intuitive online products should also be leveraged to achieve the SAP's goals.

Also central to effective EBM will be addressing scientific questions and management issues at the appropriate scale. The West Coast OOS can lead as an example of multi-purpose observation and information dissemination systems that are addressing sub-regional ecosystem issues individually and large scale CCLME ecosystem issues through regional collaboration.

Coastal and Marine Spatial Planning

The ICCOS Act formally established and authorized a system of observing and data management systems to support, among other objectives, national defense, commerce, energy citing, and economic development of the oceans—all areas where CMSP is also expected to improve management. In addition, effective CMSP will require the input of dynamic coastal and ocean information into static layers and/or dynamic visualization tools. The IOOS provides spatial and temporal ocean information essential to effective monitoring and evaluation, including seasonal wave conditions, upwelling hot spots, current patterns, and larval dispersal models. Together, NANOOS, CeNCOOS and SCCOOS make up the same geographic region as the established CMSP Regional Planning Body for the West Coast.

The CMSP SAP recommends various activities in data management and the creation of a data portal. While we recognize that the scope of these will be broader than those developed for IOOS, we believe it is important for any CMSP data integration, management, and dissemination efforts to build on, and learn from, the intensive and intricate evolution of similar IOOS systems. In order to reduce redundancy, it is imperative that the CMSP process recognizes the effective and existing data management strategies established by IOOS. These sentiments are echoed in Ocean Leadership's comments on the SAP outlines, and the IOOS RAs are participating in CMSP workshops and planning sessions around the country in order to facilitate this enhanced collaboration. Stronger integration with IOOS may already be the intention of the SAP writers, but this is not expressed in the outline.

In particular, we see a role for regional data systems as a necessity in implementing CMSP. This is the scale at which smaller observing and atlas systems are already collaborating, and this is the scale at which CMS Plans will be developed. We would be happy to provide our assistance in any way possible here.

Inform Decisions and Improve Understanding

The objective of this SAP is highly similar to the purposes of the ICOOS Act. In particular, Action 3, "Provide science support for managers and policy makers," is especially similar to

ICOOS Act goals. We recommend that the writers of the SAP consult with IOOS RICEs, program office staff, and the IOOC to determine the most cost effective, least duplicative way to achieve these goals in partnership with IOOS. In addition, we believe that "Gaps and needs in science and technology" should include the need to sustain baseline observations in the coastal ocean.

Coordinate and Support

Regarding Action 5, "Identify specific ways to prioritize and coordinate resources, reduce spending overlap, and leverage funding between and among Federal agencies, Tribes, and ROGs," we recommend IOOS as an example of an efficient, leveraged, coordinated program among federal and non-federal partners. In this capacity, it will be important for the NOC to work with IOOS and the IOOC, and build on existing and planned IOOS capabilities, to achieve further efficiencies.

Resiliency and Adaptation to Climate Change and Ocean Acidification

This SAP highlights the importance of observations to support forecasting and assessment of regional climate impacts. IOOS observations will be essential to this. We work with a multitude of counties and cities to aid in their climate change adaptation planning strategies by providing observations, infrastructure and data analysis essential to understanding and predicting impacts of a changing climate and ocean. Central to this are long term time series of coastal ocean change that IOOS provides. The structure of IOOS as a system of regional systems allows each region to focus on the most pressing climate related information to its stakeholders. But at the same time, all systems are part of the same larger network, allowing for maximum efficiencies, ease of use, and collaborations. This design allows for sea-level change and storm event planning at very local levels and also contributes to understanding larger ocean changes and the impact on our overall climate, ecosystems and fisheries.

Action 3 recommends the incorporation of instrumentation for monitoring impacts of climate change and ocean acidification into existing observations systems. As this is something IOOS partners are already doing, their systems are ideal candidates for additional sensors.

Water Quality and Sustainable Practices on Land

This SAP focuses on several issues, including Harmful Algal Blooms, hypoxia, and contaminant tracking, that the West Coast ocean observing systems dedicate significant observing, analysis, and product development resources to. For example, by providing real-time and forecasted tracking tools (for oil, pollutants, HABs, etc.), the West Coast ocean observing systems allow water quality managers the opportunity to make beach closure or shellfish closure decisions immediately or days in advance rather than in response to a high contamination event after-

the-fact. With the ability to track the movement of contaminants, we can also start to identify the starting location and source of these contaminants, aiding in the ability to determine if an event is natural or anthropogenic. We again recommend working closely with IOOS on this SAP to avoid redundant efforts and to build on existing capabilities.

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

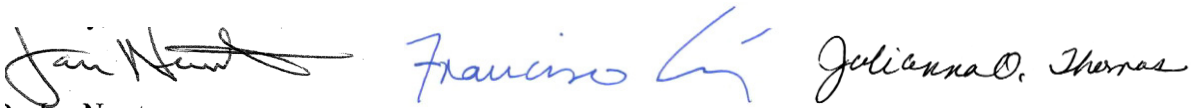
The ICOOS Act established IOOS as a national observation, data management, and communication system for the oceans, coasts and the Great Lakes. As discussed above, in order to most effectively realize the goals of the other SAPs, and to maximize efficiency and avoid redundancies, IOOS can and should be more integrated into their actions.

The milestones listed for Action 4, "Implement IOOS," are for the most part already underway. We suggest that the milestones for this Action more explicitly describe how IOOS can be used to achieve the goals of the other SAPs. In addition, we believe the Gaps and Needs listed for Action 4 should also include the critical areas of platform and sensor development, sustainability of long-term time series, and build-out of national observing assets.

Regarding Action 3, "Use advanced observation and sampling technologies to observe and study global processes," IOOS is the U.S. contribution to the Global Ocean Observing System. Together, we work to identify the best observing technologies and design the most effective, sustainable system to observe and study the global oceans.

We appreciate the opportunity to provide this input and we look forward to working with you as the NOC continues to develop these important strategic action plans.

Sincerely,



Jan Newton	Francisco Chavez	Julie Thomas
Executive Director	Acting Director	Executive Director
Northwest Association of Networked Ocean Observing Systems (NANOOS)	Central and Northern California Ocean Observing System (CeNCOOS)	Southern California Coastal Ocean Observing System (SCCOOS)

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All 9 SAPs:

Comment of Environmental Entrepreneurs

(2 pages)

ENVIRONMENTAL ENTREPRENEURS®

The *Independent* Business Voice for the Environment

www.e2.org

TO: National Ocean Council
RE: Public Commentary to the nine Strategic Action Plan outlines
DATE: July 1st, 2011

On behalf of the Pacific Northwest Chapter of the Environmental Entrepreneurs (E2), I wish to submit this letter as public commentary to the National Ocean Council's nine Strategic Action Plan outlines.

E2 is a nationwide group of nearly 900 business and professional leaders who promote strong environmental policy based on its economic merits. We are entrepreneurs, investors and professionals who have started well over 1000 companies, which in turn have created over half a million jobs. Our members in the financial sector collectively manage over $90 billion of venture capital and private equity.

As members of E2, we know that good environmental policy creates great economic outcomes and we appreciate the important work of the National Ocean Council and this opportunity to submit public commentary to the National Ocean Council's Strategic Action Plans**.**

As you know, our oceans, coasts and Great Lakes are a powerful engine of economic development that depends on healthy oceans. **America's ocean economy contributes more to the country's GDP than the entire farm sector**. However, oceans are challenged with unprecedented activity as never before; recreational uses, wind farms and other renewable energy facilities, offshore drilling, shipping, sand and gravel mining, fishing, and marine aquaculture facilities are all competing for ocean resources.

Without a clear governing policy, we face severe degradation of this unique national resource. A National Oceans Policy is long overdue and together with the nine strategic action plans will help address these issues.

For the Strategic Action Plans to be most effective, we recommend that they be strengthened in four ways:

1. Explicitly state that the goal of Ecosystem-Based Management is to maintain healthy, productive and resilient ocean ecosystems.

Healthier oceans will lead to a higher GDP and increased job growth. For example, in 2009, there were more than 18,000 closings and advisory days at ocean, bay and Great Lakes beaches. The economic impact of those closings reverberates through the economy. Beach closings mean fewer travelers to our shores, less revenue for hotels, restaurants, recreational fishing, and other activities. These uses all require healthy, productive resilient ecosystems.

2. Include specific, near-term actions to improve ecosystem health, show progress and provide accountability.

For example:

- Reduce plastic pollution in the ocean by instituting controls on the flow of trash into our waterways;
- Establish numeric criteria to reduce nutrient pollution that contributes to ocean dead zones;
- Establish a system of ocean observation sites to provide critical information to understand and measure ocean acidification and its impacts.

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3. **Commit to incorporating the National Ocean Policy and Principles into agency rules and procedures in the near term**.

This will ensure the longevity of the National Ocean Policy and embed the policy firmly into agency practice and procedures.

4. **We strongly support the use of Coastal and Marine Spatial Planning (CMSP). Successful execution of this strategic action plan will form the foundation for many of the other plans.**

Thus it is critical that the CMSP plan:

i. Include economic as well as ecological planning;
ii. Provide certainty for responsible development, including renewable energy while protecting sensitive habitats;
iii. Take account of the importance of river systems and on shore activity in maintaining ocean health.

We also recommend two near term actions to help ensure the success of this plan:

i. Create a protocol for regional planning bodies to use to identify important ecological areas in their coastal and marine spatial plans; and
ii. Complete the regional ecosystem

Thank you for accepting this public commentary on behalf of all our Pacific Northwest E2 members. We look forward to the timely results of the National Ocean Council's listening sessions.

Sincerely,

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Comment of Marine Affairs Institute, RI Sea Grant Legal Program

(3 pages)

Marine Affairs Institute

July 1, 2011

National Ocean Council

722 Jackson Place, N.W.

Washington, D.C. 20503

Dear members of the National Ocean Council,

Thank you very much for the opportunity to offer comments on the Draft Strategic Action Plans. These Plans represent an important step in implementing the National Ocean Policy, and I support your work to improve U.S. ocean governance, attending the recent Listening Session in Exeter, NH, and appreciate this additional chance to provide input into the process.

My name is Susan Farady. I am an attorney, and director and adjunct faculty of the Marine Affairs Institute in Rhode Island. Housed at the Roger Williams University School of Law and in partnership with Rhode Island Sea Grant and the University of Rhode Island, the Institute is dedicated to educating the next generation of marine law and policy professionals, and providing convening and research services to the professional marine management community. We are one of a handful of law schools in the country specializing in ocean, coastal and maritime law, and one of only four Sea Grant Legal Programs in the country. Our partnerships allow us to be nimble, leveraged, and interdisciplinary, all excellent qualities during this very busy and challenging time in ocean governance. My expertise is in ocean governance and policy, particularly as relates to marine spatial planning, marine protected areas and intersections of law, policy and science.

My comments on the Plans are on two specific areas:

1. The overlap among Plans in MPA-type identification and planning, and
2. The areas regarding law and policy research among the Plans.

<u>Marine protected area identification and planning</u>

I noted two specific actions, Action 7 in the Water Quality Plan ("Identify and protect high quality coastal waters"), Action 3 in the Climate Change Plan ("Strengthen and integrate observations from the Nation's existing array of protected areas,"), and Action 7 in the Regional

Ecosystem Plan ("Identify nationally significant marine and Great Lakes aquatic areas in need of protection") that are similar yet different. In my experience working on CMSP and MPA issues in New England for 12 years, including habitat issues at the New England Fishery Management Council and the management of Stellwagen Bank National Marine Sanctuary, I have learned that it is imperative for government to coordinate as much as possible among the various statutes and process when drawing lines in the water. I am concerned that these two specific Action Items located in different Plans and attempts to coordinate them with the overarching CMSP process could not be as well coordinated as possible to best leverage information and be most transparent to stakeholders. I note that neither specific action item refers to the efforts of the National MPA Center, habitat mapping/management planning underway at the Fisheries Management Councils (I am specifically familiar with the extensive work done by the NEFMC on the forthcoming Omnibus Habitat Amendment which is singlehandedly the largest CMSP-effort to date in New England waters), or management planning at National Marine Sanctuaries (which are currently the only sites authorized by law to engage in full CMSP processes and management within their boundaries).

I would encourage the Council to endeavor to coordinate all MPA-type of efforts, note coordination with high-profile existing efforts that many stakeholders are familiar with such as the MPA Center, fisheries management and National Marine Sanctuary management, and specifically state so throughout the Plans, redundant as that language might be. Doing so will help avoid accusations of lack of government coordination, and will hopefully produce a planning and management process that draws lines to meet clear, multiple objectives, based on science and a transparent process, and provide the most ecological and economic 'bang for the buck.'

I would also note my specific expertise and offer to assist as helpful in conducting a gap analysis of existing MPAs in the Regional Ecosystem Plan. I was a co-author or a 2001 report by the Ocean Conservancy studying existing MPAs in the U.S. Gulf of Maine, have extensive experience with the National Marine Sanctuaries Act especially the compatibility determination provision, and am happy to offer assistance as a neutral academic institution in the law and policy aspect of this task.

<u>Legal and policy research</u>

The Marine Affairs Institute, as a neutral academic institution and in our capacity as the Rhode Island Sea Grant Legal Program, is uniquely positioned to assist the Council in the future. It is imperative that Council actions incorporate the complex legal and policy pieces of these Plans (such as Action 7 in the EBM Plan to incorporate EBM 'cohesively into the environmental statutory and regulatory regime,' items VI. Legal Analysis and VII Regional Dispute Resolution Mechanisms in the CMSP Plan, and Action 2 in the Coordinate and Support Plan ("Identify, prioritize, and seek to resolve legal barriers to implementation of the National Ocean Policy").

We are one of the few clearinghouses of marine law and policy expertise in the country that can assist you in this important aspect.

As a neutral entity, we can convene workshops or conferences, for managers or the broader stakeholder community, as we have done in the past on marine renewable energy, fisheries management, and oil spills. We also have access to specific expertise, within the Institute and Law School as well as with our colleagues in the broader Rhode Island and New England marine law community, to address these issues. Our Sea Grant Law Fellow program is one specific way we could assist with basic research you may need. Law Fellows are current law students who are matched up with research requests from outside organizations; they do not offer any legal advice or work on projects related to ongoing litigation, and their work products are open to the public.

We have the institutional capacity, expertise, and relationships with the marine law and policy community to assist the Council with the complex array of law and policy questions posed by the Plans. Please do not hesitate to contact me to explore how we could assist the Council going forward.

Thank you again for this opportunity to comment.

Sincerely,

Susan E. Farady

Susan E. Farady, J.D.

Director, adjunct faculty

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Comment of the National Ocean Policy Coalition

(98 pages)

July 1, 2011

Submitted Electronically

Michael Weiss
Deputy Associate Director for Ocean and Coastal Policy
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

RE: Comments on Strategic Action Plan Content Outlines

Dear Mr. Weiss:

On behalf of the National Ocean Policy Coalition ("Coalition"), I am pleased to submit comments on the Strategic Action Plan ("SAP") Full Content Outlines ("outlines") for the National Ocean Policy's nine priority objectives.

EXECUTIVE SUMMARY

The Coalition is an organization of diverse interests united in the desire to ensure that the new National Ocean Policy is implemented in a manner that best benefits the National interest, including protection of the commercial and recreational value of the oceans and marine-related natural resources.

The long-term protection of ocean and marine-related natural resources is clearly critical to this country, and the Coalition strongly supports development and implementation of a framework that ensures this. However, we and our members are concerned that the pace and extent of the program proposed in the SAP outlines goes too far, too fast. We fear that such a pace will inhibit the development of two components necessary for the development of a sound and balanced National Ocean Policy: requisite scientific knowledge and a clear definition of the problem in need of a solution.

As proposed , the actions contained in the National Ocean Policy SAP outlines have the potential to unnecessarily damage both terrestrial and marine economic value by affecting sectors such as agriculture, commercial fishing, construction, manufacturing, marine commerce, mining, oil and gas and renewable energy, recreational boating, recreational fishing, and waterborne transportation. These sectors support tens of millions of jobs, contribute trillions of dollars to the U.S. economy, and provide services that are vital to the survival and independence of our Nation. These interests and services, and the jobs and communities that they support, need to

be protected and preserved as the National Ocean Policy is developed and implemented.

In this context, the Coalition would first like to reiterate the concerns and recommendations included in our April 28, 2011 comments on the development of SAP's (see Appendix 1). We continue to believe that policy development and implementation should be preceded by comprehensive studies that analyze potential economic, societal, and legal implications—coupled with the full engagement of the public, stakeholders, and Congress—that are subject to public review and comment through the normal process set out in the Administrative Procedure Act. As discussed below, such studies should be conducted in tandem with comprehensive evaluations that identify problems and gaps that need to be addressed and the development of a methodology to measure any problems or gaps that are so identified. The Coalition also reiterates its previous recommendation that the new policy first be tested in a pilot project in a limited geographic area in order to allow for the establishment of a framework that reduces the risk of significant unintended consequences.

In the listening sessions held in June, it was clear that the policy direction and objectives remain unclear, even to the many agency representatives that were involved in presenting their impressions and listening to public input. There are inconsistencies in the policy objectives and the SAP outlines regarding the extent of stakeholder engagement, the use of pilot projects, and use of the National Ocean Policy as a vehicle to develop, revise, or expand federal requirements and regulations. With regard to stakeholder engagement, limiting the public review process of the SAP outlines to thirty days is insufficient to allow for stakeholders to comprehend the extensive program proposal and provide meaningful input. The Coalition therefore requests that the National Ocean Council consider the public input it has received and reissue revised SAP outlines for additional review and comment before proposing the draft SAP's.

For the sake of transparency and to avoid unanticipated consequences, it is imperative that the development and implementation of the National Ocean Policy is informed by a clear understanding of any potentially adverse economic implications associated with the new, revised, or expanded use of federal requirements and regulations. Therefore, we encourage the administration to carefully consider the attached sector-by-sector analysis that examines the significant contributions of various commercial and recreational interests to the U.S. economy and the potential impacts of the National Ocean Policy on these interests (see Appendix 2). For maximum benefit, sector-by-sector analyses similar to Appendix 2 should be performed on a regional basis and made available to the public for comment, especially in the context of coastal and marine spatial planning ("CMSP").

The Coalition has prepared detailed comments on each of the nine SAP outlines. However, for purposes of this Executive Summary, we would like to highlight some themes which emerged from our review:

1. <u>FUNDING MECHANISMS</u>

- Budgetary requests and expenditures in support of the National Ocean Policy must be publicly available and broken down by entity; and

- CMSP must rely on neutral (government-only) federal or state funding to ensure that

coastal and marine spatial plans are not seen as being paid for by advocates from individual stakeholder groups

2. STAKEHOLDER ENGAGEMENT MECHANISMS

- Regional workshops should be conducted prior to establishment of regional planning bodies and structured in a manner that provides ample time for input by industry, the public, and state, tribal, and local officials, among others;

- Regional workshops should primarily focus on providing equal opportunity for input by all stakeholders, including industry, but should not spend significant effort on reviewing National Ocean Policy objectives that have already been publicly announced;

- Public comment periods should be extend to a minimum of 60 days to allow for careful reflection and the submission of constructive, practical, and valuable comments by stakeholders and stakeholder groups;

- Efforts to establish regional advisory committees to advise the regional planning bodies, as authorized under the executive order, should begin the moment regional planning bodies are formed and account for appropriate user group representation, including, among others, representatives from industry sectors that significantly contribute to the economy of the respective regions;

- Regional advisory committees should be given the power to issue advice on their own initiative under a structured process;

- The role of regional advisory committees must be explicitly linked to the regional planning bodies, i.e., must be formalized; and

- "Users" and "public" must be defined for engagement purposes before stakeholder activities related to CMSP or other National Ocean Policy objectives take place

3. REGIONAL PLANNING BODIES

- Regional planning bodies must not be established, or development agreements entered into, prior to the release of the final CMSP Strategic Action Plan;

- States that are represented on regional planning bodies must be allotted more than one representative;

- Regional fishery management councils (RFMC's) should be granted a seat on the regional planning bodies; and

- RFMC's should be joined by representatives of other sectors that rely on federal decision-making to carry out their potentially impacted activities; in addition, the National Ocean Council should include nongovernmental commercial and recreational interests representing various sectors of the ocean-using community on the regional

planning bodies

4. DATA AND SCIENCE

- Scientific knowledge used to form the basis of decisions under the National Ocean Policy must follow consistent scientific standards, i.e., follow specific protocols that ensure the use of quality-controlled data and peer-reviewed analysis or publications;

- Region-specific data gathering and long-term monitoring efforts in support of CMSP and Ecosystem-Based Management ("EBM") must be technically defensible, statistically sound, and based on collaborative efforts by qualified scientists;

- CMSP and other EBM-dependent objectives must not be implemented before such data is appropriately collected, analyzed, and made publicly available; and

- Use of mapping, modeling, and forecasting instruments to aid decision-making must recognize the inherent limits, uncertainties, and related policy implications of these tools to account for variations and realities on the ground

5. TIMING AND IMPLEMENTATION

- All timelines should be realistic and provide opportunity for adequate engagement, study, and analysis to take place, including the publication of reports outlining the potential economic impacts (i.e. sector-by-sector, federal budget) and scientific data needs;

- In light of the above, the proposed timeline extension for development of initial CMS Plans by 2020 is more realistic than the 2015 deadline that was set out in the Final Recommendations that were adopted in the July 2010 Executive Order;

- CMSP should not be implemented in a manner that results in unnecessary denials of permit requests or the exclusion of large geographic areas from consideration for activity, thereby stunting access to resources and economic growth; otherwise, outcomes included in the SAP outline for CMSP related to streamlined, more efficient permitting will be of diminished value;

- Testing of CMSP in a pilot project (versus nationwide application) is strongly encouraged and aligned with findings in a recent report of the NOAA Science Advisory Board's Ecosystem Science and Management Working Group[1] (which the Board has approved with minor editorial changes[2]) and the proposed use of pilot projects for other objectives,[3] especially since lessons learned from a pilot project would reduce the risk of

[1] *See* "Strategic Advice on Designing and Implementing Coastal and Marine Spatial Plans," Report to the NOAA Science Advisory Board From the Ecosystem Science and Management Working Group ("ESMWG Report"), May 2, 2011, *available at* http://www.sab.noaa.gov/Meetings/2011/may/ESMWG_CMSP__Report_Text_2May11.pdf.
[2] *See* National Oceanographic & Atmospheric Administration's Coastal and Marine Spatial Planning Web Site, Latest News, "NOAA Science Advisory Board Approves Report on CMSP," *available at* http://www.msp.noaa.gov/news.html (accessed June 30, 2011).
[3] *See* Ecosystem-Based Management Strategic Action Plan Full Content Outline ("EBM Outline"), released June 2, 2011, available *at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_1_ebm_full_content_outline_06-02-11_clean.pdf, Pages 3 ("Place-based pilot projects will utilize best practices and promote understanding of and information about how to effectively

unintended consequences that could be harmful from a socio-economic perspective; and

- Draft SAP's for the nine national priority objectives should not be released for public comment until all reports relied on for the development of proposed actions under the National Ocean Policy are publicly available

6. ARCTIC-SPECIFIC CONSIDERATIONS

- Human activity in the Arctic region is an opportunity for jobs, economic growth, and enhanced national energy security; therefore, the National Ocean Policy must focus on: (1) realizing economic development opportunities that also protect traditional uses; and (2) avoiding redundancies and increased bureaucracy that could stunt development

In sum, since the National Ocean Policy outlines "serve as an early and valuable point" in "an ongoing [plan development] process to be further informed by comments received during the public comment period,"[4] it is our hope that the concerns and recommendations contained in this document are carefully considered by the administration for incorporation into the National Ocean Policy.

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implement EBM principles and concepts"), and 9 ("Complete…EBM pilot projects…;" "Implement and complete two to three pilot studies…in selected geographic areas;" "Prepare case studies and document results of the pilot studies."); Water Quality and Sustainable Practices on Land Strategic Action Plan Full Content Outline ("Water Quality Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_7_water_quality_full_content_outline_06-02-11_clean.pdf, Pages 2 ("…implement pilot projects…"), 4 ("…promote pilot programs…"), 8 ("…prioritize pilot regions…"), and 9 ("Launch pilot early warning systems or demonstration projects…").

[4] *See* National Ocean Council Preface to Strategic Action Plan Full Content Outlines, released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/introduction_to_sap_full_content_outlines_06-02-11_clean.pdf, Pages 2, 3.

DETAILED COMMENTS ON SAP FULL CONTENT OUTLINES

OBECTIVE #1: ECOSYSTEM-BASED MANAGEMENT

COOPERATION AND COLLABORATION VS. REGULATION

The Ecosystem-Based Management (EBM) outline contains many references to opportunities for collaboration and cooperation,[5] and outcomes and milestones include pilot projects and pilot studies.[6]

At the same time, however, the outline calls for the "rapid and effective implementation of EBM throughout our Nation's marine and coastal ecosystems" by "incorporat[ing] [EBM] cohesively into the environmental statutory and regulatory regime and project planning and review processes."[7] According to the document, "[t]argeted statutory and regulatory changes may be made…when deemed necessary in order to advance EBM."[8]

The outline adds that "[o]pportunity exists to incorporate EBM principles into the regulatory regime" under the retrospective analysis of existing federal regulations required under President Obama's executive order on Improving Regulation and Regulatory Review.[9] EBM milestones include the issuance of "model legislation and/or regulations."[10]

The Coalition strongly recommends that EBM not be rapidly implemented as a new federal requirement through regulations or reinterpretation of existing statutes. First, as the Interagency Ocean Policy Task Force previously stated, implementation of EBM represents a "fundamental shift in how the United States manages…[ocean, coastal, and Great Lakes] resources."[11] Rapid implementation of such a fundamental management shift could hinder the outline's call for "efficient and effective management."[12] In addition, as the Coalition recently stated, important questions such as how ecosystem-based management will be defined and implemented remain unanswered and in need of informed input. The Coalition's recommendation is underscored by the outline's acknowledgement that "lack of knowledge

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[5] *See* EBM Outline at 1 ("EBM Leadership and Collaboration"), 2 ("...EBM models that successfully use collaborative, stakeholder-driven, place-based tools and approaches…;" "...build on…models that…build…collaborative decision-making competence"), 3 ("support collaborative strategic planning and priority-setting ;" "…implement collaborative approaches to resource management…;" "Regional, tribal, territorial, state and local stakeholders and decision-makers will begin collaborating…"), 4 ("…engagement of diverse stakeholders in collaborative processes…"), 8 ("Promote collaboration…"), and 10 ("Federal agencies will work collaboratively…;" "…build capacity and promote cooperation…;" "…implement EBM in cooperation and consultation with Regional bodies…").

[6] *See* EBM Outline at 3 ("Place-based pilot projects will utilize best practices and promote understanding of and information about how to effectively implement EBM principles and concepts") and 9 ("Complete…EBM pilot projects…;" "Implement and complete two to three pilot studies…in selected geographic areas;" "Prepare case studies and document results of the pilot studies.").

[7] *See* EBM Outline at 9.

[8] *See* EBM Outline at 10.

[9] *See* EBM Outline at 10.

[10] *See* EBM Outline at 11.

[11] *See* Final Recommendations of the Interagency Ocean Policy Task Force ("Final Recommendations"), released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf, Appendix C, at C-III.

[12] *See* EBM Outline at 2.

about EBM and adaptive management…could be an obstacle to agencies' support for the development of leadership competencies in EBM and adaptive management."[13]

USE OF EBM SCIENCE FRAMEWORK TO "AVOID…CONFLICTS"

The EBM outline also states that a science framework is needed to, among other things, "avoid or reduce user and management conflicts" and provide a scientific basis for "managing people and their actions."[14] Measures intended to "reduce" alleged "conflicts" could in theory allow for continued multiple use management. However, use of the word "avoid"--coupled with language about "managing people and their actions"--reinforces concerns that the National Ocean Policy could be used to unnecessarily restrict or prohibit commercial and recreational activities and cause significant economic and societal repercussions.

The Coalition and its diverse members have not seen evidence of specific examples indicating that an inherent conflict exists among various and incompatible human activities that necessitates such a response.

SCIENTIFIC STANDARD FOR EBM

The EBM outline says that management decisions will be informed by data and information that provide a "sound scientific basis" for decision-making.[15] However, the outline also says that management decision-making will be informed by the "best available" science and data,[16] and that the development and exchange of "sound, accessible, and best-available" scientific data would be promoted.[17] At another point, the outline states that decision-makers and managers would integrate scientific knowledge into EBM approaches, relying in part on "adequate" scientific data and information.[18]

"Sound," "best available," and "adequate" can each be interpreted to have very different and unique meanings with varying standards of data and information integrity. The administration must make clear that scientific knowledge used to form the basis of decisions under the National Ocean Policy (including EBM) must follow consistent scientific standards, i.e. follow specified protocols that ensure the use of quality-controlled data and peer-reviewed analysis or publications.

DATA GATHERING AND MONITORING AS A FOUNDATION FOR EBM AND CMSP

In addition to being its own objective, EBM is intended to inform all other priority objectives, and is to help form the basis for coastal and marine spatial planning processes and decisions. If EBM is to be based on "sound" science, requisite scientific knowledge will be necessary. Such knowledge requires long-term monitoring efforts carried out at the appropriate spatial scale.

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[13] *See* National Ocean Council Preface to Strategic Action Plan Full Content Outlines ("NOC Preface"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/introduction_to_sap_full_content_outlines_06-02-11_clean.pdf, Page 5.
[14] *See* EBM Outline at 5.
[15] *See* EBM Outline at 1.
[16] *See* EBM Outline at 2.
[17] *See* EBM Outline at 3.
[18] *See* EBM Outline at 4.

Specifically, at the present state of knowledge, practical experience with the design and implementation of monitoring programs that enable EBM is limited, especially on the broad spatial and temporal scales that are required to support informed CMSP decisions. Therefore, significant thought and time must be invested in developing data collection, monitoring, and analysis methodologies that can deliver reliable and sound information.

In addition, effective data gathering and monitoring require that EBM first be defined. If regions are to vary in their approaches on the geographic area to be included in their "ecosystems," then so too will the data needs. Until stakeholders understand what the CMS Plans will look like, it will be difficult to determine the type of data that is being asked of them.

To that end, concrete, region-specific plans must be developed which outline the envisioned efforts associated with data collection, quality control, analysis, and interpretation. Furthermore, since "scientific" information could be twisted to influence public perception, plans also must provide mechanisms to ensure the scientifically sound use of the obtained information.

Region-specific plans should contain the following:

- Data collection and measurement programs outlining which parameters (variables) should be monitored, for what purpose, how, where, and how often;
- Protocols for data quality control to ensure measurements are technically defensible and bound by acceptable uncertainty limits before they are released for analysis, model input, and interpretation; and
- Protocols outlining the anticipated use of the information to ensure the application of scientifically proven analysis methods and the dissemination of peer-reviewed, statistically sound information.

Initial, region-specific plans that address these points should be finalized before a detailed assessment is made of the resources needed for their implementation, including, for example, sampling equipment, laboratories, and marine vessel requirements.

If EBM is to become the overarching principle under which the federal government manages the oceans, coasts, and Great Lakes, then the administration must ensure that all impacted stakeholders, including commercial users, buy in to the initiative and are involved and committed at *every* stage of the process: the development and design of effective monitoring programs, the implementation of such programs on cross-sectoral scales, the continuous analysis of data outflow, and the alignment of adaptive management techniques with the observations.

In addition, defining and realizing realistic and achievable monitoring efforts, and identifying actual versus perceived problems, will require that qualified local scientists and scientific experts from industry stakeholders be brought in to work together with regional planning body representatives (where applicable).

Such precautions, if taken prior to implementation, will help reduce the risk that actions carried out under EBM-dependent priority objectives rely on data that is not fully developed or result in

decisions that are not supported by science. Therefore, CMSP and other EBM-dependent objectives must not be implemented before the region-specific data is appropriately collected, analyzed, and made publicly available.

OBJECTIVE #2: COASTAL AND MARINE SPATIAL PLANNING

CMSP AS A COOPERATIVE EFFORT VS. A FEDERAL REQUIREMENT

The CMSP outline states that "CMSP and CMS plans will be developed cooperatively among the Federal, State, and tribal partners on the RPBs [regional planning bodies]…" in consultation with various groups and with stakeholder and public input.[19] However, the Final Recommendations state that "[i]n the event that a particular State or tribe opts not to participate in the development or implementation of a CMS Plan, the development or implementation of the CMS Plan would continue."[20] In other fora, administration officials have confirmed that, in accordance with the requirements of Executive Order 13547,[21] where a state or tribe opts not to participate, CMSP is still to be carried out in areas under federal jurisdiction.

We urge the administration to make such point clear in communications with the public, stakeholders, and state, tribal, regional, and local officials. Otherwise, many could incorrectly assume that CMSP will only be instituted in areas in or adjacent to the states and territories that comprise the nine regional planning areas and agree to participate in the process. Such assumptions could lead to decreased levels of public and stakeholder awareness and engagement.

CMSP IMPACT ON PERMITTING ACTIVITY

The outline also says that CMSP is "intended to facilitate sustainable economic growth in coastal communities by increasing transparency and predictability for economic investments…" It adds that CMSP should promote "enhanced national energy security and trade and provide economic incentives, such as more predictable and faster project implementation, for a wide range of commercial users."[22]

The potential for CMSP to result in exclusionary zoning is a central component of the Coalition's concerns with regard to National Ocean Policy implementation. Concerns are underscored by the language in the outline, similar to the EBM outline, that discusses "avoid[ing] those impacts considered unacceptable…lead[ing] to desirable activities being planned for those areas where resulting impacts are minimized or avoided…"[23] As the Coalition has previously mentioned, the National Ocean Policy has already been cited in an announcement about federal actions taken that restrict domestic energy activity.[24] Greater efficiencies and predictability associated with

[19] *See* Coastal and Marine Spatial Planning Strategic Action Plan Full Content Outline ("CMSP Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_2_cmsp_full_content_outline_06-02-11_clean.pdf, Page 2.
[20] *See* Final Recommendations at 60.
[21] *See* Executive Order on Stewardship of the Ocean, Our Coasts, and the Great Lakes, issued July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf.
[22] *See* CMSP Outline at 3.
[23] *See* CMSP Outline at 6.
[24] *See* "Salazar Announces Revised OCS Leasing Program," Press Release, December 1, 2010, *available at* http://www.doi.gov/news/pressreleases/Salazar-Announces-Revised-OCS-Leasing-Program.cfm ("Consistent with the President's Executive Order on National Ocean Policy, today's modified plan also confirms many actions announced in March, including

permitting activities will be of diminished value if accompanied by permit denials and the exclusion of large geographic areas from consideration for commercial and recreational activity that stunts access to resources and economic growth.

CMSP PILOT PROJECT VS. NATIONWIDE APPLICATION

In order to allow for the establishment of a framework that reduces the risk of significant unintended socio-economic consequences that could result from nationwide application of CMSP, the Coalition continues to believe that the new National Ocean Policy, including CMSP, should first be tested in a pilot project in a limited geographic area. The need for a pilot project for CMSP is consistent with proposed pilot projects for other policy objectives[25] and is underscored by findings in a recent report of the NOAA Science Advisory Board's Ecosystem Science & Management Working Group (which the Board has approved with minor editorial changes[26]). The NOAA Working Group report stated that the U.S. effort "argues for consideration of smaller areas (and possibly fewer objectives) that can be nested within larger regions over time."[27]

The Working Group found that the spatial scope of the U.S. CMSP effort "exceeds that of the other countries that have initiated marine spatial planning," with the total area of the nine U.S. regional planning areas equaling the total area of all the world's existing marine spatial plans. The report found that even the individual U.S. regional planning areas "are of the same order of magnitude as entire planning frameworks…and the largest of the marine spatial plans."[28]

IMPACT OF PROPOSED REVISED TIMELINES

The Coalition also continues to believe that, before moving forward with implementation, more time is needed to allow for significant and meaningful engagement of the public, stakeholders, and Congress, in addition to comprehensive studies that carefully examine the policy's potential impacts and address scientific data needs.

While the CMSP implementation timeline included in the Final Recommendations adopted in last year's executive order called for all initial CMS plans to be completed and certified by mid-2015,[29] the CMSP outline proposes a national objective to have initial CMS plans developed by 2020.[30] In addition, the outline's proposed objective to incorporate data into the National

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environmental analysis to determine whether seismic studies should be conducted in the Mid and South Atlantic, and rigorous scientific analysis of the Arctic to determine if future oil and gas development could be conducted safely.").

[25] *See* EBM Outline at 3 ("Place-based pilot projects will utilize best practices and promote understanding of and information about how to effectively implement EBM principles and concepts"), and 9 ("Complete…EBM pilot projects…;" "Implement and complete two to three pilot studies…in selected geographic areas;" "Prepare case studies and document results of the pilot studies."), and Water Quality and Sustainable Practices on Land Strategic Action Plan Full Content Outline ("Water Quality Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_7_water_quality_full_content_outline_06-02-11_clean.pdf, Pages 2 ("…implement pilot projects…"), 4 ("…promote pilot programs…"), 8 ("…prioritize pilot regions…"), and 9 ("Launch pilot early warning systems or demonstration projects…").

[26] National Oceanographic & Atmospheric Administration's Coastal and Marine Spatial Planning Web Site, Latest News, "NOAA Science Advisory Board Approves Report on CMSP," *available at* http://www.msp.noaa.gov/news.html (accessed June 30, 2011).

[27] *See* "Strategic Advice on Designing and Implementing Coastal and Marine Spatial Plans," Report to the NOAA Science Advisory Board From the Ecosystem Science and Management Working Group ("ESMWG Report"), May 2, 2011, *available at* http://www.sab.noaa.gov/Meetings/2011/may/ESMWG_CMSP__Report_Text_2May11.pdf, Page 24.

[28] *See* ESMWG Report at 14.

[29] *See* Final Recommendations at 69.

[30] *See* CMSP Outline at 4.

Information Management System and Portal by 2015 appears to extend the original timeline set out in the Final Recommendations adopted in the July 2010 Executive Order.[31]

The Coalition welcomes actions that provide time and opportunity for adequate engagement, studies, and analysis to take place. All timelines for all National Ocean Policy objectives should be realistic and provide opportunity for adequate engagement, study, and analysis to take place, including the publication of reports outlining the potential economic impacts (i.e. sector-by-sector, federal budget) and scientific data needs. The Coalition believes that the proposed timeline extension for the development of initial CMS Plans by 2020 is more realistic than the 2015 deadline set out in July 2010.

Prior to finalizing and implementing timelines, however, it is also important to address unanswered questions on important foundational matters such as perceived conflicts between uses and users. The Coalition and its diverse members have so far not seen evidence of specific examples indicating that an inherent conflict exists among various and incompatible human activities.

Until such conflicts are highlighted and specific problem areas identified, it will be difficult for stakeholders to know what is expected of them, including the kind of data that they will be asked to provide to assist with the CMSP effort.

REGIONAL PLANNING BODIES

According to the outline, the CMSP Strategic Action Plan is to include guidance on how state and tribal representatives on regional planning bodies "might be identified and selected," as well as guidance on the process under which regional planning bodies are to prepare CMSP development agreements.[32] Therefore, regional planning bodies should not be established or development agreements entered into prior to the release of the final CMSP Strategic Action Plan.

In addition, as to the establishment of regional planning bodies, given the number of federal officials to be represented and the magnitude of the policy, states that are represented on regional planning bodies should be allotted more than one representative, and the specific number of state representatives should be determined in close coordination and cooperation with officials representing participating states in all nine U.S. regional planning areas. Allocating one seat to each state could result in skewed federal to non-federal ratios and fail to account for variations in coastline territory and economic and recreational activity.

Finally, as they have requested, regional fishery management councils ("RFMC's") should be granted a seat on the regional planning bodies, rather than being relegated to a consultative role. RFMC's operate pursuant to federal statute, and the fishing community has come to rely on their well-established practices and procedures over the past several decades. Incorporating them into the regional planning body membership would further the administration's goal of using the National Ocean Policy to achieve greater coordination, communication, and cohesiveness in federal decision-making processes. The Coalition also believes that if RFMC's

[31] *See* CMSP Outline at 5 and Final Recommendations at 69.
[32] *See* CMSP Outline at 6.

are granted a seat on regional planning bodies, as they should be, then other sectors that rely on federal decision-making to carry out their potentially impacted activities should be represented as well. In addition, the National Ocean Council should include nongovernmental commercial and recreational interests representing various sectors of the ocean-using community on the regional planning bodies.

STAKEHOLDER ENGAGEMENT MECHANISMS

The Coalition is encouraged by recent statements from federal officials that all resource users should have a seat at the table as the policy is further developed and implemented. Consistent with those statements, as well as the administration's previous invitation and recommendation that the Coalition play a role in ensuring adequate stakeholder participation and representation in all aspects of National Ocean Policy-related activities, we offer the following recommendations.

With regard to the subsections on "Stakeholder and Public Engagement and Participation" and "Regional Advisory Committees," the Coalition reiterates its previous comments. Stakeholder engagement efforts going forward must include openness and transparency in all outreach activities and comply with the letter and spirit of the Administrative Procedure Act.

Stakeholder engagement activities must also include any and all potentially impacted commercial and recreational groups, sectors, and interests at every stage of policy development and implementation and at the national and regional levels, including through balanced stakeholder advisory groups.

At minimum, efforts to create regional advisory committees to advise regional planning bodies, authorized under the executive order, should begin the moment regional planning bodies are formed. Such groups should be balanced and comprised of members that are sector-appointed and representative of the potentially impacted commercial and recreational interests, and advice from such committees should receive significant deference.

Distinctions among various stakeholders may warrant differing and targeted types of engagement activity based on the potential impacts to such groups. In this context, and for stakeholder engagement activities related to all National Ocean Policy objectives, it is important for the terms "user" and "public" to be defined early in the process and prior to stakeholder activities taking place.

Importantly, similar to the relationship envisioned by the administration between regional fishery management councils and regional planning bodies, the role of any regional advisory committee created under the National Ocean Policy must be explicitly linked to the regional planning bodies (i.e. must be formalized). In addition, such advisory committees must be provided with the power to provide advice on their own initiative under a structured process, rather than only upon request.

Consistent with recommendations voiced by other participants at the National Ocean Council's June 21 National Workshop on Coastal and Marine Spatial Planning, regional workshops should also be conducted in all nine regional planning areas prior to the establishment of regional

planning bodies. Since the National Ocean Policy is to be a bottom-up process driven by the various regions, this would provide an opportunity for those who live and work in these areas to learn about the policy and inform decisions by state and tribes about important issues that the policy requires them to address, such as participation in and membership on regional planning bodies.

Regional workshops should be structured in a manner that primarily focuses on providing equal opportunity for input by all stakeholders, including industry, the public, and state, tribal, and local officials, among others. In addition, policy overviews should not encompass more than twenty-five percent of the time allotted for the workshop, and significant effort should not be spent on reviewing National Ocean Policy information that has already been publicly released. Such information should be easily accessible to workshop attendees prior to the event (i.e. displayed prominently in registration confirmation e-mails etc.).

Finally, public comment periods for all National Ocean Policy-related activities, including CMSP, should be extended to a minimum of 60 days to allow for careful reflection and the submission of constructive, practical, and valuable comments by stakeholders and stakeholder groups. The Coalition believes that a 30-day comment period for the review of SAP outlines was insufficient to allow for stakeholders to comprehend the extensive program proposal and provide meaningful input. Therefore, the Coalition requests that the National Ocean Council consider the public input it has received and reissue revised SAP outlines for additional review and comment before proposing draft SAP's.

CMSP FUNDING SOURCES

The outline also states that the Plan will "help identify the national and regional obstacles that must be overcome, including lack of adequate funding and other resources."[33] CMSP must rely on neutral (government-only) federal or state funding to ensure that Coastal and Marine Spatial Plans are not seen as being paid for by advocates. This is the only way to ensure that stakeholders with user perspectives are not blocked from contributing to the process.

SCIENTIFIC STANDARD FOR ECOSYSTEM-BASED CMSP

The outline also says that CMSP "must incorporate the principles of sound science for ecosystem-based and adaptive management."[34] However, as stated above, the EBM outline says that management decision-making will be informed by the "best available" science and data,[35] and that the development and exchange of "sound, accessible, and best-available" scientific data would be promoted.[36] At another point, the outline states that decision-makers and managers would integrate scientific knowledge into EBM approaches, relying in part on "adequate" scientific data and information.[37]

Scientific knowledge used to form the basis of any decision under the National Ocean Policy must follow consistent scientific standards, i.e. follow specified protocols that ensure the use of

[33] *See* CMSP Outline at 6.
[34] *See* CMSP Outline at 2.
[35] *See* EBM Outline at 2.
[36] *See* EBM Outline at 3.
[37] *See* EBM Outline at 4.

quality-controlled data and peer-reviewed analysis or publications. As stated above, "sound," "best available," and "adequate" can each be interpreted to have very different and unique meanings with varying standards of data and information integrity. To facilitate informed stakeholder engagement and input, the National Ocean Council should identify the consistent scientific standards under which the National Ocean Policy is to be guided, providing clear definitions of such standards and the parameters under which they will be applied.

OBJECTIVE #3: INFORM DECISIONS AND IMPROVE UNDERSTANDING

The first action item under this objective calls for federal agencies and partners to use the new "Science for an Ocean Nation: An Update of the Ocean Research Priorities Plan" as the basis for prioritizing agency research activities.[38] As the outline points out, the new report has not yet been released to the public. To allow for informed public input, draft SAP's should not be released for public comment until all reports relied on for the development of proposed actions under the National Ocean Policy are publicly available.

OBJECTIVE #4: COORDINATE AND SUPPORT

NEW REGULATIONS AND LEGAL IMPACTS

While the Coordinate and Support outline discusses avenues for collaboration and cooperation, it says that the "analysis of legal, statutory, and regulatory gaps and overlaps will support efforts to reconcile existing authorities and provide recommendations to enact additional legislation or regulation where relevant."[39]

Although the National Ocean Council has said that the National Ocean Policy does not create "any new regulations,"[40] the Final Recommendations repeatedly referenced the potential for legislative changes as the new National Ocean Policy is implemented and stated that effective policy implementation will "require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component."[41] Executive Order 13547 adopted these recommendations and directs relevant federal entities to exercise their discretion to the maximum extent in furtherance of the new National Ocean Policy and CMSP.

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[38] *See* Inform Decisions and Improve Understanding Strategic Action Plan Full Content Outline, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_3_idui_full_content_outline_06-02-11_clean.pdf, Page 2.

[39] *See* Coordinate and Support Outline, released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_4_coordinate_and_support_full_content_outline_06-02-11_clean.pdf, Page 2.

[40] *See* Frequently Asked Questions, National Ocean Council, *available at* http://www.whitehouse.gov/administration/eop/oceans/faq ("The National Policy does not establish any new regulations or restrict any ocean uses or activities…")

[41] *See* Final Recommendations at 47 ("Where pre-existing legal constraints, either procedural or substantive, are identified for any Federal agency, the NOC [National Ocean Council] would work with the agency to evaluate necessary and appropriate legislative solutions or changes to regulations to address the constraints."), 62 ("Where existing regulatory or statutory requirements impose constraints on the ability of an agency to fully implement the CMS Plan, the agency would seek, as appropriate, regulatory or legislative changes to fully implement the CMS Plan."), 66 ("The CMS Plan signatories would periodically review these processes, and where legal constraints are identified, would seek to remedy these constraints, including by working with the NOC to evaluate whether a legislative solution or changes to regulations are necessary and appropriate."), and 70 and 71 ("The [CMSP] strategic action plan would be released in six to nine months and include…legal analysis and recommendations for legislative changes, if necessary… Also, as part of the strategic action plan, the NOC would oversee efforts to identify gaps and conflicts in Federal authorities and recommend potential steps to reconcile them.").

Adherence to this directive will inevitably entail interpretations of existing statutory authority that could result in federal actions likely to be disputed based on conflicts with the mandates and provisions of existing statutes. Attempts to reinterpret and change the multitude of federal laws and regulations that govern activities in ocean, coastal, and Great Lakes waters—as well as the inland activities deemed to impact those areas—are significant undertakings that would likely be subject to major challenges and lengthy litigation, thereby impacting many of our members and the jobs and communities that they support. This risk is further heightened given potential Administrative Procedure Act and Regulatory Flexibility Act implications, which respectively require agency consideration of all comments on an equal basis prior to issuing a regulation and agency consideration of potential impacts on small entities and less burdensome alternatives.

Those involved with the implementation of elements of existing federal statutes such as the Magnuson-Stevens Fishery Conservation and Management Act have also voiced concerns about the prospect of new regulatory action under the policy and impacts on existing management processes.[42]

The Coalition continues to believe that, prior to implementation, comprehensive and independent studies should be conducted that include thorough legal analyses of the potential impacts of the National Ocean Policy on the power and authority of states and federal entities and interactions with existing statutes. Further analysis of the potential impacts on policies, programs, and processes carried out under existing laws would help enable more informed public and stakeholder input and a more sound and balanced National Ocean Policy.

NATIONAL OCEAN POLICY FUNDING SOURCES

The outline states that "[i]mproved coordination within the Federal Government, between Federal, Tribal, State, regional, territorial, and local bodies, and through government-private partnerships will enable all parties to better leverage limited resources." It also calls for the identification and inventory of "specific ways to leverage funding sources among and between Federal agencies, States, Tribes, local governments, ROGs, NGOs, and the private sector."

As stated above in the CMSP section, the National Ocean Policy, and CMSP in particular, must rely on neutral (government-only) federal or state funding to ensure that Coastal and Marine Spatial Plans are not seen as being paid for by advocates. This is the only way to ensure that stakeholders with user perspectives are not blocked from contributing to the process.

NATIONAL OCEAN POLICY BUDGET REQUIREMENTS

[42] *See* Alaska Journal of Commerce, "Confusion lingers for council about new ocean policy," by Andrew Jensen, December 3, 2010, *available at* http://www.alaskajournal.com/stories/120310/loc_clfc.shtml ("'What we're concerned from the [North Pacific Fishery Management] council perspective is why — if there is supposedly no regulatory authority established — there are passages in that executive order that basically say the recommendations from the regional planning body approved by the National Ocean Council are to be implemented by the relevant federal agencies…So there's a disconnect, a bit of a conflict, frankly.' [Chris Oliver, Executive Director, North Pacific Fishery Management Council] Oliver said that particular passage of the executive order is an indirect, if not direct, establishment of regulatory authority. 'When we're told, 'Don't worry, it doesn't create any new regulatory authority,' and then you turn around and read that passage we go, 'Wait a minute. This implies some sort of a regulatory action in response to recommendations of the regional planning body…Therefore of course we're concerned this could be levered to go around the [North Pacific Fishery Management] council in terms of how we manage fisheries.'").

The outline for this objective calls for the production of a budget to identify existing federal funding sources that support the National Ocean Policy.[43] Such a budget must be assembled and made available for public review in order to better understand those costs and the amount of funds specifically being spent by individual federal agencies, departments, and offices, especially during times of severe budget constraints. In the meantime, in the spirit of openness and transparency and in light of the current budgetary environment, the Coalition reiterates its previous recommendation that the administration provide the public with complete information as to what the National Ocean Policy-related federal budgetary costs have been and are likely to be (including those at the non-federal level, where applicable) based on past expenditures and current and anticipated budget requests. Such information should be broken down by individual entity and identify both new funding as well any existing funds to be used in support of the National Ocean Policy.

OBJECTIVE #5: RESILIENCY AND ADAPTATION TO CLIMATE CHANGE AND OCEAN ACIDIFICATION

NEW FEDERAL REGULATORY ACTIONS

Actions for this objective include providing climate change and ocean acidification information, tools, guidance, and services "to support decision making at all scales."[44] Furthermore, gaps and needs in the outline include geopositioning products, data, and derived elevation products to, among other things, "establish a consistent baseline for…regulatory decision making."[45]

The Coalition is concerned that the National Ocean Policy could be used as a tool for expanding the regulation of activities through governmental actions that are not specifically mandated by statute, and urges close engagement and consultation with Congress on actions related to this (or any other) objective that could have significant impacts on the U.S. economy.

IMPACT OF IMPLEMENTATION ON HUMAN ACTIVITIES AND CRITICAL INFRASTRUCTURE

As a milestone for developing and implementing adaptation strategies, the outline also calls for reducing the impacts of "stressors over which we have more direct control," citing resource extraction as one example.[46] Further clarification on this point would be welcomed, and great care should be taken with respect to actions that could adversely affect the nation's jobs, economic growth, budget, and energy security.

The outline for this objective also makes several references to the development of plans for "retreat" and calls for including climate change and ocean acidification impacts and costs "in all federal financing…programs that support the maintenance…of public construction in coastal areas." In addition, "feasible alternative scenarios" for the relocation of built infrastructure such as coastal roads, port facilities, and dam operation, is listed as a gap and need.[47]

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[43] *See* Coordinate and Support Outline at 7.
[44] *See* Resiliency and Adaptation to Climate Change and Ocean Acidification Strategic Action Plan Full Content Outline ("Climate Change and Ocean Acidification Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_5_climate_full_content_outline_06-02-11_clean.pdf, Page 6.
[45] *See* Climate Change and Ocean Acidification Outline at 7.
[46] *See* Climate Change and Ocean Acidification Outline at 10.
[47] *See* Climate Change and Ocean Acidification Outline at 10.

The Coalition notes the many lives and jobs that depend on the services and economic support provided by coastal communities and existing coastal infrastructure. With respect to actions that may affect the livelihoods of those who live in coastal communities and those who depend on the continued operation of existing coastal infrastructure, the administration should proceed with caution and utilize collaborative, cooperative approaches rather than a unilateral decision-making approach.

OBJECTIVE #6: REGIONAL ECOSYSTEM PROTECTION AND RESTORATION

USE OF REGULATORY ACTIONS VS. COLLABORATIVE APPROACHES

According to the outline for this objective, "[o]cean, coastal, and Great Lakes ecosystems continue to suffer significant adverse impacts resulting from urban and agricultural development and other human activities," and these "threats are being exacerbated by other stressors like climate change and invasive species." [48] The outline also refers to a report that attributes roughly 70 percent of wetland loss in coastal watersheds in the Eastern U.S. between 1998 and 2004 to development activity.[49]

While the outline makes many references to the use of collaboration, cooperation, and bottom-up processes to address these issues, it also raises the specter of new federal regulations. For example, under Action 3, outcomes include "[r]ecommendations of actions Federal agencies could take to improve the management of coastal wetlands," citing regulation as an example.[50]

In order to help identify nationally significant marine and Great Lakes aquatic areas in need of protection, the outline suggests taking actions that will "inform planning for future marine protected areas and ocean planning." Outcomes under this action include a protocol for evaluating "nationally significant and ecologically important marine areas for protection that is science-based and balances human uses with conservation."[51]

The outline also calls for "developing carbon sequestration/storage protocols for coastal wetlands and exploring policy options for incorporating the carbon sequestration services of these habitats into Federal decision-making."[52] Outcomes for this action include "increased mitigation requirements" for impacts to salt marsh, mangrove, and sea grass habitats.[53]

In addition, several references are made to the federal government's Chesapeake Bay initiative.[54] The Coalition reiterates its previous concerns about the costs and legal concerns

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[48] *See* Regional Ecosystem Protection and Restoration Strategic Action Plan Full Content Outline ("Regional Ecosystem Protection and Restoration Outline), *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_6_repr_full_content_outline_06-02-11_clean.pdf, Page 1.
[49] *See* Regional Ecosystem Protection and Restoration Outline at 7.
[50] *See* Regional Ecosystem Protection and Restoration Outline at 8.
[51] *See* Regional Ecosystem Protection and Restoration Outline at 13.
[52] *See* Regional Ecosystem Protection and Restoration Outline at 8.
[53] *See* Regional Ecosystem Protection and Restoration Outline at 8.
[54] *See* Regional Ecosystem Protection and Restoration Outline at 1 ("Federal agencies are also engaged in various regions through interagency collaborations focused on ecosystem restoration and management, such as the…Federal Leadership Committee for the Chesapeake Bay (Executive Order 13508)…") and 3 ("The Great Lakes, the Gulf of Mexico, and the Chesapeake Bay watershed are examples of geographic regions where efforts will be focused initially…Chesapeake Bay: Support the land conservation goals under the Chesapeake Bay Executive Order 13508, by coordinating Federal programs supporting the conservation of public and private lands that provide important habitat and other ecosystem services, and sustain working landscapes and communities. ").

with nationalizing the Chesapeake Bay effort. A 2004 Chesapeake Bay Program Blue Ribbon Finance Panel estimated that restoration efforts for the entire Chesapeake Bay watershed alone would cost $28 billion.[55] Active litigation surrounding implementation of the Chesapeake Bay program underscores legal concerns associated with replicating the effort in other regions of the country.[56]

The Coalition encourages the National Ocean Council to pursue actions under this objective through collaborative, cooperative efforts under existing programs. New and costly federal regulations, requirements, or unnecessary establishment of large "no-go" zones through federal designations of marine protected areas could harm prospects for jobs and economic recovery at a time of great economic uncertainty.

OBJECTIVE #7: WATER QUALITY AND SUSTAINABLE PRACTICES ON LAND

NEW/EXPANDED REGULATION OF LAND AND WATER-BASED ACTIVITIES

While the outline for this objective contains multiple references to best management practices,[57] collaboration,[58] and pilot projects,[59] the potential use of regulatory tools is also prominently featured. Examples include the use of stormwater controls and effluent limits for point sources,[60] updating and expanding the applicability of National Pollutant Discharge Elimination System regulations,[61] expansion of regulatory mechanisms related to Total Maximum Daily Loads, Combined Sewer Overflow controls, waste and recycling management,

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[55] *See* Chesapeake Bay Program, Funding and Financing, *available* at http://www.chesapeakebay.net/fundingandfinancing.aspx?menuitem=14907.

[56] The American Farm Bureau Federation and Pennsylvania Farm Bureau recently filed suit in federal district court seeking a judgment vacating EPA's final Chesapeake Bay Total Maximum Daily Load (TMDL) requirements on the grounds that: (1) EPA used an "unprecedented process to micromanage waterways" in a manner that "unlawfully circumvented the Clean Water Act procedures that give primary authority to the states to protect water quality;" (2) that the TMDL's are based on erroneous information; (3) that the erroneous information used to determine the TMDL's "was fed into computer models that are unsuitable for deriving such loads-even with accurate information;" and (4) that the public did not have access to the information "it needed to comment effectively on the modeling results and the assumptions in the Final TMDL." *See* Complaint by American Farm Bureau Federation and Pennsylvania Farm Bureau Seeking Declaratory and Injunctive Relief Against United States Environmental Protection Agency, Filed January 10, 2011, *available at* http://www.fb.org/legal/files/id_51/2011.01.10%20AFBF%20Complaint.pdf.

[57] *See* Water Quality Outline at 1 ("Best management practices, use of conservation programs…for controlling the most significant land- and ocean-based sources of nutrients, sediments, pathogens, toxic chemicals (e.g., oil, heavy metals, pesticides), solid waste, marine debris, and invasive species."), 2 ("focused use of best management practices…"), 4 ("Promote research and foster community education and training to adopt…best management practices"), and 8 ("Establish a scientifically sound public health foundation for implementing best management and sustainable land practices…;" "[r]eview existing best management and sustainable land practices to highlight successful remediation strategies…").

[58] *See* Water Quality Outline at 5 ("States, Federal agencies, and other partners and stakeholders collaboratively develop and implement effective nitrogen and phosphorus pollution reduction strategies…"), 9 ("…improved collaboration within the Federal government, and with territory, regional, tribal, state, and local partners, and other stakeholders;" "…increased collaborations with states and within the Federal government"), 10 ("Promote and conduct collaborative, holistic assessments…"), and 11 ("Develop collaborative action plans…;" "…interagency collaborative protection and conservation efforts…;" "…closer collaboration between agencies…").

[59] *See* Water Quality Outline at 2 ("…implement pilot projects…"), 4 ("…promote pilot programs…"), 8 ("…prioritize pilot regions…"), and 9 ("Launch pilot early warning systems or demonstration projects…").

[60] *See* Water Quality Outline at 3 ("Promotion of cost-effective stormwater controls, long-term control plans for combined sewers, and water quality-based effluent limits for other point sources").

[61] *See* Water Quality Outline at 4 ("Promulgate a more effective National Pollutant Discharge Elimination System stormwater rule, and expand the program to fast-growing suburbs and ex-urban areas to reduce discharges from developed lands").

among others,[62] "improved" control and regulation of vessel discharges, including through new or revised regulations under the Clean Water Act,[63] and establishing water quality targets.[64]

In addition, the outline refers to the use of "other approaches" for controlling land and water-based sources,[65] "incentive-based" ecosystem-market programs,"[66] and identifying waters for "priority consideration in conservation efforts" through assessments of, among other things, human uses."[67]

Rather than instituting new and costly regulations, in support of this objective, the Coalition urges the administration to pursue collaborative and cooperative strategies and actions that are regionally and locally-driven and responsive to the needs and concerns of states and municipalities.

OBJECTIVE #8: CHANGING CONDITIONS IN THE ARCTIC

ARCTIC ACTIVITY AS AN OPPORTUNITY FOR ECONOMIC GROWTH

With more coastline than all the nation's other coastal states combined, the State of Alaska (as well as the country as a whole) could be greatly impacted by the SAP for the Arctic. Therefore, the State of Alaska should be given a meaningful and substantive role in this effort. In addition, the policy must be balanced and rationally applied, with a focus on economic development opportunities that provide for access to resources that Alaska and the nation depend on, while protecting traditional uses like subsistence hunting. The policy should also avoid redundancies and increased bureaucracy, which will only serve to disrupt already lengthy processes and harm the state and national economies.

The outline for this objective refers to the Arctic as a frontier and makes repeated references to the need for scientific research.[68] The Arctic SAP should recognize that people live and work in the Arctic region and have done so for thousands of years. Today, the diverse interests in Alaska

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[62] *See* Water Quality Outline at 6 ("Improve use of and expand existing regulatory tools (e.g., Total Maximum Daily Loads…, Combined Sewer Overflow…controls, waste and recycling management, stormwater management, Superfund)…").

[63] *See* Water Quality Outline at 10 ("Improved control and regulation of water pollutants and other constituents in discharges…from vessels…") and 11 ("Develop or revise regulations and permits for discharges from vessels pursuant to the Clean Water Act").

[64] *See* Water Quality Outline at 3 ("Implement measures to reduce nutrient and sediment loadings in coastal and Great Lakes watersheds from urban sources (e.g., wastewater treatment plants, stormwater, impervious surfaces, septic systems, lawns) by targeting locations and practices with the greatest returns, establishing scientifically-based water quality targets, in conjunction with tribes, regional partners, landowners, and other stakeholders.").

[65] *See* Water Quality Outline at 1 ("…other approaches for controlling the most significant land- and ocean-based sources of nutrients, sediments, pathogens, toxic chemicals (e.g., oil, heavy metals, pesticides), solid waste, marine debris, and invasive species.").

[66] *See* Water Quality Outline at 2 ("…incentive-based ecosystem market programs for nutrient and sediment reduction…").

[67] *See* Water Quality Outline at 10 ("Identification of high quality waters for priority consideration in conservation efforts through assessments of…human uses.").

[68] *See* Changing Conditions in the Arctic Strategic Action Plan Full Content Outline ("Changing Conditions in the Arctic Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_8_arctic_full_content_outline_06-02-11_clean.pdf, Pages 1 ("The Arctic is a frontier;" "To achieve National Ocean Policy goals, the U.S. will require fundamental research…"), 3 ("Assess and compile scientific research…"; ("Better spill containment technology that is suited for operation in the Arctic environment"), 5 ("Scientific research will provide a better understanding…"), 6 ("The DBO [distributed biological observatory] will provide baseline information necessary to assess and mitigate potential impacts to subsistence activities of offshore resource development"), 7 ("…with a focus on support for scientific research…"), and 8 ("Improvement to the underlying geospatial framework of data that supports scientific research…").

that rely on access to the ocean include fishing, energy, tourism, mining, transportation, shipyards, ports, and transportation.

As the outline states, "access to the [Arctic] region is increasing rapidly."[69] Importantly, a recently-released report by the U.S. Geological Survey noted that there is a focus on the Arctic OCS [Outer Continental Shelf] because "oil resource potential is significant…[and] Arctic OCS potential for production of additional oil and gas resources is very high." As USGS further noted, however, "[a]ccessing such resources will require development…in the offshore waters of the Arctic OCS…[and] additional infrastructure in the coastal areas of Alaska's North Slope."[70]

Rather than restrict access to this region while other nations (many of which operate pursuant to fewer environmental protections) realize its potential, the National Ocean Policy should promote the economic importance and opportunities associated with the Arctic, including those related to reducing our dependence on foreign sources of energy.

OBJECTIVE #9: OCEAN, COASTAL, AND GREAT LAKES OBSERVATIONS, MAPPING, AND INFRASTRUCTURE

The outline for this objective discusses the importance of "sound knowledge and the integration of new tools and data" in informing "strengthen[ed] ocean management decision-making" and forecasting key environmental conditions.[71] In addition, the outline makes several references to the role of "authoritative" observations and ocean and coastal mapping data in informed decision-making and CMSP.[72]

Any observing, mapping, and other data collection activities in support of the National Ocean Policy should recognize limits in the ability of maps and forecasting/modeling tools to: (1) account for variations in conditions across geographic areas (which can change rapidly); and (2) reflect differences in operations among specific activities and users.

CONCLUSION

In order to achieve a sound, balanced, and effective National Ocean Policy, the Coalition continues to believe that comprehensive studies whose data (both nonscientific and scientific) will facilitate informed stakeholder and public input, coupled with the full engagement of the public, stakeholders, and Congress, will be required prior to implementation. Without such analyses, input, and engagement, there will be an increased risk of detrimental economic, societal, and legal impacts, many of which are addressed in the attached sector-by-sector

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[69] *See* Changing Conditions in the Arctic Outline at 1.

[70] *See* Holland-Bartels, Leslie, and Pierce, Brenda, eds., 2011, "An evaluation of the science needs to inform decisions on Outer Continental Shelf energy development in the Chukchi and Beaufort Seas, Alaska," U.S. Geological Survey Circular 1370, 278 p., *available at* http://pubs.usgs.gov/circ/1370/pdf/circ1370.pdf, Page 13.

[71] *See* Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure Strategic Action Plan Full Content Outline ("Observations, Mapping, and Infrastructure Outline"), released June 2, 2011, *available at* http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_9_obs_mapping_infrastructure_full_content_outline_06-02-11_clean.pdf, Page 1 ("Our ability to understand weather, climate, ocean, geological/geophysical, and living marine resource processes and dynamics, to forecast key environmental conditions, and to strengthen ocean management decision-making at all levels is informed by a sound knowledge base and the integration of new tools and data.")

[72] *See* Observations, Mapping, and Infrastructure Outline at 6 ("Better informed decision-making as a result of improved user access to and identification of authoritative ocean and coastal mapping data.") and 7 ("A national data management and stewardship system that promotes the use of authoritative observations and mapping data;" "…identifying existing systems and integrative functions and based on authoritative data to support coastal and marine spatial planning...").

analysis. We therefore continue to urge the National Ocean Council to ensure that such studies and engagement are carried out prior to policy implementation, in part through mechanisms such as minimum 60-day public comment periods, the publication of reports outlining potential regional economic impacts (i.e. sector-by-sector, federal budget) and scientific data needs, and reissuance of revised SAP outlines for additional review and comment before proposing draft SAP's.

In that context, the Coalition also welcomes the opportunity provided by the proposed CMSP timeline extensions for additional engagement and adequate studies and analysis, and recommends that all timelines be realistic and account for potential impacts (i.e. economic, budgetary, etc.) and scientific data needs.

After such time as the appropriate engagement, data collection, and analysis have taken place, given the broad scope of the proposed National Ocean Policy, including CMSP, the Coalition reiterates its previous recommendation that the policy first be tested in a pilot project in a limited geographic area in order to establish a framework that reduces the risk of unintended socio-economic consequences. This recommendation is underscored by proposed use of pilot projects for other policy objectives and a recent report by the NOAA Science Advisory Board's Ecosystem Science and Management Working Group.

The outline's multiple references to the new, revised, or expanded use of existing regulations to further the National Ocean Policy is of significant concern. The Coalition supports a National Ocean Policy that serves as a mechanism for job creation, infrastructure revitalization, and economic growth, and relies on full utilization of existing programs and well-established authorities that are already in place, rather than the creation of new bureaucracies, procedures, and regulations that only serve to create additional uncertainty, unnecessary restrictions, and delay. Such impacts could harm our nation's efforts to recover from an unprecedented economic downturn.

In closing, the Coalition remains committed to ensuring that that the National Ocean Policy is implemented in a manner that best benefits the National interest, including protection of the commercial and recreational value of the oceans and marine-related natural resources. To that end, the Coalition respectfully requests that the National Ocean Council carefully consider the advice contained in this document. Doing so will aid the development and implementation of a sound and balanced policy that fully recognizes and accounts for the critical role our oceans, coastal areas, and marine ecosystems play in our nation's economy, national security, culture, health, and well-being.

Brent D. Greenfield

National Ocean Policy Coalition

Attachments

APPENDIX 1

NOPC Comments on the Development of Strategic Action Plans (submitted April 28, 2011)

NATIONAL OCEAN POLICY COALITION
209 PENNSYLVANIA AVENUE, SE
WASHINGTON, DC 20003

April 28, 2011

Submitted Electronically

Ted Wackler
Deputy Chief of Staff
Office of Science and Technology Policy
The National Ocean Council
722 Jackson Place
Washington, DC 20503

Comments: Development of Strategic Action Plans for the Nine Priority Objectives for Implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes

Dear Mr. Wackler:

On behalf of the National Ocean Policy Coalition ("Coalition"), I am pleased to submit comments on the development of Strategic Action Plans for the nine priority objectives for implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes ("National Ocean Policy").

I. Executive Summary

The Coalition is an organization of diverse interests united in our desire to ensure that the implementation of the new National Ocean Policy is done in such a way that it is helpful rather than harmful to the National interests, including the interests of commercial and recreational users of the oceans and marine-related natural resources. As presently constructed, the National Ocean Policy has the potential to impact both terrestrial and marine interests, including, but not limited to, many that the Coalition represents such as agriculture, commercial fishing, construction, consumers, energy, manufacturing, mining, ports, recreational boating, recreational fishing, and waterborne transportation. Our membership in particular represents entities and sectors that support tens of millions of jobs and contribute trillions of dollars to the U.S. economy. These interests, and the jobs and communities that they support, could be unnecessarily and adversely affected if the policy's potential impacts are not adequately studied and addressed prior to implementation.

It is vital that the National Ocean Policy enhance the public's ability to utilize the nation's oceans, coasts, Great Lakes, and inland areas—and their critical resources—in a manner that provides maximum benefit to the economic and societal interests of the American people.

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While the Coalition appreciates the opportunity to provide comments, unfortunately it is not yet possible to adequately address the questions presented by the National Ocean Council.

To ensure a sound and balanced National Ocean Policy that is based on well-informed input with regard to the policy's nine national priority objectives, policy implementation should be suspended in order to allow for comprehensive studies—coupled with the full engagement of Congress—that are subject to public review and comment and carefully analyze all potential economic, societal, and legal implications associated with implementation. The need for such analyses is highlighted by statements in the Final Recommendations[1] about uncertainty and anxiety, the hundreds of policies, laws, and regulations that are implicated, and the fundamental shift in resource management that the policy represents, as well as the significant concerns that exist regarding statutory and constitutional authorities and impacts and the lack of understanding of the full costs associated with implementation. The analyses will help ensure that the policy is fully vetted regarding potential harm to economic and recreational activities prior to implementation and reduce the risk of litigation.

Furthermore, given the many federal laws and resulting potential conflicts involved, and the inevitable reinterpretation of those statutes in light of the mandate that federal entities implement the National Ocean Policy to the maximum extent allowed by existing statutes, it is wrong that Congress has been preempted. Congress has a meaningful role to play, and at minimum, should have an integral role in advising the Executive Branch on the legislative intent of existing statutes.

The absence of such studies and engagement prior to implementation could result in significant harm to economic and societal interests in marine, coastal, and even inland areas, and would serve as an obstacle to achieving the national priority objectives. Without such analyses, issues related to the economy and jobs, budget constraints at all levels of government, statutory and constitutional authority, and questions of state sovereignty, among others, will not have been adequately addressed.

Concerns about potential harm to economic and societal interests are underscored by recent statements in administration documents, comments by a former Interagency Ocean Policy Task Force member, and observations from an internationally renowned marine conservation expert, all of which are detailed below and link Coastal and Marine Spatial Planning, a core component of the National Ocean Policy, to zoning activity. Additional economic and legal concerns arise from inclusion of Regional Ecosystem Protection & Restoration as a priority objective, coupled with previous EPA statements calling for replication of the federal government's Chesapeake Bay effort in other areas of the country.

With regard to stakeholder engagement efforts, such activities must meet the "robust" and "meaningful and frequent" threshold set forth by the National Ocean Council and the

[1] *See* Final Recommendations of the Interagency Ocean Policy Task Force ("Final Recommendations"), released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf.

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Interagency Ocean Policy Task Force in the Final Recommendations,[2] be open and transparent, and include any and all potentially impacted commercial and recreational groups, sectors, and interests at national and regional levels, including through balanced stakeholder advisory groups whose members (sector-appointed) are representative of the potentially impacted commercial and recreational interests and whose advice receives significant deference. Otherwise, there will continue to be a lack of public awareness associated with this policy, and perceptions will be reinforced that opportunities for public and stakeholder input are merely check-the-box exercises rather than serious efforts to learn from stakeholders and members of the public representing a broad range of interests and viewpoints.

The Coalition supports a National Ocean Policy that serves as a mechanism for jobs creation, infrastructure revitalization, and economic growth, and relies on full utilization of existing programs and well-established authorities that are already in place, rather than the creation of new bureaucracies, procedures, and regulations that only serve to create additional uncertainty and unnecessary restrictions and delay.

Suspending policy implementation until studies analyzing the potential economic, societal, and legal impacts have been carried out (and been made subject to public review and comment) and full engagement with Congress has taken place will help ensure that the policy is based on informed input, legally sound, and fully recognizes and accounts for the critical role our oceans, coastal areas, and marine ecosystems play in our nation's economy, national security, culture, health, and well-being. After such time, testing the National Ocean Policy in a pilot project in a limited geographic area, rather than starting nationwide, will allow for any necessary adjustments and further mitigate the risk for unintended consequences that could accompany a policy of this magnitude.

II. Background

Pursuant to the Final Recommendations that were adopted in Executive Order 13547,[3] the National Ocean Council is charged with developing Strategic Action Plans for each of the following nine national priority objectives:

(1) Ecosystem-Based Management;
(2) Coastal and Marine Spatial Planning;
(3) Inform Decisions and Improve Understanding;
(4) Coordinate and Support;
(5) Resiliency and Adaptation to Climate Change and Ocean Acidification;
(6) Regional Ecosystem Protection and Restoration;
(7) Water Quality and Sustainable Practices on Land;
(8) Changing Conditions in the Arctic; and
(9) Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure

[2] *See* Final Recommendations at 9, 77, and National Ocean Council, Frequently Asked Questions, ***available at*** http://www.whitehouse.gov/administration/eop/oceans/faq.
[3] *See* Executive Order on Stewardship of the Ocean, Our Coasts, and the Great Lakes, issued July 19, 2010, ***available at*** http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf.

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The national priority objectives, intended to further the National Ocean Policy, "provide a bridge between policy and specific actions." The Strategic Action Plans will implement the priority objectives, and thus the National Ocean Policy, by "prescrib[ing] in detail how individual entities will undertake their responsibilities."[4]

Specifically, in order to meet each priority objective, Strategic Action Plans are to address the Obstacles and Opportunities and key areas identified under each objective in the Final Recommendations and identify: (1) specific and measurable near-term, mid-term, and long-term actions, including milestones, performance measures, and outcomes; (2) key lead and participating agencies; (3) gaps and needs in science and technology; (4) potential resource requirements and efficiencies; and (5) steps for integrating or coordinating current and out-year budgets. In addition, Strategic Action Plans are to "consider smaller-scale, incremental, and opportunistic efforts that build upon existing activities, as well as more complex, larger-scale actions that have the potential to be truly transformative."[5]

To ensure effective implementation of the Strategic Action Plans, the Final Recommendations noted the need for "clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component."[6]

In seeking public input on the development of the Strategic Action Plans, the National Ocean Council has requested comments that address the opportunities, obstacles, and metrics of progress relevant to each of the nine national priority objectives, specifically seeking comments on the following points:

- Near-term, mid-term, and long-term actions that would most effectively help the Nation achieve each priority objective;
- Obstacles to achieving the priority objectives and opportunities the priority objectives can further (including transformative changes in how stewardship of the oceans, coasts, and Great Lakes is addressed); and
- Milestones and performance measures most useful for measuring progress toward achieving the priority objectives

Following President Obama's June 12, 2009 memorandum establishing an Interagency Ocean Policy Task Force and directing it to develop recommendations for a National Ocean Policy and a framework for "effective coastal and marine spatial planning,"[7] the Task Force released interim recommendations on September 17[8] and December 14, 2009.[9] Final recommendations, which

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[4] *See* Final Recommendations at 6.
[5] *See* Final Recommendations at 7.
[6] *See* Final Recommendations at 30.
[7] *See* Memorandum for the Heads of Executive Departments and Agencies on the National Policy for the Oceans, Our Coasts, and the Great Lakes, June 12, 2009, ***available at*** http://www.whitehouse.gov/sites/default/files/page/files/2009ocean_mem_rel.pdf.
[8] *See* Interim Report of the Interagency Ocean Policy Task Force, September 10, 2009, ***available at*** http://www.whitehouse.gov/assets/documents/09_17_09_Interim_Report_of_Task_Force_FINAL2.pdf.
[9] *See* Interim Framework for Effective Coastal and Marine Spatial Planning, December 9, 2010, ***available at*** http://www.whitehouse.gov/sites/default/files/microsites/091209-Interim-CMSP-Framework-Task-Force.pdf.

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largely combined the interim recommendations, were released and adopted in Executive Order 13547 on July 19, 2010. Among other things, the Executive Order established a National Ocean Policy and National Ocean Council, directed federal entities to implement the new policy, including participation in the coastal and marine spatial planning (CMSP) process, and ordered federal implementation of the nine national priority objectives to be carried out through Strategic Action Plans that are the subject of the current comment period.

As the Task Force developed interim recommendations, the Coalition and others grew increasingly concerned that the policy was being constructed in a way that did not properly account for economic, societal, and legal implications. Elements of the recommendations attracting concerns from the Coalition include:

(1) Institution of "ecosystem-based coastal and marine spatial planning"—which we fear will be used as a zoning tool to unnecessarily restrict or prohibit commercial and recreational activities—departing from the long-held principle of multiple use of our public lands and oceans. We reject the notion that an inherent conflict exists among various and incompatible human activities that requires such a response, particularly with regard to (but not limited to) the co-existence between offshore energy development and commercial and recreational fishing activity.
(2) Lack of consideration of the impacts of the National Ocean Policy and CMSP on commerce, society, and economic activity, as demonstrated by the absence of any analysis of the potential adverse consequences that could result from the institution of such a broad and sweeping initiative. According to the Final Recommendations, through CMSP, the policy seeks to "better manage" a host of sectors that contribute significantly to the nation's economy, including commerce and transportation, commercial and recreational fishing, energy, ports and harbors, boating, and tourism.[10]
(3) National certification requirements, dispute resolution procedures, and the process for establishing regional planning bodies charged with developing National Ocean Council-certified CMS Plans, all of which could lead to decisions made under a federally-driven, top-down management approach. Concerns in this regard include constitutional questions surrounding the ability of regional planning bodies and non-advice and consent National Ocean Council members to bind the policy decisions of federal agencies.
(4) Inclusion of state waters (and inland areas when deemed appropriate) in CMSP, the continuation of regional CMS Plans even if certain states/tribes in a particular region opt not to participate, and the ability of regional planning body members, the National Ocean Council, or the President to override the concerns of a particular state. All of these points raise state sovereignty concerns and present potentially significant and burdensome budgetary burdens for states that are forced to participate in, or are otherwise impacted by, National Ocean Policy implementation.
(5) Use of the "precautionary approach," as reflected in Principle 15 of the Rio Declaration of 1992, to guide decision-making under all aspects of the National Ocean Policy, even though the policy is said to be based on "sound science."

[10] *See* Final Recommendations at 42.

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(6) Establishment of a new bureaucracy, including the National Ocean Council and nine regional planning bodies, that could delay commercial projects, hampering economic growth and increasing our dependence on foreign sources of energy. Such an outcome would negatively impact the receipt of critical government revenues at a time of severe budgetary constraints, jeopardizing efforts to reduce the annual deficit and national debt and putting existing federally-funded programs and activities at risk.
(7) The impact of National Ocean Policy implementation on the discretionary authority of federal officials and programs and processes carried out under existing statutes such as the Coastal Zone Management Act, Outer Continental Shelf Lands Act, Magnuson-Stevens Fishery Conservation and Management Act, Clean Air Act, and Clean Water Act.
(8) Inclusion of the Great Lakes in the National Ocean Policy, even though there are no Great Lakes waters under exclusive federal jurisdiction.
(9) Potential use of Regional Ecosystem Protection & Restoration and Water Quality & Sustainable Practices on Land priority objectives to bring virtually any activity and U.S. geographic location under National Ocean Council jurisdiction. For example, using the National Ocean Policy as justification to replicate the federal government's Chesapeake Bay initiative in the Mississippi River watershed alone could affect activities in states from along the Gulf Coast stretching all the way to the U.S.-Canadian border.
(10) A lack of transparency thus far with regard to: (1) public notification of stakeholder outreach activities; (2) disclosure of estimated costs of implementation for both government and impacted stakeholders; and (3) public updates on policy implementation measures that have been taken within the federal government.

III. Development of Strategic Action Plans

Just as we stated in our previously submitted comments,[11] the Coalition strongly believes that it is essential that the National Ocean Policy be based on expansive stakeholder input and be fully vetted regarding potential harm to economic and recreational activities prior to implementation. While the Coalition appreciates the opportunity to provide comments, unfortunately, it is not yet possible to adequately address the questions presented by the National Ocean Council.

Comprehensive Economic, Societal, and Legal Analyses and Engagement of Congress
To ensure a sound and balanced National Ocean Policy that is based on well-informed responses to the questions listed above with regard to all nine national priority objectives, a comprehensive study that carefully analyzes all potential economic, societal, and legal policy impacts is necessary. A comprehensive analysis would be consistent with the Coalition's previous comments calling for the new National Ocean Policy to be fully vetted regarding potential harm to economic and recreational activities prior to implementation,[12] and would

[11] *See* National Ocean Policy Coalition Comments on the Interim Framework for Effective Coastal and Marine Spatial Planning, February 12, 2010, ***available at*** http://www.whitehouse.gov/sites/default/files/webform/NOPC%20Comments%2002-12-10%20Final.pdf.
[12] *See* National Ocean Policy Coalition Comments on the Interim Framework for Effective Coastal and Marine Spatial Planning, February 12, 2010, ***available at*** http://www.whitehouse.gov/sites/default/files/webform/NOPC%20Comments%2002-12-10%20Final.pdf.

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provide important insight as to exactly how, if at all, "the investments and improvements in these [Final] [R]ecommendations will advance the economic interests of the United States."[13]

The analysis should be conducted by the administration in close collaboration with all potentially impacted stakeholders at the local, state, regional, and national levels, and developed in accordance with the Administrative Procedure Act.[14] The study, which should be made available for public review and comment, would help inform answers to essential unanswered questions, such as how ecosystem-based management would be defined and implemented.[15] The analysis should be supplemented by additional studies conducted by an independent third party.

The comprehensive analyses would serve to inform comments on: (1) near-term, mid-term, and long-term actions that would most effectively help achieve the national priority objectives; and (2) obstacles and opportunities; and (3) milestones and performance measures for measuring progress toward achieving the priority objectives. Combined with a truly collaborative approach that utilizes objective data and sound science, the studies could present an opportunity to further promote healthy, resilient, and productive oceans, coastal areas, and marine ecosystems.

The lack of comprehensive studies conducted prior to implementation that examine all potential impacts of the National Ocean Policy would be a major obstacle to achieving the national priority objectives. Without such analyses, major issues, including those related to federal, state, and local budget constraints, the current economic and jobs environment, and questions of state sovereignty, among others, will not have been adequately addressed.

The need for such analyses is underscored by the Interagency Ocean Policy Task Force's observations in the Final Recommendations, including the following:

- "The Task Force is mindful that these recommendations may create a level of uncertainty and anxiety among those who rely on these resources and may generate questions about how they align with existing processes, authorities, and budget challenges."[16]
- "The implementation of ecosystem-based management embodies a fundamental shift in how the United States manages these [ocean, coastal, and Great Lakes] resources, and provides a foundation for how the remaining objectives would be implemented."[17]
- "How ecosystem-based management will be defined and implemented would be further addressed by the NOC [National Ocean Council] as it develops a strategic action plan for this priority objective."[18]

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[13] *See* Final Recommendations, Appendix C, at CIX.
[14] *See* 5 U.S.C. 500 *et seq*.
[15] *See* Final Recommendations, Appendix C, at C-III ("How ecosystem-based management will be defined and implemented would be further addressed by the NOC [National Ocean Council] as it develops a strategic action plan for this priority objective.").
[16] *See* Final Recommendations at 9 and 77.
[17] *See* Final Recommendations at 32.
[18] *See* Final Recommendations, Appendix C, at C-III.

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- "United States governance and management of these areas span hundreds of domestic policies, laws, and regulations covering international, Federal, State, tribal, and local interests. Challenges and gaps arise from the complexity and structure of this regime."[19]

With regard to activities carried out under existing policies, laws, and regulations, the Final Recommendations themselves reference some of the many programs and authorities already in place that address ocean and coastal activities, including the Coastal Zone Management Act, Clean Water Act, Clean Air Act, National Environmental Policy Act, Magnuson-Stevens Fishery Conservation and Management Act, and Outer Continental Shelf Lands Act.[20]

Thus, while there are certainly goals that National Ocean Policy stakeholders might welcome, such as better mapping and charting in the Arctic and an improved ocean observing network in that region, a National Ocean Policy with new bureaucracies, procedures, regulations, governance structures, and unnecessary restrictions is not needed in order to achieve those goals or objectives. Coastal and marine-related goals can be furthered by leveraging existing authorities as well as existing efforts such as the North Slope Science Initiative (NSSI). NSSI was developed by federal, state, and local governments with land and ocean management trust responsibilities to "facilitate and improve collection and dissemination of ecosystem information pertaining to the Alaskan North Slope region, including coastal and offshore regions." Its mission is to "improve scientific and regulatory understanding of terrestrial, aquatic and marine ecosystems for consideration in the context of resource development activities and climate change."[21] The Coalition supports full utilization of existing programs such as these.

The need for congressional involvement is also central to the discussion about application of existing statutes in furtherance of the National Ocean Policy. In addition to referencing the hundreds of policies, laws, and regulations that address governance and management of the oceans, coasts, and Great Lakes, the Final Recommendations also state that the National Ocean Policy has been established in part to address "the challenges we face…in the laws, authorities, and governance structures intended to manage our use and conservation" of these resources, and CMSP is to be carried out "under the authority of" existing statutes.[22]

Since coastal and marine spatial plans are expected to vary by region, application of the federal laws used to allegedly authorize such plans may vary by region as well, thus causing these federal statutes to no longer be uniformly applied in a national manner as originally intended. Given the many federal laws and resulting potential conflicts involved, and the inevitable reinterpretation of those statutes in light of the mandate that federal entities implement the National Ocean Policy to the maximum extent allowed by existing statutes, it is wrong that Congress has been preempted. After all, the many statutes being relied upon to implement this policy exist because they were deliberated on and enacted by Congress. Though never enacted, many of the key elements of the National Ocean Policy were also put before three successive

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[19] *See* Final Recommendations at 2 and 13.
[20] *See* Final Recommendations at 42, 50, 53, and C-IX.
[21] *See* North Slope Science Initiative, Scope, Mission and Vision of the North Slope Science Initiative, ***available at*** http://www.northslope.org/.
[22] *See* Final Recommendations at 2, 13, and 47.

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Congresses. Thus, Congress has clearly shown, under Democratic and Republican majorities, that there is no consensus in the Congress for a vast restructuring of laws governing ocean and coastal resources and uses. Congress has a meaningful role to play in this initiative, and at minimum, should have an integral role in advising the Executive Branch on the legislative intent of existing statutes.

Analyses from the comprehensive studies discussed above, coupled with the full engagement of Congress, would ensure a more effective and sound policy by reducing the risk of detrimental economic, societal, and legal impacts. Policy implementation should therefore be suspended in order to allow for such analyses and engagement to take place and enable the submission of comments that are fully informed by the results of the studies.

Economic and Societal Impacts

As the nation seeks to recover from the worst economic contraction since the Great Depression, creating jobs and economic benefits must be the primary objective of all policy initiatives, including the National Ocean Policy. A National Ocean Policy could have great benefits to the United States, serving as a mechanism for job creation, infrastructure revitalization, and economic growth. The Coalition remains deeply concerned, however, that without the aid of analyses from comprehensive studies, the policy outcome will adversely impact a wide array of commercial and recreational interests and bring about unintended economic and societal consequences.

Terrestrial and marine sectors potentially impacted by the National Ocean Policy include, but are not limited to, agriculture, aquaculture, commercial fishing, construction, energy, manufacturing, mining, ports and harbors, recreational boating, recreational fishing, and waterborne transportation. These industries, and the jobs and communities that they support, could be unnecessarily and adversely affected if the policy's potential impacts are not adequately studied and addressed prior to implementation.

In fact, even though Strategic Action Plans—the vehicles for policy implementation—have not yet been developed, a recent administration decision shows that such adverse effects may already be taking place. In December 2010, the U.S. Department of the Interior revised the Outer Continental Shelf 5-Year Leasing Program and closed the door to new leasing opportunities outside Central and Western Gulf of Mexico through 2017, citing the National Ocean Policy in part as justification.[23] In addition to adverse employment impacts, such decisions also exacerbate revenue shortfalls during a time of severe budgetary constraints at all levels of government. Furthermore, existing Bureau of Ocean Energy Management, Regulation & Enforcement regulations and Outer Continental Shelf Lands Act and National Environmental Policy Act provisions negate the need for such justification, as they already require: (1) consideration of ecosystem-management issues; (2) balancing energy development with

[23] *See* "Salazar Announces Revised OCS Leasing Program," Press Release, December 1, 2010, ***available at*** http://www.doi.gov/news/pressreleases/Salazar-Announces-Revised-OCS-Leasing-Program.cfm ("Consistent with the President's Executive Order on National Ocean Policy, today's modified plan also confirms many actions announced in March, including environmental analysis to determine whether seismic studies should be conducted in the Mid and South Atlantic, and rigorous scientific analysis of the Arctic to determine if future oil and gas development could be conducted safely.").

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environmental impacts; (3) intergovernmental review and coordination; (4) public comment mechanisms; (5) a multi-disciplinary decision-making approach; (6) environmental sensitivity analysis; and (7) evaluation of all major federal actions that may significantly impact the quality of the human environment.

The potential for CMSP to result in exclusionary zoning is a central component of the Coalition's concerns with regard to economic and societal impacts. While the administration has at times stated that CMSP is not zoning,[24] in other instances it has indicated precisely the opposite. For example, in an interview with OnEarth Magazine last year, then-U.S. Coast Guard Commandant and Interagency Ocean Policy Task Force member Adm. Thad Allen said that ecosystem-based marine spatial planning is "basically taking the notion of urban planning and putting it into the water column, as well as the estuary systems that connect to it and everything that impacts ocean ecosystems."[25] More recently, the National Ocean Council linked CMSP to "systematic ocean zoning,"[26] and a FY 2012 budget request for a National Oceanic and Atmospheric Administration office seeks funds in part to develop "planning and zoning tools" for coastal managers in the context of CMSP.[27]

The Coalition's concerns are reinforced by observations of those such as Tundi Agardy, an internationally renowned marine conservation expert, who has noted that "the idea of integrating management and using strategic tools such as ocean zoning is very central to the Obama administration's new interim policy. And though ocean zoning is deliberately not mentioned, the term 'marine spatial planning' appears 20 times in the framework document, and the steps in the marine spatial process are essentially the same as those for developing ocean zoning plans."[28]

Another source of concern arises from the Regional Ecosystem Protection & Restoration national priority objective. The Final Recommendations noted that "[w]hile progress has been made in addressing some of these challenges through ecosystem-based management, the threat of critical habitat loss and degradation of ecosystem services is still apparent in the Gulf

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[24] *See* Frequently Asked Questions, National Ocean Council, ***available at*** http://www.whitehouse.gov/administration/eop/oceans/faq ("The National Policy does not establish any new regulations or restrict any ocean uses or activities… The National Policy is not a map drawing exercise and does not contain a zoning plan or establish any restrictions on activities, nor does it restrict access."), and Summary Record, Hydrographic Services Review Panel, Public Meeting, May 5, 2010, Providence, Rhode Island, ***available at*** http://www.nauticalcharts.noaa.gov/ocs/hsrp/archive/2010/May/Providence_Summary_Report.pdf ("Ms. [Jennifer] Lukens [Senior Policy Advisor to the NOAA Undersecretary] responded that CMSP is not zoning").

[25] *See* OnEarth Magazine, "Q&A: On the Waterfront," by David Helvarg, May 6, 2010, ***available at*** http://www.onearth.org/article/on-the-waterfront.

[26] *See* Legal Authorities Relating To The Implementation Of Coastal and Marine Spatial Planning, National Ocean Council, ***available at*** http://www.whitehouse.gov/sites/default/files/microsites/ceq/CMSP%20Legal%20Compendium%201-31-11%20FINAL.pdf ("Many of the state Sea Grant Programs have used Sea Grant expertise to support coastal and marine spatial planning activities…Activities related to some aspects of systematic ocean zoning in specific locations include both environmental studies…and human-related studies…").

[27] *See* NOAA FY 2012 President's Budget, Chapter 3, Office of Oceanic and Atmospheric Research, Page 534, ***available at*** http://www.corporateservices.noaa.gov/~nbo/fy12_presidents_budget/Office_Oceanic_and_Atmospheric_Research_FY12.pdf ("NOAA…will…focus the extramural research community on research gaps addressed in the 2008 GAO report…development of planning tools or approaches to aid site selection for new or expanded aquaculture facilities in the context of coastal and marine spatial planning, including planning and zoning tools for coastal managers, which will aid permitting and site selection…").

[28] *See* "Ocean Zoning: Making Marine Management More Effective," Pages 161-162, By Tundi Agardy, 2010, Earthscan.

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Coast, the Chesapeake Bay, Puget Sound, South Florida, San Francisco Bay, and the Great Lakes," and that "[b]y addressing coastal and ocean challenges that cross jurisdictional boundaries and sectors on a regional and ecosystem scale, we can more effectively manage these resources."[29] In addition, EPA has previously stated that "[s]uccess in cleaning up the Chesapeake Bay watershed will be a model for watershed protection in other parts of the country."[30]

The costs associated with potentially nationalizing the federal government's Chesapeake Bay effort—a 2004 Chesapeake Bay Program Blue Ribbon Finance Panel estimated that restoration efforts for the entire Chesapeake Bay watershed alone would cost $28 billion[31]—highlight the need for a comprehensive economic analysis. Given legal concerns and active litigation surrounding implementation of the Chesapeake Bay program, the report must also include legal analysis to ensure that any strategy seeking to replicate that effort is also compliant with existing federal law.[32]

Lastly, the Final Recommendations recognize "the reality of the limited availability of new resources,"[33] and CMSP in particular will require "significant initial investment of both human and financial resources."[34] Given budget constraints in the current economic environment and the potential impact from the diversion of resources to support the new National Ocean Policy at a time of immense competition for scarce resources, it is essential that the administration be fully transparent in providing the public with complete information as to what the National Ocean Policy-related federal budgetary costs are likely to be (including those at the non-federal level, where applicable). Such information should be broken down by individual entity and identify both new funding as well any existing funds to be used in support of the National Ocean Policy.

For example, although the National Ocean Council specified that the administration's FY 2011 Budget Request included $37 million in additional funding to advance the National Ocean Policy (without identifying the specific agencies/offices to be funded), it only noted generally that the request also included "investments across many Federal agencies for activities that support these recommendations, including habitat restoration, water quality improvement, port and coastal security, improvements in marine transportation safety and efficiency, coastal and

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[29] *See* Final Recommendations at 37.
[30] *See* Coming Together for Clean Water: EPA's Strategy for Achieving Clean Water, Public Discussion Draft, August 2010, ***available at*** https://blog.epa.gov/waterforum/wp-content/uploads/2010/08/Coming-Together-for-Clean-Water-Disc-Draft-Aug-2010-FINAL.pdf.
[31] *See* Chesapeake Bay Program, Funding and Financing, ***available*** at http://www.chesapeakebay.net/fundingandfinancing.aspx?menuitem=14907.
[32] For example, the American Farm Bureau Federation and Pennsylvania Farm Bureau recently filed suit in federal district court seeking a judgment vacating EPA's final Chesapeake Bay Total Maximum Daily Load (TMDL) requirements on the grounds that: (1) EPA used an "unprecedented process to micromanage waterways" in a manner that "unlawfully circumvented the Clean Water Act procedures that give primary authority to the states to protect water quality;" (2) that the TMDL's are based on erroneous information; (3) that the erroneous information used to determine the TMDL's "was fed into computer models that are unsuitable for deriving such loads-even with accurate information;" and (4) that the public did not have access to the information "it needed to comment effectively on the modeling results and the assumptions in the Final TMDL." *See* Complaint by American Farm Bureau Federation and Pennsylvania Farm Bureau Seeking Declaratory and Injunctive Relief Against United States Environmental Protection Agency, Filed January 10, 2011, ***available at*** http://www.fb.org/legal/files/id_51/2011.01.10%20AFBF%20Complaint.pdf.
[33] *See* Final Recommendations at 30.
[34] *See* Final Recommendations at 43.

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estuarine land protection, research and development of ocean sensor technology, catch-share based fisheries management, environmental tools to support resilient coastal communities, and ocean acidification research."[35] Figures should be updated to reflect all National Ocean Policy-related budgetary items included in the administration's FY 2012 Budget Request.

Legal Impacts

The Coalition remains concerned that the National Ocean Policy, and the CMSP effort in particular, has a strong potential to infringe on the power and authority of federal officials as well as the sovereignty of coastal and inland states, with a likely result of increased litigation regarding activities proposed in ocean, coastal, Great Lakes, and inland areas. Comprehensive studies that include thorough legal analyses must be conducted to reduce such risk by examining how the policy will impact the authority of both states and federal entities, helping to clarify and address important questions about potential legal and practical implications surrounding:

(1) The establishment of regional planning bodies and the authority provided to them under the Final Recommendations, including potential conflicts with the Appointments Clause of the U.S. Constitution resulting from non-federal officials sitting on bodies that issue policies that are binding on federal officials;
(2) The scope and authority of the National Ocean Council, including the statutory basis for its establishment and related potential conflicts with existing laws, in addition to potential constitutional implications surrounding the inclusion of non-advice and consent officials on the National Ocean Council;
(3) The establishment of the geographic scope of CMSP to include state waters, inland bays, estuaries, and additional inland areas if deemed appropriate;[36]
(4) The power of regional planning bodies to impose their will on other sovereign states within their respective regional planning areas, even if the states may not agree on the point at issue;
(5) The continuation of the development and implementation of a CMS Plan even if a particular state or tribe within a regional planning area chooses not to participate in CMSP;[37] and
(6) Inclusion of the Great Lakes in the National Ocean Policy and CMSP, given non-federal jurisdiction of submerged lands in the Great Lakes region.

In addition, comprehensive legal analyses could serve to clear up confusion about the impact of the National Ocean Policy, including CMSP, on existing statutes. For example, in addressing a question from an audience member about the impact of the policy on existing processes carried out pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, a senior NOAA official said that "we will not be changing the specific laws."[38] In addition, the National

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[35] *See* Frequently Asked Questions, National Ocean Council, ***available at*** http://www.whitehouse.gov/administration/eop/oceans/faq.
[36] *See* Final Recommendations at 49.
[37] *See* Final Recommendations at 60.
[38] Sally Yozell, Director of Policy, National Oceanic & Atmospheric Administration, Question-and-Answer Session (14:07-14:09), National Ocean Policy Town Hall Forum for Ocean Stakeholders In New England, December 9, 2010, Faneuil Hall, Boston Massachusetts.

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Ocean Council states that the National Ocean Policy "does not establish any new regulations or restrict any ocean uses or activities."[39]

However, the Final Recommendations repeatedly reference the potential for legislative changes as the new National Ocean Policy is implemented[40] and state that effective policy implementation will "require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component." Executive Order 13547 adopts these recommendations and directs relevant federal entities to exercise their discretion to the maximum extent in furtherance of the new National Ocean Policy and CMSP.

Adherence to this directive will inevitably entail interpretations of statutory authority that could result in federal actions likely to be disputed based on conflicts with the mandates and provisions of existing statutes. Attempts to reinterpret and change the multitude of federal laws and regulations that govern activities in ocean, coastal, and Great Lakes waters—as well as the inland activities deemed to impact those areas—are significant undertakings that would likely be subject to major challenges and lengthy litigation, thereby impacting many of our members and the jobs and communities that they support. This risk is further heightened given the real potential for federal agency mandates and requirements under the National Ocean Policy to contravene Administrative Procedure Act and Regulatory Flexibility Act provisions, which respectively require agency consideration of all comments on an equal basis prior to issuing a regulation and agency consideration of potential impacts on small entities and less burdensome alternatives.

Indeed, as previously mentioned, actions that restrict certain activities have already been taken based in part on the new National Ocean Policy.[41] Those involved with the implementation of elements of existing federal statutes such as the Magnuson-Stevens Fishery Conservation and Management Act have also voiced concerns about the prospect of new regulatory action under the policy and impacts on existing management processes.[42]

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[39] *See* Final Recommendations of the Interagency Ocean Policy Task Force – Frequently Asked Questions, ***available at*** http://www.whitehouse.gov/administration/eop/oceans/faq.

[40] *See* Final Recommendations at 47 ("Where pre-existing legal constraints, either procedural or substantive, are identified for any Federal agency, the NOC [National Ocean Council] would work with the agency to evaluate necessary and appropriate legislative solutions or changes to regulations to address the constraints."), 62 ("Where existing regulatory or statutory requirements impose constraints on the ability of an agency to fully implement the CMS Plan, the agency would seek, as appropriate, regulatory or legislative changes to fully implement the CMS Plan."), 66 ("The CMS Plan signatories would periodically review these processes, and where legal constraints are identified, would seek to remedy these constraints, including by working with the NOC to evaluate whether a legislative solution or changes to regulations are necessary and appropriate."), and 70 and 71 ("The [CMSP] strategic action plan would be released in six to nine months and include…legal analysis and recommendations for legislative changes, if necessary… Also, as part of the strategic action plan, the NOC would oversee efforts to identify gaps and conflicts in Federal authorities and recommend potential steps to reconcile them.").

[41] *See* "Salazar Announces Revised OCS Leasing Program," Press Release, December 1, 2010, ***available at*** http://www.doi.gov/news/pressreleases/Salazar-Announces-Revised-OCS-Leasing-Program.cfm ("Consistent with the President's Executive Order on National Ocean Policy, today's modified plan also confirms many actions announced in March, including environmental analysis to determine whether seismic studies should be conducted in the Mid and South Atlantic, and rigorous scientific analysis of the Arctic to determine if future oil and gas development could be conducted safely.").

[42] *See* Alaska Journal of Commerce, "Confusion lingers for council about new ocean policy," by Andrew Jensen, December 3, 2010, ***available at*** http://www.alaskajournal.com/stories/120310/loc_clfc.shtml ("'What we're concerned from the [North Pacific Fishery Management] council perspective is why — if there is supposedly no regulatory authority established — there are passages in that executive order that basically say the recommendations from the regional planning body approved by the National Ocean Council are to be implemented by the relevant federal agencies…So there's a disconnect, a bit of a conflict, frankly.' [Chris Oliver, Executive

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Further analysis of the potential for such actions and their impacts on policies, programs, and processes carried out under existing laws would help enable more informed public and stakeholder input and a more sound and balanced National Ocean Policy.

Stakeholder Engagement

The Final Recommendations "embrace" a stakeholder engagement approach that features "[m]eaningful and frequent opportunities" for stakeholder and public engagement throughout the implementation process.[43] In addition, the National Ocean Council promises opportunities for "robust stakeholder and public engagement during implementation of the National Policy and the development of coastal and marine spatial planning," adding that "[s]takeholder and public participation will be sought through a variety of mechanisms that may include…town halls…"[44]

The Coalition agrees that robust, meaningful, and frequent stakeholder engagement is critical. However, significant questions and concerns remain as to the adequacy of stakeholder engagement efforts thus far.

For example, two federally-sponsored events billed as "Town Hall forum[s] for ocean stakeholders" were held in Anchorage, AK (November 12, 2010) and Boston, MA (December 9, 2010), and according to a recent NOAA newsletter, at least two additional town hall forums were held in West Long Branch, New Jersey (November 5, 2010) and Norfolk, VA (November 12, 2010).[45]

The Anchorage and Boston meetings each included a policy overview and a question-and-answer session, and rose to a level of significance sufficient enough to draw senior officials from NOAA (Deputy Administrator and Director of Policy) and representatives from the Department of the Interior, the United States Navy, and the United States Coast Guard.

Unfortunately, however, public and stakeholder awareness of the meetings was significantly limited as notice of the events was conveyed by email to those on certain NOAA e-distribution lists. In addition, for those fortunate enough to receive notice of the town hall meeting in Boston, there were no means provided for remote participation, even though it was described as a forum for ocean stakeholders in all of New England. While a webinar option was made available for the Anchorage event, questions were not taken from webinar participants.

Director, North Pacific Fishery Management Council] Oliver said that particular passage of the executive order is an indirect, if not direct, establishment of regulatory authority. 'When we're told, 'Don't worry, it doesn't create any new regulatory authority,' and then you turn around and read that passage we go, 'Wait a minute. This implies some sort of a regulatory action in response to recommendations of the regional planning body…Therefore of course we're concerned this could be levered to go around the [North Pacific Fishery Management] council in terms of how we manage fisheries.'").

[43] *See* Final Recommendations at 9, 77.

[44] *See* National Ocean Council, Frequently Asked Questions, ***available at*** http://www.whitehouse.gov/administration/eop/oceans/faq.

[45] *See* NOAA Winter 2011 Newsletter, "NOAA in the North Atlantic," ***available at*** http://www.ppi.noaa.gov/PPI_Capabilities/Documents/NOAA_NART_Winter_2011_newsletter.pdf.

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The lack of public notice and opportunity for maximum participation is disappointing in light of the administration's previous statements stressing the need for a robust and meaningful stakeholder and public engagement effort. Events like the town hall meetings previously held must allow for remote participation and be announced well in advance by public notice, ideally through *Federal Register* publication, but at minimum through an official announcement on the National Ocean Council web page, regardless of whether such events are coordinated by the National Ocean Council, NOAA, or any other federal entity. The absence of such actions will only serve to contribute to a continuing lack of public awareness of the policy and reinforce perceptions that opportunities for public and stakeholder input are merely check-the-box exercises, rather than serious efforts to learn from stakeholders and members of the public representing a broad range of interests and viewpoints.

Therefore, the stakeholder engagement effort going forward must include openness and transparency in all outreach activities and comply with the letter and spirit of the Administrative Procedure Act. Stakeholder engagement activities must also include any and all potentially impacted commercial and recreational groups, sectors, and interests at every stage of policy development and implementation and at the national and regional levels, including through balanced stakeholder advisory groups whose members (sector-appointed) are representative of the potentially impacted commercial and recreational interests and whose advice receives significant deference. It must also be recognized that distinctions among various stakeholders may warrant differing and targeted types of engagement activity based on the potential impacts to such groups.

IV. Conclusion

The Obama administration has held thirty-eight "expert" roundtables, conducted six regional public meetings, received over 5,000 public comments, and issued two interim reports, culminating with last July's Final Recommendations and Executive Order.[46] Yet, upon being asked to provide a National Ocean Policy overview at a December 2010 town hall meeting, one NOAA official compared the task to "defend[ing] a thesis, in some regards."[47]

In order to successfully make the transition from what is still perceived by many as an academic exercise to a sound, balanced, and effective policy, comprehensive studies whose data will facilitate informed stakeholder and public input, coupled with the full engagement of Congress, will be required. Without such analyses, input, and engagement, there will be an increased risk of detrimental economic, societal, and legal impacts. We therefore urge the National Ocean Council to ensure that such studies and engagement are carried out and to suspend policy implementation until such time as such congressional engagement has occurred and such analyses have been prepared and been subject to public review and comment.

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[46] *See* Final Recommendations at 2.

[47] Sally Yozell, Director of Policy, National Oceanic & Atmospheric Administration, National Ocean Policy Overview (0:57-1:02), National Ocean Policy Town Hall Forum for Ocean Stakeholders In New England, December 9, 2010, Faneuil Hall, Boston Massachusetts.

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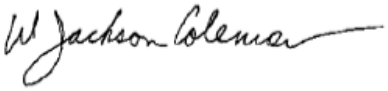
After such time, given the broad scope of the proposed National Ocean Policy, including CMSP, the Coalition reiterates its previous recommendation that the policy first be tested in a pilot project in a limited geographic area in order to allow for policy adjustments. The potential for significant harm to many industries and commercial and recreational interests would be further mitigated by such a pilot project. There is simply no reason to rush into nationwide application of such major policy changes with the likelihood of unintended consequences so high and the extent of impacts still largely unknown.

In closing, the Coalition remains concerned that the National Ocean Policy could be harmful rather than helpful to the National interests. To reduce the risk of such harm, the Coalition respectfully requests that the National Ocean Council heed the advice contained herein in order to aid the development and implementation of a legally sound policy that is based on informed input and fully recognizes and accounts for the critical role our oceans, coastal areas, and marine ecosystems play in our nation's economy, national security, culture, health, and well-being.

W. Jackson Coleman



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APPENDIX 2

SECTOR-BY-SECTOR ANALYSIS

AGRICULTURE

Although generally located inland, the U.S. agriculture industry is quite vulnerable to serious negative consequences emanating from the new National Ocean Policy.[1]

The new National Ocean Policy has the potential to harm U.S. national and economic security by driving up prices for producers and consumers of agricultural products through higher energy prices, new restrictions and fees on pesticide and fertilizer use, and new regulations governing marine transportation and water resources. In terms of the geographic scope of the new ocean policy, when asked whether the ocean stops at the shoreline, then-Commandant of the U.S. Coast Guard Admiral Thad Allen discussed "…problems we have in the Gulf of Mexico…hav[ing] to do with discharges and nitrates coming from farmers up in Iowa and Nebraska."[2]

The agriculture sector has made major inroads in environmental advancements, including the incorporation of crop residue management techniques in almost 60% of the acres planted for crops in the U.S., the restoration of 1,276,619 acres of wetlands through the Wetlands Reserve Program, and the use of plant nutrition management plans to increase production while reducing waste.[3] In addition, farmers have employed the latest in technology, including GPS, onboard computerized yield monitors, and satellite imagery to assist in the efficient use of chemicals and fertilizers.[4]

Economic Impact

- As of the 2007 Census, there were over 2 million farms covering over 900 million acres in the U.S.[5]
- In 2007, U.S. farms sold nearly $300 billion in agricultural products, while receiving $10 billion in farm-related income[6]
- 21 million American jobs are tied to domestic food and fiber industry[7]
- U.S. agriculture-related sales were greater than the GDP of 200 countries combined[8]
- Generated a trade surplus of $115 billion in 2008; 2006 study showed that agricultural exports created over 840,000 full-time jobs[9]
- Agricultural products are also a source of clean, renewable sources of energy like ethanol; in 2008, the ethanol industry created almost 500,000 jobs, generated $65 billion in economic activity and over $7 billion in tax revenue, and delivered $20 billion in household income[10]

Risks Associated With New National Ocean Policy

- New restrictions on fertilizer and pesticide use, including limitations on the amount of fertilizer and pesticides used on agricultural lands[11]
- Disruption of supply and distribution network for agricultural products through new access and use restrictions that impact transportation modes such as tugs and barges transiting inland waterways,[12] including the use of measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation

Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways) that are now instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input,[13] including through the unjustified and irrational application of the precautionary approach[14]

- New taxes and fees on agriculture-related activities[15]
- Restrictions on offshore oil and gas exploration and development that lead to higher energy prices and harm the ability to grow, transport, dye, and cure crops, process food, and use crop protection chemicals and fertilizer (all such activities depend on oil and gas)[16]
- New and duplicitous[17] air and water quality requirements, including specification of the level of waste treatment technology and limitations on the amount of discharge in marine areas[18]
- New regulations threaten national security by potentially disrupting the supply of a domestic, safe, abundant, cost-effective,[19] and life-sustaining product for the American people
- Reduced production of agricultural crops that are key ingredients in alternative sources of fuel,[20] setting back efforts to move the U.S. toward cleaner fuels and a healthier environment and costing jobs related to alternative fuel production

Bottom Line

- A new regulatory regime that restricts land-based agricultural activity--and the transportation and energy operations that are required to support it--will harm U.S. national and economic security by depriving the nation of a safe, affordable, and healthy domestic source of food and threatening the livelihood of our nation's farmers and ranchers

AQUACULTURE

The new National Ocean Policy has the potential to further delay and potentially prevent the expansion of our nation's young aquaculture farming industry.[21] The United States continues to run extremely high annual trade deficits when it comes to seafood farming, presenting both an economic and consumer health threat. At a time when the industry is seeking certainty and access, burdensome regulations and geographic restrictions would be a serious setback in efforts to attract investment in the domestic aquaculture sector. Such a policy would be especially counterproductive given that shellfish aquaculture is sustainable and improves water quality, increases productivity by reducing nutrient loading, and provides safe habitat for a host of marine species[22]

Economic Impact

- U.S. aquaculture industry produces roughly $1 billion, versus about $70 billion in global annual aquaculture production;[23] full economic benefits of domestic aquaculture yet to be realized, as lack of leasing program for federal waters has scared off investment and driven business to other countries[24]
- Seafood import deficit totals more than $9 billion annually (second largest contributor to U.S. trade deficit behind oil);[25] more than 88% of seafood consumed by Americans is imported[26]
- Opening up domestic aquaculture market would add needed jobs, help grow U.S. economy, and reduce our trade deficit

Risks Associated With New National Ocean Policy

- Access limitations on aquaculture activity through zoning of areas by specific use,[27] Offshore Areas Designated for Aquaculture,[28] and designation of marine protected, nature conservation, history and culture, religion, and research areas,[29] forcing U.S. to continue reliance on foreign imports (and the prices associated with transportation) to meet domestic demand for seafood, creating an economic as well as potential health threat, as the safety and quality of foreign imports cannot be assured to the extent that domestically-regulated seafood can
- Aquaculture restrictions reduce the supply of recreational fish stocks[30]
- New taxes and fees such as aquaculture permit fees[31]
- New and duplicitous[32] air and water quality regulations, including limitations on the amount of discharge in marine areas and specification of the level of waste treatment technology[33]
- Higher costs associated with seafood trade deficit turn consumers away from a healthy source of nutrition at a time when obesity and chronic illness are becoming increasingly prevalent among U.S. adults as well as children
- Precautionary approach precludes aquaculture activities, even though substantial research in the U.S. and Europe has already explored the potential impact of aquaculture on the environment[34] and best management practices are already available to apply to large-scale pilot farms[35]

Bottom Line

- The new National Ocean Policy could present major obstacles in the development of a robust domestic aquaculture industry, potentially resulting in higher levels of imported seafood, reduced seafood consumption, decreases in recreational fishing stocks, a food supply that is less safe, and depletion of ocean and coastal water quality.

CHEMICALS

The U.S. chemical sector could face significant harm as a result of the new National Ocean Policy's impact on both land and-water based activities.[36] Restrictions on the use of chemical products through new and burdensome regulations could risk everything from advances in medicine to the plentiful and affordable supply of computers and cell phones. Besides the higher prices that would be passed on to consumers as a result of new restrictions and regulations,[37] as a major consumer of energy, a national ocean policy that restricts access to our domestic energy supply would be especially damaging to the viability of the domestic chemical industry. Significantly, the chemical industry's Responsible Care® program has led to a 73% decrease in emissions since 1988,[38] the sector achieved a 16% decrease in greenhouse gas emissions between 1990 and 2008,[39] and the industry spends $11 billion every year on emissions reduction and environmental protection efforts.[40]

Economic Impact

- U.S. chemical industry is the world leader in the production of chemical products, producing nearly $690 billion in annual revenue that supports more than 5 million jobs[41]
- The roughly one million individuals employed by the chemical industry earn more than 45% more than the average manufacturing position[42]
- 25% of U.S. GPD is directly related to chemistry[43]
- Domestic chemical industry is a top exporter, with exports totaling nearly $174 billion and representing over ten cents out of every dollar of exports[44]

Risks Associated With New National Ocean Policy

- New restrictions on fertilizer and pesticide use, including limitations on the amount of fertilizer and pesticides used on agricultural lands[45]
- New and duplicitous[46] restrictions and regulations concerning air and water quality, including specification of the level of waste treatment technology and limitations on the amount of discharge in marine areas[47]
- New taxes and fees on chemical sector businesses[48]
- Higher energy prices as a result of offshore energy exploration and development restrictions; U.S. chemical industry consumes more energy than any other industry in the manufacturing sector,[49] with chemical companies using more natural gas than the entire state of California in order to keep their facilities running and produce the consumer and industrial products that we all rely on[50]
- Stifling of innovation, in a field responsible for drug advancements that have increased U.S. life expectancy by 30 years[51]
- Industry has been part of the solution, not the problem, when it comes to environmental stewardship, having invested $14 billion in health, safety, and environment programs in 2008, reduced energy consumption by 50% since 1974, and cut greenhouse gas emissions by 16% from 1990 to 2008.[52]

Bottom Line

- New and onerous regulations that restrict or otherwise discourage domestic chemical industry activity will harm our nation's jobs, trade, and farmers and ranchers, and will adversely affect the livelihood and health of consumers across the country

COAL

A vibrant U.S. coal industry is essential to our nation's security and electricity supply. Fifty percent of U.S. electricity is produced from coal, which also accounts for ninety-four percent of the nation's fossil fuel reserves, on a BTU basis.[53] In addition, coal represents 23% of total domestic energy consumption.[54] The new national ocean policy has the potential to restrict land-based activities deemed to impact the oceans, coasts, or Great Lakes.[55] New regulations that discourage or prevent coal industry activities could seriously harm the nation's economy and the affordable and abundant supply of coal-powered electricity. Since the 1970s, there has been a forty percent-plus decrease in regulated emissions emanating from coal-fired electricity plants.[56]

Economic Impact

- In 2007, the coal industry directly employed over 122,000 people, creating 3.5 jobs for every single coal mining job, resulting in a total employment impact of more than 554,000 jobs[57]
- Coal produced $30 billion in sales and generated $8.2 billion in direct income in 2007[58]
- Roughly 600 coal generating facilities and 1,100 coal-dependent manufacturing facilities in the U.S.[59]

Risks Associated With New National Ocean Policy

- New and duplicitous[60] regulations concerning air and water quality regulations, including specification of the level of waste treatment technology, that would be applicable to land-based coal industry activities deemed to impact the oceans, coasts, or Great Lakes[61]
- New taxes and fees on coal industry activities deemed to impact the oceans, coasts, or Great Lakes[62]
- Restrictions on water transportation activity[63] and increases in energy costs due to energy development restrictions[64] result in major increases in the cost of moving coal-related products; coal is the largest freight commodity transported by barges[65]
- Increases in capital spending as a result of the new policy causes industry investment in clean coal technologies to decline, resulting in a setback for environmental protection efforts

Bottom Line

- New federal regulations that create additional costs and sow confusion across the coal industry could unnecessarily harm the economy, decrease the reliability and affordability of the nation's electricity supply, and delay the implementation of technological advances that have been achieved by the industry that would result in a cleaner environment.

COMMERCIAL FISHING

The commercial fishing industry could be subject to painful restrictions as a result of the new National Ocean Policy.[66] At a time when the nation is running annual seafood trade deficits and fishing job losses have been on the increase, new restrictions and regulations governing commercial fishing would be ill-advised. Restrictions on use and access, new fees and taxes, and higher energy prices resulting from domestic offshore energy development limitations could harm commercial fishing interests, and hence our nation's physical and economic well-being, and threaten local communities where commercial fishing is a source of survival as well as cultural heritage. Absent evidence showing that the current fishery management governing structure is inadequate, introducing a new layer of bureaucracy has the potential to harm, rather than enhance, the seafood industry's viability.

Economic Impact

- Commercial landings in U.S. account for $40 billion in sales, $17 billion in income, and 611,000 jobs[67]
- Over half of U.S. commercial seafood harvest comes from waters of Alaska, where the state's $6 billion seafood industry employs more individuals than any other private sector employer[68]
- Alaskan fisheries provide about 2.5 million metric tons of seafood to people all over the world[69]

Risks Associated With New National Ocean Policy

- Establishment of limitations of fishing activity and capacity (number of vessels allowed to fish), specification of fishing gear type and mesh size, and limits on allowable catch and/or by-catch[70]
- New access restrictions specifying areas closed to fishing,[71] including mechanisms such as the designation of fishery closure areas (including seasonal closures), no trawl areas, critical habitat designations, artificial reef areas, marine protected areas, and conservation areas;[72] zoning or temporary closing areas to commercial fishing during harvest times could prove devastating to the industry, which already faces restrictions in many coastal areas during certain times of the year
- New fees, taxes, and revenue sources such as tradable fishing quotas, fish catch and services levies, eco-labeling and product certification requirements, and fishing access payments[73]
- Commercial fishing restrictions could cause significant economic harm to local communities, costing them jobs, economic development, and a critical food source[74]
- Restricting domestic offshore energy exploration and development would raise energy prices and hence the cost of doing business for commercial fishermen
- New air and water quality requirements such as limitations on discharge in marine areas[75]

Bottom Line

- New use and access restrictions and additional fees and taxes could cost American jobs, increase U.S. reliance on imported seafood, thereby depriving consumers of a safe, healthy, and affordable food source, and threaten the livelihood of those residing in communities where fishing is a matter of survival and heritage

CONSTRUCTION

The new National Ocean Policy has the potential to add an additional and unduly burdensome layer of bureaucracy that would add new regulations and restrictions governing both land and water-based activities, including those related to the construction industry.[76] Specifically, the policy could make it more difficult to obtain insurance and financing for construction projects, increase costs for the transportation of construction materials, cause the delay or cancellation of energy infrastructure construction projects, force home builders to postpone or cancel residential construction projects, and result in the suspension or cancellation of major infrastructure improvements such as road and highway construction projects. Given that construction spending activity in 2009 declined $137 billion to the lowest level in six years[77] and the fact that the industry still sits at a 16.3% unemployment level,[78] such impacts would be especially harmful at this time.

Economic Impact

- Construction industry employed over 6.1 million workers as of July 2009[79]
- U.S. had over 800,000 construction firms in 2007, 91% of which were small businesses[80]
- U.S. nonresidential construction spending was estimated to total $715 billion in 2008, contributing 14%, or $1.5 trillion to GDP[81]
- 2008 average annual pay exceeded average private sector wages by 8%[82]

Risks Associated With New National Ocean Policy

- Insurance coverage and lending for construction projects becomes more difficult to obtain as insurance companies and banks require MSP compliance as precondition[83]
- New restrictions, higher energy prices, and added taxes and fees associated with the transportation sector; construction projects require physical delivery, and the sector is therefore highly dependent on transportation activity and greatly exposed to rising energy prices that would follow from energy exploration and development restrictions
- New and overlapping air and water quality requirements[84] that adversely impact: (1) home builders and home buyers by reducing the availability of safe and affordable housing due to an increase in the amounts and types of permits required for home building, thereby resulting in the builder absorbing the cost or an increase in the cost of a home; and (2) urban and suburban development, including infrastructure improvements such as road and highway construction projects[85]
- Deepwater Port Act licenses, required for the construction of deepwater ports in federal waters, become more difficult to obtain, as the Secretary of Transportation's discretion to issue such licenses is limited by the requirement that the license must comply with a federal marine spatial plan[86]
- FERC approval for construction of onshore and offshore natural gas facilities becomes more difficult to obtain[87]
- Recreational fishing and boating restrictions result in construction downturn related to marinas and boat ramps
- New regulations and sovereignty issues created by policy's intrusion onto state land leads to confusion and litigation, resulting in major delays of development projects
- Precautionary approach forces cancellation of construction projects involving any risk to

the environment, no matter how small the risk or how great the benefits of proceeding forward

Bottom Line

- Leveraging existing and effective programs designed to encourage sustainable uses of land, rather than creating a new and duplicative command and control regulatory regime, is a key component to any new national ocean policy

FOREST AND PAPER

A source of everything from grocery bags and cardboard boxes to and tissue[88] and building materials,[89] the domestic forest products industry makes a major contribution to daily life in the United States. The new National Ocean Policy has the potential to impact the sector by introducing new regulations and restrictions on land-based activities, including those related to the forest products sector, that are deemed to impact the oceans, coasts, and Great Lakes.[90] Any such policy would be especially harmful given that the forest products industry has lost more than 350,000 jobs since 2006[91] and also plays a vital role in sustainability efforts designed to ensure a healthy and sound environment. For example, 63.4 percent of paper consumed in the U.S. was recovered for recycling in 2009.[92] In addition, the forest products industry is the leading producer and consumer of renewable energy, generating enough such energy to provide power to 2.7 million homes.[93] It also important to note that wood is a renewable and recyclable material that also stores carbon.[94] Finally, forests and forest products absorb and store ten percent of domestic CO2 emissions annually,[95] and industry practices such as the planting of over 600 million trees annually have resulted in more forests in the U.S. today than there were fifty years ago.[96]

Economic Impact

- Forest products sector comprises 5% of domestic manufacturing GDP[97]
- Employs almost 900,000 individuals earning about $50 billion, and produces roughly $175 billion in products on an annual basis [98]
- Generates roughly $7 billion in federal, state, and local tax revenue annually[99]

Risks Associated With New National Ocean Policy

- New and duplicitous[100] air and water quality requirements, including specification of the level of waste treatment technology, that would be applicable to land-based forest and forest product manufacturing activities deemed to impact the oceans, coasts, or Great Lakes[101]
- Restrictions on water transportation activity[102] and increases in energy costs due to energy development restrictions[103] result in major increases in the cost of moving manufacturing-related products
- New taxes and fees on forest product industry activities deemed to impact the oceans, coasts, or Great Lakes[104]
- Forest sustainability efforts suffer as new restrictions and regulations adversely impact the industry

Bottom Line

- Unnecessary and draconian federal regulations governing the U.S. forest products industry could bring about serious economic harm to the sector, its employees and consumers, and potentially result in increased greenhouse gas emissions and fewer forests than would otherwise exist.

MANUFACTURING

The new National Ocean Policy could have serious consequences for the U.S. manufacturing sector, even for strictly land-based activities.[105] New regulations and restrictions pertaining to industrial and agricultural land-based activities, water transportation, recreational fishing and boating, and energy exploration and development threaten to saddle the world's largest manufacturing economy with even higher business and regulatory compliance costs, thereby further reducing the global competitiveness of the U.S. manufacturing sector and negatively impacting U.S. commerce, trade, and jobs. Of note, between 1990 and 2008, U.S. factories reduced carbon dioxide emissions by 6%.[106] The current manufacturing industry unemployment rate is over 12%, manufacturing's contribution to GDP fell to 11.5% (in 2008), the sector's utilization of manufacturing capacity hit an all time low of 65.2% in June 2009, and the industry's labor productivity has been in decline.[107] In this environment, new and restrictive regulations would be especially harmful to the manufacturing community.

Economic Impact

- U.S. produces 22% of the world's manufactured products, making it the largest manufacturing economy in the world[108]
- U.S. manufacturing sector creates $1.6 trillion in value annually, which accounts for 11.5% of GDP[109]
- U.S. manufacturing industry directly employs almost 12 million workers, or roughly 10% of the domestic workforce[110]
- The average manufacturer earned more than $14,000 per year than the average non-manufacturer in 2008[111]
- 57% of U.S. exports are manufactured goods[112]
- U.S. manufacturers conduct 50% of all U.S. research and development[113]

Risks Associated With New National Ocean Policy

- Redundant and duplicitous new regulation of land-based industrial and agricultural activities (i.e. new air and water quality standards[114]), including those related to the chemical industry (which is also a major consumer of energy); 55% of the manufacturing sector relies on chemicals for production[115]
- Restrictions on water transportation activity and increases in energy costs result in major increases in the cost of moving manufacturing-related products, particularly for industrial and agricultural users in the Midwest who depend on inland waterways for transport of their goods [116]
- Recreational fishing and boating restrictions cause further harm to the marine manufacturing industry, which has seen one out of every ten manufacturing facilities permanently shut down due to the recession[117]
- Rising electric utility payments and decreased reliability of service due to reduced supply of energy from traditional and renewable sources[118]
- Offshore traditional and renewable energy exploration and development restrictions that reduce energy supply for commercial and industrial use and consumption and cost jobs; industrial sector accounts for almost 1/3 of U.S. energy consumption, and manufacturing represents 65% of the industrial sector's consumption;[119] fossil fuels

comprise most of the manufacturing sector's energy needs, raising the sector's concern over price and supply[120]

Bottom Line

- New restrictions and regulations could further erode the competitiveness of America's manufacturing sector, which is already estimated to spend $162 billion every year in regulatory compliance costs[121]

MINING

Offshore as well as onshore mining activities could both be harmed by the new National Ocean Policy.[122] New access restrictions, burdensome regulations, and added fees could raise prices for everything from electricity and communications services to home construction and repair jobs and road and highway projects. Additionally, sand and gravel mining has helped restore 167 miles of U.S. coastline, protecting major infrastructure and preserving significant ecological habitat.[123] Placing areas off limits to such activities could jeopardize efforts to address coastal and beach erosion and reduce the potential inventory of supplies in the wake of an emergency, such as during the aftermath of a destructive hurricane.

Economic Impact

- U.S. mining sector produced nearly $100 billion in finished mineral, metal, and fuel products in 2007,[124] creating $240 billion in total value to the U.S. economy[125]
- In 2007, over 376,000 U.S. workers employed by the industry, which in turn generated an additional 1.5 million jobs[126]
- Average annual mining wage 33% higher than average industrial wage, with total mining wages surpassing $22 billion and generating a total U.S. payroll exceeding $64 billion in 2007[127]
- Sector contributed $1.2 in royalties and mineral revenues to the federal government in 2007[128]
- Industries dependent on mining products comprised 13.7% of GDP in 2007[129]

Risks Associated with New National Ocean Policy

- New and duplicitous[130] regulations concerning air and water quality regulations applicable to both water and land-based mining activities, including limitations on the amount of discharge in marine areas and specification of the level of waste treatment technology[131]
- Access restrictions through tonnage limitations on sand and gravel extraction,[132] designation of sand and gravel extraction areas,[133] zoning of areas of specific use, designation of marine protected, nature conservation, history and culture, religion, and research areas[134]
- New taxes and fees on the mining industry, including royalties from offshore mining companies[135]
- Natural disasters such as hurricanes and beach and coastal erosion may require emergency action; taking offshore mining resources off the table could deplete potential reserves and result in environmental degradation or devastation

Bottom Line

- Restricting offshore and onshore mining activities through zoning, new taxes and fees, or burdensome and duplicitous environmental regulations could harm the economy, jobs, consumers, and our environment, and potentially increase the cost of--and delay or prevent--needed infrastructure improvements across the country.

OIL & GAS

Under the new National Ocean Policy, domestic oil and natural gas exploration and development could be seriously curtailed and subject to a myriad of new, costly, and restrictive regulations.[136] Access restrictions, new taxes, fees, and other assessments, more lengthy and stringent requirements for the issuance of regulatory permits related to offshore energy projects, and new air and water quality regulations could significantly harm the domestic offshore and onshore oil and natural gas sector, cause major job losses, decrease the domestic energy supply, increase energy prices, and bring about a rise in federal deficits due to reductions in federal royalty revenues. It is important to note that U.S. oil and natural gas companies have contributed $58.4 billion (44%) of the $133 billion invested by the federal government and private sector from 2000-2008 in new energy technologies designed to curb greenhouse gas emissions.[137] In addition, since 2000, the oil and natural gas sector has been responsible for 22% of the North American investments made in non-hydrocarbon fuels, including wind, biofuels, solar, geothermal, and landfill digester gas.[138]

Economic Impact

- In 2007, the U.S. oil and gas industry contributed $1 trillion to the economy, or 7.5% of GDP[139]
- Industry supports over 9 U.S. million jobs and in 2007, generated over $558 billion in income[140]
- Oil and natural gas resources in Outer Continental Shelf areas that were formerly or are currently off limits to drilling could yield an additional $1.3 trillion in federal, state, and local tax revenue and an additional 76,000 jobs[141]

Risks Associated With New National Ocean Policy

- Mechanisms such as specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (i.e. areas withdrawn from leasing) or for specific use (i.e. oil & gas lease or concession areas)[142] restrict access to the Outer Continental Shelf, where roughly 43 million acres of leased territory accounts for nearly 15% of U.S. domestic natural gas production and 27% of U.S. domestic oil production,[143] and where BOEMRE estimates the presence of an undiscovered 86 billion barrels of oil and 420 trillion cubic feet of natural gas, or 60% of the oil and 40% of the natural gas thought to be located in the remaining U.S. undiscovered fields[144]
- New taxes, fees, and assessments, including royalties and fees from offshore oil and gas operations and right-of-way fees for oil and gas pipelines[145]
- Deepwater Port Act licenses, required for the operation of deepwater ports in federal waters and for the transportation of oil and natural gas from such facilities to the U.S., become more challenging to obtain, as the Secretary of Transportation's discretion to issue such licenses becomes limited by the requirement that the license must comply with a federal marine spatial plan[146]
- FERC approval for the operation of onshore and offshore natural gas facilities becomes much more difficult to obtain[147]
- New and duplicitous[148] air and water quality regulations, including specification of the

level of waste treatment technology and limitations on the amount of discharge in marine areas[149]

- Amendment or retraction of Executive Order 13212, which encourages federal agencies to use their discretionary authority to expedite energy production,[150] causes substantial delays in energy exploration and production activities
- Increases budget deficit by restricting oil and gas development opportunities and resulting federal revenue; in FY 2008, the U.S. government collected more than $23 billion in such revenue[151]

Bottom Line

- Adding a new set of regulations and restrictions on top of existing management mechanisms such as the Interior Department's 5 year plan, Outer Continental Shelf Lands Act provisions and related regulations, and the Coastal Zone Management Act threatens to delay, restrict, and add new costs to offshore oil and gas exploration and development activity, thereby reducing related capital expenditures, decreasing our domestic supply of energy, and increasing energy prices for consumers.

OIL AND GAS FIELD SERVICES

The U.S. oil and gas field services industry plays a critical role in the energy supply chain through its drilling, support, and manufacturing services related to the recovery of oil and gas. The new National Ocean Policy could seriously harm the sector.[152] Implementing restrictions and limitations on access to domestic offshore energy development could force the oil and gas services industry to cut jobs and could drive some of the sector's 8,000 companies out of business. Customer orders could decrease markedly, with higher transportation costs as a result of energy supply limitations exacerbating the harmful policy effects. Additional new regulations pertaining to land-based construction activities could further worsen the impact on the sector.

Economic Impact

- Oil and gas field service sector's 8,000 companies generate $85 billion in annual revenue[153]
- In 2008, the U.S. government collected more than $23 billion in royalties from the energy sector[154]
- Oil and natural gas resources in OCS areas that were formerly or are currently off limits to drilling could yield an additional $1.3 trillion in federal, state, and local tax revenue and an additional 76,000 jobs[155]

Risks Associated With New National Ocean Policy

- Customer orders plummet as new offshore energy development restrictions take hold through mechanisms such as specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (i.e. areas withdrawn from leasing) or for specific use (i.e. oil & gas lease or concession areas),[156] that serve to restrict access to the Gulf of Mexico Outer Continental Shelf, where the BOEMRE has estimated the presence of nearly 45 billion barrels of undiscovered technically recoverable oil and over 232 trillion cubic feet of undiscovered technically recoverable natural gas[157]
- Insurance coverage and lending for oil and gas field construction projects becomes more difficult to obtain as insurance companies and banks require MSP compliance as precondition[158]
- New restrictions, higher energy prices, and added taxes and fees associated with the transportation sector; oil and gas field construction projects require physical delivery, and the sector is therefore highly dependent on transportation activity and greatly exposed to rising energy prices that would follow from energy exploration and development restrictions
- New air and water quality requirements applicable to oil and gas field-related construction and manufacturing activities[159]
- Deepwater Port Act licenses, required for the construction of deepwater ports in federal waters, become more difficult to obtain, as the Secretary of Transportation's discretion to issue such licenses is limited by the requirement that the license must comply with a federal marine spatial plan[160]
- FERC approval for construction of onshore and offshore natural gas facilities becomes more difficult to obtain[161]

- Amendment or retraction of Executive Order 13212, which encourages federal agencies to use their discretionary authority to expedite energy production,[162] causes substantial delays in energy exploration and production activities

Bottom Line

- Discouraging or preventing the continued development of domestic offshore energy resources and adding new restrictions to related construction and manufacturing activities necessary for offshore energy exploration and development could seriously harm our nation's economy and efforts to reduce our reliance on foreign sources of energy.

PORTS

U.S. ports and harbors and their users are at risk for increased regulation and restrictions under the new National Ocean Policy.[163] Ports are central hubs of economic activity, playing a vital role in trade as well as transportation, energy, and tourism. New and burdensome regulations that could place significant economic stress on ports include exclusionary zones, restrictions on shipping activity and routes, restrictions on offshore traditional and renewable energy development and the higher energy prices as a result, new air and water quality standards, and new taxes and fees on port usage and users. A new national ocean policy that discourages ships and cruises from embarking in the U.S. and restricts access to offshore energy sources would harm not only ports, but also the railroads, trucking industry, and communities that serve and support them.

Economic Impact

- $3.15 trillion U.S. deepwater seaport industry supports more than 13.3 million jobs, generates more than $649 billion in personal income, and accounts for over $212 billion in federal, state, and local tax revenue as of 2007[164]
- 15,000 jobs are created for every $1 billion in exports shipped through ports[165]
- More than 360 commercial ports located in the U.S. with roughly 3,200 cargo and passenger handling facilities[166]
- $5.5 billion in goods move through U.S. ports every day, with each state on average relying on thirteen to fifteen ports to handle the import and export of those goods[167]
- US ports handle over 2.5 million tons of cargo every year, including over 99% of our nation's international cargo[168]
- International goods transiting through U.S. ports in 2007 valued at $1.4 trillion, or ten percent of total GDP, according to U.S. Census statistics[169]
- North American cruise passenger industry in 2008 was responsible for generating over $40 billion in U.S., producing nearly 358,000 U.S. jobs and $16.2 billion in personal income[170]
- Nearly 9 million embarkations took place at U.S. ports in 2008[171]
- In 2008, U.S. ports accounted for 69 percent of global cruise embarkations[172]
- In addition, both the U.S. freight railroad and truck transportation/warehousing industries are intricately tied to ports and the marine transportation sector; the freight railroad industry produces $265 billion in economic activity every year and supports 1.2 million jobs,[173] while the U.S. truck transportation and warehousing industry provided 2.1 million jobs[174] and is estimated to have generated over $332 billion in revenue in 2008[175]

Risks Associated With New National Ocean Policy

- Restrictions on port-related activity through measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and

Security Zones in Ports and Waterways) are instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input[176]

- Establishment of new access and use restrictions that impact ships, tankers, and cruise ships, as well as transportation modes such as tugs and barges transiting inland waterways,[177] including through the unjustified and irrational application of the precautionary approach[178]
- Reduced port utilization by the traditional and renewable industries as a result of restrictions on offshore energy exploration and development through mechanisms such as specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (i.e. areas withdrawn from leasing) or for specific use (i.e. oil & gas lease or concession areas)[179]
- Reduced port activity as a result of higher energy prices caused by restrictions on offshore energy exploration and development through mechanisms such as specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (i.e. areas withdrawn from leasing) or for specific use (i.e. oil & gas lease or concession areas)[180]
- Increased compliance and overhead costs as a result of new air and water quality requirements for ports and port users, including specification of the level of waste treatment technology and limitations on discharge in marine areas[181]
- Deepwater Port Act licenses, required for the operation of deepwater ports in federal waters and for the transportation of oil and natural gas from such facilities to the U.S., become more challenging to obtain, as the Secretary of Transportation's discretion to issue such licenses becomes limited by the requirement that the license must comply with a federal marine spatial plan[182]
- New taxes and fees on port usage and users[183]

Bottom Line

- New regulations that restrict or tax port-related activities and vary by region could seriously harm the domestic port industry and the sectors that rely on them, including the domestic cruise, shipping, traditional and renewable energy, railroad, and trucking industries

POWER GENERATION AND TRANSMISSION

The new National Ocean Policy has the potential to seriously impact the nation's electric power industry through new restrictions on domestic traditional and renewable energy exploration and development, more onerous and stringent permitting processes, new air and water quality standards, higher construction costs, and new taxes and fees. New and stringent regulations on activities occurring in or near our oceans and coasts could cause particular harm to our domestic electric power sector, as U.S. electricity supply depends on generation, transmission, and distribution facilities located on and near U.S. coasts and oceans, with nearly 30% of existing electric generation sited in coastal areas where roughly 43% of the U.S. population lives[184]

Restricting the supply and availability of domestic sources of energy and increasing related costs would harm an industry that has made serious and substantial progress toward protecting the environment, including a 57% reduction in sulfur dioxide and nitrogen oxide emissions between 1980 and 2008, a nearly 40% decrease in mercury emissions, the elimination of 237 million metric tons of carbon dioxide in 2000 through Climate Challenge (an industry partnership with the U.S. Department of Energy), and the prevention of over 267 million metric tons of carbon-equivalent greenhouse gas emissions in 2005 through the industry's Power Partner[SM] partnership with government.[185]

Economic Impact

- Electric power industry is $342 billion+ industry that employs almost 400,000 Americans[186]
- Sector accounts for three percent of GDP[187]
- Electric utility industry's 2009-2011 capital expenditures projected to be roughly $240 billion, estimated at $80 billion annually, about double the industry's 2008 capital expenditures[188]

Risks Associated With New National Ocean Policy

- Restrictions on domestic energy exploration and development through mechanisms such as specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (i.e. areas withdrawn from leasing) or for specific use (i.e. oil & gas lease or concession areas), that act to decrease the supply and increase the cost of natural gas,[189] which accounted for 21.3 percent of our domestic electricity supply in 2008[190]
- Restrictions on renewable energy development,[191] a promising source of additional electricity supply that currently meets 3 percent of the nation's electricity demand[192]
- Deepwater Port Act licenses, required for the operation of deepwater ports in federal waters and for the transportation of natural gas from such facilities to the U.S., become more challenging to obtain, as the Secretary of Transportation's discretion to issue such licenses becomes limited by the requirement that the license must comply with a federal marine spatial plan[193]
- FERC approval for the operation of onshore and offshore natural gas facilities becomes much more difficult to obtain[194]
- New and duplicitous[195] air and water quality regulations, including specification of the

level of waste treatment technology and limitations on the amount of discharge in marine areas[196]

- Higher energy prices brought on by new restrictions and regulations cause construction costs to increase, deferring investments in utility infrastructure and resulting in less reliability in service and higher utility rates[197]
- New taxes and fees on electric power industry[198]

Bottom Line

- New and duplicative regulations[199] that impact electric utility companies, already projected to spend roughly $12.5 billion on environmental compliance efforts in 2008 related to hundreds of existing regulatory rules,[200] would jeopardize the reliability of the nation's electricity grid, hamper industry efforts to expand the use of renewable energy, and increase utility rates for consumers.

RECREATIONAL BOATING

The recreational boating industry has been included in the administration's sphere of industries subject to "better manage[ment]" under the new National Ocean Policy.[201] Recreational boating is an American pastime, and recreational boaters play a pivotal role in keeping our nation's waters clean and their inhabitants plentiful. New restrictions and regulations that limit boater use and access through exclusionary zones and emissions requirements and increase boating costs through higher fees and increasing energy prices would be very harmful to the recreational boating industry and the boaters it serves. Such effects would be exacerbated by new restrictions on recreational fishing, as most Americans who fish do so from a boat.

Economic Impact

- Primarily composed of small and mid-size companies, 19,000 businesses make up recreational boating industry [202]
- In 2008, recreational boating impacted over 337,000 jobs that produced an income of $10.4 billion and generated $33.6 billion in sales and services[203]
- $20.9 billion was spent on water crafts and $21.1 billion was spent on boating trips in 2007[204]
- Due to the economic crisis, the industry has since lost 135,000 jobs and suffered a 70% loss in production[205]
- Over 16,000 recreational-for-hire fishing boats operate in the U.S., providing fishing outings to a minimum estimate of more than 13 million anglers per year[206]
- Recreational-for-hire boating directly generates $28.1 billion in economic impact, with a multiplier effect of over $56 billion in annual total spending, resulting in over 1.1 million jobs, $24.6 billion income, and nearly $4 billion in state and local tax revenues[207]
- 70 million adults in U.S. went boating in 2008, with three in ten adults going boating at least once during that year[208]
- Most recreational boating consumers are middle-class Americans, with 75% of boat owners have annual household income under $100,000 and 95% of boats being less than 26 feet in length[209]

Risks Associated With New National Ocean Policy

- Access restrictions through zoning of areas for specific use or objective, designation of precautionary areas or security zones, designation of marine protected areas,[210] fishery closure areas (including seasonal closures), no trawl areas, critical habitat designations, artificial reef areas, recreation areas, conservation areas, historical and cultural areas, and religious areas[211]
- Rising energy prices as a result of domestic offshore energy exploration and development restrictions that would cause serious harm to recreational boaters, major consumers of energy
- Additional fees such as yachting fees and fees on tourism operators and tourists[212]
- Major reduction in customer orders and potential job losses as a result of recreational fishing restrictions; 54.2% of boaters fished while on the water in 2008;[213] U.S. Fish and Wildlife Service reported that 57% of those who fished in 2006 did so from a boat, including 74% that fished from a boat in the Great Lakes and 69% that fished from a

boat in saltwater[214]

- Restricting access can have the unintended consequence of harming boater safety; ban of personal watercraft in Biscayne National Park requires boaters to venture 10-12 miles out into ocean waters to navigate around the restricted area[215]
- Boating restrictions deter or prevent construction of new marinas or result in the shutting down of existing marinas and cost related jobs; almost 12,000 marinas in U.S. provide boaters with access to waterways[216]
- New air and water quality regulations, including limitations on the amount of discharge in marine areas[217]
- Setback in fish restoration efforts as a result of reduced participation in conservation programs funded in part by the boating community; Sport Fishing Trust Fund, with contributions from boaters and anglers, had $720 million in revenues as of 2008, of which over $400 million was distributed to the fifty states for fish restoration[218]

Bottom Line

- Regulations that result in new fees and restricted access for recreational boating would harm the many communities, marinas, and jobs that support the industry, threaten the sector's well-funded marine restoration and conservation efforts, limit recreational fishing opportunities, and imperil boater safety

RECREATIONAL FISHING

The new National Ocean Policy has the potential to significantly harm the recreational fishing sector.[219] Through new limits on fishing activity, new access restrictions, new license fees, excise taxes, and access payments, higher energy prices for the majority of anglers who fish while boating, disruption of successful existing conservation and management efforts, and depriving tribal communities of a source of sustenance, the new national ocean policy could have a major negative economic and societal impact. Of note, recreational harvests only account for three percent of fish harvested.[220]

Economic Impact

- More than 60 million anglers contribute $125 billion yearly to U.S. economy[221]
- In 2006, saltwater angler expenditures produced $82.3 billion in total sales, generated $24 billion in income, and supported almost 534,000 jobs[222]
- In 2006, the freshwater fishing sector saw over $31.1 billion in retail sales generated, produced more than $26.4 billion in wages, salaries, and business owner's income, and supported more than 709,000 jobs[223]

Risks Associated With New National Ocean Policy

- New access restriction specifying areas closed to fishing,[224] including mechanisms such as the designation of fishery closure areas (including seasonal closures), critical habitat designations, artificial reef areas, marine protected areas, marine reserves, history and culture, religion, and research areas[225]
- Potential degradation of state and federal fisheries management as agencies must use existing limited resources to engage in new regional planning activities. Loss of stakeholder representation if fisheries management decisions are left to regional planning bodies, which comprise no designated recreational fishing interests, instead of fishery management councils and state fish and wildlife agencies.
- New recreational fishing license fees and excise taxes, and fishing access payments by associations of and/or individual fishermen[226]
- In 2006, 57% of those who fished in the U.S. did so from a boat;[227] restricting domestic offshore energy exploration and development would raise energy prices and hence the cost of fishing for a majority of anglers
- Disruption of conservation and fishery management efforts by restricting recreational fishing opportunities[228]
- Deprivation of a source of sustenance for the general public and tribal communities, including lower income families and individuals, for many of whom fishing is both a cultural tradition and a source of livelihood[229]

Bottom Line

- Access and use restrictions as well as new fees applicable to recreational fishing would threaten the viability of an American pastime, as well as the many jobs and substantial economic activity that the sector generates

REFINING AND DISTRIBUTION

The U.S. refining and distribution industry is vital to our supply of energy and plays a key role in our daily activities and quality of life.[230] Refineries are responsible for the production of necessities such as gasoline and diesel for our cars and boats and jet fuel for our aircraft, among others. Equally significant is the comprehensive distribution network that transports the refined products to local markets and consumers.

A national ocean policy that restricts access to energy supplies or adds new and duplicitous regulations applicable to land-based refinery operations could cause the refining industry to temporarily close or permanently shut down additional refineries, further reducing capacity, employment, and energy supply.[231] Domestic refinery closures in 2009-2010 resulted in almost 1,400 direct job losses, as well as thousands of other indirect job losses,[232] and funding and financial issues tied to the recession have delayed expansion projects that represent three percent of domestic gasoline demand.[233] New restrictions and new regulations of key components in the refinery distribution network, from barges and pipelines--two key components in the distribution of refined petroleum products[234]--to ports and shipping, could compound the harmful effects of such a policy. Significantly, the U.S. refining sector has invested $96 billion since 1990 to make cleaner burning fuels and become more energy efficient using technologies such as cogeneration.[235]

Economic Impact

- 150 refineries operating in the U.S. with an aggregate crude oil processing capacity of 17.6 million barrels per calendar day[236]
- U.S. refineries directly employ over 65,000 people, with more than 900,000 Americans employed at service stations across the U.S.[237]
- U.S. petroleum refining and petroleum product distribution network includes 200,000 miles of pipelines, 38 Jones Act vessels, 3,300 tank barges, 200,000 rail tank cars, 1,400 petroleum product terminals, 100,000 tank trucks, and nearly 162,000 retail motor fuel outlets[238]

Risks Associated With New National Ocean Policy

- Further erosion of refining industry profit margins due to reduction in energy supplies as a result of restrictions on offshore energy development;[239] refining industry is the largest industrial consumer of energy, accounting for roughly 7.5% of U.S. energy consumption[240]
- Higher reliance on imported crude oil from unstable regions of the world
- New and duplicitous[241] regulations concerning air and water quality, including specification of the level of waste treatment technology and limitations on the amount of discharge in marine areas[242]
- New restrictions on key distribution channels, including ports, pipelines, barges, and shipping[243] increase costs even further and result in even greater delays in transportation of finished refined products
- New taxes and fees on refineries and distribution channels such as right-of-way fees for oil and gas pipelines[244]

- Refinery operations move to other countries with less costly and burdensome regulations, reducing U.S. refining capacity and resulting in an increased reliance on imported gasoline, diesel, jet fuel and chemical feedstocks
- During emergencies (i.e., hurricanes, floods, snow storms, etc.), increased challenges to moving fuels from one region of the country to another, resulting in supply disruptions
- As a result of closures and shutdowns, decreased supply of fuels and chemical products resulting in increased prices for consumers on items including gasoline, diesel, groceries, airline tickets, utility bills, clothing, medicine, and computers

Bottom Line

- Shortsighted restrictions on offshore energy development and redundant and burdensome direct regulation of refining activities and related distribution channels could cripple the nation's economy and harm consumer access to affordable staple products such as detergents, clothes, and gasoline.

RENEWABLE ENERGY

The new National Ocean Policy could harm the nation's attempts to achieve energy independence through the development of a domestic renewable energy portfolio by way of wind, wave, and tidal sources, among others.[245] Removing certain areas from consideration for offshore alternative energy projects through use and place restrictions, assessing the companies behind such projects with new taxes and fees, and subjecting offshore renewable projects to a precautionary approach analysis would be particularly unwise, particularly because such projects already face limited geographic opportunities given the requirements necessary to achieve grid interconnection and cost efficiencies.

Economic Impact

- Potential offshore sources include wind, wave, tidal, current, and thermal energy
- Land-based wind industry generates over $20 billion in annual revenues and directly supports more than 85,000 jobs;[246] an investment-friendly policy could allow offshore wind to follow suit
- A recent DOE report outlined a scenario for offshore wind that would attract over $300 billion in direct investment;[247] DOE estimates that wind resources offshore U.S. oceans and the Great Lakes could generate 900,000 MW of electricity, almost the same amount as the total installed existing domestic capacity[248]

Risks Associated With New National Ocean Policy

- Potential sites for offshore renewable energy projects are excluded from consideration through zoning plans and areas designated for other uses,[249] further limiting siting locations for a sector whose geographic options are already limited due to particular proximity needs (i.e. wind and wave energy and grid interconnection)
- New taxes and fees discourage capital expenditures on offshore renewable projects[250]
- Precautionary approach results in denial of offshore alternative energy projects, as this is a new field with certain technologies never having been tested; approach neglects to account for the environmental benefits of such projects and ultimately sets back efforts to reduce greenhouse gas emissions
- New and burdensome rules breed uncertainty, causing investments in offshore alternative energy projects to decline, especially considering that the offshore renewable industry just completed a four year process to institute a new regulatory regime[251]

Bottom Line

- New restrictions limiting opportunities for renewable energy projects could seriously harm development of the domestic renewable sector and drive business away from the U.S. to other countries with more investor-friendly policies

TOURISM

The tourism and recreation industry is a major source of economic activity for coastal communities and is composed of many industries, including amusement and recreation services, boat dealers, restaurants, hotels, marinas, RV parks and campsites, scenic water tours, sporting goods retailers, and zoos and aquaria.[252] These businesses and communities are dependent on the 180 million Americans who visit the coast every year continuing to return.[253] The new National Ocean Policy has the potential to seriously harm the tourism and recreation sector,[254] potentially curtailing non-consumptive activities such as canoeing, kayaking, and rafting that take place along the coast or even inland. In addition, restrictions or limitations on the siting of artificial reefs could hinder diving, snorkeling, fishing, and boating activities, all of which bring economic benefits to nearby communities and many of which also entail significant ecological benefits.

Economic Impact

- In 2004, the U.S. coastal tourism and recreation sector contributed almost $70 billion to U.S. GDP and employed over 1.7 million individuals,[255] excluding certain types of employment such as those that are self-employed[256]
- As a standalone country, the coastal counties would represent the world's second largest economy[257]

Risks Associated With New National Ocean Policy

- Fewer tourists visit ocean and coastal communities due to access restrictions through zoning of areas for specific use or objective, and the designation of precautionary areas or security zones, marine protected areas,[258] fishery closure areas (including seasonal closures), no trawl areas, critical habitat, artificial reef areas, recreation areas, conservation areas, historical and cultural areas, and religious areas[259]
- Restrictions on inland activities such as kayaking, canoeing, and rafting[260]
- Boating restrictions deter or prevent construction of new marinas or result in the shutting down of existing marinas and cost related jobs and business; almost 12,000 marinas in U.S. provide boaters with access to waterways[261]
- New air and water quality regulations, including limitations on the amount of discharge in marine areas[262]
- Rising energy prices as a result of domestic offshore energy exploration and development restrictions discourage tourists from spending more on travel to visit ocean and coastal areas and from engaging in energy-consuming activities such as boating
- Additional taxes and fees, including diving fees, yachting fees, and fees from other tourism-related operations[263]

Bottom Line

- New restrictions and regulations on ocean, coastal, Great Lakes, or inland tourism-related activities could have a harmful effect on a myriad of people and businesses situated in coastal and inland communities across the country.

TRANSPORTATION

The U.S. water transportation sector, a major driver of the U.S. economy, could be subject to significant adverse consequences under the new National Ocean Policy.[264] The policy has the potential to seriously disrupt the water transportation sector through new access restrictions, limits on shipping vessel size and horsepower, new air and water quality regulations, new taxes and fees on transportation and port usage, higher energy costs, and inconsistent standards and rules. The viability of the U.S. railroad and trucking and warehousing industries is also at risk, as they are closely tied with this sector through their storage and transportation services to and from vessels docked at U.S. ports and harbors.

Economic Impact

- Water transportation sector contributed $10.7 billion to GDP in 2007, with an operating surplus of $4.9 billion[265]
- Almost 267,000 individuals were employed by the water transportation, port services (cargo, handling, and other), and shipbuilding and repair industries in 2008[266]
- In addition, both the U.S. freight railroad and truck transportation/warehousing industries are intricately tied to the water transportation sector; the freight railroad industry produces $265 billion in economic activity every year and supports 1.2 million jobs,[267] while the U.S. truck transportation and warehousing industry provided 2.1 million jobs[268] and is estimated to have generated over $332 billion in revenue in 2008[269]
- In 2008, U.S. waterborne trade totaled 2.3 billion metric tons[270]
- 7,119 oceangoing vessels made 60,578 U.S. ports of call in 2008, 35% by tankers, 31% by containerships, 17% by dry bulk camers, 10% by Roll-on/roll-off vessels, ro-ro containers, and vehicle carriers, and 6% by general cargo ships[271]
- In 2008, just under 10 million passengers spent 64 million passenger nights traveling on 4,212 of the seventeen largest North American cruise lines;[272] in 2008, cruise lines and their passengers spent over $19 billion on purchases, generating an economic impact in excess of $40 billion and nearly 360,000 U.S. jobs that paid more than $16 billion in wages[273]
- From 2003 to 2008, the average size of vessels transiting U.S. ports increased by 6%[274]

Risks Associated With New National Ocean Policy

- Establishment of new access and use restrictions that impact ships, tankers, and cruise ships, as well as transportation modes such as tugs and barges transiting inland waterways[275]
- Measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways) are instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input[276]

- Unjustified and irrational application of the precautionary approach as applied to the creation of new restrictions under well established methods as noted above[277]
- Limitations on shipping vessel size or horsepower[278] that result in increased air and water emissions and heightened safety risk
- New and duplicitous[279] air and water quality regulations, including specification of the level of waste treatment technology and limitations on the amount of discharge in marine areas[280]
- New taxes and fees on transportation and port usage[281]
- Rising energy prices as a result of domestic offshore energy exploration and development restrictions that would cause serious harm to the transportation sector, a major consumer of energy[282]
- Conflicts in legal requirements within federal requirements across Executive Branch agencies as well as between federal and state requirements

Bottom Line

- There is a critical need for a consistent set of federal requirements for commercial marine vessels regardless of location within U.S. navigable waters and the EEZ. Regional coastal and marine spatial plans could create mass confusion and drive waterborne commerce away from the U.S. due to variation of rules among regions and inconsistency with International Maritime Organization standards.

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[1] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 9 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health.") and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) *upstream* from the marine management area, but within the drainage area of the adjacent coastal area, e.g. agriculture; and (2) downstream from the marine management area, e.g. in the open ocean. *Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it.*")

[2] Interview with OnEarth, "Veteran Defender of the Seas Tapped to Protect Gulf Coast," by David Helvarg, Web Exclusive, May 6, 2010, *available at* http://www.onearth.org/article/on-the-waterfront (accessed May 11, 2010).

[3] American Farm Bureau, Fast Facts, *available at* http://www.fb.org/index.php?fuseaction=newsroom.fastfacts (accessed May 18, 2010).

[4] "Using Technology to Feed, Fuel the World," Get the Facts ©, National Corn Growers Association, January 2010.

[5] 2007 Census of Agriculture, U.S. Department of Agriculture, *available at* http://www.agcensus.usda.gov/Publications/2007/Full_Report/index.asp (accessed May 10, 2010).

[6] 2007 Census of Agriculture Fact Sheet, U.S. Department of Agriculture, Updated April 1, 2010, http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/Fact_Sheets/economics.pdf (accessed May 10, 2010).

[7] The Hand That Feeds U.S., Fact Sheet, *available at* www.thehandthatfeedsus.org/factsheets/EconomyFactSheet.pdf (accessed May 10, 2010).

[8] The Hand That Feeds U.S., Fact Sheet, *available at* www.thehandthatfeedsus.org/factsheets/EconomyFactSheet.pdf (accessed May 10, 2010).

[9] The Hand That Feeds U.S., Fact Sheet, *available at* www.thehandthatfeedsus.org/factsheets/EconomyFactSheet.pdf (accessed May 10, 2010).

[10] The Hand That Feeds U.S., Fact Sheet, *available at* www.thehandthatfeedsus.org/factsheets/EconomyFactSheet.pdf (accessed May 10, 2010).

[11] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 44 (CMSP allows proactive planning to integrate a wide range of ecosystem services. For instance:…*Regulating and Supporting*…Control of Pests and Pathogens, Nutrient Recycling…), 13 ("…agricultural…operations…generate various forms of pollution…Heavy rainfall events can wash sediment,

pesticides, debris, and nutrients from our fields, lawns, and agricultural operations into our waters."), 38 ("Runoff from…agricultural…uses…even hundreds of miles away – negatively impacts water quality, resulting in deleterious effects on ocean, coastal, and Great Lakes systems…), and 39 ("***The Plan Should Address:*** The major impacts of…agriculture, including…animal feedlots, on ocean, coastal, and Great Lakes waters…relative contributions of significant land-based source of pollutants, sediments, and nutrients to receiving coastal waters and ways to address them…other approaches for controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals…"), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 75 ("*Regulations* specify…limitations on the amount of fertilizers and pesticides applied to agriculture lands") and 23, Box 6, Examples of marine management measures ("Limitations on the amount of fertilizer and pesticides applied to agricultural lands").

[12] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.") and 38 ("Runoff from…transportation activities…– even hundreds of miles away – negatively impacts water quality...").

[13] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and *Id*. at Table 8, 73-75 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing measures such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.")

[14] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…), and 49 ("CMSP would be guided by the precautionary approach...").

[15] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…") and 75 ("Economic incentives include…surcharges on inputs such as fertilizer and energy…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed May 12, 2010), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").

[16] 2007 Census of Agriculture Fact Sheet, U.S. Department of Agriculture, Updated April 1, 2010, http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/Fact_Sheets/economics.pdf (accessed May 10, 2010). Nitrogen-based fertilizers are widely used in the agriculture sector, and natural gas prices generally represent a minimum 80% of the cost of production. *See* "Renewable Nitrogen Fertilizer Production," Biomass Magazine, by Ted Aulich, March 2010 Issue, *available at* http://www.biomassmagazine.com/article.jsp?article_id=3503 (accessed May 10, 2010). From 2002-2007, production expenses for U.S. farmers rose almost 40%, accompanied by large increases in the price of gasoline and fuel (93%) and fertilizer (86%). *See* 2007 Census of Agriculture Fact Sheet, U.S. Department of Agriculture, Updated April 1, 2010, http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/Fact_Sheets/economics.pdf (accessed May 10, 2010).

[17] The agriculture sector is subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Federal Insecticide, Fungicide, and Rodenticide Act, Toxic Substances Control Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Clean Air Act, Clean Water Act, Coastal Zone

Management Act, Safe Drinking Water Act, Emergency Community Right-To-Know Act, *See* Profile of the Agricultural Chemical Pesticide, and Fertilizer Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, September 2000, Publication #EPA/310-R-00-003, SIC Code 287, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/agchempt2.pdf (accessed May 25, 2010), Profile of the Agricultural Crop Production Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter IV, September 2000, Publication #EPA/310-R-00-001, NAICS Code 111, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/crop3.pdf (accessed May 25, 2010), and Profile of the Agricultural Livestock Production Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter IV, September 2000, Publication #EPA/310-R-00-002, NAICS Code 112, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/ls3.pdf (accessed May 25, 2010).

[18] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.")

[19] U.S. consumer spending on food amounts to less than 10% of disposal income, the lowest such ratio of any country in the world. *See* The Hand That Feeds U.S., Fact Sheet, *available at* www.thehandthatfeedsus.org/factsheets/EconomyFactSheet.pdf (accessed May 10, 2010).

[20] *See* National Corn Growers Association, Ethanol & Coproducts, *available at* http://ncga.com/ethanol-coproducts (accessed May 19, 2010) ("Ethanol is a significant market for U.S. corn, consuming more than 2.3 billion bushels in 2007 to produce 6.5 billion gallons of renewable fuel.")

[21] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Aquaculture (fish, shellfish, and seaweed farming"), 48 ("…emerging uses (e.g. …aquaculture) would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 13 (New and expanding uses—including…aquaculture…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems"), and 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health.").

[22] *See* Comments By the East Coast Shellfish Growers Association Submitted to the White House Interagency Ocean Policy Task Force, July 27, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/ECSGA_Comments_to_CEQ.doc (accessed May 11, 2010).

[23] National Oceanic and Atmospheric Administration, NOAA Aquaculture Program, Aquaculture in the United States, *available at* http://aquaculture.noaa.gov/us/welcome.html (accessed May 26, 2010).

[24] *See* Comments By the East Coast Shellfish Growers Association Submitted to the White House Interagency Ocean Policy Task Force, July 27, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/ECSGA_Comments_to_CEQ.doc (accessed May 11, 2010).

[25] *See* Fortune Small Business, "The Next Seafood Frontier: The Ocean," by Alessandra Bianchi, April 28, 2009, *available at* http://money.cnn.com/2009/04/27/smallbusiness/farming_the_open_oceans.fsb/ (accessed May 11, 2010).

[26] *See* National Aquaculture Association, Aquaculture Q&A, *available at* http://www.thenaa.net/farm-raised-fish-and-shellfish-qa (accessed May 26, 2010).

[27] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 23, Box 6 ("Examples of marine management measures"), *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Page 35 ("…NOAA reiterated that…it is committed to establishing a comprehensive regulatory framework for offshore aquaculture…If a comprehensive aquaculture framework were eventually established, it could contain spatial allocation mechanisms and consideration of other ocean uses requirements in support of MSP.") (citing NOAA Press Release, NOAA to Pursue National Policy for Sustainable Marine Aquaculture (Sept. 3, 2009), available at http://sero.nmfs.noaa.gov/sf/pdfs/Aquaculture%20Press%20Release.pdf).

[28] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 74, Table 8 ("Examples of marine spatial management measures by sector"), *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010).

[29] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 74-75, Table 8 ("Examples of marine spatial management measures by sector"), *available at* http://www.unesco-ioc-

marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) (listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[30] It is estimated that roughly 25% of the trout raised in the U.S. end up in lakes for recreational use. *See* National Aquaculture Association, Environmental Stewardship, *available at* http://www.thenaa.net/environmental-stewardship (accessed May 26, 2010).

[31] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 33, Table 3 ("Examples of mechanisms for financing MSP activities"), Page 29 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.") and 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[32] The aquaculture industry is currently subject to oversight by local, state, and federal entities including the U.S. Department of Agriculture, U.S. Environmental Protection Agency, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and Food and Drug Administration. *See* National Aquaculture Association, Aquaculture Q&A, *available at* http://www.thenaa.net/farm-raised-fish-and-shellfish-qa (accessed May 26, 2010) and National Aquaculture Association, Environmental Stewardship, *available at* http://www.thenaa.net/environmental-stewardship (accessed May 26, 2010).

[33] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities.").

[34] *See* Comments by the Hawaii Aquaculture Association on the Ocean Policy Task Force and the Interim Report, Submitted October 11, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/106/8760775bf99048acbb9635c635b60c1d.doc (accessed May 11, 2010).

[35] *See* Comments by the Hawaii Aquaculture Association on the Ocean Policy Task Force and the Interim Report, Submitted October 11, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/106/8760775bf99048acbb9635c635b60c1d.doc (accessed May 11, 2010).

[36] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution. Industrial operations emit pollutants, such as nitrogen and mercury, into the atmosphere that often find their way into the ocean and Great Lakes. Rain washes…chemicals…into our estuaries and coastal waters. Heavy rainfall events can wash…pesticides…into our waters."), 38 ("Runoff from…industrial uses…even hundreds of miles away – negatively impacts water quality…"), 39 ("***The Plan Should Address:…***other approaches for controlling the most significant land-based sources of…pathogens, toxic chemicals…"), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and 46("CMSP would help to ensure that planning areas identified as important for public use and recreation are not subject to increased risk of…chemical pollution."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 75, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("*Regulations* specify…limitations on the amount of fertilizers and pesticides applied to agriculture lands…") and 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***.").

[37] Chemical products are omnipresent in our lives, in items as varied as fabrics, clean drinking water, medicine, plastics, computers, cell phones, vehicles, and aircraft. *See* American Chemistry Council, Inc., Industry Fact Sheet, *available at* http://www.americanchemistry.com/s_acc/bin.asp?CID=1772&DID=6573&DOC=FILE.PDF (accessed May 10, 2010). In fact, over 96% of manufactured goods are directly related to the chemistry industry. *See id*.

[38] *See* American Chemistry Council, Inc., essential$_2$environment, *available at* http://www.americanchemistry.com/s_acc/sec_topic.asp?CID=3&DID=6 (accessed May 18, 2010).

[39] *See* American Chemistry Council, Inc., "ACC: Overly Broad EPA 'Tailoring Rule' Will Slow Economic Recovery, Clean Energy Investment," Press Release, May 13, 2010, *available at* http://www.americanchemistry.com/s_acc/sec_news_article.asp?CID=206&DID=11001 (accessed May 18, 2010).
[40] *See* American Chemistry Council, Inc., environmental policy, *available at* http://www.americanchemistry.com/s_acc/sec_policyissues.asp?CID=315&DID=1141 (accessed May 18, 2010).
[41] *See* American Chemistry Council, Inc., essential$_2$economy, *available at* http://www.americanchemistry.com/s_acc/sec_topic.asp?CID=5&DID=8 (accessed May 10, 2010).
[42] *See* American Chemistry Council, Inc., essential$_2$jobs, *available at* http://www.americanchemistry.com/s_acc/sec_topic.asp?CID=125&DID=144 (accessed May 10, 2010).
[43] *See* American Chemistry Council, Inc., essential$_2$business, *available at* http://www.americanchemistry.com/s_acc/sec_topic.asp?CID=126&DID=145 (accessed May 10, 2010).
[44] *See* American Chemistry Council, Inc., essential$_2$trade, *available at* http://www.americanchemistry.com/s_acc/sec_topic.asp?CID=127&DID=146 (accessed May 10, 2010).
[45] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 44 ("CMSP allows proactive planning to integrate a wide range of ecosystem services. For instance:…*Regulating and Supporting*…Control of Pests and Pathogens"), 38 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution. Industrial operations emit pollutants, such as nitrogen and mercury, into the atmosphere that often find their way into the ocean and Great Lakes. Rain washes…chemicals…into our estuaries and coastal waters. Heavy rainfall events can wash…pesticides…into our waters."). and 38 ("Nonpoint source pollution (pollution that comes from diffuse sources instead of one specific point), caused by poor land management practices, is the leading cause of water quality problems in the United States and a major cause of rapidly declining ocean and coastal ecosystem health. Runoff from…industrial…uses…even hundreds of miles away – negatively impacts water quality…"), and 39 ("***The Plan Should Address***…The relative contributions of significant land-based source of pollutants, sediments, and nutrients to receiving coastal waters and ways to address them…other approaches for controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals…"), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 23, Box 6, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Examples of marine management measures ("Limitations on the amount of fertilizer and pesticides applied to agricultural lands").
[46] Chemical companies are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Toxic Substances Control Act, Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Hazardous Materials Transportation Act, Pollution Prevention Act, and Emergency Planning and Community Right-To-Know Act. *See* Profile of the Inorganic Chemical Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, September 1995, Publication #EPA-310-R-95-004, SIC Code 281, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/inrgchsnpt3.pdf (accessed May 25, 2010) and Profile of the Organic Chemical Industry, 2nd Edition, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, November 2002, Publication #EPA/310-R-02-001, SIC Code 286, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/organicpt3.pdf (accessed May 25, 2010).
[47] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.")
[48] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…") and 75 ("Economic incentives include…surcharges on inputs such as fertilizer and energy…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").
[49] *See* American Chemistry Council, Inc., energy, *available at* http://www.americanchemistry.com/s_acc/sec_mediakits.asp?CID=217&DID=566 (accessed May 11, 2010).
[50] *See* American Chemistry Council, Inc., energy, *available at* http://www.americanchemistry.com/s_acc/sec_mediakits.asp?CID=217&DID=566 (accessed May 11, 2010).
[51] *See* American Chemistry Council, Inc., Industry Fact Sheet, June 2009, *available at* http://www.americanchemistry.com/s_acc/bin.asp?CID=1772&DID=6573&DOC=FILE.PDF (accessed May 10, 2010).

[52] *See* American Chemistry Council, Inc., Industry Fact Sheet, June 2009, *available at* http://www.americanchemistry.com/s_acc/bin.asp?CID=1772&DID=6573&DOC=FILE.PDF (accessed May 10, 2010).
[53] *See* National Mining Association, Coal: America's Power, Fact Sheet, *available at* http://www.nma.org/pdf/fact_sheets/cap.pdf (accessed June 1, 2010).
[54] *See* National Mining Association, Fast Facts About Coal, *available at* http://www.nma.org/statistics/fast_facts.asp (accessed June 1, 2010).
[55] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), 38 ("Nonpoint source pollution…caused by poor land management practices, is the leading cause of water quality problems in the United States and a major cause of rapidly declining ocean and coastal ecosystem health. Runoff from…industrial uses…even hundreds of miles away – negatively impacts water quality, resulting in deleterious effects on ocean, coastal, and Great Lakes systems…"), and 39 ("***The Plan Should Address:***... controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals, solid waste and marine debris, and invasive species…").
[56] *See* National Mining Association, Fast Facts About Coal, *available at* http://www.nma.org/statistics/fast_facts.asp (accessed June 1, 2010).
[57] *See* National Mining Association, Coal: America's Power, Fact Sheet, *available at* http://www.nma.org/pdf/fact_sheets/cap.pdf (accessed June 1, 2010).
[58] *See* National Mining Association, Coal: America's Power, Fact Sheet, *available at* http://www.nma.org/pdf/fact_sheets/cap.pdf (accessed June 1, 2010).
[59] *See* National Mining Association, Fast Facts About Coal, *available at* http://www.nma.org/statistics/fast_facts.asp (accessed June 1, 2010).
[60] Mining operations are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Surface Mining Control and Reclamation Act, Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, National Environmental Policy Act, Endangered Species Act, *See* American Coal Foundation, All About Coal, *available at* http://www.teachcoal.org/aboutcoal/articles/coalamer.html (accessed June 1, 2010).
[61] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 23, Box 6 and 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution. Industrial operations emit pollutants, such as nitrogen and mercury, into the atmosphere that often find their way into the ocean and Great Lakes."), 38 ("Runoff from…industrial uses…even hundreds of miles away – negatively impacts water quality…"), 33 ("Increased understanding of watershed processes and the linkages with our coasts will be necessary to develop better decision-support tools to adequately manage human uses, human impacts…and watershed conservation activities that affect our ocean and coasts."), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities…").
[62] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 33, Table 3 ("Examples of mechanisms for financing MSP activities") and 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").
[63] The supply and distribution network for coal products could be disrupted through new access and use restrictions that impact transportation modes such as tugs and barges transiting inland waterways could result from the use of measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided,

Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways) that are now instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input, including through the unjustified and irrational application of the precautionary approach. *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, *Id*. at Table 8, 73-75 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing measures such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses."), Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species."), 38 ("Runoff from…transportation activities… even hundreds of miles away…negatively impacts water quality..."), 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…), and 49 ("CMSP would be guided by the precautionary approach...").

[64] Potential restrictions on traditional and renewable energy development include specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (e.g. conservation areas that prohibit leasing) or for specific use (e.g. wind farms and oil & gas lease or concession areas). *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and *Id*. at 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[65] *See* National Mining Association, Fast Facts About Coal, *available at* http://www.nma.org/statistics/fast_facts.asp (accessed June 1, 2010).

[66] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 12 ("…biological diversity is in decline due to overfishing...Unsustainable fishing (e.g., overfishing) remains a serious concern with consequences for marine ecosystems and human communities."), 42 ("CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including: Commercial Fishing…"), and 7 ("Multiple existing uses…e.g. …commercial fishing…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…").

[67] Letter to Nancy Sutley from the American Sportfishing Association, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, July 15, 2009, *available at* http://www.coastalconservation.us/images/db_newsfiles/6.pdf (accessed May 6, 2010).

[68] Letter from Alaskan Seafood Marketing Institute to White House Interagency Ocean Policy Task Force, July 22, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/ASMI_Brief_revised_to_Task_Force_on_Ocean_Policy.doc (accessed May 6, 2010)

[69] Letter from Alaskan Seafood Marketing Institute to White House Interagency Ocean Policy Task Force, July 22, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/ASMI_Brief_revised_to_Task_Force_on_Ocean_Policy.doc (accessed May 6, 2010)

[70] Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6.

[71] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6.

[72] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 74-75, Table 8. Examples of marine spatial management measures related to marine protected areas and nature conservation include the establishment of Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, and Wetlands. *See also* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 44 ("CMSP is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and biodiversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors."), U.S. National Oceanographic and Atmospheric Administration, NOAA's Role in Marine Spatial Planning, May 18, 2009 *available at* http://ecosystems.noaa.gov/docs/marine_spatial_planning.pdf (accessed May 13, 2010) ("Under the Magnuson Stevens Fishery Conservation and Management Act…NOAA can restrict all or some fishing methods from areas in order to achieve sustainable management of fished natural resources."), and "Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities," Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 36 (discussing use of fishery ecosystem plans, essential fish habitat designations, and conservation/management zone designations by Fishery Management Councils), 5-6 (discussing National Marine Sanctuary designations), 7 (discussing use of Antiquities Act to designate monuments), 8 and 13 (discussing use of Endangered Species Act), and 9 and 14 (discussing use of Marine Mammals Protection Act), and Page 10 (discussing designation of national estuarine reserves).

[73] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 33, Table 3 ("Examples of mechanisms for financing MSP activities").

[74] The Coastal Villages Region Fund, a Community Development Quota Program, represents 20 Alaskan communities and 9,000 Alaskans that reside on the Bering Sea coast, and has thrived since its founding in 1992 due to investments in fisheries through the program. Economic development in this region is currently limited to commercial fishing-related activity. *See* Comments by Coastal Villages Region Fund Submitted to the Interagency Ocean Policy Task Force, August 21, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/4b132ab7f68a4156a32fe468784c3dd4.pdf (accessed May 13, 2010). Also, the Pacific Islands have already endured the closure of a tuna cannery in American Samoa, loss of a main tourism base in the Northern Mariana Islands, and the impending closure of a major bottomfish fishery in Hawaii. *See* Statement of Sean Martin, Chair, Western Pacific Regional Fishery Management Council, Interagency Ocean Policy Task Force Meeting, Honolulu, HI, September 29, 2009, *available at* http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans/comments (accessed May 13, 2010). Further restrictions relating to commercial fishing would be especially harmful to this region.

[75] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities.").

[76] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…cities, and suburbs generate various forms of pollution."), 38 ("Runoff from suburban streets…industrial uses…and urban development – even hundreds of miles away – negatively impacts water quality …"), and 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health.") and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from

the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***.").

[77] Reuters, "U.S. Construction Industry In Doldrums-Survey," by Andrew Stern, January 20, 2010, *available at* http://www.reuters.com/article/idUSN2016709020100120 (accessed May 10, 2010).

[78] The Associated General Contractors of America, Press Release, "Construction Employment Virtually Unchanged In May As Industry Adds 2,000 Jobs, Unemployment Rate Hits 16.3 Percent," June 3, 2011, *available at* https://www.agc.org/cs/news_media/press_room/press_release?pressrelease.id=847 (accessed July 1, 2011).

[79] The Associated General Contractors of America, "The Economic Impact of Construction in the United States," August 31, 2009, *available at* http://www.agc.org/galleries/econ/National%20Fact%20Sheet.pdf (accessed May 10, 2010).

[80] The Associated General Contractors of America, "The Economic Impact of Construction in the United States," August 31, 2009, *available at* http://www.agc.org/galleries/econ/National%20Fact%20Sheet.pdf (accessed May 10, 2010).

[81] The Associated General Contractors of America, "The Economic Impact of Construction in the United States," August 31, 2009, *available at* http://www.agc.org/galleries/econ/National%20Fact%20Sheet.pdf (accessed May 10, 2010).

[82] The Associated General Contractors of America, "The Economic Impact of Construction in the United States," August 31, 2009, *available at* http://www.agc.org/galleries/econ/National%20Fact%20Sheet.pdf (accessed May 10, 2010).

[83] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 85, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 17, 2010) ("…certain industries (such as the banking and insurance industries) may be indirectly involved in enforcement by requiring the assurance of compliance with MSP requirements before issuing a loan or insurance policy to construct an offshore facility.").

[84] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), 38 ("Nonpoint source pollution…caused by poor land management practices, is the leading cause of water quality problems in the United States and a major cause of rapidly declining ocean and coastal ecosystem health. Runoff from suburban streets and lawns, agricultural and industrial uses, transportation activities, and urban development – even hundreds of miles away – negatively impacts water quality…"), 39 ("***The Plan Should Address:*** The major impacts of urban and suburban development…on ocean, coastal, and Great Lakes waters; The relative contributions of significant land-based source of pollutants, sediments, and nutrients to receiving coastal waters and ways to address them...other approaches for controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals, solid waste, marine debris, and invasive species…"), 44 ("CMSP allows proactive planning to integrate a wide range of ecosystem services. For instance:…*Regulating and Supporting*…Control of Pests and Pathogens, Nutrient Recycling…"), and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[85] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 13 ("Urban and suburban development, including the construction of roads, highways, and other infrastructure, as well as modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.").

[86] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 16, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("…[the Deepwater Port Act] requires a license from the Secretary of Transportation for the ownership, construction, operation, and decommissioning of a deepwater port in federal waters… the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.").

[87] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 22, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("Under the Natural Gas Act, "FERC approval is required for the siting, construction, expansion, and operation of onshore or offshore natural gas facilities… The applicant also must submit to FERC an environmental report that includes, among many other things, an assessment of potential direct, indirect, and cumulative effects of the project, as well as proof of consultation with the U.S. Fish and Wildlife Service and various historic preservation entities. While not comprehensive, these considerations likely would promote compliance with a marine spatial plan.").

[88] *See* American Forest and Paper Association, Paper and Packaging, *available at* http://afandpa.org/PulpAndPaper.aspx (accessed June 1, 2010).

[89] *See* American Forest and Paper Association, Our Industry, *available at* http://afandpa.org/ourindustry.aspx?id=438 (accessed June 1, 2010).

[90] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 39 ("***The Plan Should Address***...The major impacts of urban and suburban development…including forestry…on ocean, coastal, and Great Lakes waters…"), 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce,

national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning."), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***.")

[91] *See* American Forest and Paper Association, AF&PA and AWC Appeal to EPA for Changes to Boiler MACT Proposed Rule, Press Release, June 15, 2010, *available at* http://www.afandpa.org/pressreleases.aspx?id=1382 (accessed June 18, 2010).

[92] *See* American Forest and Paper Association, Paper and Packaging, *available at* http://afandpa.org/PulpAndPaper.aspx (accessed June 1, 2010).

[93] *See* American Forest and Paper Association, Our Industry, *available at* http://afandpa.org/ourindustry.aspx?id=438 (accessed June 1, 2010).

[94] *See* American Forest and Paper Association, Wood Products, *available at* http://afandpa.org/AmericanWoodCouncil.aspx (accessed June 1, 2010).

[95] *See* American Forest and Paper Association, Climate Change, *available at* http://www.afandpa.org/ClimateChange.aspx (accessed June 1, 2010).

[96] *See* American Forest and Paper Association, Wood Products, *available at* http://afandpa.org/AmericanWoodCouncil.aspx (accessed June 1, 2010).

[97] *See* American Forest and Paper Association, Our Industry, *available at* http://afandpa.org/ourindustry.aspx?id=438 (accessed June 8, 2010).

[98] *See* American Forest and Paper Association, About AF&PA, *available at* http://afandpa.org/about.aspx?id=59 (accessed June 8, 2010).

[99] *See* American Forest and Paper Association, Our Industry, *available at* http://afandpa.org/ourindustry.aspx?id=438 (accessed June 1, 2010).

[100] The forest products sector is subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Clean Air Act, Clean Water Act, Emergency Planning and Community Right-to-Know Act, Resource Conservation and Recovery Act, and Federal Insecticide, Fungicide, and Rodenticide Act, *See* Profile of the Pulp and Paper Industry, 2nd Edition, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, November 2002, Publication #EPA/310-R-02-002, SIC Code 2611-2631, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/pulppasn.pdf (accessed June 1, 2010) and Profile of the Lumber and Wood Products Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter IV, September 1995, Publication #EPA/310-R-95-006, SIC Code 24, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/lmbrwdsn.pdf (accessed June 1, 2010).

[101] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution. Industrial operations emit pollutants, such as nitrogen and mercury, into the atmosphere that often find their way into the ocean and Great Lakes."), 38 ("Runoff from…industrial uses…even hundreds of miles away…negatively impacts water quality…"), 39 ("***The Plan Should Address***...The major impacts of urban and suburban development…including forestry…on ocean, coastal, and Great Lakes waters…"), 33 ("Increased understanding of watershed processes and the linkages with our coasts will be necessary to develop better decision-support tools to adequately manage human uses, human impacts…and watershed conservation activities that affect our ocean and coasts."), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning."), and Marine Spatial Planning, A Step-by-Step Approach

Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***.").

[102] The supply and distribution network for forest product materials could be disrupted through new access and use restrictions that impact transportation modes such as tugs and barges transiting inland waterways could result from the use of measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways) that are now instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input, including through the unjustified and irrational application of the precautionary approach. *See* Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.") and Page 38 ("Runoff from…transportation activities…even hundreds of miles away… negatively impacts water quality..."), 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…) and 49 ("CMSP would be guided by the precautionary approach..."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 23, Box 6 and 73-75, Table 8 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing measures such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.").

[103] Potential restrictions on traditional and renewable energy development include specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (e.g. conservation areas that prohibit leasing) or for specific use (e.g. wind farms and oil & gas lease or concession areas).

[104] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 36 ("Evaluation of existing or new funding sources and options to protect, maintain, and restore ocean resources"), 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms."), and 73 ("…the NOC would re-evaluate how best to support the regional CMSP effort through existing mechanisms, and possibly new resources or funding mechanisms…"), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[105] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution. Industrial operations emit pollutants, such as nitrogen and mercury, into the atmosphere that often find their way into the ocean and Great Lakes."), 38 ("Runoff from…industrial uses…even hundreds of miles away…negatively impacts water quality…"), and 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the

planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it."*).**

[106] The Facts About Modern Manufacturing, 8th Edition, The Manufacturing Institute, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/~/media/0F91A0FBEA1847D087E719EAAB4D4AD8.ashx (accessed May 18, 2010).

[107] *See* "Manufacturing Resurgence, A Must for U.S. Prosperity," A Study by Joel Popkin and Kathryn Kobe Prepared for the National Association of Manufacturers and the NAM Council of Manufacturing Associations, January 2010, *available at* http://www.nam.org/~/media/F36EC9F57BFF4DA4AEBAFAAB4B009B92/Popkin_Report.pdf (accessed May 18, 2010) (citing U.S. Commerce Department figures for unemployment data and GDP rate).

[108] National Association of Manufacturers, Facts About Manufacturing, Page 32, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/Landing.aspx (accessed May 18, 2010).

[109] National Association of Manufacturers, Facts About Manufacturing, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/Landing.aspx (accessed May 10, 2010).

[110] National Association of Manufacturers, Facts About Manufacturing, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/Landing.aspx (accessed May 10, 2010).

[111] National Association of Manufacturers, Facts About Manufacturing, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/Landing.aspx (accessed May 10, 2010).

[112] The Facts About Modern Manufacturing, 8th Edition, The Manufacturing Institute, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/~/media/0F91A0FBEA1847D087E719EAAB4D4AD8.ashx (accessed May 10, 2010).

[113] National Association of Manufacturers, Facts About Manufacturing, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/Landing.aspx (accessed May 10, 2010).

[114] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[115] National Association of Manufacturers, ManuFacts: Chemical Facility Anti-Terrorism Security Act, *available at* http://www.nam.org/~/media/5D6F6EDAF699434EA514782E1400223B/ChemicalSecurity.pdf (accessed May 14, 2010).

[116] *See* National Association of Manufacturers, 20-Year Capital Plan for Nation's Inland Waterways, *available at* http://www.nam.org/~/media/CAABA07F1B4746BAA7DA1C3EBAE1E3F7/Manufacturers_Rely_on_the_Waterways_for_Competitiveness.pdf (accessed May 14, 2010) ("The U.S. inland navigation system—nearly 12,000 miles of commercially navigable inland and coastal waterways—plays a vital role in moving the nation's freight. More than 60 percent of U.S. grain exports begin their journey on the inland waterways, and more than 30 percent of the oil and petroleum products used by industry moves by barge. According to the U.S. Army Corps of Engineers, the inland waterways move over 50 percent of the nation's grain and oilseed, approximately 20 percent of the coal for utility plants and 22 percent of domestic petroleum products… Every year, roughly 624 million tons of waterborne cargo transit the inland waterways, a volume equal to about 14 percent of all intercity freight and valued at nearly $70 billion."). The supply and distribution network for manufacturing products could be disrupted through new access and use restrictions that impact transportation modes such as tugs and barges transiting inland waterways could result from the use of measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways) that are now instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input, including through the unjustified and irrational application of the precautionary approach. *See* Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.") and Page 38 ("Runoff from…transportation activities…even hundreds of miles away… negatively impacts water quality..."), 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…) and 49 ("CMSP would be

guided by the precautionary approach..."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 23, Box 6, 73-75, Table 8 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing other measures such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.").

[117] *See* Comments by National Marine Manufacturers Association Submitted to the Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 14, 2010).

[118] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Oil and Gas Exploration and Development…"), 48 ("Multiple existing uses (e.g. …oil and gas operations)…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 13 ("New and expanding uses—including energy development…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), and 32-33 ("The ocean, our coasts, and the Great Lakes are host to countless…energy…activities, which often occur in or near areas set aside and managed for conservation and resource protection goals…[CMSP] would allow for the reduction of cumulative impacts from human uses on marine ecosystems…and reduce conflicts among uses and between using and preserving the environment..."). Mechanisms that could be used to restrict traditional and renewable energy exploration and development include specifications of areas closed to human activities, designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (e.g. areas withdrawn from leasing) or for specific use (e.g. oil & gas lease or concession areas), zoning of areas for specific uses ("e.g. wind farms"), and designations of wind farms, wave parks, and tidal energy lease or conservation areas. *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[119] The Facts About Modern Manufacturing, 8th Edition, The Manufacturing Institute, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/~/media/0F91A0FBEA1847D087E719EAAB4D4AD8.ashx (accessed May 10, 2010).

[120] The Facts About Modern Manufacturing, 8th Edition, The Manufacturing Institute, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/~/media/0F91A0FBEA1847D087E719EAAB4D4AD8.ashx (accessed May 10, 2010).

[121] The Facts About Modern Manufacturing, 8th Edition, The Manufacturing Institute, *available at* http://www.nam.org/Resource-Center/Facts-About-Manufacturing/~/media/0F91A0FBEA1847D087E719EAAB4D4AD8.ashx (accessed May 10, 2010).

[122] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including:* …Mining (e.g., sand and gravel)"), 48 ("Multiple existing uses…e.g. …sand and gravel mining…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), 38 ("Nonpoint source pollution…caused by poor land management practices, is the leading cause of water quality problems in the United States and a major cause of rapidly declining ocean and coastal ecosystem health… Runoff from…industrial uses, transportation activities, and urban development – even hundreds of miles away – negatively impacts water quality, resulting in deleterious effects on ocean, coastal, and Great Lakes systems…"), and 39 ("***The Plan Should Address:***... controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals, solid waste and marine debris, and invasive species…").

[123] Bureau of Ocean Energy Management, Regulation, and Enforcement, Sand and Gravel Program, *available at* http://www.boemre.gov/sandandgravel/ (accessed June 28, 2011).
[124] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 1, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[125] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 2, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[126] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 1, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[127] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 1, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[128] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 1, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[129] *See* The Economic Contributions of U.S. Mining in 2007, Providing Vital Resources for America, Prepared for the National Mining Association, Analysis by Moore Economics, February 2009, Page 2, *available at* http://www.nma.org/pdf/pubs/mining_economic_report.pdf (accessed May 26, 2010).
[130] Mining operations are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), National Environmental Policy Act, Endangered Species Act, General Mining Law of 1872, Safe Drinking Water Act, *See* Profile of the Non-Fuel, Non-Metallic Mining Industry, Sector Notebook Project, Office of
[131] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6. *See also* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities.").
[132] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 23, Box 6 ("Examples of marine management measures"), *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010).
[133] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 74, Table 8 ("Examples of marine spatial management measures by sector"), *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010)
[134] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 ("Examples of marine management measures"), *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Designation of precautionary areas or security zones…Designation of marine protected areas…Zoning of areas for specific uses, e.g. …sand and gravel mining…") and 74-75, Table 8 ("Examples of marine spatial management measures by sector") (listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).
[135] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 33, Table 3 ("Examples of mechanisms for financing MSP activities") and 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").
[136] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Oil and Gas Exploration and Development…"), 48 ("Multiple existing uses (e.g. …oil and gas operations)…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 13 ("New and expanding uses—including energy development…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), and 32-33 ("The

ocean, our coasts, and the Great Lakes are host to countless…energy…activities, which often occur in or near areas set aside and managed for conservation and resource protection goals…[CMSP] would allow for the reduction of cumulative impacts from human uses on marine ecosystems…and reduce conflicts among uses and between using and preserving the environment...").

[137] *See* "Energizing America, Facts for Addressing Energy Policy," American Petroleum Institute, March 9, 2010, Page 17, *available at* http://www.api.org/aboutoilgas/upload/truth_primer.pdf (accessed May 18, 2010).

[138] *See* "Energizing America, Facts for Addressing Energy Policy," American Petroleum Institute, March 9, 2010, Page 18, *available at* http://www.api.org/aboutoilgas/upload/truth_primer.pdf (accessed May 18, 2010).

[139] American Petroleum Institute, "The Economic Impacts of the Oil and Natural Gas Industry," September 23, 2008, *available at* http://www.api.org/aboutoilgas/upload/ECONOMIC_IMPACT_US_TOTAL.pdf (accessed May 10, 2010).

[140] American Petroleum Institute, "The Economic Impacts of the Oil and Natural Gas Industry," September 23, 2008, *available at* http://www.api.org/aboutoilgas/upload/ECONOMIC_IMPACT_US_TOTAL.pdf (accessed May 10, 2010).

[141] Offshore Magazine, "A Wake-Up Call For OCS Development," by T. Jay Collins, Chairman, National Ocean Industries Association, May 1, 2009, *available at* http://www.offshore-mag.com/index/article-display/360999/articles/offshore/volume-69/issue-5/national-ocean-industries-association/a-wake-up-call-for-ocs-development.html (accessed May 10, 2010).

[142] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[143] Bureau of Ocean Energy Management, Regulation, and Enforcement, Offshore Energy and Minerals Management, *available at* http://www.boemre.gov/offshore/ (accessed June 28, 2011).

[144] Bureau of Ocean Energy Management, Regulation, and Enforcement, Offshore Energy and Minerals Management, *available at* http://www.boemre.gov/offshore/ (accessed June 28, 2011).

[145] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf, Pages 33, Table 3 (Examples of mechanisms for financing MSP activities) and32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").

[146] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 16, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("…[the Deepwater Port Act] requires a license from the Secretary of Transportation for the ownership, construction, operation, and decommissioning of a deepwater port in federal waters and for the transportation of oil or natural gas from a deepwater port to the U.S… the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.").

[147] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 22, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) (Under the Natural Gas Act, "FERC approval is required for the siting, construction, expansion, and operation of onshore or offshore natural gas facilities… The applicant also must submit to FERC an environmental report that includes, among many other things, an assessment of potential direct, indirect, and cumulative effects of the project, as well as proof of consultation with the U.S. Fish and Wildlife Service and various historic preservation entities. While not comprehensive, these considerations likely would promote compliance with a marine spatial plan.").

[148] Existing provisions in place to protect air and water quality include the Clean Air Act, surface federal water quality criteria and state standards, effluent guidelines, and Total Maximum Daily Load guidelines. *See* American Petroleum Institute, Air, *available at* http://www.api.org/ehs/air/index.cfm (accessed May 18, 2010) and American Petroleum Institute, Surface Water Quality, *available at* http://www.api.org/ehs/water/surface/index.cfm (accessed May 18, 2010). Oil and gas producers are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Federal Land Policy and Management Act of 1976, National Environmental Policy Act, Clean Water Act, Safe Drinking Water Act, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Emergency Planning and Community Right-To-Know Act, Resource Conservation and Recovery Act, Endangered Species Act, Outer Continental Shelf Lands Act, and the Oil Pollution Act. *See* Profile of the Oil and Gas Extraction Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, October 2000, Publication # EPA/310-R-99-006, SIC Codes 1311, 1321, 1381, 1382, and 1389, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/oilgaspt2.pdf (accessed May 25, 2010).

[149] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive

management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[150] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 18, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010).

[151] U.S. Department of the Interior, Office of Natural Resource Revenue, Who We Are, *available at* http://www.onrr.gov/About/default.htm (accessed June 28, 2011).

[152] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries…generate various forms of pollution."), 38 ("Runoff from suburban streets…industrial uses…even hundreds of miles away…negatively impacts water quality…"), and 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health.") and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it***.").

[153] Hoovers, Industry Overview: Oil and Gas Field Services, *available at* http://www.hoovers.com/free//ind/fr/profile/basic.xhtml?ID=217 (accessed May 11, 2010).

[154] U.S. Department of the Interior, Office of Natural Resource Revenue, Who We Are, *available at* http://www.onrr.gov/About/default.htm (accessed June 28, 2011).

[155] Offshore Magazine, "A Wake-Up Call For OCS Development," by T. Jay Collins, Chairman, National Ocean Industries Association, May 1, 2009, *available at* http://www.offshore-mag.com/index/article-display/360999/articles/offshore/volume-69/issue-5/national-ocean-industries-association/a-wake-up-call-for-ocs-development.html (accessed May 10, 2010).

[156] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[157] *See* Report to Congress: Comprehensive Inventory of U.S. OCS Oil and Natural Gas Resources, Energy Policy Act of 2005 – Section 357, Presented for the U.S. Congress by Minerals Management Service, Offshore Minerals Management Program, February 2006, *available at* http://www.boemre.gov/revaldiv/PDFs/FinalInventoryReportDeliveredToCongress-corrected3-6-06.pdf (accessed June 28, 2011).

[158] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 85, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 17, 2010) ("…certain industries (such as the banking and insurance industries) may be indirectly involved in enforcement by requiring the assurance of compliance with MSP requirements before issuing a loan or insurance policy to construct an offshore facility.").

[159] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), 38 ("Nonpoint source pollution…caused by poor land management practices, is the leading cause of water quality problems in the United States and a major cause of rapidly declining ocean and coastal ecosystem health. Runoff from…industrial uses…even hundreds of miles away…negatively impacts water quality, resulting in deleterious effects on ocean, coastal, and Great Lakes systems."), 39 ("***The Plan Should Address:***...The relative contributions of significant land-based source of pollutants, sediments, and nutrients to receiving coastal waters and ways to address them...other approaches for controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals, solid waste and marine debris, and invasive species…"), and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[160] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 16, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("…[the Deepwater Port Act] requires a license from the Secretary of Transportation for the ownership, construction, operation, and decommissioning of a deepwater port in federal waters… the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.").

[161] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 22, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("Under the Natural Gas Act, "FERC approval is required for the siting, construction, expansion, and operation of onshore or offshore natural gas facilities… The applicant also must submit to FERC an environmental report that includes, among many other things, an assessment of potential direct, indirect, and cumulative effects of the project, as well as proof of consultation with the U.S. Fish and Wildlife Service and various historic preservation entities. While not comprehensive, these considerations likely would promote compliance with a marine spatial plan.").

[162] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 18, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010).

[163] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*… Ports and Harbors"). For a discussion on how marine spatial planning might impact the issuance of Deepwater Port Act licenses under current law, *see also* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Page 16 ("…the revised ocean policy…should become one of the national policy goals and objectives that must be considered in siting decisions, and MSP will likely be an important tool to achieve that goal. Thus the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.")

[164] "The Local and Regional Economic Impacts of the US Deepwater Port System, 2007," Prepared by Martin Associates for the American Association of Port Authorities, June 6, 2008, *available at* http://aapa.files.cms-plus.com/PDFs/MartinAssociates.pdf (accessed May 7, 2010).

[165] America's Ports Today, American Association of Port Authorities, *available at* http://aapa.files.cms-plus.com/PDFs/Americas_Ports_Today.pdf (accessed May 7, 2010).

[166] U.S. Environmental Protection Agency, Sector Programs, Ports, *available at* http://www.epa.gov/ispd/sectorinfo/sectorprofiles/ports.html (accessed May 7, 2010).

[167] America's Ports Today, American Association of Port Authorities, *available at* http://aapa.files.cms-plus.com/PDFs/Americas_Ports_Today.pdf (accessed May 7, 2010).

[168] America's Ports Today, American Association of Port Authorities, *available at* http://aapa.files.cms-plus.com/PDFs/Americas_Ports_Today.pdf (accessed May 7, 2010).

[169] Comments by American Association of Port Authorities submitted to White House Interagency Ocean Policy Task Force, "Seaports and the U.S. Economy," *available at* http://www.whitehouse.gov/assets/formsubmissions/54/AAPAUSEconomyFactSheet.pdf (accessed May 7, 2010).

[170] Executive Summary, "The Contribution of the North American Cruise Industry to the U.S. Economy in 2008," Prepared by Business Research & Economic Advisors for Cruise Lines International Association, *available at* http://www.cruising.org/sites/default/files/pressroom/EconStudy_Exec_Summary.pdf (accessed May 7, 2010).

[171] Executive Summary, "The Contribution of the North American Cruise Industry to the U.S. Economy in 2008," Prepared by Business Research & Economic Advisors for Cruise Lines International Association, *available at* http://www.cruising.org/sites/default/files/pressroom/EconStudy_Exec_Summary.pdf (accessed May 7, 2010).

[172] Executive Summary, "The Contribution of the North American Cruise Industry to the U.S. Economy in 2008," Prepared by Business Research & Economic Advisors for Cruise Lines International Association, *available at* http://www.cruising.org/sites/default/files/pressroom/EconStudy_Exec_Summary.pdf (accessed May 7, 2010).

[173] Association of American Railroads, The Economic Impact of America's Freight Railroads, February 2010, *available at* http://www.aar.org/~/media/AAR/BackgroundPapers/Economic%20Impact%20of%20US%20Freight%20RRs%20%20Sept%202009.ashx (accessed May 10, 2010).

[174] U.S. Department of Labor, Bureau of Labor Statistics, Career Guide to Industries, 2010-2011 Edition, Truck Transportation and Warehousing, *available at* http://www.bls.gov/oco/cg/cgs021.htm (accessed May 10, 2010).

[175] U.S. Census Bureau, Annual & Quarterly Services, 2008 Annual Survey Data, Truck Transportation, Messenger Services, & Warehousing-NAICS 48/49, *available at* http://www2.census.gov/services/sas/data/48/2008_NAICS48.pdf (accessed May 10, 2010).

[176] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 23, Box 6, and 73-75, Table 8 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing other measures

such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.")

[177] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.") and 38 ("Runoff from…transportation activities…even hundreds of miles away… negatively impacts water quality...").

[178] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…) and 49 ("CMSP would be guided by the precautionary approach...").

[179] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[180] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[181] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[182] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 16, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("…[the Deepwater Port Act] requires a license from the Secretary of Transportation for the ownership, construction, operation, and decommissioning of a deepwater port in federal waters and for the transportation of oil or natural gas from a deepwater port to the U.S… the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.").

[183] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.") and Marine Spatial Planning, A Step-by-Step

Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[184] *See* Edison Electric Institute Comments on the Interim Framework for Effective Coastal and Marine Spatial Planning, Submitted February 12, 2010, *available at* http://www.whitehouse.gov/sites/default/files/webform/EEI%20CMSP%20Comments%202-12-10%20Final.pdf (accessed May 10, 2010).

[185] *See* Edison Electric Institute, Our Issues, The Environment, Air, *available at* http://www.eei.org/ourissues/TheEnvironment/Air/Pages/default.aspx (accessed May 18, 2010) and Edison Electric Institute, What We Do, Data & Analysis, Industry Data, *available at* http://www.eei.org/whatwedo/DataAnalysis/IndustryData/Pages/default.aspx (accessed May 18, 2010).

[186] *See* Edison Electric Institute, About the Industry, *available at* http://www.eei.org/whoweare/AboutIndustry/Pages/default.aspx (accessed May 10, 2010).

[187] *See* Edison Electric Institute, About the Industry, *available at* http://www.eei.org/whoweare/AboutIndustry/Pages/default.aspx (accessed May 10, 2010).

[188] *See* Edison Electric Institute Comments on the Interim Framework for Effective Coastal and Marine Spatial Planning, Submitted February 12, 2010, *available at* http://www.whitehouse.gov/sites/default/files/webform/EEI%20CMSP%20Comments%202-12-10%20Final.pdf (accessed May 10, 2010).

[189] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011),
Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Oil and Gas Exploration and Development…"), 48 ("Multiple existing uses (e.g. …oil and gas operations)…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 13 ("New and expanding uses—including energy development…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), and 32-33 ("The ocean, our coasts, and the Great Lakes are host to countless…energy…activities, which often occur in or near areas set aside and managed for conservation and resource protection goals…[CMSP] would allow for the reduction of cumulative impacts from human uses on marine ecosystems…and reduce conflicts among uses and between using and preserving the environment…"), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[190] *See* Edison Electric Institute, What We Do, Data & Analysis, Industry Data, *available at* http://www.eei.org/whatwedo/DataAnalysis/IndustryData/Pages/default.aspx (accessed May 18, 2010).

[191] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011),
Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Renewable Energy (e.g., wind, wave, tidal, current, and thermal)…"), and 48 ("…emerging uses…e.g., off-shore renewable energy…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services..."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Zoning of areas for specific uses, e.g., wind farms" and "Designation of precautionary areas or security zones"), and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Wind Farms, Wave Parks, & Tidal Energy Lease or Concession Areas, Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[192] *See* Edison Electric Institute, What We Do, Data & Analysis, Industry Data, *available at* http://www.eei.org/whatwedo/DataAnalysis/IndustryData/Pages/default.aspx (accessed May 18, 2010).

[193] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 16, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) ("…[the Deepwater Port Act] requires a license from the Secretary of Transportation for the ownership, construction, operation, and decommissioning of a deepwater port in federal waters and for the transportation of oil or natural gas from a deepwater port to the U.S… the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.").

[194] *See* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, Page 22, *available at*

http://www.elistore.org/Data/products/d19_13.pdf (accessed May 17, 2010) (Under the Natural Gas Act, "FERC approval is required for the siting, construction, expansion, and operation of onshore or offshore natural gas facilities… The applicant also must submit to FERC an environmental report that includes, among many other things, an assessment of potential direct, indirect, and cumulative effects of the project, as well as proof of consultation with the U.S. Fish and Wildlife Service and various historic preservation entities. While not comprehensive, these considerations likely would promote compliance with a marine spatial plan.").

[195] The electric power industry is subject to numerous existing state and federal environmental statutes (and their associated regulations), including the National Environmental Policy Act, Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and the Emergency Planning and Community Right-To-Know Act. *See* Profile of the Fossil Fuel Electric Power Generation Industry, Sector Notebook Project, U.S. Environmental Protection Agency, Chapter VI, September 1997, Publication # EPA/310-R-97-007, SIC Codes 4911 and 493, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/power2pt3.pdf (accessed May 25, 2010).

[196] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[197] *See* "Rising Utility Construction Costs: Sources and Impacts," Prepared by Marc W. Chupka and Gregory Basheda (The Brattle Group) for The Edison Foundation, September 2007, Page 37, *available at* http://www.eei.org/ourissues/finance/Documents/Rising_Utility_Construction_Costs.pdf (accessed May 18, 2010).

[198] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[199] Under existing authorities such as the Clean Water Act, the industry is subject to environmental regulations including power plant cooling standards designed to protect aquatic life and watersheds, permit requirements related to discharge and stormwater runoff where necessary, regulations related to waste streams permitted under the National Pollutant Discharge Elimination System, and Total Maximum Daily Loads in waters not meeting established water quality standards. *See* Edison Electric Institute, Our Issues, The Environment, Water, *available at* http://www.eei.org/ourissues/TheEnvironment/Water/Pages/default.aspx (accessed May 18, 2010).

[200] *See* Edison Electric Institute, Electricity 101, *available at* http://www.eei.org/whoweare/AboutIndustry/Documents/Electricity101.pdf (accessed May 10, 2010).

[201] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011),
Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including:* Other Recreation…e.g., boating…") and 48 ("Multiple existing uses…e.g. …recreational…boating…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services..."). For a discussion of "cumulative impacts" on the ecosystem that mentions boating, *see also* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 81, Box 34, Assessing Potential Impacts, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Cumulative and interactive consequences of different human activities are largely ignored in marine plans because of the single-sector nature of current management approaches. Since most human activities interact with one another, managing each activity largely in isolation is insufficient to conserve marine ecosystems, or even to meet individual sector goals.…some threats have direct effects on ecosystem components…with…damage to habitat caused by bottom trawling or anchors from recreational boats…").

[202] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[203] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[204] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at*

http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[205] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[206] Letter from National Association of Charterboat Operators to White House Interagency Ocean Policy Task Force, October 12, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/87db6aa27ec7431e811c8e2d078f9cb9.pdf (accessed May 7, 2010).

[207] Letter from National Association of Charterboat Operators to White House Interagency Ocean Policy Task Force, October 12, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/87db6aa27ec7431e811c8e2d078f9cb9.pdf (accessed May 7, 2010).

[208] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[209] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[210] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Page 23, Box 6 (Examples of marine management measures) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010),.

[211] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Pages 74-75, Table 8 (Examples of marine spatial management measures by sector) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) (list specifically includes Wildlife Viewing Areas, Personal Watercraft Areas, Marine Nature Areas or Ecological Areas (no take, no access, no impact zones), Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding, Feeding and Stopover Areas, Marine Mammal Migration Routes, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, and Taboo Areas).

[212] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Page 33, Table 3 (Examples of mechanisms for financing MSP activities) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010).

[213] Letter to Nancy Sutley from the American Sportfishing Association, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, July 15, 2009, *available at* http://www.coastalconservation.us/images/db_newsfiles/6.pdf (accessed May 6, 2010).

[214] U.S. Fish and Wildlife Service, 2006 Analysis of Fishing, Hunting, and Wildlife-Associated Recreation, *available at* http://wsfrprograms.fws.gov/subpages/NationalSurvey/nat_survey2006_final.pdf (accessed May 13, 2010) Page 83, Table 30, Anglers Fishing From Boats and Days of Participation by Type of Fishing: 2006.

[215] Letter from National Marine Manufacturers Association and Personal Watercraft Industry Association to the White House Interagency Ocean Policy Task Force, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/NMMA__PWIA_Comments_Oceans_Policy_Task_Force__CEQ_073009.pdf (accessed May 7, 2010).

[216] Letter to Nancy Sutley from the American Sportfishing Association, Bass Anglers Sportsmen Society, Berkley Conservation Institute, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, February 12, 2010, *available at* http://www.igfa.org/News/file.axd?file=2010%2F4%2FMSP+Interim+Framework+Coalition+Comments+vFinal1.pdf (accessed May 6, 2010).

[217] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities.").

[218] Letter to Nancy Sutley from the American Sportfishing Association, Bass Anglers Sportsmen Society, Berkley Conservation Institute, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, February 12, 2010, *available at*

http://www.igfa.org/News/file.axd?file=2010%2F4%2FMSP+Interim+Framework+Coalition+Comments+vFinal1.pdf (accessed May 6, 2010).

[219] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 12 ("…biological diversity is in decline due to overfishing...Unsustainable fishing (e.g., overfishing) remains a serious concern with consequences for marine ecosystems and human communities."), 42 ("CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including: Recreational Fishing…Traditional Hunting, Fishing, and Gathering."), and 48 ("Multiple existing uses…e.g. …recreational fishing…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…").

[220] Letter to Nancy Sutley from the American Sportfishing Association, Bass Anglers Sportsmen Society, Berkley Conservation Institute, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, February 12, 2010, *available at* http://www.igfa.org/News/file.axd?file=2010%2F4%2FMSP+Interim+Framework+Coalition+Comments+vFinal1.pdf (accessed May 6, 2010).

[221] "Feds to 60 Million American Anglers: We don't need you," Shimano Press Release, October 5, 2009, *available at* http://fish.shimano.com/publish/content/global_fish/en/us/index/articles/feds_to_60_million.html (accessed May 6, 2010).

[222] *See* "The Economic Contribution of Marine Angler Expenditures in the United States, 2006," by Brad Gentner and Scott Steinback, Prepared for the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Page 22, *available at* http://www.st.nmfs.noaa.gov/st5/publication/AnglerExpenditureReport/AnglerExpendituresReport_ALL.pdf (accessed June 1, 2010).

[223] *See* American Sportfishing Association, Economic Impact of Freshwater Fishing by State in 2006, *available at* http://www.asafishing.org/statistics/saleco_trends/2006ei_fresh_state.html (accessed June 1, 2010).

[224] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6.

[225] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 74-75, Table 8. Examples of marine spatial management measures include the establishment of Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites. *See also* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 44 ("CMSP is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and biodiversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors."), U.S. National Oceanographic and Atmospheric Administration, NOAA's Role in Marine Spatial Planning, May 18, 2009 *available at* http://ecosystems.noaa.gov/docs/marine_spatial_planning.pdf (accessed May 13, 2010) ("Under the Magnuson Stevens Fishery Conservation and Management Act…NOAA can restrict all or some fishing methods from areas in order to achieve sustainable management of fished natural resources."), and "Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities," Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 36 (discussing use of fishery ecosystem plans, essential fish habitat designations, and conservation/management zone designations by Fishery Management Councils), 5-6 (discussing National Marine Sanctuary designations), 7 (discussing use of Antiquities Act to designate monuments), 8 and 13 (discussing use of Endangered Species Act), 9 and 14 (discussing use of Marine Mammals Protection Act), and 10 (discussing designation of national estuarine reserves).

[226] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 33, Table 3 ("Examples of mechanisms for financing MSP activities").

[227] U.S. Fish and Wildlife Service, 2006 Analysis of Fishing, Hunting, and Wildlife-Associated Recreation, *available at* http://wsfrprograms.fws.gov/subpages/NationalSurvey/nat_survey2006_final.pdf (accessed May 13, 2010) Page 83, Table 30, Anglers Fishing From Boats and Days of Participation by Type of Fishing: 2006.

[228] Through the Sport Fish Restoration program, the recreational fishing industry has distributed more than $5 billion in excise taxes to support conservation and educational efforts. *See* "Feds to 60 Million American Anglers: We don't need you," Shimano Press Release, October 5, 2009, *available at* http://fish.shimano.com/publish/content/global_fish/en/us/index/articles/feds_to_60_million.html (accessed May 6, 2010). License revenues also used for conservation and education efforts; fishing license sales yield almost $560 million in revenues per year, with over 28 million recreational fishing licenses having been sold in 2008. *See* Letter to Nancy Sutley from the American Sportfishing Association, Bass Anglers Sportsmen Society, Berkley Conservation Institute, Center for Coastal Conservation, Coastal Conservation Association, Congressional Sportsmen's Foundation, International Game Fish Association, National Marine

Manufacturers Association, Shimano Sport Fisheries Initiative, and The Bill Fish Foundation, February 12, 2010, *available at* http://www.igfa.org/News/file.axd?file=2010%2F4%2FMSP+Interim+Framework+Coalition+Comments+vFinal1.pdf (accessed May 6, 2010). Also, the Sport Fishing Trust Fund had $720 million in revenues as of 2008, of which over $400 million was distributed to the fifty states for fish restoration. *See id*.

[229] *See* Comments by Northwest Arctic Borough Submitted to Ocean Policy Task Force, August 21, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/4f99b997a9874ebd905f9ebc0afaff2e.pdf (accessed May 13, 2010), Comments by Quinault Indian Nation Submitted to Ocean Policy Task Force, October 14, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/106/fe6fd9bbd0054414b8832403a3c6a558.pdf (accessed May 13, 2010), and Memorandum from Bristol Bay Native Association to Senator Mark Begich, January 23, 2010, *available at* http://www.whitehouse.gov/sites/default/files/webform/Jan%202010%20Senator%20Begich%20BBNA%20coastal%20marine%20spatial%20plan.doc (accessed May 13, 2010).

[230] The refining sector supplies 39% of total U.S. energy demand and 97% of the nation's transportation fuels. *See* U.S. Department of Energy, Energy Efficiency and Renewable Energy, Petroleum Refining Industry of the Future, Industry Profile, *available at* http://www1.eere.energy.gov/industry/petroleum_refining/profile.html (accessed May 25, 2010).

[231] More than 300 refineries operated in the U.S. in 1982, compared to 150 today. *See* "Chilly Climate for Oil Refiners," by Jad Mouawad, The New York Times, December 23, 2009, *available at* http://www.nytimes.com/2009/12/24/business/energy-environment/24refining.html (accessed May 25, 2010). According to the U.S. Department of Energy, in 2008, the refining sector operated at 85.3 percent of capacity, the lowest such level since 1988. *See id*.

[232] *See* Written Statement of National Petrochemical and Refiners Association (NPRA) As Submitted to the Subcommittee on Energy and the Environment, Committee on Energy and Commerce, on "Clean Energy Policies That Reduce Our Dependence On Oil," Page 11, April 28, 2010, *available at* http://www.npra.org/files/pdf/CLEAN_ENERGY_TESTIMONY_4-28.pdf (accessed May 25, 2010).

[233] *See* Written Statement of National Petrochemical and Refiners Association (NPRA) As Submitted to the Subcommittee on Energy and the Environment, Committee on Energy and Commerce, on "Clean Energy Policies That Reduce Our Dependence On Oil," Page 11, April 28, 2010, *available at* http://www.npra.org/files/pdf/CLEAN_ENERGY_TESTIMONY_4-28.pdf (accessed May 25, 2010).

[234] National Petrochemical and Refiners Association, Refinery Statistics, *available at* http://www.npra.org/ourIndustry/refineryFacts/?fa=refineryStatistics (accessed May 25, 2010). "…[P]etroleum products are transported by pipelines and barges at slow rates (only a few miles an hour) and over long distances." *See id*.

[235] "Energizing America, Facts for Addressing Energy Policy," American Petroleum Institute, March 9, 2010, *available at* http://www.api.org/aboutoilgas/upload/truth_primer.pdf (accessed May 25, 2010).

[236] National Petrochemical and Refiners Association, Refinery Facts, *available at* http://www.npra.org/ourIndustry/refineryFacts/ (accessed May 25, 2010).

[237] U.S. Department of Energy, Energy Efficiency and Renewable Energy, Petroleum Refining Industry of the Future, Industry Profile, *available at* http://www1.eere.energy.gov/industry/petroleum_refining/profile.html (accessed May 11, 2010).

[238] National Petrochemical and Refiners Association, Fuel Facts, "Facts about the petroleum and distribution industry, includes fuel breakdown and typical refinery output," *available at* http://www.npra.org/ourIndustry/fuelFacts/ (accessed May 25, 2010).

[239] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Oil and Gas Exploration and Development…"), 48 ("Multiple existing uses (e.g. …oil and gas operations)…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services…"), 13 ("New and expanding uses—including energy development…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), 32-33 ("The ocean, our coasts, and the Great Lakes are host to countless…energy…activities, which often occur in or near areas set aside and managed for conservation and resource protection goals…[CMSP] would allow for the reduction of cumulative impacts from human uses on marine ecosystems…and reduce conflicts among uses and between using and preserving the environment…"), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) (discussing designations of precautionary areas or security zones, designations of marine protected areas, zoning of areas by objective (e.g. areas withdrawn from leasing) or for specific use (e.g. oil & gas lease or concession areas), and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[240] U.S. Department of Energy, Energy Efficiency and Renewable Energy, Petroleum Refining Industry of the Future, Industry Profile, *available at* http://www1.eere.energy.gov/industry/petroleum_refining/profile.html (accessed May 11, 2010).

[241] Refining industry operations are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Resource Conservation and Recovery Act of 1976 and Hazardous Waste Amendments of 1984, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Emergency Planning and Community Right-To-Know Act, Clean Air Act, Clean Water Act, Safe Drinking Water Act, Toxic Substances Control Act, and the 1990 Oil Pollution Act. *See* Profile of the Petroleum Refining Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter VI, September 1995, Publication # EPA/310-R-95-013, SIC Code 2911, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/petrefsnpt2.pdf (accessed May 25, 2010).

[242] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[243] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Commerce and Transportation (e.g. cargo and cruise ships, tankers, and ferries)…Ports and Harbors"), 48 ("Multiple existing uses…e.g. …marine transportation…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services..."), 13 ("…transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species…New and expanding uses—including…shipping…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), 38 ("Runoff from…transportation activities…even hundreds of miles away…negatively impacts water quality…"), 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…) and 49 ("CMSP would be guided by the precautionary approach..."), and Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."). Related transportation activities could be disrupted through measures which in the past may have been traditionally established with little controversy and substantial industry participation (such as Areas To Be Avoided, Precautionary or Prohibited Areas, marine protected and other areas, Mandatory Vessel Traffic Routes, Vessel Traffic Separation Schemes, Lightering Areas, Particularly Sensitive Sea Areas, Pilot Boarding Areas, Safety Zones Around Vessels and Terminals, Anchoring and No Anchoring Grounds or Areas, and Security Zones in Ports and Waterways, Moving Safety & Security Zones Around LNG Tankers, and Offshore Port Zones for Oil or LNG Transfers) but are now instead established arbitrarily without the proper risk analysis and with little opportunity for stakeholder input, including through the unjustified and irrational application of the precautionary approach. *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 23, Box 6 and 73-75, Table 8 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing other measures related to Deepwater Port Act licenses, vessel fairway establishment and modification, and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 16 Pages 16 ("…the revised ocean policy…should become one of the national policy goals and objectives that must be considered in siting decisions, and MSP will likely be an important tool to achieve that goal. Thus the Secretary's discretion in issuing a DPA license could be limited by the requirement that it conform to a federal marine spatial plan.") and 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.").

[244] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Pages 33, Table 3 (Examples of mechanisms for financing MSP activities), 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…"), and 75 ("Economic incentives include…surcharges on inputs such as…energy…"), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.").

[245] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 42 ("*CMSP provides an effective*

process to better manage a range of social, economic, and cultural uses, including…Renewable Energy (e.g., wind, wave, tidal, current, and thermal)…"), 48 ("…emerging uses…e.g., off-shore renewable energy…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services..."), 13 ("New and expanding uses—including energy development…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems."), and 32 ("This broad-based application of ecosystem-based management would…rationally allow for emerging uses of the ocean, including new energy production.").

[246] Comments of the American Wind Energy Association To The Interagency Ocean Policy Task Force, Submitted February 14, 2010, *available at* http://www.whitehouse.gov/sites/default/files/webform/AWEA%20comments%20to%20OPTF%202-2010.pdf (accessed May 10, 2010).

[247] Comments of the American Wind Energy Association To The Interagency Ocean Policy Task Force, Submitted February 14, 2010, *available at* http://www.whitehouse.gov/sites/default/files/webform/AWEA%20comments%20to%20OPTF%202-2010.pdf (accessed May 10, 2010).

[248] U.S. Offshore Wind Collaborative, Working Paper, "U.S. Offshore Wind Energy: A Path Forward," October 2009, *available at* http://www.usowc.org/pdfs/PathForwardfinal.pdf (accessed May 10, 2010).

[249] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 23, Box 6 (Examples of marine management measures) *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Zoning of areas for specific uses, e.g., wind farms" and "Designation of precautionary areas or security zones"), and 74-75, Table 8 (Examples of marine spatial management measures by sector) (Wind Farms, Wave Parks, & Tidal Energy Lease or Concession Areas, Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites).

[250] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Page 32, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[251] *See* Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf, 74 Fed. Reg. 19638 (Apr. 29, 2009).

[252] *See* National Ocean Economics Program, "State of the U.S. Ocean and Coastal Economies," 2009, by Judith T. Kildow, Charles S. Colgan, and Jason Scorse, Page 20, *available at* http://www.oceaneconomics.org/NationalReport/ (accessed June 2, 2010).

[253] *See* U.S. Commission on Ocean Policy. "An Ocean Blueprint for the 21st Century," Final Report, Washington, DC, Page 14, *available at* http://oceancommission.gov/documents/full_color_rpt/000_ocean_full_report.pdf (accessed May 7, 2010).

[254] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including:*…Other Recreation (e.g., boating, beach access, swimming, nature and whale watching, and diving)…Tourism…") and 48 ("Multiple existing uses…e.g. …boating…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services, and increases certainty and predictability for economic investments."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, Pages 22 ("Individual permit decisions made within individual sectors (for example, the…tourism sector) should be based on the zoning maps and the comprehensive spatial plan."), and 81, Box 34, Assessing Potential Impacts, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) ("Cumulative and interactive consequences of different human activities are largely ignored in marine plans because of the single-sector nature of current management approaches. Since most human activities interact with one another, managing each activity largely in isolation is insufficient to conserve marine ecosystems, or even to meet individual sector goals….some threats have direct effects on ecosystem components…with…damage to habitat caused by bottom trawling or anchors from recreational boats…").

[255] *See* National Ocean Economics Program, "State of the U.S. Ocean and Coastal Economies," 2009, by Judith T. Kildow, Charles S. Colgan, and Jason Scorse, Page 21, *available at* http://www.oceaneconomics.org/NationalReport/ (accessed June 2, 2010).

[256] *See* National Ocean Economics Program, "State of the U.S. Ocean and Coastal Economies," 2009, by Judith T. Kildow, Charles S. Colgan, and Jason Scorse, Page 20, *available at* http://www.oceaneconomics.org/NationalReport/ (accessed June 2, 2010).

[257] *See* Dr. Linwood Pendleton, Senior Fellow and Director of the Coastal Ocean Values Center at the Ocean Foundation, "The U.S. Economy Needs the Coastal Zone Management Act," *available at* http://www.coastalvalues.org/czmaecon.pdf (accessed May 7, 2010) and *citing* GDP figures from the 2008 CIA Factbook and the National Ocean Economics Program.

[258] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Page 23, Box 6 (Examples of marine management measures) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010).

[259] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Pages 74-75, Table 8 (Examples of marine spatial management measures by sector) 2009, *available at* http://www.unesco-ioc-

marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) (list specifically includes Wildlife Viewing Areas, Personal Watercraft Areas, Marine Nature Areas or Ecological Areas (no take, no access, no impact zones), Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding, Feeding and Stopover Areas, Marine Mammal Migration Routes, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, and Taboo Areas).

[260] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments."), 13 ("Many of these concerns are attributable not only to activities within ocean, coastal, and Great Lakes ecosystems, but also to actions that take place in our Nation's interior."), 33 ("Increased understanding of watershed processes and the linkages with our coasts will be necessary to develop better decision-support tools to adequately manage human uses, human impacts…and watershed conservation activities that affect our ocean and coasts."), 49 ("The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. Inclusion of inland bays and estuaries is essential because of the significant ecological, social, and economic linkages between these areas with offshore areas. Additional inland areas may be included in the planning area as the regional planning bodies…deem appropriate. Regardless, consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health."), and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning."), and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 62 ("Planning for marine spatial management should recognize that the marine management area typically is affected by human activities that are: (1) ***upstream*** from the marine management area, but within the drainage area of the adjacent coastal area…and (2) downstream from the marine management area, e.g. in the open ocean. ***Pressures on the resources of the marine management area may be greater from activities outside the marine area than from activities inside it.***"). 22 million Americans paddled a canoe, kayak, or raft at least once in 2008. *See* Letter from the American Canoe Association, American Whitewater, and Surfrider Foundation to Nancy Sutley, July 31, 2009, *available at* http://www.whitehouse.gov/assets/formsubmissions/54/OPTF_comments_ACA_AW_Surfrider.pdf (accessed May 7, 2010).

[261] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Pages 74-75, Table 8 (Examples of marine spatial management measures by sector) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010) (list specifically includes Wildlife Viewing Areas, Personal Watercraft Areas, Marine Nature Areas or Ecological Areas (no take, no access, no impact zones), Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding, Feeding and Stopover Areas, Marine Mammal Migration Routes, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, and Taboo Areas).

[262] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities.").

[263] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, Page 33, Table 3 (Examples of mechanisms for financing MSP activities) 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf.

[264] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 42 ("*CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including*…Commerce and Transportation (e.g. cargo and cruise ships, tankers, and ferries"), 48 ("Multiple existing uses…e.g. …marine transportation…would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services, and increases certainty and predictability for economic investments."), and 13 ("New and expanding uses—including…shipping…are expected to place increasing demands on our ocean, coastal, and Great Lakes ecosystems.").

[265] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).

[266] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).

[267] Association of American Railroads, The Economic Impact of America's Freight Railroads, February 2010, *available at* http://www.aar.org/~/media/AAR/BackgroundPapers/Economic%20Impact%20of%20US%20Freight%20RRs%20%20Sept%202009.ashx (accessed May 10, 2010).

[268] U.S. Department of Labor, Bureau of Labor Statistics, Career Guide to Industries, 2010-2011 Edition, Truck Transportation and Warehousing, *available at* http://www.bls.gov/oco/cg/cgs021.htm (accessed May 10, 2010).
[269] U.S. Census Bureau, Annual & Quarterly Services, 2008 Annual Survey Data, Truck Transportation, Messenger Services, & Warehousing-NAICS 48/49, *available at* http://www2.census.gov/services/sas/data/48/2008_NAICS48.pdf (accessed May 10, 2010).
[270] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).
[271] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009,*available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).
[272] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).
[273] *See* Cruise Line International Association, About CLIA, *available at* http://www2.cruising.org/about.cfm (accessed July 7, 2010).
[274] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).
[275] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, Environmental Law Institute Seminar on Arctic Coastal and Marine Spatial Planning and the Role of the Arctic People, March 11, 2010, Session 1, Coastal and Marine Spatial Planning: Purpose and Concept, Remarks at 21:00 by Kate Moran, Senior Policy Analyst, Division of Energy & Environment, White House Office of Science & Technology Policy, Executive Office of the President, *available at* http://www.eli.org/audio/03.11.10dc/03.11.10dc.1.mp3 (accessed May 12, 2010) ("The Gulf of Mexico is one major ecosystem that has a lot of influence from the Mississippi River system that actually provides some of that heavy stress on existing uses."), and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 13 ("transportation operations…generate various forms of pollution… modification to rivers and streams, can adversely affect the habitats of aquatic and terrestrial species.") and 38 ("Runoff from…transportation activities…even hundreds of miles away… negatively impacts water quality...").
[276] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and *Id*. at Table 8, 73-75 (also listing Marine Nature Reserves or Ecological Reserves with no take/no access/no impact zones, Marine Wilderness Areas, Marine Parks, Marine Monuments, Habitat/Species Management Areas, Protected Seascapes, Managed Resource Protected Areas, Fish Spawning Areas, Fish Nursery Areas, Marine Mammal Breeding Areas, Marine Mammal Feeding Areas, Marine Mammal Migration Routes, Marine Mammal Stopover Areas, Seabird Feeding Areas, Sea Grass Beds, Coral Reefs, Wetlands, Protected Archeological Areas, Submerged Archeological Sites, Ceremonial Sites, Sites for Collecting Food/Materials for Ceremonies, Taboo Areas, and Scientific Reference Sites). For an analysis discussing other measures such as vessel fairway establishment and modification and safety zone designations, *see* Marine Spatial Planning in U.S. Waters, An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities, Environmental Law Institute, December 2009, *available at* http://www.elistore.org/Data/products/d19_13.pdf (accessed May 12, 2010), Pages 42-43 ("The Coast Guard's relevant jurisdiction covers state and federal waters and beyond. It has the authority to establish and modify vessel fairways that keep certain uses out of shipping corridors and safety zones that keep vessels out of areas used for other purposes…the Coast Guard must consider many other uses of marine waters, including environmental protection, and in some cases consult with officials or representatives of those use interests…The authority…will add some flexibility in mapping to maximize marine uses and avoid conflicts where possible—in some cases protecting other uses from shipping and in other cases protecting shipping from other uses.")
[277] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Decision-making will also be guided by a precautionary approach as reflected in the Rio Declaration of 1992, which states in pertinent part, "[w]here there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation"…) and 49 ("CMSP would be guided by the precautionary approach...").
[278] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6.
[279] Water transportation operations are subject to numerous existing state and federal environmental statutes (and their associated regulations), including the Ocean Dumping Act, Clean Water Act, Resource Conservation and Recovery Act, Oil Pollution Act, Emergency Planning and Community Right-To-Know Act, Clean Air Act, Federal Insecticide, Fungicide, and Rodenticide Act, Hazardous Materials Transportation Act, and Coastal Zone Management Act. *See* Profile of the Water Transportation Industry, Sector Notebook Project, Office of Compliance, U.S. Environmental Protection Agency, Chapter V, September 1997, Publication # EPA/310-R-97-003, SIC Code 4, *available at* http://www.epa.gov/compliance/resources/publications/assistance/sectors/notebooks/watersctp2.pdf (accessed May 25, 2010).
[280] *See* Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 23, Box 6, and Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Pages 16 ("Human activities that may affect ocean, coastal, and Great Lakes ecosystems should be managed using ecosystem-based management and adaptive management, through an integrated framework that accounts for the interdependence of the land, air, water, ice, and the interconnectedness between human populations and these environments.") and 50 ("…the health and well-being of the ocean, our

coasts, and the Great Lakes are in large part the result of the interrelationships among land, water, air, and human activities. Effective management of environmental health and services, maritime economies, commerce, national and homeland security interests, and public access necessitate connecting land-based planning efforts with ocean, coastal, and Great Lakes planning.").

[281] *See* Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, *available at* http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf (accessed July 1, 2011), Page 72 ("The NOC…would make a determination on how best to meet the needs identified in the capacity assessment and to support the initial regional steps through existing mechanisms, and possibly new resources and/or funding mechanisms.") and Marine Spatial Planning, A Step-by-Step Approach Toward Ecosystem-based Management, UNESCO Guide No. 53, 2009, *available at* http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf (accessed May 12, 2010), Page 32 ("Marine spatial planning (MSP) is not possible without adequate financial resources…Most governments that undertake MSP have to rely on direct allocations to their budgets from general tax revenues… Alternative financing can include…user fees…").

[282] U.S. Department of Transportation, Maritime Administration, U.S. Water Transportation Statistical Snapshot, July 2009, *available at* http://www.marad.dot.gov/documents/US_Water_Transportation_Statistical_snapshot.pdf (accessed May 10, 2010).

Index: Attachments to Comments

All 9 SAPs:

Comment and Statement of New York Ocean and Great Lakes Coalition

(11 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Recommendations for the Strategic Action Plans

Dear Chairs Sutley and Holdren and National Ocean Council Members,

On behalf of the undersigned organizations and their millions of members and online activists, we thank you for the time and effort that you, your staff, and the agency participants in the various workgroups have dedicated to developing outlines for the Strategic Action Plans ("SAPs"). We believe that this work to craft and implement strategies that will help address the most pressing challenges facing our ocean resources is essential to advance the vision laid out in the National Ocean Policy: "To achieve an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations."[1]

We value the opportunity to provide further comments to you on how Federal agencies can address the SAPs' priority issues and better manage the national treasures that are our oceans and Great Lakes. This letter incorporates by reference and expands on the comments previously submitted by our organizations on the SAPs.[2]

<u>The SAPs should explicitly state that the goal of ecosystem-based management is to protect and restore ecosystems so that they can provide the services humans want and need</u>.

Our ocean, coasts, and Great Lakes (referred to collectively here as "oceans") are an important source of food, jobs, and recreation. We must ensure functioning and resilient marine ecosystems in order for us to meet our country's present and future needs. We appreciate that this fundamental concept is reflected in the *Ecosystem-Based Management* ("EBM") *SAP*: "The foundation for sustaining the long-term capacity of [our ocean] systems to deliver a range of ecosystem services depends on ensuring the health and function of ecosystems."[3]

We encourage you to underscore this relationship between healthy oceans and achievement of our social and economic ocean goals by incorporating the above concept into the SAP's EBM definition. To this end, we strongly recommend that the National Ocean Council ("NOC") adopt

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[1] Executive Order 13547. 19 July 2010.
[2] These comments are available at http://www.whitehouse.gov/administration/eop/oceans/comments.
[3] National Ocean Council. *Ecosystem-Based Management Strategic Action Plan Full Content Outline*. 2 June 2011. p. 1.

in the *EBM SAP* – and refer back to this in all other SAPs – the definition for EBM supported by more than 220 scientists and policy experts in the *Scientific Consensus Statement on Marine Ecosystem-Based Management* ("Consensus Statement"):

> Ecosystem-based management is an integrated approach to management that considers the entire ecosystem, including humans. *The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need.* Ecosystem-based management differs from current approaches that usually focus on a single species, sector, activity or concern; it considers the cumulative impacts of different sectors. Specifically, ecosystem-based management: emphasizes the protection of ecosystem structure, functioning, and key processes; is place-based in focusing on a specific ecosystem and the range of activities affecting it; explicitly accounts for the interconnectedness within systems, recognizing the importance of interactions between many target species or key services and other non-target species; acknowledges interconnectedness among systems, such as between air, land and sea; and integrates ecological, social, economic, and institutional perspectives, recognizing their strong interdependences. *[Emphasis added.]* [4]

While elements from the Consensus Statement appear throughout the *EBM SAP* outline, we recommend that these scattered pieces be incorporated into the overarching definition. In particular, it is critical that the goal of EBM to maintain the ecosystem first and foremost be stated plainly as part of the SAP's definition.[5] The *Coastal and Marine Spatial Planning* ("CMSP") *SAP* should make clear that resultant Coastal and Marine Spatial Plans ("CMS Plans") are to be based on this definition of EBM.

Additionally, the *EBM SAP* should incorporate the National Ocean Policy principles outlined in the *Final Recommendations of the Interagency Ocean Policy Task Force* ("Final Recommendations"), including the need to use the precautionary approach to account for uncertainty.[6]

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[4] McLeod, K.L., J. Lubchenco, S.R. Palumbi, and A.A. Rosenberg. 2005. *Scientific Consensus Statement on Marine Ecosystem-Based Management*, http://compassonline.org/?q+EBM.

[5] We also recommend providing a definition for marine ecosystem health and suggest the following, excerpted from H.R. 3534, the Consolidated Land, Energy, and Aquatic Resources Act of 2010, Section 2 (8): "Marine ecosystem health means the ability of an ecosystem in ocean and coastal waters to support and maintain patterns, important processes, and productive, sustainable, and resilient communities of organisms, having a species composition, diversity, and functional organization resulting from the natural habitat of the region, such that it is capable of supporting a variety of activities and providing a complete range of ecological benefits. Such an ecosystem would be characterized by a variety of factors, including – A. a complete diversity of native species and habitat wherein each native species is able to maintain an abundance, population structure, and distribution supporting its ecological and evolutionary functions, patterns, and processes; and B. a physical, chemical, geological, and microbial environment that is necessary to achieve such diversity."

[6] *Final Recommendations of the Interagency Ocean Policy Task Force*, 19 July 2010. pp. 15-18.

<u>The SAPs should include near-term actions to identify and protect, maintain and restore important ecological processes and areas</u>.

To ensure healthy ocean resources it is necessary to identify and protect important processes and ecological areas ("IEAs"). These are areas of the ocean that host essential habitat for endangered, threatened or keystone species or serve as critical areas for spawning, breeding and feeding areas for ocean fish and wildlife. These places are part of our ocean heritage, are important to the overall health of ocean ecosystems, and must be protected. Our organizations recommend as near-term actions that the National Oceanic and Atmospheric Administration ("NOAA"), in consultation with scientific and other experts and other Federal agencies, as appropriate: (1) develop a protocol by mid-2012 that lays out the criteria that will be used to identify important processes and IEAs[7] and; (2) produce regional ecosystem assessments to, among other things, identify where important processes and IEAs exist based on the aforementioned protocol.[8] These actions should be outlined within the *EBM SAP*, and they should inform activities in the *CMSP* and *Regional Ecosystem Protection and Restoration SAP*s. The *CMSP SAP* should, for example, require the Regional Planning Bodies ("RPBs") to incorporate the identified IEAs into their planning and protect them.[9]

We also encourage the inclusion of completion dates for all of the ecological assessments at the rate of at least two regions a year within the action milestones.[10]

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[7] One process for identifying and protecting IEAs can be found in Oceana's August 23, 2010 *Important Ecological Areas in the Ocean: A Comprehensive Ecosystem Protection Approach to the Spatial Management of Marine Resources*.

[8] Strong criteria for data quality, collection, and management can be found in *The Nature Conservancy's Workshop Report on Best Practices for Marine Spatial Planning* (Beck et al. 2009). Each ecological assessment should analyze existing data on ecological, environmental, and oceanographic conditions and should include: a description of the ecosystem's structure and composition, including the identification and characterization of species, habitats, and ecological processes that best represent the area; a comprehensive survey of species (including their populations, distributions, and seasonal variability) occupying each marine habitat; an analysis of the ecosystem's present health (including the status of habitats, species, and natural processes); identification and characterization of important ecological areas; identification of existing, emerging, and cumulative threats to ecosystem health, including vulnerabilities to human uses and environmental changes; a description of the important ecological attributes of the ecosystem (such as habitat diversity, quality, redundancy, and the health and distribution of keystone species, foundation species, and top predators), and identification of the conditions, including indicators and quantitative targets, that need to be maintained or restored to ensure the overall health of the ecosystem; a description of important ecological linkages between contiguous ecoregions (including ecoregions that may lie within other CMSP planning regions); and identification of major data gaps and areas of uncertainty, and recommendations for opportunities to help fill those gaps.

[9] Our organizations were pleased to see stated in the Final Recommendations that "CMSP is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and diversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors" (p. 44).

[10] We also encourage the development of regional socio-economic assessments within this timeframe.

<u>In the SAPs, identify specific, near-term actions that Federal agencies will take to improve ocean health</u>.

The nine priorities for which the Federal agencies are developing SAPs address the most pressing issues facing our ocean resources and the processes by which we can solve these challenges. As such, the SAPs must include more concrete and immediate actions with specific timelines for which Federal agencies can be held accountable. The majority of SAP actions currently are mid-term (3 to 5 years) or long-term (longer than 5 years); very few are near-term (actions that will occur in approximately one year).[11] The agencies need to demonstrate to the public their commitment to and the benefits of the National Ocean Policy through specific steps that can be taken now.

Without more actions taken within the first year the NOC will lose its sense of urgency and credibility. Much is already known about how to solve problems using existing authority; what is needed is action.[12] Examples of needed near-term actions include:

- Reducing plastic pollution in the ocean by instituting controls on the flow of trash into our waterways;
- Establishing numeric criteria that will drive controls on nutrient pollution that is contributing to dead zones in our oceans;[13]
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In a number of cases within the SAPs, the sequencing of work requires that actions which have been identified as mid-term or long-term items should instead be accomplished in the near-term. The actions to establish a protocol for the identification of ecological processes and areas and to carry out the regional ecosystem assessments, for example, are crucial near-term actions that need to be carried out early in the process to advise CMSP activities. Similarly, establishing an EBM Science Framework (Action 2) within the *EBM SAP* and integrating social and natural

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To help accomplish these actions, Federal agencies should create incentives for regional, State, tribal and local development of climate change adaptation and resiliency-building strategies in the near-term. For example, the NOC should provide guidance to Federal agencies that grant funding on how to structure grant selection criteria to result in priority consideration for activities that are best able to protect, maintain and restore ocean, coastal and Great Lakes adaptation strategies. Direct Federal support for implementation of adaptation and resilience-building strategies must be consistent with the stewardship principles articulated in Executive Order 13547 and the National Ocean Policy and ensure that activities are developed using the best available knowledge and information, including traditional ecological knowledge.

It is critical that the NOC and Federal agencies support full funding of regional, State, tribal and local efforts to address the impacts of climate change on coastal communities and in the Great Lakes.[15] Lack of funding is the biggest obstacle to achieving success for this objective, and where funding does not exist, agencies should strive to work together on projects and be able to share limited resources.

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We appreciate the opportunity to share these recommendations with you and welcome the chance to discuss them in more detail. Thank you for all of the effort you and your agencies have invested in this process. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, and Great Lakes.

Sincerely,

Sarah Chasis
Director, Oceans Initiative
Natural Resources Defense Council

Anna Zivian
Senior Manager, Marine Spatial Planning
Ocean Conservancy

Chris Mann
Senior Officer
Pew Environment Group

Sean Cosgrove
Marine Campaign Director
Conservation Law Foundation

Roberta Elias
Senior Program Officer
World Wildlife Fund

Linda Krueger
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Wildlife Conservation Society

Sierra B. Weaver
Senior Staff Attorney
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[18] National Ocean Council. *Coastal and Marine Spatial Planning Strategic Action Plan Full Content Outline*. 2 June 2011. p. 8.

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Blue Frontier Campaign

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Coalition to Protect Ocean Diversity

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Karen Anspacher-Meyer
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Lake Erie Waterkeeper

William Chandler
Vice President for Government Affairs
Marine Conservation Institute

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Ocean Champions

Rob Moir
Executive Director
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John Woolley
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Olympic Coast Alliance

Susan Berta
Co-Founder
Orca Network

Carole Holley
Alaska Program Co-Director
Pacific Environment

Tom Bancroft
Executive Director
People for Puget Sound

Anne Murphy
Executive Director
Port Townsend Marine Science Center

Dave Somers
Chair, Snohomish County Council
Puget Sound Partnership Ecosystem Coordination Board

Chris Lyons
Director of Government Relations
Restore America's Estuaries

Dave Raney
Chair, Marine Action Team
Sierra Club

Teri Shore
Program Director
Turtle Island Restoration Network

Mark Hersh
Water Quality Specialist
Wild Fish Conservancy

STATEMENT FROM THE NEW YORK OCEAN AND GREAT LAKES COALITION TO THE NATIONAL OCEAN COUNCIL

Audubon New York

Citizens Campaign for the Environment

Natural Resources Defense Council

New York League of Conservation Voters

Riverhead Foundation for Marine Research and Preservation

Sierra Club – Long Island Group

Strategic Action Plans Mid-Atlantic Listening Session

Thursday, June 30, 2011

Monmouth University, New Jersey

On behalf of our organizations and their members, we thank the National Ocean Council ("NOC") for its work to develop Strategic Action Plans ("SAPs") to address the most pressing challenges facing our ocean resources. We appreciate the opportunity to share our thoughts on the SAP draft outlines with you today.

Our organizations have been working together for the past several years to help protect and restore New York's valuable ocean and Great Lakes resources. Our ocean, estuaries and bays, and Great Lakes are critically important to the economy of our state and nation, providing numerous jobs and recreational opportunities, and many state residents depend on these resources for their way of life. Tourism is one of Long Island's largest industries and visitors to the state's parks, including beaches, spend more than $615 million annually in the local economy, generating more than $27.3 million in sales tax. In 2003, the Great Lakes supported a nearly $16 billion recreational boating industry and were responsible for more than 107,000 jobs.

However, these valuable resources face serious problems. Pollution, destruction of productive marine habitats, and increased strain on fish stocks are endangering the health of the state's ocean and bay systems.

Healthy ocean and Great Lakes systems are essential for a stronger New York economy. We believe that the actions called for in the SAPs have the ability to improve the overall health of these resources and we thank you for your work to address these issues.

We would also like to suggest three additional changes to increase the impact of the SAPs.

1. **A strong definition for ecosystem-based management, also known as EBM, needs to be provided in the *Ecosystem-Based Management SAP*.**

   We recommend that the definition of EBM supported by more than 220 scientists and policy experts in the *Scientific Consensus Statement on Marine Ecosystem-Based Management* be adopted in the EBM SAP. This definition includes the important statement that the fundamental

goal of EBM is to "maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need." Only healthy oceans and Great Lakes can provide the full range of services that people want and need; it is critical that all of the SAPs prioritize protection, maintenance and restoration of ecosystem health and that this be found in the EBM definition.

2. **The SAPs must identify more specific, short-term actions that agencies will take to improve ocean health.** The majority of SAP actions currently are mid-term (3 to 5 years) or long-term (longer than 5 years); very few are near-term (actions that will occur in approximately one year). The agencies need to demonstrate to the public their commitment to and the benefits of the National Ocean Policy through specific steps that can be taken now. Examples of needed near-term actions include:
    - Reducing plastic pollution in the ocean by instituting controls on the flow of trash into our waterways;
    - Establishing numeric criteria that will drive controls on nutrient pollution that is contributing to dead zones in our oceans;
    - Establishing a protocol for the identification of important ecological areas and processes for the use of regional planning bodies in their development of coastal and marine spatial plans;
    - The completion of regional ecosystem assessments which are a necessary foundation for effective coastal and marine spatial planning; and
    - Establishing a system of sentinel ocean observation sites to provide information critical to understanding and measuring ocean acidification and its impacts.

    In the Mid-Atlantic, we would specifically like to see near-term action to protect the deepwater canyons and seamounts off our coast. Lobsters, crabs, flounders, hakes, skates, monkfish, and countless other fish species find food and shelter in the canyons' complex and dynamic environments. Endangered sperm whales, beaked whales, dolphins, and other marine mammals feed on congregating schools of squid and small fish. These areas are important to the health of the larger ocean ecosystem and should be protected from harmful activities like bottom-trawling and oil and gas drilling and seismic exploration.

    Finally, all federal agencies need to make commitments to incorporate and follow the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, like the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start Initiative of Department of the Interior.

3. **The SAPs should ensure robust public and stakeholder participation in coastal and marine spatial planning, also known as CMSP.** Strong public and stakeholder engagement in CMSP will result in coastal and marine spatial plans that incorporate to the greatest extent possible the most up-to-date information on existing and planned ocean uses and will lead to greater buy-in and legitimacy for the final products. It is essential that the public and stakeholders have well-defined roles and be consulted early and often throughout the planning process. Additionally, the CMSP SAP should require that the Regional Planning Bodies form Regional Public Advisory Committees and Regional Scientific Advisory Committees.

Thank you for all of your efforts to protect our oceans, coasts, and Great Lakes. We look forward to continuing to work with you to improve the health of these resources.

Index: Attachments to Comments

All 9 SAPs:

Comment of 29 Environmental Organizations

(9 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Recommendations for the Strategic Action Plans

Dear Chairs Sutley and Holdren and National Ocean Council Members,

On behalf of the undersigned organizations and their millions of members and online activists, we thank you for the time and effort that you, your staff, and the agency participants in the various workgroups have dedicated to developing outlines for the Strategic Action Plans ("SAPs"). We believe that this work to craft and implement strategies that will help address the most pressing challenges facing our ocean resources is essential to advance the vision laid out in the National Ocean Policy: "To achieve an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations."[1]

We value the opportunity to provide further comments to you on how Federal agencies can address the SAPs' priority issues and better manage the national treasures that are our oceans and Great Lakes. This letter incorporates by reference and expands on the comments previously submitted by our organizations on the SAPs.[2]

<u>The SAPs should explicitly state that the goal of ecosystem-based management is to protect and restore ecosystems so that they can provide the services humans want and need</u>.

Our ocean, coasts, and Great Lakes (referred to collectively here as "oceans") are an important source of food, jobs, and recreation. We must ensure functioning and resilient marine ecosystems in order for us to meet our country's present and future needs. We appreciate that this fundamental concept is reflected in the *Ecosystem-Based Management* ("EBM") *SAP*: "The foundation for sustaining the long-term capacity of [our ocean] systems to deliver a range of ecosystem services depends on ensuring the health and function of ecosystems."[3]

We encourage you to underscore this relationship between healthy oceans and achievement of our social and economic ocean goals by incorporating the above concept into the SAP's EBM definition. To this end, we strongly recommend that the National Ocean Council ("NOC") adopt

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[1] Executive Order 13547. 19 July 2010.
[2] These comments are available at http://www.whitehouse.gov/administration/eop/oceans/comments.
[3] National Ocean Council. *Ecosystem-Based Management Strategic Action Plan Full Content Outline*. 2 June 2011. p. 1.

in the *EBM SAP* – and refer back to this in all other SAPs – the definition for EBM supported by more than 220 scientists and policy experts in the *Scientific Consensus Statement on Marine Ecosystem-Based Management* ("Consensus Statement"):

> Ecosystem-based management is an integrated approach to management that considers the entire ecosystem, including humans. *The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need.* Ecosystem-based management differs from current approaches that usually focus on a single species, sector, activity or concern; it considers the cumulative impacts of different sectors. Specifically, ecosystem-based management: emphasizes the protection of ecosystem structure, functioning, and key processes; is place-based in focusing on a specific ecosystem and the range of activities affecting it; explicitly accounts for the interconnectedness within systems, recognizing the importance of interactions between many target species or key services and other non-target species; acknowledges interconnectedness among systems, such as between air, land and sea; and integrates ecological, social, economic, and institutional perspectives, recognizing their strong interdependences. *[Emphasis added.]* [4]

While elements from the Consensus Statement appear throughout the *EBM SAP* outline, we recommend that these scattered pieces be incorporated into the overarching definition. In particular, it is critical that the goal of EBM to maintain the ecosystem first and foremost be stated plainly as part of the SAP's definition.[5] The *Coastal and Marine Spatial Planning* ("CMSP") *SAP* should make clear that resultant Coastal and Marine Spatial Plans ("CMS Plans") are to be based on this definition of EBM.

Additionally, the *EBM SAP* should incorporate the National Ocean Policy principles outlined in the *Final Recommendations of the Interagency Ocean Policy Task Force* ("Final Recommendations"), including the need to use the precautionary approach to account for uncertainty.[6]

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[4] McLeod, K.L., J. Lubchenco, S.R. Palumbi, and A.A. Rosenberg. 2005. *Scientific Consensus Statement on Marine Ecosystem-Based Management*, http://compassonline.org/?q+EBM.

[5] We also recommend providing a definition for marine ecosystem health and suggest the following, excerpted from H.R. 3534, the Consolidated Land, Energy, and Aquatic Resources Act of 2010, Section 2 (8): "Marine ecosystem health means the ability of an ecosystem in ocean and coastal waters to support and maintain patterns, important processes, and productive, sustainable, and resilient communities of organisms, having a species composition, diversity, and functional organization resulting from the natural habitat of the region, such that it is capable of supporting a variety of activities and providing a complete range of ecological benefits. Such an ecosystem would be characterized by a variety of factors, including – A. a complete diversity of native species and habitat wherein each native species is able to maintain an abundance, population structure, and distribution supporting its ecological and evolutionary functions, patterns, and processes; and B. a physical, chemical, geological, and microbial environment that is necessary to achieve such diversity."

[6] *Final Recommendations of the Interagency Ocean Policy Task Force*, 19 July 2010. pp. 15-18.

<u>The SAPs should include near-term actions to identify and protect, maintain and restore important ecological processes and areas</u>.

To ensure healthy ocean resources it is necessary to identify and protect important processes and ecological areas ("IEAs"). These are areas of the ocean that host essential habitat for endangered, threatened or keystone species or serve as critical areas for spawning, breeding and feeding areas for ocean fish and wildlife. These places are part of our ocean heritage, are important to the overall health of ocean ecosystems, and must be protected. Our organizations recommend as near-term actions that the National Oceanic and Atmospheric Administration ("NOAA"), in consultation with scientific and other experts and other Federal agencies, as appropriate: (1) develop a protocol by mid-2012 that lays out the criteria that will be used to identify important processes and IEAs[7] and; (2) produce regional ecosystem assessments to, among other things, identify where important processes and IEAs exist based on the aforementioned protocol.[8] These actions should be outlined within the *EBM SAP*, and they should inform activities in the *CMSP* and *Regional Ecosystem Protection and Restoration SAP*s. The *CMSP SAP* should, for example, require the Regional Planning Bodies ("RPBs") to incorporate the identified IEAs into their planning and protect them.[9]

We also encourage the inclusion of completion dates for all of the ecological assessments at the rate of at least two regions a year within the action milestones.[10]

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[7] One process for identifying and protecting IEAs can be found in Oceana's August 23, 2010 *Important Ecological Areas in the Ocean: A Comprehensive Ecosystem Protection Approach to the Spatial Management of Marine Resources*.

[8] Strong criteria for data quality, collection, and management can be found in *The Nature Conservancy's Workshop Report on Best Practices for Marine Spatial Planning* (Beck et al. 2009). Each ecological assessment should analyze existing data on ecological, environmental, and oceanographic conditions and should include: a description of the ecosystem's structure and composition, including the identification and characterization of species, habitats, and ecological processes that best represent the area; a comprehensive survey of species (including their populations, distributions, and seasonal variability) occupying each marine habitat; an analysis of the ecosystem's present health (including the status of habitats, species, and natural processes); identification and characterization of important ecological areas; identification of existing, emerging, and cumulative threats to ecosystem health, including vulnerabilities to human uses and environmental changes; a description of the important ecological attributes of the ecosystem (such as habitat diversity, quality, redundancy, and the health and distribution of keystone species, foundation species, and top predators), and identification of the conditions, including indicators and quantitative targets, that need to be maintained or restored to ensure the overall health of the ecosystem; a description of important ecological linkages between contiguous ecoregions (including ecoregions that may lie within other CMSP planning regions); and identification of major data gaps and areas of uncertainty, and recommendations for opportunities to help fill those gaps.

[9] Our organizations were pleased to see stated in the Final Recommendations that "CMSP is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and diversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors" (p. 44).

[10] We also encourage the development of regional socio-economic assessments within this timeframe.

<u>In the SAPs, identify specific, near-term actions that Federal agencies will take to improve ocean health</u>.

The nine priorities for which the Federal agencies are developing SAPs address the most pressing issues facing our ocean resources and the processes by which we can solve these challenges. As such, the SAPs must include more concrete and immediate actions with specific timelines for which Federal agencies can be held accountable. The majority of SAP actions currently are mid-term (3 to 5 years) or long-term (longer than 5 years); very few are near-term (actions that will occur in approximately one year).[11] The agencies need to demonstrate to the public their commitment to and the benefits of the National Ocean Policy through specific steps that can be taken now.

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We appreciate the opportunity to share these recommendations with you and welcome the chance to discuss them in more detail. Thank you for all of the effort you and your agencies have invested in this process. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, and Great Lakes.

Sincerely,

Sarah Chasis
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Anna Zivian
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[18] National Ocean Council. *Coastal and Marine Spatial Planning Strategic Action Plan Full Content Outline*. 2 June 2011. p. 8.

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Comment of Conservation Law Foundation

(9 pages)

conservation law foundation

For a thriving New England

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July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

RE: Comments on National Ocean Policy Strategic Action Plan Outlines

Dear Chairs Sutley and Holdren and National Council Members:

The Conservation Law Foundation (CLF) offers these comments on development outlines for the National Ocean Policy priority objectives' strategic action plans. CLF is New England's leading conservation advocacy organization and has been highly involved in marine and coastal management issues in New England for over 40 years. CLF promotes sustainable fisheries, marine and coastal habitat protection and restoration, improved water quality, clean and renewable energy, increased protection for living marine resources and a stable, sustainable economy for New England's coastal communities. CLF works to create a thriving New England for all who live here. CLF has submitted comments along with a coalition of conservation organizations on the National Ocean Policy strategic action plans and offers these additional comments.[1] The comments presented in this document are in addition to those and are solely the comments of the Conservation Law Foundation.

The Role of the National Ocean Council in Implementing the Priority Objectives

The Conservation Law Foundation fully supports the spirit and intent of Executive Order 13547 and the work of the National Ocean Council in fulfilling that directive. CLF believes that a single, unifying national policy on ocean and coastal management is vital to protect, maintain and restore the marine and fresh water ecosystems that our nation depends upon for economic strength, ecological sustainability and the overall health of our citizenry. The final National Ocean Policy (NOP) is based on the fundamental principle that the oceans and coasts and their living resources are held in the public trust by the federal government in perpetuity. The federal government holds this national public trust for all citizens and is responsible for ensuring the health and sustainability of our ocean and coastal ecosystems. In order to maintain and properly steward the national public trust it is imperative that the National Ocean Council (NOC) prioritize the protection, maintenance

[1] See letter entitled *Recommendations for the Strategic Action Plans* submitted to National Ocean Council by NRDC, CLF and 27 other conservation organizations. July 1, 2011.

and restoration of ecosystem health and ecological sustainability in the development and implementation of the priority objective strategic action plans.

The concept that providing for healthy ocean and coastal ecosystems is a vital responsibility for a prosperous, strong and enduring nation is explained in the introduction of the *Final Recommendations of the Ocean Policy Task Force*[2] and is strongly established in the first tenet of the *National Policy for the Stewardship of the Ocean, Our Coasts and the Great Lakes.*[3] Further, this important foundational principle is emphasized in the description of the National Policy: "The National Policy recognizes that America's stewardship of the ocean, our coasts, and the Great Lakes is intrinsically and intimately linked to environmental sustainability, human health and well-being, national prosperity, adaptation to climate and other environmental change, social justice, foreign policy, and national and homeland security."[4]

The commitment to the conservation and perpetual stewardship of ecosystems and biological diversity is the basic premise of the NOP and is a thoroughly embraced responsibility of the NOC. The constant and deleterious pressures of coastal development, resource use and extraction and other environmental impacts caused by increasing human demands has generally subsumed ecological stewardship responsibilities over time. The NOP was specifically developed as a corrective response to centuries of uncoordinated management of our oceans and coasts that resulted in ecosystem degradation, the decline and displacement of native species and harmful impacts to the welfare and health of American citizens. CLF urges the National Ocean Council to be diligent and persistent in the emphasis of protecting, maintaining and restoring ecosystem health, conserving biological diversity and establishing the practice of long-term ecological stewardship through the process of developing the strategic action plans and the implementation of the National Ocean Policy's priority objectives.

Recognizing the Northeast Region and the Gulf of Maine as a priority for NOP Implementation

No region of the nation has more advanced the use of coastal and marine spatial planning than that of New England or is more prepared and enthusiastic to implement the priority objectives of the National Ocean Policy. The New England region should be prioritized by the NOC for implementation of the various priority objectives and in the development of a regional coastal and marine spatial (CMS) plan. The states of Massachusetts, Rhode Island and Maine have taken great strides in their respective state waters in the use of spatial planning for either all uses or primarily for offshore wind energy development and in doing so have educated and built support among the public and diverse stakeholders for the notion of CMSP. The nature of our region's coastline as well the historical and current uses of our ocean highlight the opportunity for prioritizing New England as an area where implementation of the NOP is both needed and could show considerable benefits.

[2] Ibid. pps. 1-3.
[3] The first tenet of the National Policy states: "It is the policy of the United States to protect, maintain and restore the health and biological diversity of ocean, coastal and Great Lakes ecosystems and resources." Ibid. Page 3.
[4] Ibid. Page 4.

conservation law foundation

CLF strongly urges the National Ocean Council to prioritize the Northeast region as a priority area for NOP implementation and a regional CMS plan. CLF also encourages the recognition of the Gulf of Maine in the various strategic action plans as a national priority water body.

The Commonwealth of Massachusetts is at the forefront of integrated ocean management in the United States with the completion of the Massachusetts Ocean Plan. The need to develop clean and renewable sources of energy to address the potentially catastrophic impacts of climate change – including by tapping into the tremendous potential of offshore renewable energy resources, further underscores the fundamental importance of the Commonwealth's path breaking effort. This first-in-the-nation comprehensive ocean management plan, developed in only eighteen months with an exhaustive public and stakeholder involvement process, is intended to meet an ambitious statutorily-established goal for the state: "effectively manage the protection and use of its waters on behalf of the public for the benefit of current and future generations." The Massachusetts Ocean Plan uses a framework for comprehensive ocean management properly built upon scientific knowledge of marine ecosystems and a vast database of information on the physical, biological and oceanographic characteristics of the marine environment as well as the array of human uses of the Commonwealth's ocean waters. The plan framework is designed to achieve a critical balance between protecting vital ocean resources and habitat while enabling humans to capitalize on all the ocean has to offer in the way of food, recreation, transportation, and clean renewable energy.

In Rhode Island, the ocean special area management plan (Ocean SAMP) has been developed to design zones for certain uses in Rhode Island's state waters. This process addressed all coastal and ocean uses and incorporated a state mandate to develop renewable energy sources. The Rhode Island Ocean SAMP is informed by research projects specifically undertaken with the University of Rhode Island as well as public and stakeholder input. The development of the Ocean SAMP follows a process that addresses uses and issues in twelve separate chapters, each with a review period, and a comprehensive review at the completion of the chapters. The Ocean SAMP is being led by the state's office of coastal zone management and that agency's work to implement the federal Coastal Zone Management Act. The process and expected outcomes will vary from those in the Massachusetts Ocean Plan, but both states' approach could be integrated with a federally-driven regional CMSP process.

The state of Maine started its Ocean Energy Task Force through an Executive Order by former Governor John Baldacci in November of 2008.This process was created with the primary intent to plan appropriate development of offshore renewable energy sources. The Task Force was directed by the Governor to identify solution to overcome obstacles to offshore wind development and reduce impacts on ecological, cultural and economic resources. Some important recommendations of the state's Task Force were to create an online Ocean Atlas to collect and disseminate information to public and private users and decisionmakers, seek funding opportunities for CMSP in state waters, actively engage the former federal Interagency Ocean Policy Task Force, develop joint state-federal guidance on project siting and to develop a legal mechanism (such as a Memorandum of Understanding) with the federal government for leasing and permitting of wind

energy in state and federal waters. While Gov. Paul LePage, the current governor of Maine, has yet to state a developed position on the NOP, the Task Force's recommendations show that the state of Maine has the experience to engage in a comprehensive CMSP process in the region's federal waters should the state agencies be given the opportunity.

In New England there exists a substantial understanding and commitment by Massachusetts and Rhode Island to engage in regional CMSP and integrate the NOP priority objectives in their waters and state management plans. In addition, the Northeast Regional Ocean Council (NROC), consisting of representatives from six states and six federal departments and agencies in the northeast Atlantic region have begun to engage the notion of a region-wide marine spatial plan as reflected in the two MSP focused workshops they sponsored in June and October of 2009. Furthermore, state and federal NROC partners joined together on Feb. 2, 2010 to request increased funding for federal programs to be implemented in the region that would assist in protecting and improving water quality and coastal ecosystems. In making this request NROC stated: "The Northeast states through several regional initiatives, are pursuing a coordinated and collaborative approach to coastal and watershed issues that require an inter-state response. Similar to regional ocean governance issues around the nation's shores, these state-federal government partnerships are guided by consensus-based plans that leverage local and state commitments." NROC continues to meet regularly and discuss future implementation of the NOP. The Gulf of Maine Council on the Marine Environment, established in 1989 by the Governments of Nova Scotia, New Brunswick, Maine, New Hampshire, and Massachusetts to foster cooperative actions within the Gulf watershed, also recommended in the recent listening session that the Gulf of Maine receive explicit recognition as a priority geographic area of focus for implementation of the NOP.

It is clear that the positive policy results of coordinated CMSP are well recognized in our region. Complementing the broad public and governmental support for CMSP in the New England region is the extensive knowledge and deep expertise of New England's world class academic institutions. The Gulf of Maine, Georges Bank, and southern New England waters are some of the most studied ocean waters in the world and the database and understanding of our ocean ecosystem is extensive. We again urge the National Ocean Council to look to New England as a priority area for the implementation of the National Ocean Policy and a regional coastal and marine spatial planning process and to recognize the Gulf of Maine as an important water body for NOP implementation.

Recommendations for the Strategic Action Plan outlines

CLF urges the National Ocean Council and its member agencies to take specific conservation actions to directly improve the health of ocean and coastal ecosystems in the strategic action plans. In too many SAPs there is a hesitancy to initiate immediate conservation actions. The SAPs on Regional Ecosystem Protection and Restoration, CMSP, and Ecosystem-Based Management defer immediate and near-term conservation actions in favor of the proposed creation of another or later step in planning.

The strategic action plans should also direct agencies to incorporate the National Ocean Policy and the coastal and marine spatial planning principles - specifically the "essential elements" of CMSP[5] - in processes and programs they are undertaking right now, such as the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start wind energy initiative. The two main pillars of the essential elements of CMSP, an inclusive and transparent public and stakeholder planning process and the use of the best available science to inform decision making, will lead to better outcomes for our oceans, more efficient planning and project implementation over time and should be adopted by agencies right away. In addition, CLF offers these comments on the nine Strategic Action Plans:

Ecosystem-Based Management

Ecosystem-based management (EBM) is an approach to management that considers the entire ecosystem, yet EBM needs to do more than integrate existing resource management programs. EBM needs to promote ecosystem health, protect important ecological areas and restore degraded habitats and ecosystems so that they can provide the services humans want and need. The NOC must maintain the primary goal of protecting, maintaining and restoring ocean and coastal ecosystems by using a science-based process to actively identify and protect important ecological areas such as Stellwagen Bank, Cashes Ledge, the Atlantic canyons and important habitats such as deep sea corals. Further, CLF strongly urges the NOC to adopt the definition of EBM as found in the *Scientific Consensus on Marine Ecosystem-Based Management* which was supported by more than 220 scientists and policy experts.

Coastal and Marine Spatial Planning (CMSP)

In conjunction with the tenets of science-based decision making and robust public and stakeholder engagement, the *Final Recommendations* acknowledge that the ocean's ability to "provide sustained delivery of ecosystem services" as well as economic benefits depends on its ecological health. Therefore, the NOC must maintain ecosystem health as a primary goal in designing the CMSP process. The CMSP plan should: 1) provide a strong national objective to protect, maintain, and restore ecosystem health; 2) include guidance to the regional planning bodies to clearly acknowledge ecosystem health as the foundation of the ocean's benefits to us; 3) require periodic assessments of ecosystem health; 4) instruct regional planning bodies to employ EBM and consider the cumulative impacts of a use; 5) allow certification of final CMS plans only if they meet the national objective of protecting, maintaining and restoring ecosystem health; and, 6) provide procedures for regional planning bodies to identify important ecological areas through a regional assessment. As New England and other regions begin to develop ocean use plans, the identification and protection of ecologically important areas must be a priority.

Identifying and protecting Important Ecological Areas in CMS Plans

A fundamental component of the CMSP process should include in the initial stages of plan development the identification and designation of protected networks of habitat areas that include

[5] *Final Recommendations.* pps 55-60.

both coastal and offshore ecosystem features and functions. These networks should also include protection of cultural sites and heritage areas that hold unique and sensitive ocean habitats that are valuable for recreational use and scientific research such as canyons and seamounts, deep water corals, ledges, plains and mountains. Networks should be developed on a scale that protects native species diversity, provides for a representation of varied habitat types, supports ecosystem functions and establishes connectivity to other protected areas.

Over the course of six years, CLF's scientists worked closely with others from New England and Canada, to identify priority areas for conservation in the ecologically interconnected waters of the Gulf of Maine, Georges Bank and the Canadian Scotian Shelf. CLF used the best available scientific data on ocean conditions and sea life together with sophisticated computer methods to identify a possible network of areas whose protection would help to ensure the future of the region's marine biological diversity and productive ecosystems. The results of this scientific analysis are presented in a CLF report entitled *Marine Ecosystem Conservation for New England and Maritime Canada: A Science-Based Approach to Identifying Priority Areas for Conservation*. The vision for large-scale, eco-regional, marine conservation presented in this report is unparalleled in its scale, and potential impact for maintaining and restoring one the most highly productive ecological areas in the world – the Gulf of Maine. We urge the NOC to look to the report's findings as either a model or an approach that can be integrated with other approaches to identifying and protecting biologically productive areas.

CLF is concerned that designing CMS plans and attempting to "fit" protected habitat areas into the plan afterwards would be likely to leave those areas that are most vital for wildlife or that represent rare, high functioning or at-risk habitat types, subject to damaging uses. Therefore, we recommend the strategic action plan include a provision for the development of a concurrent and integrated public process that allows the nomination and protection of marine and coastal habitat areas. This process would occur along with the development of CMS plans and allow public, private, non-governmental and academic entities to propose the protection habitat areas. After designation the protected areas would be incorporated into the CMS plan.

Advancing CMSP in a timely manner

CLF notes with some concern that Objective 1 in the SAP outline projects to "…undertake and develop by 2020 initial CMS plans…" and that this date conflicts with the five year timeline presented in the Framework on Effective Coastal and Marine Spatial Planning.[6] We strongly urge the NOC to prioritize the implementation of CMSP and the completion of CMS plans in those regions that are best suited for advancing CMSP. While it is expected that all nine regions will complete CMS plans in accordance with the requirements of the NOP, there is no reason to avoid prioritizing those regions, such as New England, where the various states, federal agencies and stakeholders have the experience, desire and ability to create a successful regional CMSP program.

[6] The chart on implementation presents a well-developed integrated timeline which establishes the completion of CMS plans in each region by mid-2015. *Final Recommendations.* Page 69.

Achieving ecological stewardship goals in CMSP
Objective 3 of the CMSP SAP calls for the need to "preserve and enhance opportunities for sustainable and beneficial ocean use" while Objective 4 states the goal to "reduce cumulative negative impacts on environmentally sensitive resources and habitats." While we do not fundamentally disagree with those goals the combined effect of the SAP appears to set a low standard for ecological stewardship and the protection of ecosystems and biological diversity. As mentioned earlier in these comments the need to protect important ecological areas, maintain ecosystem health, protect and conserve native biological diversity and restore degraded ecosystems and ecosystem function should be fundamental goals of the CMSP SAP.

Public and Stakeholder involvement in CMSP
The transparent and full involvement of the public, recognized stakeholders, ocean user groups and academic institutions in the development of CMS plans is vital to the concept of coordinated CMSP and improved governance. CLF raises a number of points on this topic:

- The Federal Advisory Committee Act contains important provisions for the fair notification and representation of the public in government decisions. FACA places certain requirements on government agencies for public involvement that these agencies may find burdensome. The CMS process does contain opportunities for flexibility and creativity in the inclusion of the public and stakeholders and there might be developed new approaches for doing so. Regardless of agency sentiment that may or may not exist, the provisions of FACA are established in law and are expected to be followed. CLF proposes that the use or non-use of FACA should be examined very closely to ensure that it does not unintentionally or intentionally impede access to stakeholder expertise and input or hamper public involvement, requirements for open government deliberations or effective and responsible decisionmaking.
- The National Environmental Policy Act (NEPA) is an important law for all relevant federal decisions and should especially play a role in the development of CMS plans. Objective 3 of the CMSP SAP outline alludes to analyses required by NEPA. CLF recommends that the use of NEPA and the NOC's intent to meet requirements of NEPA in the development of CMS plans receive specific attention. The NOC and the Council on Environmental Quality should design guidance for the various regional planning bodies for the use of NEPA and the CMSP SAP should incorporate these guidelines in detailed action steps.
- CLF also proposes that the CMSP SAP establish a requirement for each regional planning body to convene standing committees to enable ongoing stakeholder and scientific consultation during the planning process. The various regions should have flexibility in the size and makeup of the committees but the process of stakeholder and academic involvement should be required through an established committee process.

Inform Decisions and Improve Understanding
Improving our knowledge and understanding of the ocean is a critical step towards improving ocean management. The NOC should prioritize integrating the data and science that agencies have

developed, including traditional and local knowledge, and involving a broad range of stake holders in identifying and working to close gaps in data and our understanding of the ocean. Established university programs can and should play a central role in bringing together this knowledge and data, as would coastal communities and ocean users from the recreational and business communities.

Coordinate and Support

Support for NOP implementation will be best generated by including all levels of decision makers, as well as non-governmental stakeholders, in a coordinated and meaningful way in the design and implementation of the action plans. The NOC has prioritized a transparent and inclusive process for formulation and implementation of the NOP; we appreciate this approach. It is essential that this effort not be viewed as a top-down mandate, but rather garners the full support of all levels of government. States, tribes, and local governments must view the NOP as an enabling mechanism to address ocean management issues that are important to their region and have the information, tools, and opportunities to use them for better local knowledge use.

Resiliency and Adaptation to Climate Change and Ocean Acidification

The environmental changes associated with climate change and ocean acidification are having immediate and lasting effects on our living marine resources, coastal habitat and infrastructure, and the goods and services that they provide. Enhancing the resiliency of living marine resources by reducing significant and cumulative threats, and providing opportunities for adaptation to these stresses should be a guiding goal of not only this Action Plan, but should also be an imbedded goal in other Strategic Action Plans. The Action Plan should include specific guidance and actions for each of the following elements: (1) mitigation; (2) integrated observation, research, and modeling; (3) sea-level rise; (4) resilience and adaptation policies and programs; and (5) mechanisms for funding. These elements are essential for our nation to adequately manage for resilient oceans, coasts and Great Lakes that are able to adapt to the profound changes associated with climate change and ocean acidification.

Regional Ecosystem Protection and Restoration

It is critical that this plan identify specific and measurable short-term and long-term goals for protecting important ecological areas - including areas in the offshore marine environment – and restoring wildlife populations and improving ecosystem health. Immediate and near term conservation goals must be included in the plan, not only a reliance on studies and assessments of well-known impacts of habitat loss. Implementation of this plan can be carried out to the maximum extent feasible, through existing programs and partnerships and should integrate with existing state plans such as the Massachusetts Ocean Plan and the Rhode Island Ocean SAMP and federal programs such as the Estuary Habitat Restoration Program, National Wildlife Refuges, National Marine Sanctuaries and Monuments. The Northeast region has several important ecological areas already identified in scientific and cultural research such as Cashes Ledge, Stellwagen Bank National Marine Sanctuary, Jeffreys Ledge, areas for deep sea corals and the canyons of the outer continental shelf. CLF urges immediate and near term actions to protect these and other areas. We ask specifically that the Gulf of Maine, its coasts and its fresh water tributaries be prioritized for

implementation of the NOP and CMSP. However, new authorities should be explored and utilized when appropriate.

Water Quality and Sustainable Practices on Land

This priority objective is critical for New England's ocean users, coastal communities and ocean industries. From Lake Champlain to Maine's Casco Bay to Massachusetts' Charles River, many of our water bodies do not meet basic water quality standards for public health and recreation. Land based pollution is a major contributor to poor coastal water quality which impacts tourism, fishing and other industries and has a direct negative impact on New England's quality of life. Stronger enforcement of existing laws and regulations would go a long way in improving water quality and CLF urges near-term action where needed. The NOC should also recognize the significant federal authority over land-based pollution, and set specific targets for reducing common pollutants such as trash, nutrients, bacteria, sediments, invasive species and carbon dioxide by targeting specific sources of pollution such as urban runoff, agriculture, concentrated animal feeding operations and water treatment facilities.

Stormwater pollution is the most pressing threat to water quality in the region today. CLF urges the adoption of more low-impact development, and green water quality infrastructure such as permeable pavement, wetlands and stream restoration, tree planting and other approaches that are often less expensive than industrial stormwater management approaches. Another important component is to identify, protect and conserve high quality ocean, coastal, and Great Lakes waters. The identification and restoration of coastal and inland streams and other water bodies should be a priority aspect of improving water quality and quantity for New England residents and wildlife. This strategic action plan should be integrated with the actions plans for Regional Ecosystem Protection and Restoration, Resiliency and Adaptation to Climate Change, Coordinate and Support, Coastal and Marine Spatial Planning and Ecosystem-Based Management wherever possible. Existing programs such as the NOAA Habitat Conservation Program should be coordinated with the National Estuary Program, Fish and Wildlife Refuges and other federally managed areas to identify, prioritize, protect and restore streams and rivers, such as the St. Croix River in Maine where river herring and other native species are struggling to persist.

Conservation Law Foundation thanks the NOC for their commitment in developing the strategic action plans and the implementation of the NOP. We also thank the NOC for the opportunity to provide these comments.

Sincerely,

Sean Cosgrove
Ocean Campaign Director

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Comment of Turtle Island Restoration Network

(14 pages)

July 1, 2011

Ms. Nancy Sutley
Dr. John Holdren
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Dear Chairs Sutley and Holdren:

Turtle Island Restoration Network[1] (TIRN) and the Center for Biological Diversity[2] (the Center) thank President Obama and the National Ocean Council for engaging people across America in the process of developing and implementing a comprehensive national policy to protect, maintain, and restore our oceans, coasts, and Great Lakes. We strongly urge the President and the National Ocean Council (NOC) to make the long-term survival and recovery of sea turtles, salmon, marine mammals, fish and all sea life the backbone of the national ocean policy. We also urge the President and the NOC to address human health in the national ocean policy specifically as it relates to consumption, testing and safety of seafood from our oceans and waterways, particularly mercury and toxicity in the fish we eat.

Our organizations appreciated the opportunity to participate in the listening session in San Francisco on June 30. However, we were extremely disappointed about the lack of interaction and dialogue between the people who came to provide comment and the government officials who organized the event. The format was limited strictly to three or four minutes of testimony after which sessions were terminated. Those in charge of the "listening sessions" did not provide opportunity for discussion even when half an hour or more remained after the official public comments were received. The Strategic Action Plans under review are lengthy and detailed and deserved more comprehensive review and interactive discussions than the format that the listening sessions provided.

In the future, the break-out sessions and listening sessions should be replaced by workshops and working sessions where high-ranking federal decision makers and staff engage directly in a

[1] Turtle Island Restoration Network is an international marine conservation organization headquartered in California whose 35,000 members and online activists work to protect sea turtles and marine biodiversity in the United States and around the world. For more information, visit www.SeaTurtles.org.

[2] The Center for Biological Diversity is a national, nonprofit conservation organization with more than 320,000 members and online activists dedicated to the protection of endangered species and wild places. www.biologicaldiversity.org

discussion and exchange of ideas with stakeholders to achieve true collaboration and the best results from the public process to achieve and implement a strong national ocean policy.

TIRN and the Center offer the following recommendations to the National Ocean Council for developing, implementing and finalizing the Strategic Action Plans for the nine National Priority Objectives.

Overall, we urge the National Ocean Council and its member agencies to take immediate and specific conservation actions to directly improve the health of ocean and coastal ecosystems in the strategic action plans. Taking too much time to plan instead of moving to action risks further degradation and loss of marine natural resources. A timeline with specific dates in the short-medium-and-long term are essential to prioritize and address the most critical ocean management problems. The plan must be adopted and implementation must begin by 2015 as originally proposed by the Obama administration, not delayed to 2020 or later.

The urgency of action is clear given the current status of the health our oceans. For example, in the Gulf of Mexico endangered sea turtles and marine mammals are dying in record numbers this year, mainly due to a lack of enforcement of fishing regulations combined with toxicity in the marine habitat from the BP oil spill and ongoing spills of hydrocarbons from the oil and gas industry. Coastal communities continue to suffer from the environmental and economic harm from the spill and other human-caused and natural disasters. Yet no new ocean conservation policies have been adopted by Congress or the Obama Administration to expedite the restoration of the region nor to protect people and marine resources from another oil or other human-or-natural disaster. Instead, offshore drilling is being ramped up. And the state of Louisiana continues to exempt its shrimp fleet from use of Turtle Excluder Devices more than a decade after it became a federal fisheries law. Clearly, this is a prime example of the need for an integrated ocean policy.

The need is urgent and dire for an aggressive, conservation focused National Ocean Policy. TIRN and the Center urge that the strategic plans be finalized quickly. Specially, we request that coastal and marine spatial planning principles that emphasize conservation and protected areas be adopted and implemented by regulatory agencies and decision making bodies across all processes and programs they are undertaking right now including all fishery management plans, the 5-Year Offshore Oil and Gas Leasing Program and other government plans for existing and expanding marine commerce in coastal and ocean waters (energy, shipping, aquaculture, etc).

Precautionary approach: Neither the NOP goals and objectives or Strategic Action Plans (SAPs) mention the precautionary principle. TIRN and the Center believe that the precautionary principle must underpin the entire NOP. This will help make decisions when a conflict between human use and environmental protections arises in our oceans and coastal waters.

Public process: An inclusive and transparent public planning process and the use of the best available science to inform decision making will lead to better outcomes for our oceans and should be adopted by agencies right away. Right now stakeholders receive little if any information about planning processes and in San Francisco, even the location of the listening sessions remained a mystery until less than a week before it was held – certainly a disadvantage for those outside the beltway who care about engaging in polices to protect our oceans.

In order to ensure a strong and conservation-based CMSP process, interested stakeholders outside the scientific and agency realm must be invited to participate and engage on an ongoing basis. Right now it is unclear to our organizations how marine species habitat is being mapped as a critical element of CMSP. It is also unclear as to how conservation groups, expert scientists, and the public may engage to ensure that migratory paths, breeding and spawning areas, foraging grounds and habitat for ocean species are mapped and prioritized for protection. We also do not understand how decisions will be made about marine zoning.

Ecosystem-Based Management

Establishment and protection of critical habitat for endangered sea turtles, marine mammals and other marine species, including endangered fish such as bluefin tuna, must be an essential element and priority objective of ecosystem-based management. To date, it appears that federal agencies that manage our marine resources intentionally ***avoid*** establishing critical habitat for endangered species, despite the mandates of the Endangered Species Act. For example, establishment of critical habitat for the Pacific leatherback sea turtle along the West Coast of the U.S. and for loggerhead sea turtles along the East Coast have been delayed for no apparent reason, forcing our organizations and others to file lawsuits to get National Marine Fisheries Service to fulfill its mandates under the ESA. Because the leatherbacks and loggerheads are far ranging, this action will provide ecosystem-wide conservation benefits by triggering consultation when new federally permitted activities are proposed in these waters.

Ecosystem-based management (EBM) is an approach to management that considers the entire ecosystem, but EBM must do more than integrate existing resource management programs. EBM needs to promote ecosystem health, protect important ecological areas and restore degraded habitats and ecosystems so that they can provide the services humans want and need. The NOC must maintain the primary goal of protecting, maintaining and restoring ocean and coastal ecosystems by using a science-based process to actively identify and protect important ecological areas including Stellwagen Bank, Cashes Ledge, the Atlantic canyons, Mississippi Delta and barrier islands, the Mississippi Deepwater Canyon, and important habitats such as deep sea corals from overfishing, oil and gas exploration and drilling, expanding marine commerce, aquaculture, deep sea mining and other extractive activities.

Further, TIRN and the Center strongly urge the NOC to adopt the definition of EBM as found in the *Scientific Consensus on Marine Ecosystem-Based Management*, which was supported by more than 220 scientists and policy experts.

Coastal and Marine Spatial Planning (CMSP)

The mapping and protection of critical habitat, migratory pathways, established marine protected areas and sanctuaries, breeding and spawning grounds, foraging areas and other key life cycles of marine species from sea turtles to whales to fish and coral must be prioritized in CMSP. Interactions and impacts from human activities that exist or are anticipated must be overlaid on the above to identify and protect key areas where human activities are limited or not allowed at all.

A primary concern with the EBM Strategic Action Plan as written is the language contained in Objective 3 is that it appears to prioritize streamlined regulatory processes over thorough environmental review and protection.

Particularly in the case of endangered sea turtles, we are not aware of any effort to integrate tracking and tagging data from sea turtle research in the U.S. into the CMSP effort. Existing and new data must be compiled and utilized to identify and map key nesting, migratory, breeding and foraging areas for all species of sea turtles in the U.S. Then key habitat must be protected by creating swimways, marine protected areas and time-and-area closures of fisheries with known sea turtle bycatch to enhance the recovery of survival of sea turtles. No sea turtle species or populations have achieved recovery goals in the U. S. after nearly 40 years of ESA protections (according to the 2010 National Research Council report, *Sea Turtle Status and Trends: Integrating Demography and Abundance, Page 9)***:**

> *Management efforts appear to have slowed or reversed declines in some populations (e.g., Kemp's ridley; Turtle Expert Working Group, 2000) and Hawaiian green turtles (National Marine Fisheries Service and U.S. Fish and Wildlife Service, 2007a), but the status of many populations is still unknown or poorly understood (Table 1.1), and* ***none have yet reached their recovery goals.****(emphasis added)*

The status of protected sea turtles a clear indication that a new National Ocean Policy must use CMSP to improve and enlarge sea turtle protection areas.

We are also very concerned with the language contained in Objective 3 of the CMSP Strategic Action Plan:

Key National Objectives and Related Performance Measures: Preserve and enhance opportunities for sustainable and beneficial ocean use through the promotion of regulatory efficiency, consistency, and transparency as well as improved coordination across Federal agencies.

While regulatory efficiency and consistency, transparency and coordination are certainly positive objectives, they should not be achieved at the expense of environmental protection and thorough environmental impacts assessments that include public comment. Various extractive industries and regulatory oversight agencies have used similar language to advocate for the weakening of environmental laws.

We are very concerned that language below could be read as advocating for quicker environmental review to "*aid in the reduction of effort and time (by both Federal and private entities) required to support comprehensive National Environmental Policy Act" and avoid "to increased scrutiny, legal filings, and even financial constraints for both those industries that are seeking the permits, as well as the responsible Federal agencies."*

This section makes no reference to the needs of the environment or stakeholders besides industry and government and seems to complain about scrutiny and legal filings.

If government were to fulfill its mandates under existing laws quickly and efficiently, there would be little to no need for legal filings. The problem is not necessarily with the regulatory

system as it exists, but the fact that government does not implement it effectively. Our experience with the regulatory process has led us to be concerned that the agencies that are mandated to protect natural resources are often more engaged with industry's concerns than the demands of protecting the oceans and environment.

Furthermore, if federal ocean resource managers cannot meet permitting time frames, government leaders must take action to replace those personnel with more competent individuals or hire additional assistance. For example, a lack of hiring to deal with the outcomes of the Deepwater Horizon oil spill has resulted in an unprecedented frequency of delays by the National Marine Fisheries Service Office of Protected Resources in dealing with their current workload.

Please strike the language below or modify it to explain how NEPA and other laws can be enforced efficiently and the mandates of environmental laws be fulfilled without weakening them. Industry financial constraints should not be the basis for failing to provide environmental protection or considered as a priority element of marine spatial planning.

STRIKE: "*Most laws include strict time frames within which review and analysis of permitted activities must be completed. However, currently it is difficult to meet these time frames, which often leads to increased scrutiny, legal filings, and even financial constraints for both those industries that are seeking the permits, as well as the responsible Federal agencies. Using a well-designed and data-supported CMSP process can reduce these delays and costs by pre-assessing areas where certain activities may be better suited; providing frameworks for compiling all the relevant environmental, economic, and social data and information; and identifying in advance those activities that might have synergistic relationships. Coordinated efforts for integration of data as outlined in Objective 2 will also provide efficiencies and consistencies and will aid in the reduction of effort and time (by both Federal and private entities) required to support comprehensive National Environmental Policy Act.)*

In conjunction with the tenets of conservation focused, science-based decision making and robust public and stakeholder engagement, the *Final Recommendations* **must** acknowledge that the ocean's ability to "provide sustained delivery of ecosystem services" as well as economic benefits depends on its ecological health. Therefore, the NOC must maintain ecosystem health as a primary goal in designing the CMSP process. The CMSP plan should: 1) provide a strong national objective to protect, maintain, and restore ecosystem health; 2) include guidance to the regional planning bodies to clearly acknowledge ecosystem health as the foundation of the ocean's benefits to us; 3) require periodic assessments of ecosystem health; 4) instruct regional planning bodies to employ EBM and consider the cumulative impacts of a use; 5) allow certification of final CMS plans only if they meet the national objective of protecting, maintaining and restoring ecosystem health; and, 6) provide procedures for regional planning bodies to identify important ecological areas through a regional assessment. As individual regions begin to develop comprehensive ocean use plans, the identification and protection of ecologically important areas must be a priority.

Inform Decisions and Improve Understanding

Private and corporate investment in scientific research must not be a primary source of research or funding as corporate interests tend to compromise scientific findings. Any research or existing data compiled by corporations or private entities in U.S. waters must

be released publicly. Political appointees must not be allowed to be decisionmakers in the release of scientific data or findings.

Improving our knowledge and understanding of the ocean is a critical step towards improving ocean management. The NOC should prioritize integrating the data and science that agencies have developed, including traditional and local knowledge, and involving a broad range of stake holders in identifying and working to close gaps in data and our understanding of the ocean. Established university programs can and should play a central role in bringing together this knowledge and data – **as long as these programs are not corporate or industry funded.**

Furthermore, it is essential that scientists funded by the government share or publish their data in public forums. Under no circumstances should publicly funded research be hidden or subverted, it must be transparent and the scientists leading such work must not be restricted from sharing their information in a public forum, whether for education or advocacy audiences. Limiting the voices of publicly funded scientists in an attack on the basic constitutional rights of those individuals.

Coordinate and Support

Support for NOP implementation will be best generated by including all levels of decision makers, as well as non-governmental stakeholders, in a coordinated and meaningful way in the design and implementation of the action plans. The NOC has prioritized a transparent and inclusive process for formulation and implementation of the NOP. It is essential that this effort not be viewed as a top-down mandate, but rather garners the full support of all levels of government. Conservation communities, public stakeholders, states, tribes, and local governments must view the NOP as an enabling mechanism to address ocean management issues that are important to their region.

Resiliency and Adaptation to Climate Change and Ocean Acidification

The environmental changes associated with climate change and ocean acidification are having immediate and lasting effects on our living marine resources including sea turtles, coastal habitat and infrastructure, and the goods and services that they provide. Enhancing the resiliency of living marine resources by reducing significant and cumulative threats, and providing opportunities for adaptation to these stresses should be a guiding goal of not only this Action Plan, but should also be an imbedded goal in other Strategic Action Plans. The Action Plan should include specific guidance and actions for each of the following elements: (1) mitigation; (2) integrated observation, research, and modeling; (3) sea-level rise; (4) resilience and adaptation policies and programs; and (5) mechanisms for funding. These elements are essential for our nation to adequately manage for resilient oceans, coasts and Great Lakes that are able to adapt to the profound changes associated with climate change and ocean acidification.

TIRN and the Center are concerned about several of the specific actions recommended in the Strategic Action Plan under Action 4 in this section related to carbon offsets and private investment in conservation and restoration: Create carbon-based incentives for coastal habitat conservation. TIRN and the Center strongly urge the removal of this action and replace it with support for reduction and regulation of carbon emissions from private and public sources.

TIRN and the Center cannot agree to "developing carbon sequestration/storage protocols for coastal wetlands and exploring policy options for incorporating the carbon sequestration services of these habitats into Federal decision- making."

TIRN and the Center finds this equally problematic: "Significant opportunities exist to channel private investment into coastal habitat protection and restoration, by bringing these projects into a voluntary carbon market or promoting the carbon services provided by these habitats; however, a protocol must first be developed that provides a reliable framework for evaluating and potentially quantifying carbon gains."

The nation's coastal wetlands must not be used as a trade-off to allow industry to pollute more and take "credit" for natural resources benefits that already exist. This provides a "double-dip" for oil and gas and other industries. It allows them to pollute and destroy public lands and natural resources, then be credited for restoring them. It would also allow industry to pollute in one place simply because natural ecosystems are functioning elsewhere.

This is completely counterproductive to a sane ocean policy.

Increased private investment channeled into coastal habitat protection and restoration is also a nightmare. While it makes sense for government agencies to require mitigations for destruction of coastal habitat and restoration when/if it is allowed, and for the government to manage these mitigations, corporations should not be allowed to do this directly or under their own authority.

We've already seen from the BP oil spill that corporations are not responsible guardians of the ocean. Other oil companies are also acting irresponsibly in the U.S. and around the world and should not be rewarded with "offsets" from the public commons.

TIRN's program director has personally witnessed the failure of similar models in Northwest Australia where oil companies, specifically Chevron corporation, has been allowed to destroy nesting beaches for endangered sea turtles and given free rein to build massive LNG infrastructure in whale calving areas in exchange for "conservation offset" mitigations in the form of millions of dollars that will never, ever replace the removal of an ancient sea turtle population. Part of the approval process allowed for the use of unproven carbon sequestration to reduce the huge volumes of carbon that will be emitted at the Gorgon project. The government of Australia has even gone so far as to assume liability if carbon sequestration fails.

For the United States to begin trading off our natural resources in any similar way through carbon offsets from our disappearing coastal wetlands is unthinkable and outrageous.

For the National Ocean Council to address global greenhouse gases and climate change, it must do so by supporting strict regulation, reduction and prevention of major sources of greenhouse gases, not by giving away our natural resources and "lungs of the earth" so that companies can pollute more and make more profits.

In the Outcomes section, please delete the following

DELETE• Increased private investment is channeled into coastal habitat protection and restoration.

OK • Increased protection and restoration of salt marsh, mangrove, and sea grass habitats and increased mitigation requirements for impacts to these systems.

OK • Increased capacity for governments to implement voluntary restoration and protection programs.

DELETE• Reliable framework developed for implementing coastal habitat conservation projects to create offset credits.

DELETE• Greater understanding of Federal policy opportunities and barriers for including carbon sequestration in ecosystem service assessment calculations.

DELETE THIS SECTION because all of these milestones support counterproductive carbon trading of our natural resources:

4. Milestones

DELETE • Adoption of methodologies to assess carbon sequestration capacity for different coastal wetland types, mangroves, and sea grasses.

DELETE • Identification of demonstration sites appropriate for carbon sequestration and emission research, with emphasis on sites already identified for the purposes of long-term ecological research (e.g., National Wildlife Refuges, National Estuarine Research Reserves, National Estuary Programs, and other sites that are part of the Long-term Ecological Research Network).

DELETE• Development of a greenhouse gas offset protocol for coastal wetland conservation for use in voluntary carbon markets.

Regional Ecosystem Protection and Restoration

First, TIRN and the Center urge the immediate drafting of strategic action regional plans for the West Coast, Puget Sound and San Francisco Bay region and other regions that have not yet been addressed. Stakeholders such as our organization must be invited to participate in the drafting of the regional plans. Right now it is not clear how the National Ocean Council is developing these plans or how non-government entities can participate.

Secondly, the key focus of the existing plans as outlined does not seem comprehensive. For example, in the Gulf of Mexico, the primary focus appears to be "ongoing regional sediment management planning efforts." While sediment management is an important issue, it seems far too limited to seriously address the myriad of regional oceans and related problems the region is now facing. Certainly the National Ocean Council cannot ignore the impacts of oil and gas in the region or commercial fishing as key focus areas.

Regional protection plans need to include habitat for all marine animals, not just critical habitat where designated, but all important habitat for healthy populations of marine animals and fish.

The Gulf of Mexico is probably the best example of where the need for a strong national ocean policy and regional ecosystem protection and restoration is needed. The Gulf of Mexico is the most impacted ocean region in U.S. waters due to extreme fishing pressure and the oil and gas industry. Thousand of sea turtles were killed, harmed or displaced during the BP Oil spill. Then hundreds or thousands more are killed every year in shrimp trawl nets and on various types of longline fishing gear.

The Kemp's ridley sea turtles, near extinction in 1985, began to show recovery of its population in the last few years. However, last year, nesting dropped dramatically during the BP Oil Spill. However, the full impact of the 2010 oil spill will not be known for years when future

generations of turtles return to nest in 10 to 15 years. About 10,000 hatchlings were released at the Padre Island National Seashore in 2010 with little concern of what would happen to them should they reach the oily waters of the Gulf. Pleas to the U.S. Fish and Wildlife Service, the National Park Service and National Marine Fisheries Service to retain several hundred of these hatchlings for a few months until safe waters could be found fell on deaf ears.

Thousands of oil rigs dot the Gulf of Mexico with permits being issued for more development. Policy needs to be developed now for future problems. In the event of another huge oil spill, commercial fishing vessels should be immediately ordered to stop fishing and law enforcement must enforce the rule. The Texas shrimping season will re-open in two weeks and we expect both state and federal law enforcement to be boarding boats, inspecting TEDs and saving sea turtles. Industry and conservation in this instance are joined by state and federal agencies providing law enforcement. This action was missing after the BP oil spill.

Numerous requests to declare the coastal waters of the Kemp's ridleys as "critical habitat" continue to be disregarded although research papers and actual tracking data show that Kemp's ridleys forage and migrate along the entire Texas coast, Louisiana and the Gulf Coast. In 2000, Texas Parks and Wildlife declared a no shrimping zone in south Texas waters for eight months of the year. As a result, fish, shrimp and sea turtle populations have benefitted. This would indicate that an expanded no shrimping zone along the Gulf Coast would further benefit these important populations.

The National Ocean Council must encourage equity in the regulations that provide protection for all species of endangered sea turtles. We have waited for years for a revision of the Kemp's Ridley Sea Turtle Recovery Plan. A detailed plan for recovering and rehabilitating sea turtles following an oil spill is needed for both federal waters and Texas waters.

For too long, political pressure has had too much influence on decisions made about the fisheries and its relationship to marine life and endangered species. We understand that recession, hurricanes and oil spills bring hardships but these are situations which will improve and pass. Refusing to take needed steps to protect endangered sea turtles or delaying enforcement of the Endangered Species Act has cast a dark shadow on the current federal fishery managers.

Again, to benefit the Gulf of Mexico with its treasure of marine inhabitants as well as everyone who depends on it for their recreation and livelihood, we ask for an end to needless bycatch of sea turtles and other non-target marine animals, halting overfishing, stopping wasteful fishing practices and using the Endangered Species Act as it was intended.

Along the West Coast of the U.S. the endangered Pacific leatherback remains vulnerable to extinction due to capture and death in fisheries, primarily longline and drift gillnet fisheries that continue to operate in the U.S. Pacific. As mentioned in the introduction, critical habitat for these rare and disappearing marine animals is being delayed unnecessarily by National Marine Fisheries Service.

SALMON

Endangered coho salmon in Central California are facing extinction due to dams, streamside development, water diversions, pollution and now climate change, a microcosm of the threats to

salmon nation-wide. The population in the Lagunitas Creek Watershed in West Marin, just 30-miles from San Francisco, represents upwards of 20 percent of all the remaining wild run of coho salmon in CA, and this run is recognized as the keystone for recovery of extirpated runs of wild coho across Central CA. They are listed as "endangered" and are in need of urgent and immediate protections. Major issues include unsustainable land use and water diversions in sensitive streamside areas, a lack of enforcement, and a dire need for county, state and federal agencies to step up and take the necessary steps within their respective jurisdictions to save these fish. It is worth noting that the genetic contribution of this population to survive at the southern range of the species, combined with the fact that this population, though endangered is arguably one of the more robust populations still surviving in California, elevates its importance to ensure that the genetic diversity of this population may be critical to allowing coho to adjust warming climates.

It is critical that this plan identify specific and measurable short-term and long-term goals for protecting important ecological areas - including areas in the offshore marine environment – and restoring wildlife populations and improving ecosystem health. Immediate and near term conservation goals must be included in the plan, not only a reliance on studies and assessments of well-known impacts of habitat loss. Implementation of this plan can be carried out to the maximum extent feasible, through existing programs and partnerships and should integrate with existing state programs and federal programs such as the Estuary Habitat Restoration Program, National Wildlife Refuges, National Marine Sanctuaries and Monuments. However, new implementing regulations should be explored and utilized.

Water Quality and Sustainable Practices on Land

This priority objective is critical for ocean users, coastal communities and ocean industries. Land based pollution is a major contributor to poor coastal water quality which impacts tourism, fishing and other industries and has a direct negative impact on our region's quality of life. Stronger enforcement of existing laws and regulations would go a long way in improving water quality. The NOC should recognize the significant federal authority over land-based pollution, and set specific targets for reducing common pollutants such as trash, nutrients, bacteria, sediments, invasive species and carbon dioxide by targeting specific sources of pollution such as urban runoff, agriculture, concentrated animal feeding operations and water treatment facilities. Another important component is to identify, protect and conserve high quality ocean, coastal, and Great Lakes waters.

When it comes to the protection of habitat and survival of endangered sea turtles in U.S. waters, water quality is becoming an increasing problem.

Water quality is under constant threat from pollution and manipulation due to industrial use, municipal discharges, urban non-point source runoff, and climate change. Ocean water quality able to support normal growth, development, viability, and health of endangered sea turtles and their prey must be considered in the shaping of the National Ocean Policy.

Stormwater runoff is recognized by EPA as the leading source of contaminants and marine plastics in coastal waters. Stormwater pollution causes direct toxic impacts to marine species and can impact coastal ecosystems through delivery of heavy metals, chlorinated pesticides, and

disease causing pathogens (2). Trash, of which a large component is plastic, is recognized by the EPA as a water quality impairment.

The direct effects and bioaccumulation of contaminants in marine life and marine ecosystems, including Pacific leatherbacks and their prey, is of concern to toxicologists and marine ecologists (6, 7, 14). Sea turtles exposed to poor water quality suffer from increased disease, accumulation of heavy metals and organochlorine contaminants, and death from ingestion of plastic pollution. Pathogens from polluted urban runoff and municipal discharges increased disease frequency in Australian sea turtles foraging in nearshore embayments (4). Evidence of cadmium, zinc, and PCB accumulation in sea turtle and gelatinous macroplankton tissues and organs exists all over the world (3, 5, 7, 11, 12). Plastic ingestion from trash in urban runoff and marine disposal has been shown to be a major cause of death for leatherbacks, with presence of plastics recorded in the GI tract of 34% of autopsy records of 408 leatherback turtles (9, 10).

EPA marine toxicity testing with planktonic larval organisms, such as marine algae, mussel and urchin embryos, and larval fish, reveal they are very sensitive to contaminants. Abnormal development and death is commonly documented from environmentally relevant concentrations of municipal effluent, industrial effluent, urban stormwater runoff, and pesticides in lab exposures (2). The impact on these organisms from poor water quality is translated directly up the food chain, and could lead to reduction or collapse of scyphomedusae populations near these discharges (1).

Warm, contaminant rich discharges into the neritic zone risk the occurrence of high sea turtle prey abundance and high bioaccumulation of contaminants in this aggregation of prey. In Southern California, warm point-source discharges have attracted greater densities of sea turtles, putting them at risk from fibropapilomas caused by water quality impacts (8).

Emerging water quality contaminants of concern in the marine environment include pharmeucutical drugs, anti-microbial agents, fire retardants, nanoparticles and plasticizers (10). These compounds are not removed in most municipal wasterwater treatment plants, and are discharged directly into the marine environment from NPDES permitted sources and non-point sources. Acute toxicity, chronic toxicity, and endocrine disrupting effects of these emerging contaminants are documented, and the full spectrum of their effects to marine organisms is still being elucidated. The risk of ecological impacts from these compounds is recognized to be very high, and we urge the National Ocean Policy to consider their impacts to sea turtle health and the health of their prey.

Ingestion of entanglement in pelagic plastic pollution by northwest Atlantic loggerhead sea turtles is an immediate threat to their survival, particularly juveniles. Approximately 15% of pelagic post-hatchling loggerheads from Florida beaches have ingested plastics within the first few weeks of pelagic foraging, that marine pollution is one of the main anthropogenic threats to sea turtles, that loggerheads appear to be one of two sea turtle species that ingest more debris in all of its life stages, nutrient dilution from debris displacing food in the gut may decrease somatic growth and reproduction (Conant *et al.*, 2009). Small quantities of plastic are ingestion by sea turtles as a common occurrence, and even in small quantities, plastics can kill sea turtles due to obstruction of the oesophagus or perforation of the bowel (Wabnitz and Nichols, 2010). Of 19

loggerheads investigated in the Adriatic Sea, 35.2% had ingested plastic debris (Gracan and Lazar, 2011).

Twenty five years of pelagic plastic pollution sampling in the Atlantic ocean by scientists at Sea Education Association and Woods Hole Oceanographic Institution found that approximately 83 percent of all the plastic debris collected was concentrated in the North Atlantic subtropical gyre (Lawrence, 2010). This study has produced a density distribution of plastic pollution concentrations that overlap with satellite-tracked northwest Atlantic loggerhead sea turtles, indicating a plastic debris density of 15,000 to 25,000 pieces per km^2 occurs in habitats of northwestern loggerheads, representing an immediate threat to their survival and growth (Figure 1). The increased availability of scientific information warrants further assessment by NMFS to better quantify the risk of plastic ingestion by loggerheads in the northwest Atlantic.

ADDITIONAL CONCERNS

OCEANS, SEAFOOD, MERCURY AND PUBLIC HEALTH

As mentioned in the introduction of these comments, the new national ocean policy should consider seafood and public health. Mercury contamination of seafood is a widespread public health problem. The Food and Drug Administration warns that pregnant women, nursing mothers, women who might become pregnant, and children should not eat swordfish, shark, tilefish, and king mackerel because of high methylmercury content. The FDA also warns women and children to limit their consumption of tuna.

The GotMercury? project (www.gotmercury.org) works to inform people about making healthy seafood choices and limiting consumption of mercury-laden fish.

We recognize and applaud the Obama administration's commitment to reducing mercury emissions and mercury waste. With this mind, we urge the President and the National Ocean Council to expand these efforts to the oceans, public health and mercury in fish.

The problem is that the seafood industry with the support of the FDA and NMFS continues to press for expansion of U. S. swordfish fleets and promote swordfish and tuna as healthy choices for women, children and other vulnerable populations despite mercury exposure.

For example, NMFS last year launched a Fish Watch website complete with recipes that promotes the consumption of fish. See http://www.nmfs.noaa.gov/fishwatch/ While some of this information may be helpful, it is not well-balanced and downplays the problems with mercury. It cites government data dating back to 2004 without any references to NHANES or recent research correlating mercury with fish consumption or mercury with health issues. In fact, the website was most likely written by the seafood industry. Herein lies one of the biggest conflicts in ocean management – the same agency charged with promoting fisheries is also supposed to protect marine species and public health.

We would like to take this opportunity to flag for the National Ocean Council the mercury-in-seafood policy changes we believe the FDA should adopt to reduce the public's exposure to methylmercury through seafood consumption. Our organizations recently filed a petition to the FDA to take action, which is long overdue. You may view our complete petition at: http://www.gotmercury.org/article.php?id=2065

We believe that updating FDA policy on mercury in commercial seafood is long overdue, and urges the President to direct the FDA to immediately initiate a public rulemaking process to review and revise current mercury-in-fish policies, strengthen mercury-in-fish standards; require public notification through signage, labeling and public education; and to enforce action levels for mercury-in-fish. The FDA should be doing far more than it does today to protect the public

from mercury-in-seafood and ensuring consumers are well educated about the risks to enable them to make the healthiest low-mercury seafood choices.

Conclusion

TIRN and the Center urge the NOC to implement the National Ocean Policy with the primary goal of protecting, maintaining, and restoring the Nation's ocean, coastal, and Great Lakes resources and ensuring resilient ecosystems. Healthy oceans and coasts are the foundation of a healthy environment, healthy communities and increased economic opportunities for the nation as a whole.

Sincerely,

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Index: Attachments to Comments

Ecosystem-Based Management:

Comment of Cape & Islands Self Reliance Corporation

(3 pages)

July 1, 2011

Ms. Nancy Sutley
Dr. John Holdren
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Dear Chairs Sutley and Holdren:

I offer the following recommendations to the National Ocean Council in developing the Strategic Action Plans for implementation of the nine National Priority Objectives. I want to thank President Obama and the National Ocean Council for the steps you have already taken to protect our oceans and coasts.

Overall, I urge the National Ocean Council and its member agencies to take specific conservation actions to directly improve the health of ocean and coastal ecosystems in the strategic action plans. Agencies should incorporate the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, such as the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start wind energy initiative. An inclusive and transparent public planning process and the use of the best available science to inform decision making will lead to better outcomes for our oceans and should be adopted by agencies right away. In addition, I offer these comments on the nine Strategic Action Plans:

Ecosystem-Based Management
Ecosystem-based management (EBM) is an approach to management that considers the entire ecosystem, yet EBM needs to do more than integrate existing resource management programs. EBM needs to promote ecosystem health, protect important ecological areas and restore degraded habitats and ecosystems so that they can provide the services humans want and need. The NOC must maintain the primary goal of protecting, maintaining and restoring ocean and coastal ecosystems by using a science-based process to actively identify and protect important ecological areas such as Stellwagen Bank, Cashes Ledge, the Atlantic canyons and important habitats such as deep sea corals. Further, I strongly urge the NOC to adopt the definition of EBM as found in the *Scientific Consensus on Marine Ecosystem-Based Management*, which was supported by more than 220 scientists and policy experts.

Coastal and Marine Spatial Planning (CMSP)
In conjunction with the tenets of science-based decision making and robust public and stakeholder engagement, the *Final Recommendations* acknowledge that the ocean's ability to "provide sustained delivery of ecosystem services" as well as economic benefits depends on its ecological health. Therefore, the NOC must maintain ecosystem health as a primary goal in designing the CMSP process. The CMSP plan should: 1) provide a strong national objective to protect, maintain, and restore ecosystem health; 2) include guidance to the regional planning bodies to clearly acknowledge ecosystem health as the foundation of the ocean's benefits to us; 3) require periodic assessments of ecosystem health; 4) instruct regional planning bodies to employ EBM and consider the cumulative impacts of a use; 5) allow certification of final CMS plans only if they meet the national objective of protecting, maintaining and restoring ecosystem health; and, 6) provide procedures for regional planning bodies to identify important ecological areas through a regional assessment. As individual regions begin to develop comprehensive ocean use plans, the identification and protection of ecologically important areas must be a priority.

Inform Decisions and Improve Understanding
Improving our knowledge and understanding of the ocean is a critical step towards improving ocean management. The NOC should prioritize integrating the data and science that agencies have developed,

including traditional and local knowledge, and involving a broad range of stake holders in identifying and working to close gaps in data and our understanding of the ocean. Established university programs can and should play a central role in bringing together this knowledge and data. Because of our first-hand experience with the Cape Wind project taking almost a decade to permit, we recognize the importance of improving public understanding.

Coordinate and Support
Support for NOP implementation will be best generated by including all levels of decision makers, as well as non-governmental stakeholders, in a coordinated and meaningful way in the design and implementation of the action plans. The NOC has prioritized a transparent and inclusive process for formulation and implementation of the NOP; we appreciate this approach. It is essential that this effort not be viewed as a top-down mandate, but rather garner the full support of all levels of government. States, tribes, and local governments must view the NOP as an enabling mechanism to address ocean management issues that are important to their region.

Resiliency and Adaptation to Climate Change and Ocean Acidification
The environmental changes associated with climate change and ocean acidification are having immediate and lasting effects on our living marine resources, coastal habitat and infrastructure, and the goods and services that they provide. Enhancing the resiliency of living marine resources by reducing significant and cumulative threats, and providing opportunities for adaptation to these stresses should be a guiding goal of not only this Action Plan, but should also be an imbedded goal in other Strategic Action Plans. The Action Plan should include specific guidance and actions for each of the following elements: (1) mitigation; (2) integrated observation, research, and modeling; (3) sea-level rise; (4) resilience and adaptation policies and programs; and (5) mechanisms for funding. These elements are essential for our nation to adequately manage for resilient oceans, coasts and Great Lakes that are able to adapt to the profound changes associated with climate change and ocean acidification. As an organization that serves communities directly adjacent to delicate coastal ecosystems, we are acutely aware of the impending impacts of climate change.

Regional Ecosystem Protection and Restoration
It is critical that this plan identify specific and measurable short-term and long-term goals for protecting important ecological areas - including areas in the offshore marine environment – and restoring wildlife populations and improving ecosystem health. Immediate and near term conservation goals must be included in the plan, not only a reliance on studies and assessments of well-known impacts of habitat loss. Implementation of this plan can be carried out to the maximum extent feasible, through existing programs and partnerships and should integrate with existing state programs and federal programs such as the Estuary Habitat Restoration Program, National Wildlife Refuges, National Marine Sanctuaries and Monuments. However, new implementing regulations should be explored and utilized when appropriate.

Water Quality and Sustainable Practices on Land
This priority objective is critical for ocean users, coastal communities and ocean industries. Land based pollution is a major contributor to poor coastal water quality which impacts tourism, fishing and other industries and has a direct negative impact on our region's quality of life. Stronger enforcement of existing laws and regulations would go a long way in improving water quality. The NOC should recognize the significant federal authority over land-based pollution, and set specific targets for reducing common pollutants such as trash, nutrients, bacteria, sediments, invasive species and carbon dioxide by targeting specific sources of pollution such as urban runoff, agriculture, concentrated animal feeding operations and water treatment facilities. Another important component is to identify, protect and conserve high quality ocean, coastal, and Great Lakes waters.

I urge the NOC to implement the National Ocean Policy with the primary goal of protecting, maintaining, and restoring the Nation's ocean, coastal, and Great Lakes resources and ensuring resilient ecosystems.

Healthy oceans and coasts are the foundation of a healthy environment, healthy communities and increased economic opportunities for the Nation as a whole.

Sincerely,

Megan Amsler, Executive Director
Cape & Islands Self-Reliance

Index: Attachments to Comments

Ecosystem-Based Management:

Comment of Michigan DEQ, Office of Great Lakes

(4 pages)

STATE OF MICHIGAN
OFFICE OF THE GREAT LAKES
LANSING

RICK SNYDER
GOVERNOR

PATRICIA BIRKHOLZ
DIRECTOR

June 30, 2011

National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

SUBJECT: Comments on the Strategic Action Plan Full Content Outlines

Dear National Ocean Council Representatives:

Thank you for the opportunity to provide feedback on the National Ocean Policy Strategic Action Plan Full Content Outlines. With the understanding that the outlines are still in a preliminary stage, the following comments and questions are submitted on behalf of the Office of the Great Lakes in Michigan's Department of Environmental Quality. We look forward to the opportunity to review and comment on the draft full plans once they are developed.

General Comments/Questions:

Size/Scale/Scope of the Plans

- The monumental scale and scope of the action plans will make implementation challenging. This issue is somewhat addressed by starting with pilot projects. This approach will require fewer resources, involve less risk, and will allow administrators to learn how best to carry out the plans.
- The action plans include communication and coordination between and participation of a multitude of entities, of different types (governmental, nongovernmental organizations) and different levels (federal, regional, state, local). This may allow for more efficient use of resources, but will also create significant transaction costs. A system for efficient and timely communications between all relevant parties must be established.
- The Preface states that "little to no new resources likely will be available in the near- to mid-term," but several plans call for new research, training, etc. The plans need to fully describe the funding infrastructure. It must be clear to potential partners that sufficient resources will be available for the plans to be successful. Also, if the federal government will provide funding, will resources be diverted from other federal programs?
- Many of the action plans overlap and interlock. Close communication and cooperation during the administration and implementation of the plans will be critical to their success.

Tracking Progress

- A system for measuring progress and success should be developed. This will not only allow participants, stakeholders, and the general public to see that progress is being made, but will also allow administrators to learn what approaches work best and to increase effectiveness.
- Several "milestones" are framed in a way which makes them look more like ongoing actions, rather than targets that are easily identifiable as either complete or incomplete. This will make it difficult to determine whether or when milestones are reached, which will make it harder to ascertain how much or whether progress has been made.
    - Example: Inform Decisions and Improve Understanding, Action 5 Milestones (p.6) includes "support regional ocean education plans," (which looks like an ongoing action), along with "complete a study of environmental attitudes and knowledge in middle schools with environmental education programs" (which looks more like a target which is either complete or incomplete).

Role of "Partners"

- The plans call for coordination, communication, and the sharing of information between a variety of partners, and many of these plans will fail if potential partners choose not to participate. How will the cooperation of partners be ensured?
- The plans should make explicit what kind of commitment (time, money, etc.) would be required of partners, so that potential participants can accurately assess the costs of participating before they decide whether or not to become involved. In this financial climate, many entities will not be able to shoulder significant resource burdens. Federal funding for partners would obviously help defray costs.
- In the Great Lakes Listening Session, the Coastal and Marine Spatial Planning (CMSP) action plan was described as a way by which federal agencies would develop a framework or process for CMSP, which states could then use if they so chose. The National Ocean Council (NOC) should describe how the plan's goals may be achieved if the regions are not interested in participating.

Other

- The plans identify "Gaps in Science and Technology." While some of these gaps may be minor, others may seriously hamper the implementation of plans. How will these "gaps" be addressed or remedied?
- The plans are framed as adaptive. This will increase the likelihood of their success, as the plans can be adjusted as participants learn what works and what doesn't.

SAP-Specific Comments/Questions:

Ecosystem-Based Management (EBM)

- For EBM to be successful, federal agencies must move beyond the traditional "silo" approach, which focuses very narrowly on specific problems. Agencies must interpret their authorities expansively in order to solve problems.
- *II. Context and Continuity*: The plan mentions the possibility of "legislative and regulatory impediments" (p.2). Such impediments could potentially be significant barriers to success. Are legislative and regulatory impediments anticipated, and if so, how will they be addressed?
- *III. Body of the Plan, Action 3*: Both Actions 1 and 3 mention pilot projects (p.3, 9). Will the pilot projects of the two actions be implemented in conjunction with each other (i.e. in the same geographical area)? Doing so would allow administrators to better determine what the outcomes of implementation of the entire plan would be.
- *III. Body of the Plan, Action 4*: The plan calls for the "near-term buy-in/agreement from Federal agencies that EBM is an integral approach towards integrating a science framework into current management" (p.11). How likely is it that such agreement will be obtained? Without such agreement, the "incorporation of EBM principles into policy and governance" may be very difficult.

Changing Conditions in the Arctic

- *III. Body of the Plan, Action 3*: The plan calls for the "implement[ation of] an international distributed biological observatory" (p.5). This seems to necessarily require the participation of other countries. Does the NOC have international partners who are committed to participating in the implementation of a biological observatory?

Ocean, Coastal, and Great Lakes Observation, Mapping, and Infrastructure

- *III. Body of the Plan, Action 2, Milestones*: One of the milestones is to "[r]eport on regulatory restrictions or obstacles that limit use of federal and non-federal unmanned systems" (p.3). If significant restrictions or obstacles are discovered, how will they be addressed?

Coastal and Marine Spatial Planning

- *Objective 1*: This plan calls for nine regional planning boards (p.4), made up of federal, state, and tribal representatives. The allocation of decision-making power within these boards has been unclear. For this plan, as well as for the others, there must be a better understanding of the roles and responsibilities of the various participants.

Thank you for your consideration of these comments as the National Ocean Council develops its Strategic Action Plans.

Sincerely,

Patricia Birkholz
Director
517-335-4056

Index: Attachments to Comments

Ecosystem-Based Management:

West Coast Governors' Agreement on Ocean Health

(4 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

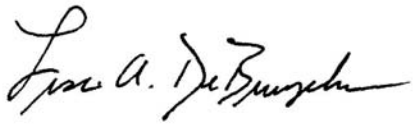
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



Lisa A. DeBruyckere
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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 1: Ecosystem-Based Management

Ecosystem-based management (EBM) is one of seven key priorities in the 2008 WCGA Action Plan. Implementation of EBM depends upon the ability to share lessons, approaches, and tools; assess the health of coastal and marine ecosystems and establish strong standards and indicators; strengthen regional coordination; and protect species at the base of the food web.

We support the NOC's intention to use EBM as a comprehensive approach to managing coastal and ocean resources as it presents an opportunity to improve, refine, and streamline our national, regional, tribal, and statewide governance regarding the management of shared marine and ocean resources.

Action 1- EBM Leadership and Collaboration

WCGA recommendations:

- **Clearly identify opportunities and barriers to EBM implementation through regional workshops.**
- **Utilize multi-state and regional (in addition to local) partnerships to build on existing EBM networks and facilitate implementation.**

The first action within this objective, EBM Leadership and Collaboration, can be achieved by hosting a series of regional workshops that focus on identification of opportunities and barriers to implementation of an EBM approach to management of specific coastal and ocean resource problems (i.e., coastal urbanization, habitat loss and alteration, non-indigenous species, degraded coastal water quality, fishery stock declines, climate change, etc.). A key milestone that demonstrates achievement of this action is to compile a lessons learned report from existing EBM efforts; this report should be readily available to the public. Under the milestone calling for the compilation and dissemination of information depicting examples of EBM capacity and resources for EMB implementation at all levels, please include multi-state and regional (in addition to local) partnerships to facilitate implementation.

Action 2- EBM Science Framework

WCGA recommendations:

- **Include comprehensive seafloor mapping in the repository of data, support acquisition of this data where it is currently incomplete, and create derived mapping products such as geology and habitat maps.**

- **Collaborate with and support regional efforts to identify of indicators of ecosystem health, particularly those covering social and human dimensions.**

We support NOC's intent to establish a comprehensive repository of data and ask that seafloor mapping data be prioritized as a foundational piece of information. In cases where seafloor maps are incomplete, we encourage prioritization of state waters (0-3nm) as this is the geographic area most impacted by human use. Deriving a suite of mapping products will enhance the usability of this information for management purposes. Furthermore, we encourage the development of Federal-Non Federal commitments to acquire those datasets.

While the science framework is being developed, federal agencies should collaborate with and support regional efforts to identify of indicators of ecosystem health, particularly those covering social and human dimensions. Establishing ecosystem indicators is a need identified by the ocean action plans for the West Coast Governors' Agreement and Washington State. Furthermore, coordinating with states and regions on the development of the science framework for EBM will be important.

Action 4- Incorporate EBM Principles into Policy and Governance

We support the NOC's intent to incorporate EBM into environmental statutory and regulatory regime and project planning and review processes (e.g. National Environmental Policy Act, Endangered Species Act, Coastal Zone Management Act, Magnuson-Stevens Fishery Conservation and Management Act). As a first step, we ask that the NOC identify where EBM principles exist in current law to reduce redundancies and ensure consistency.

Evaluating the Effectiveness of EBM

WCGA recommendations:

- **Develop a metric to evaluate effectiveness of EBM approaches in coastal zone permit decisions.**

Although not an explicit action under this objective, we recommend that the NOC evaluate the effectiveness of EBM efforts. Specifically, we support developing a metric to indicate how specific state/federal coastal zone permit decisions have been improved by incorporation of an EBM approach.

Index: Attachments to Comments

Ecosystem-Based Management:

Marine Stewardship Council

(5 pages)

CERTIFIED SUSTAINABLE SEAFOOD
MSC
www.msc.org

Marine Stewardship Council

Globally Recognized Sustainable Seafood Certification

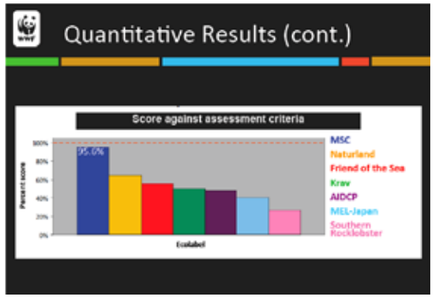
The Marine Stewardship Council (MSC) contributes to the health of the world's oceans and helps preserve fishing-related livelihoods by recognizing and rewarding sustainable fishing practices, and working with our partners to transform the seafood market to a sustainable basis.

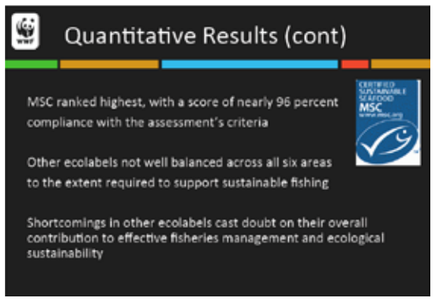
We work collaboratively with the fishing industry, seafood business sector, governments, scientific community, environmental groups and others to give processors, distributors, retailers, restaurants and consumers an opportunity to choose and reward sustainable fishing through their seafood purchasing choices.

CERTIFIED SUSTAINABLE SEAFOOD MSC www.msc.org ™

- *Global Standard for Certifying Sustainability of Wild-Capture Seafood*
- *Ecolabel Trusted in the U.S. and Around the World*
- *Enhances Market Access for Sustainable Seafood*
- *Contributing to Positive Environmental and Economic Impact*

MSC: Leading Seafood Sustainability Certification Program Worldwide





The MSC has developed the most scientifically rigorous and widely respected certification program in the world. No other seafood sustainability certification program approaches the credibility and market acceptance of the MSC program and ecolabel. In markets around the world the MSC ecolabel either is required or is highly desirable by buyers, consumers and governments.

Three core principles are the foundation of the MSC global standard: health of the fish stock, marine ecosystem protection and effective fishery management. Within these core principles are 31 performance indicators used by accredited independent, third-party certification bodies to assess a fishery that has voluntarily entered the program against the MSC standard. The robustness of the science, third-party certification, open, transparent process, stakeholder engagement and annual independent audits all contribute to make the MSC program the right environmental choice for seafood.

In January, 2010 WWF International commissioned an independent study of seafood sustainability certification programs and seafood ecolabels. The MSC outranked every other program by a wide margin.

The study analyzed the programs against 103 criteria across six major areas that included governance, standard setting, assessment procedure, minimum ecological criteria, fishery management system attributes and traceability, and the report concluded the MSC is the only program "compliant" with the criteria of the evaluation.

Partnering for Change

Markets demand the confidence, credibility and assurance provided by the MSC ecolabel, and MSC certification is either required or highly desirable in markets worldwide.

© Oregon Dungeness Crab Commission

Whole Foods Market
"Whole Foods Market has proudly partnered with the Marine Stewardship Council since 1999 and considers the organization to be the world's leading certification body for sustainable wild-caught seafood. It uses a multi-stakeholder, international, market-based, highly transparent and participatory approach. Whole Foods Market relies on the MSC to help our shoppers make educated selections about the best environmental choices on their seafood."

– Margaret Wittenberg, global vice president of quality standards and public affairs, Whole Foods Market

Oregon Dungeness crab
"For a long time, we've viewed Dungeness crab as a shining star among our important Oregon fisheries, but now the industry has achieved a milestone the rest of the world can appreciate."

– Katy Coba, director of the Oregon Department of Agriculture

WFOA North Pacific albacore tuna
"Members of the Western Fishboat Owners Association have long known that this was a sustainably managed fishery but having it successfully reviewed by a third party against the certification standard now provides us a great opportunity to promote our albacore tuna to local consumers as MSC certified."

– Wayne Heikkila, executive director of WFOA

Louisiana blue crab
"While we began taking steps to enter the MSC program long before the Gulf oil spill, the assessment now takes on new urgency and importance. Because of the oil spill, there are questions and concerns about the health of this and other fisheries in the Gulf, off the coast of Louisiana, and the assessment process against the Marine Stewardship Council environmental standard will help answer these questions."

– Ewell Smith, executive director of the Louisiana Seafood Promotion and Marketing Board

© Image courtesy of Western Fishboat Owners Association

Frequently Asked Questions

Is the MSC consistent with the UN Food and Agriculture Organization Guidelines?

Yes. Furthermore, the MSC is the *only* seafood ecolabel that is consistent with *all* of the following international norms on sustainable fishing, marine ecosystem protection and product labeling: The Code of Conduct for Responsible Fishing (UN FAO); Guidelines for the Ecolabeling of Fish and Fishery Products from Marine Capture Fisheries (UN FAO); The Code of Good Practice for Setting Social and Environmental Standards (ISEAL); and the World Trade Organization Technical Barriers to Trade Agreement. Other programs incorrectly claim compliance to a UN FAO Standard, but there is no such thing. The FAO Code of Conduct for Responsible Fisheries only provides guidelines, not an established standard with a methodology and certification program requirements.

What is the difference between MSC and other groups that claim an FAO certification standard?

- ✔ MSC has been tested and proven for over a decade and has been confirmed as the most credible, robust assessment of sustainability and well-managed fisheries.
- ✔ MSC is the only true third-party program that provides complete independence between the developer of the standard and the assessment of a fishery against that standard. Other groups fail on these grounds – for example, they both develop the standard/process and conduct the assessment of the fishery.
- ✔ MSC is a standard with a comprehensive system of scoring a fishery that allows for cross-referencing across all fisheries, not a checklist that verifies management structure and policy are in place without evaluating in detail how well the structure and policy are performing against standardized norms.
- ✔ The MSC program is completely open and transparent, while some programs appear not to publish their criteria, methodology or stakeholder engagement requirements; one organization even reported its request for access would have required signing a confidentiality agreement.

What is the MSC's governance structure? Who is involved?

The MSC is governed by a Board of Trustees (BOT) with membership from diverse sectors, with input from a Technical Advisory Board (TAB) and Stakeholder Council. The TAB includes 15 leading global academics, scientists and industry experts who are independent of the MSC executive and advise the board on technical and scientific matters. The Stakeholder Council has 30-50 members who represent a broad range of sectors and geographical areas to ensure that the opinions of all groups with a stake in sustainable fishing are heard, including fishing organizations, conservation organizations, retailers and others. MSC is an independent charitable trust, not a membership based organization. All key decisions are developed in consultation with stakeholders.

What types of fisheries can use the MSC program?

The MSC is open to all fisheries and gear types (with the exception of those using poisons or dynamite) and fisheries engaged in the program range from large industrial to small artisanal. There are large vessels operating in many MSC-certified fisheries, but many others are small-scale fisheries, often with vessels operated by only 1-2 people.

Does the MSC conduct an assessment against its own standard?

No. Assessments against the MSC standard are conducted by independent third-party certifiers who engage additional scientific experts to conduct the assessment. Then, assessment reports are peer reviewed by another set of independent scientists. This peer review is one of many checks and balances within the MSC program to assure unbiased scientific scoring. Throughout an assessment, the MSC remains neutral; its role is to ensure proper application of the established methodology.

Is the certification process open to the public?

A fishery may contract with a certifier to conduct a confidential pre-assessment against the published MSC standard but once a fishery formally enters full assessment, the MSC requires that the process be conducted openly. For example, certification bodies must formally acknowledge and directly respond to stakeholder comments received during assessments and annual audits and the MSC publishes reports online at key milestones.

© Aker BioMarine

© A. Aitchison

Has any fishery failed to obtain certification following an assessment?

Yes, but most fisheries that enter full assessment after a pre-assessment have prepared to meet the standard and score successfully to obtain certification. Some fisheries delay entering assessment, because they realize that they are not ready to pass a full assessment. A fishery usually conducts a pre-assessment to determine if it is ready to enter assessment. The MSC has no official role in a pre-assessment, but data suggests that approximately 40% of the fisheries do not immediately move forward into assessment. Numerous fisheries, however, then pursue environmental improvements that will later enable them to enter the full assessment process with a good chance of success.

How does the process ensure the outcome will be fair?

Hiring an outside, independent audit firm is a standard, accepted practice for financial audits in every business sector in the world. Similarly, a fishery hires an independent, scientific auditor to conduct a rigorous, peer reviewed assessment of the fishery's sustainability that includes stakeholder involvement and transparency. The fishery pays only the time and expenses of the certifier. Certifiers must be accredited by Accreditation Services International (ASI), which meets ISO 17011, a standard for accreditation bodies. ASI is not owned or controlled by MSC.

Who pays for an assessment and what does it cost?

The MSC receives no money from an assessment. The MSC does collect a logo licensing fee (0.5% on the wholesale value) when the MSC ecolabel is displayed on seafood. MSC's annual report provides a complete and transparent accounting for the organization. While costs vary by fishery, in an average fishery, the assessment and annual audit costs over a decade are less than one percent of the value of the seafood caught. That small price enables the fishery to independently confirm to the marketplace it is sustainable. MSC certification also confirms to management and the fishers that the resource is being sustainably managed which helps protect their investment in vessels, gear, etc. The MSC Annual Report is available online at: www.msc.org.

Doesn't government regulate sustainability?

Governments around the world regulate fisheries within their jurisdiction, and MSC is not a regulatory organization. But sustainability is a global issue and MSC is a global standard for measuring sustainability that complements and does not compete with government. MSC certification demonstrates to the market which fisheries are fishing sustainably, in many cases incentivizing positive environmental changes on the part of fisheries wishing to achieve certification.

The U.S. has strong regulations on fishing; can't states confirm sustainability on their own?

The U.S. has made a strong commitment to management and oversight of fishing, and is ranked highly in the global 'league' of fishing nations. Increasingly, however, commercial buyers and consumers want independent assurance of responsible management. The MSC ecolabel, consistent with UN FAO guidelines, confirms a fishery is using global practices that conform to widely accepted norms concerning fisheries sustainability.

Can a point-of-origin state brand label sit alongside the MSC ecolabel?

Absolutely. The MSC recognizes that states or other localities may want to highlight for consumers where the sustainable seafood they are purchasing came from. The MSC fully supports the use of additional information or a symbol regarding origin, which complements what the MSC ecolabel stands for.

Does MSC have a traceability program and if so, how can it benefit an MSC-certified fishery?

Yes, the MSC does have a traceability program, rooted in the MSC Chain of Custody Standard, and it is a cornerstone of the MSC program. The comprehensive traceability element of the MSC program is important because it ensures that MSC-labeled products are sourced from a fishery that is MSC certified, and it protects buyers and the fishery from fraudulent labeling and risks from fisheries carrying products from Illegal, Unregulated and Unreported (IUU) fishing. As a result, the integrity of the seafood product is ensured and the MSC-certified fishery of origin receives proper credit.

© Atsea Processors Association

© MSC / D. Leadbitter

MSC Certified Sustainable Ecolabel is Accepted and Trusted Around the World

Worldwide, the sustainability certification of wild-capture fisheries is defined by the independent, third-party, open, stakeholder-involved MSC program.

A new global study, *Behind the Signs—A Global Review of Fish Sustainability Information,* co-authored by leaders from the UN FAO, academia, seafood councils and a leading consultant, concludes: "Of the certification schemes, the MSC makes the most comprehensive, robust, and transparent assessment of performance." Can other programs meet the same criteria as the MSC?

Marine Stewardship Council Standard	MSC	Other Programs?
Only program that fulfils all international codes: UN FAO, WTO and ISEAL	✔	___
True third-party, independent program, not second party checklist	✔	___
Robust assessment of stock health, marine ecosystem impact and management	✔	___
Complements, confirms and does not compete with state government agencies	✔	___
MSC does not certify overfished stocks	✔	___
Depleted stocks must have proven rebuilding plan	✔	___
By-catch, discards and other retained species completely accounted for	✔	___
Endangered or threatened species taken into account	✔	___
Fishery improvements can be required as part of certification	✔	___
Marine ecosystem must be studied and impacts considered	✔	___
Outcome based: certification confirms sustainability	✔	___
Non-profit organization, independent of vested interests	✔	___
Global credibility immediately	✔	___
Global market recognition and opportunities from certification	✔	___
MSC environmental standard always publicly available online	✔	___
Checks and balances throughout the process	✔	___
Independent scientific peer review required	✔	___
Open, transparent process	✔	___
Stakeholder involvement required and assurance that all voices are heard	✔	___
Reports published at key milestones	✔	___
Voluntary program	✔	___
Formal objections procedure	✔	___
Precautionary approach used to ensure true sustainability	✔	___
Annual audits to confirm sustainability and monitor improvements	✔	___
Program has catalyzed change on the water	✔	___
MSC allows local, state or regional branding regarding sustainability certification	✔	___

Improving the Performance of Fisheries Globally

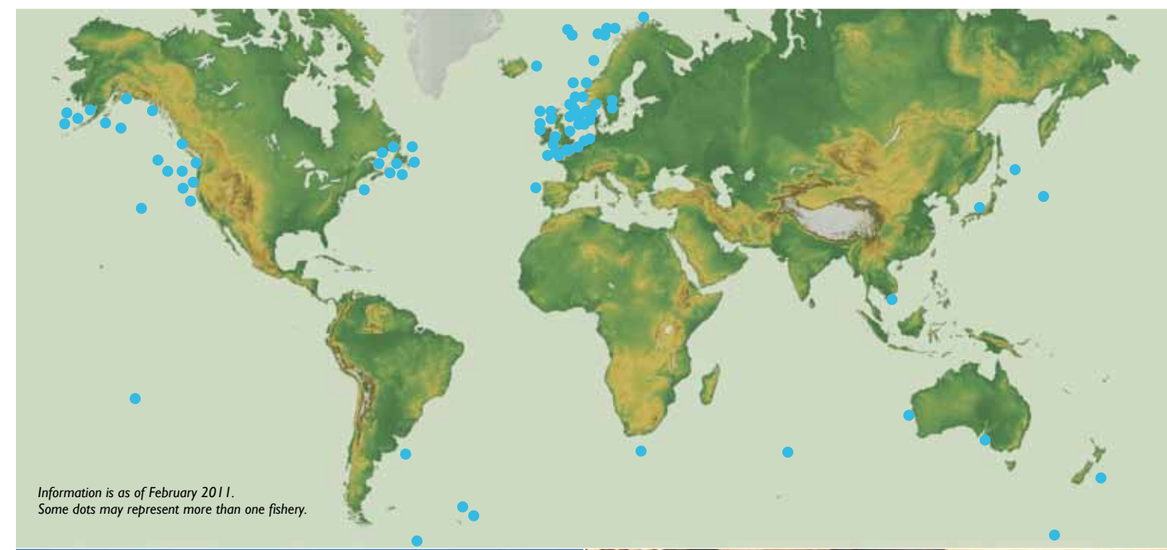
A core tenet of economics is the powerful effect of incentives and how they shape behavior. This has proven true in the case of the MSC's market-based program and global fishing. Many of the fisheries entering the program initially were well operated and had to make few changes to meet the MSC standard. These pioneers provided a foundation for program growth and the market's recognition of these fisheries has provided motivation for other fisheries to follow.

Many fisheries achieving certification recently have had to make more substantial environmental improvements prior to entering the assessment process, to raise their level of performance to attain the MSC standard.

This is where the MSC will deliver its greatest contributions to environmental sustainability and we are beginning to see this clearly as the program matures. There are many current cases throughout the world where fisheries are engaging with governments and non-governmental organizations to take the actions needed to improve their performance. In many of these cases, they are using the MSC standard as the benchmark against which to measure themselves and are creating "fishery improvement plans" to address performance issues identified.

The improvements the MSC program incentivizes will help ensure that there are healthy fish populations for future generations, supported by healthy habitats and surrounded by robust ocean ecosystems and that fisheries management systems will be effective in ensuring that these benefits can be sustained for the long-term. These transformations are the promise of the MSC program, and an unprecedented example of markets transforming fishing practices for a sustainable future.

Globally More Than 100 Fisheries are Certified to the MSC Standard



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Ecosystem-Based Management:

Resource Development Council for Alaska

(3 pages)

RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

July 1, 2011

National Ocean Council
722 Jackson Place, N.W.
Washington, DC 20503

Submitted via http://www.whitehouse.gov/administration/eop/oceans/sap/comments

Re: Strategic Action Plan Outlines

To Whom It May Concern:

The Resource Development Council for Alaska (RDC) is writing to address concerns related to the interim strategic action plan outlines (SAP outlines).

RDC is an Alaskan non-profit, membership-funded organization founded in 1975. Our membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

Overall, RDC respectfully requests the NOC fully consider the following suggestions, after which, RDC addresses the nine SAP outlines.

In comments at the listening session held in Anchorage, Alaska on June 10, 2011, RDC asked that instead of adding another layer of policy, please improve coordination of existing protection measures, such as the Clean Water Act, the National Environmental Policy Act, and the Magnuson-Stevens Fishery Conservation Act.

Alaska's economy is based on responsible resource development that is done in accordance with existing local, state, and federal environmental protections and laws. We must continue to have access to our valuable and traditional resources.

Responsible development of these resources creates jobs in communities throughout Alaska, many of which have few other jobs available. Many of these communities will disappear if overly burdensome regulations are added to existing and new projects.

121 West Fireweed Lane, Suite 250, Anchorage, Alaska 99503-2035
Phone: 907-276-0700 Fax: 907-276-3887 Email: resources@akrdc.org Website: www.akrdc.org

RDC also notes that in comments to the NOC on April 29, 2011, we asked that Alaskan stakeholders be involved in the development of the SAPs. We write to reiterate those comments and recommendations.

Alaska is an ocean state, with coastlines on two oceans, the Arctic and the Pacific, and with three different seas: Chukchi, Beaufort, and the Bering Sea. Alaskan stakeholders, including all RDC members, have a large interest in protecting these seas, as well as the three million lakes and three thousand rivers in Alaska.

There is an existing array of measures in place to protect our nation's waters, which clearly demonstrates our nation's interest in not only safeguarding, but also wisely using our ocean resources.

The actions outlined in the SAPs could negatively impact many industries in Alaska, with no added benefit to the environment. The potential negative economic impact to communities all over Alaska could result from damage to industries in Alaska, such as transportation, commercial fishing, mining, tourism, construction, and energy – including oil, gas, and renewable.

Strategic Action Plan Outlines Comments

Objective #1: Ecosystem-Based Management (EBM)
EBM must be fully defined and must not be developed rapidly. Alaska's ecosystem will be very different than that of a state on the Atlantic. If EBM becomes guidance for new federal regulations, then it must be developed with the best available science, stakeholder involvement, and additional research.

Objective #2: Coastal and Marine Spatial Planning (CMSP)
Any CMS Plan must involve the regional Fishery Management Council. The North Pacific Fishery Management Council oversees the world's healthiest and best managed fisheries in Alaska.

Objective #3: Inform Decisions and Improve Understanding
The plan to prioritize research activities is based on a study not yet available to the public. Stakeholders cannot review and understand the basis of this plan without access to the guiding documents.

Objective #4: Coordinate and Support
RDC continues to support coordination of management entities and encourages the NOC to not add an additional layer of regulation.

Objective #5: Resiliency and Adaption to Climate Change and Ocean Acidification
Alaska has many communities directly impacted by climate change, however, greenhouse gas emissions/climate change should not be regulated by ocean policy.

Objective #6: Regional Ecosystem Protection and Restoration
Existing protection and restoration efforts in Alaska are adequate. RDC recommends these efforts be better coordinated, in place of new and costly federal regulations.

Objective #7: Water Quality and Sustainable Practices on Land
Again, existing measures are already in place and working, such as the National Environmental Protection Act (1969), the Coastal Zone Management Act (1972), and other federal, state, and community regulations.

Objective #8: Changing Conditions in the Arctic
Alaska is what makes the United States of America an Arctic Nation. This said, Alaska must be allowed to improve infrastructure and increase access to it oceans. With increased access comes more research and a

better understanding of the Arctic. Additional research and stakeholder involvement must be recognized by the NOC before moving forward.

Objective #9: Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure
RDC encourages the NOC to support continued research and delay implementation of any new regulations without adequate input from stakeholders.

In conclusion, RDC believes any ocean policy should coordinate with existing management programs and stakeholders with a focus on avoiding redundancy and maintaining access.

Thank you for the opportunity to comment on the outlines.

Sincerely,

Marleanna Hall
Projects Coordinator

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Ecosystem-Based Management:

San Luis Obispo Science & Ecosystem Alliance

(4 pages)

San Luis Obispo Science and Ecosystem Alliance

Center for Coastal Marine Sciences ~ Biological Sciences Department
California Polytechnic State University San Luis Obispo, CA 93407
Office -805:756-6068 Fax - 805:756-7314
info@slosea.org http://www.slosea.org

July 1, 2011

To: National Ocean Council, Members & Staff
From: San Luis Obispo Science & Ecosystem Alliance (SLOSEA), Leadership Team
Re: Comments to the Ecosystem-Based Management (EBM) Strategic Action Plan Full Content Outline

Overview

The San Luis Obispo Science and Ecosystem Alliance (SLOSEA)[1] would like to thank the National Ocean Council for its diligence and commitment to supporting an integrated approach to resource management that considers all aspects of the ecosystem. The creation of this strategic plan is essential to realizing projects and polices that will support sustainable resource management decisions and the goals of the National Ocean Policy.

As a founding member of the West Coast EBM Network (WCEBM Network) and as part of Cal Poly's Center for Coastal Marine Sciences, SLOSEA has been applying the fundamentals of ecosystem-based management for several years. SLOSEA engages scientists, multi-jurisdictional policy-makers, resource managers, and concerned citizens in two-way communications to create scientifically-informed resource management decisions for Central California coastal communities. We conduct user-driven research with partners, such as Moss Landing Marine Labs and the Morro Bay National Estuary Program, that provides scientific data and analysis for our marine initiatives. These include programs such as sustainable fisheries, climate change adaptation, and water quality. In its report, "One Coast, One Future,[2]" the Joint Ocean Commission recognized SLOSEA as leaders in EBM implementation, particularly in the areas of:

- Identifying a coordination area
- Engaging stakeholders in goal-setting
- Understanding and monitoring ecosystem health
- Collecting and using socioeconomic information
- Establishing coordinating mechanisms
- Establishing public-private partnerships and using existing resources creatively

We would like to offer the following comments for review in preparation for the final strategic plan, and our assistance throughout its implementation.

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[1] For more information about SLOSEA goals and initiatives, please visit www.slosea.org .
[2] Joint Ocean Commission Initiative. "One Coast, One Future: An Agenda for Action." 2009. Available at http://www.jointoceancommission.org/rc-reports.html (Last visited July 2011).

Action 1 – EBM Leadership & Collaboration

To achieve the EBM Strategy's goal of eliminating duplication of efforts across agencies, the National Ocean Council should consult with the existing EBM-based initiatives of the WCEBM Network. The Network and its members have established a strong working relationship with the West Coast Governors' Agreement (WCGA) regional partnership as well as with local resource managers, agencies, non-profits, and concerned stakeholders. As such, the WCGA has recognized the members of the WCEBM Network, including SLOSEA, for their remarkable efforts toward an integrated approach to resource management and extensive stakeholder engagement.[3] For example, as part of the California Collaborative Fisheries Research Project (CCFRP), SLOSEA, with its partners at Moss Landing Marine Labs has made great strides in assessing the effects of marine protected areas and spatial management on fisheries health through research programs designed, approved and carried-out by academic and agency scientists, local fishermen, and agency policy-makers. Additionally, other WCEBM Network members have created effective regional EBM plans, protected and restored essential marine habitat, and worked with local stakeholders in coastal outreach and education efforts. The National Ocean Council has a unique opportunity to partner with these well-established organizations, which possess extensive experience in implementing an EBM framework, and they are comprised of key stakeholders in coastal and ocean regions.

Further, the WCGA Integrated Ecosystem Assessment Action Coordination Team (IEA ACT), has recognized the SLOSEA study area (CA's Central Coast) as a potential fit for a place-based pilot project to conduct an ecosystem assessment due to SLOSEA's established EBM project with stakeholder by-in and research capability.[4] This would not only benefit the National Ocean Council in leveraging existing resources and established partnerships, and would also aid SLOSEA's commitment to answering key agency resource management questions through an EBM approach.

Moreover, SLOSEA is committed to educating future marine scientists, policy-makers, and environmental leaders.[5] As part of SLOSEA's initiatives, undergraduate and graduate students participate in research and agency activities. This emphasizes the link between science and policy to our students and gives biology students the unique opportunity to learn about marine regulations and agency processes. As the National Ocean Council considers specific goals under this first action item, we suggest that a portion of its efforts are focused on educating our future ocean leaders in the importance of scientifically-informed policy decisions.

[3] West Coast Governors' Agreement on Ocean Health. WCGA Progress Report 2008 -2010. P.7 (Available at http://www.westcoastoceans.gov/docs/2011biennialreportwcga_final.pdf (Last visited July 2011).
[4] West Coast Governors' Agreement on Ocean Health. Integrated Ecosystem Assessment (IEA) Action Coordination Team: Draft Work Plan. 2010. Available at http://westcoastoceans.gov/docs/IEA ACT Draft Work Plan for Public Comment.pdf (Last visited July 2011).
[5] See the SLOSEA Graduate Fellow Website at http://www.slosea.org/people/fellows.php/ (Last visited July 2011).

Action 2 – EBM Science Framework

SLOSEA would be pleased to provide any information that we presently hold or will obtain through future research in order to support the implementation of the EBM Strategy. Such data includes:

- CA Central Coast groundfish stock data sets related to MPA and reference sites[6]
- CA Central Coast water quality data collected from our unique water quality array system including information related to[7]:
    - Salinity
    - Turbidity
    - Dissolved Oxygen
    - Chlorophyll
    - Nitrate
    - Meteorological Data
- Information and research on marine toxins present along the West
- Socio-economic data
- Invasive species information
- Climate change impacts on Morro Bay, CA as related to possible impacts in similarly situated estuarine environments

Moreover, we are willing to participate in new projects that work toward filling information gaps and furthering stakeholder understanding of EBM goals and scientific principles.

Action 3 – Inform Decision-Making to Support EBM

SLOSEA individually, and as part of the WCEBM Network, can provide an extensive list of lessons learned in implementing EBM for the oceans. For preliminary information, you are invited to view the report "Community-based Management of the Coastal Ecosystems: Highlights and Lessons of Success from the West Coast EBM Network" available at http://www.westcoastebm.org/WestCoastEBMNetwork_EBMGuide_June2010.pdf.

Additionally, information highlighting the formation and implementation of SLOSEA's EBM project can be found in Chapter 11 of "Ecosystem Management for the Oceans." (McLeod & Leslie 2009).[8] Please feel free to request any additional information from Melissa Locke at mlocke@calpoly.edu

[6] Please visit the CCFRP website for more information on data sets and research protocols. http://seagrant.mlml.calstate.edu/research/ccfrp/ (Last visited July 2011).
[7] Live data available at http://slosea.org/about/dash.php. Archived data available upon request.
[8] Available at http://islandpress.org/ebm/ .

Action 4 – Incorporate EBM Principles into Policy and Governance

A critical step to ensuring EBM is broadly implemented is to integrate its key principles into local, state, and federal statutes, regulations and policies. As mentioned earlier, the National Ocean Council can make use of existing partnerships between EBM organizations and government agencies to help increase awareness and understanding of EBM, and to incorporate EBM into agency environmental planning and review processes. Organizations such as SLOSEA can collaborate with partner agencies and help lead workshops and/or other activities that review and identify necessary processes, legislation, and objectives that can be tailored to better reflect and carry-out EBM principles. As an example, SLOSEA's advisory committee consists of representatives from CA State Parks, CA Department of Fish & Game, NOAA/ NMFS, CA Coastal Conservancy, San Luis Obispo County Supervisor/ Planning Commission, COMPASS, as well as many other local and regional representatives.[9]

Conclusion

Thank you for the opportunity to comment on the EBM Strategic Plan Outline. We hope that our support and suggestions are helpful to the Council. Please feel free to contact us at any time with questions or to request any further assistance in implementing this plan.

Sincerely –

The SLOSEA Leadership Team

Contact Information:
Melissa Locke, JD
Marine Policy & Communications Manager
mlocke@calpoly.edu

[9] See http://slosea.org/community/advisory.php for a list of Advisory Committee members.

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Ecosystem-Based Management:

Environmental Law Institute

(15 pages)

ENVIRONMENTAL LAW • INSTITUTE®

ECOSYSTEM-BASED MANAGEMENT
STRATEGIC ACTION PLAN OUTLINE COMMENT
JULY 2, 2011

The Environmental Law Institute (ELI) submits this comment to assist the National Ocean Council's (NOC) plans to implement ocean and coastal ecosystem-based management (EBM), as called for by Executive Order 13547 (Ocean Policy EO) and the Interagency Ocean Policy Task Force (Task Force).[1]

Specifically, this comment provides recommendations for developing a final Ecosystem-Based Management Strategic Action Plan (EBM SAP) that advances key leadership, science, decision-making, and policy actions, and links EBM with existing regulatory and permitting processes, including environmental impact assessments conducted under the National Environmental Policy Act (NEPA).

Table 1. Recommendations for Developing the Ecosystem-Based Management SAP

Recommendation 1. Revise the definition of EBM so that it more broadly applies to all human uses of the ocean and reflects the central importance of EBM as a tool for minimizing cumulative human impacts.

Recommendation 2. Strengthen the EBM Policy & Governance Theme by including actions to integrate EBM plans and approaches with project-level decision-making under NEPA and other existing laws and regulations; explicitly address impacts to ecosystem services during NEPA analyses; develop necessary statutory and regulatory changes to advance EBM; and address gaps and needs in science and technology.

Recommendation 3. Strengthen EBM Leadership and Collaboration Theme by including actions to strengthen the use of existing resources; incorporate EBM principles and concepts into pilot projects and decision-making; develop appropriate guidance; improve access to scientific information within and across federal agencies; and integrate EBM and CMSP leadership and processes.

Recommendation 4. Develop the EBM Science Framework Theme by including actions to appropriately build EBM from existing information and resources, explicitly consider and address science needs for minimizing cumulative ocean impacts, and integrate EBM and CMSP science needs and actions.

Recommendation 5. Develop the Inform Decision-Making Theme so that it appropriately integrates EBM and CMSP actions. Our recommendations in other sections of the EBM SAP Outline are incorporated into this section.

[1] Executive Order 13547, *Stewardship of the Ocean, Our Coasts, and the Great Lakes* (July 19, 2010); Interagency Ocean Policy Task Force, *Final Recommendations of the Interagency Ocean Policy Task Force* at 7 (July 19, 2010).

I. EBM National Priority Objective

The NOC is developing an EBM SAP as called for by the Ocean Policy EO and the Task Force's Final Recommendations. The EBM SAP is to "identify specific and measurable near-term, mid-term, and long-term actions"[2] to implement "ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes."[3] Among other required elements, the Task Force calls for the EBM SAP to address:

- "'Best' practices for developing and implementing effective ecosystem-based management systems;
- Identification and prioritization of geographic areas of special sensitivity or in greatest need for ecosystem-based management;
- Establishment of a process for working with States, tribal and local authorities and regional governance structures to apply the most successful approaches in these areas of the greatest need; and
- Measures to ensure that decisions about ocean, coastal, and Great Lakes activities, uses, and goals are made based on the best available science and incorporate principles of ecosystem-based management."[4]

ELI previously provided comments on recommended actions to include in the draft EBM SAP Outline developed by the NOC (*see* Appendix 1). The NOC released EBM SAP Outlines on June 2, 2011, and called for public comments. The EBM SAP Outline provides a definition of EBM and outlines four themes that will be further developed in the final EBM SAP: (1) EBM Leadership and Collaboration; (2) Interagency EBM Science Framework; (3) Inform Decision-Making; and (4) Policy and Governance.

This comment focuses on the draft SAP Outline prepared by the NOC and offers recommendations to assist the NOC in preparing the final EBM SAP.

II. Recommendations for the final EBM SAP Building from the EBM SAP Outline

ELI provides the following recommendations to the NOC for preparing an EBM SAP that ensures that ocean and coastal decision-making is based on best available science, minimizes cumulative impacts, and preserves important ecosystem services.

[2] Interagency Ocean Policy Task Force, *supra* note 1 at 7.
[3] *Id*. at 32.
[4] *Id*.

RECOMMENDATION 1: Revise the definition of EBM provided in the Outline so that it more broadly applies to all human uses of the ocean and reflects the central importance of EBM as a tool for minimizing cumulative human impacts.

The definition of EBM should apply to resource management as well as the management of ocean uses and activities. The goal of minimizing cumulative impacts should be explicitly incorporated into the definition of EBM.

The EBM SAP Outline provides a definition of EBM that appropriately recognizes the importance of EBM as a tool to conserve ecosystems and critical ecosystem services. This definition states:

> Ecosystem-Based Management (EBM) is an integrated approach to resource management that considers the entire ecosystem, including humans, and the elements that are integral to ecosystem functions. EBM is informed by science to conserve and protect our cultural and natural heritage by sustaining diverse, productive, resilient ecosystems and the services they provide, thereby promoting the long-term health, security, and well-being of our Nation.[5]

The definition falls short, however, by defining EBM solely in terms of resource management. The term "resource management" could be interpreted too narrowly as only relating to living marine resources and non-living resource extraction, when in fact it should apply to all human uses of the ocean including shipping, recreation, fishing, and indirect impacts from land and ocean activities (e.g. water pollution and marine debris), among others.

The definition of EBM also does not appropriately recognize that EBM, at its core, is one of the best approaches to enable reduction of cumulative impacts of human uses and activities.[6] The central focus of EBM on addressing and minimizing cumulative human impacts is what distinguishes it from most sector-based management approaches.

To address these deficiencies, ELI recommends that the NOC revise the definition of EBM in the final EBM SAP to read:

> Ecosystem-Based Management (EBM) is an integrated approach to **ocean** ~~resource~~ **management**[7] that considers the entire ecosystem, including humans, and the elements that are integral to ecosystem functions. EBM is informed by science to

[5] National Ocean Council, *Ecosystem-Based Management Strategic Action Plan Full Content Outline* (June 2, 2011) [hereinafter EBM SAP Outline].

[6] See, e.g., the definition of EBM advanced by the Communication Partnership for Science and the Sea (COMPASS), Scientific Consensus Statement on Marine Ecosystem-Based Management (March 21, 2005) that provides: "Ecosystem-based management is an integrated approach to management that considers the entire ecosystem, including humans. The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the services humans want and need. Ecosystem-based management differs from current approaches that usually focus on a single species, sector, activity, or concern; **it considers the cumulative impacts of different sectors**." (emphasis supplied).

[7] We recommend changing the term "resource management" to "ocean management" throughout the final EBM SAP.

> **minimize cumulative impacts and** conserve and protect our cultural and natural heritage by sustaining diverse, productive, resilient ecosystems and the services they provide, thereby promoting the long-term health, security, and well-being of our Nation.[8]

Furthermore, in providing an overview of the EBM national priority objective, the EBM SAP Outline states:

> EBM plans and strategies must incorporate the cumulative effects of multiple human activities and varying levels of those activities on entire ecosystems, and address explicitly approaches for assessing trade-offs among these activities with the goal of maintaining ecosystem health and services.[9]

EBM plans and strategies should do more than simply "incorporate the cumulative effects of multiple human activities." They should be designed with the goal of minimizing such effects. **Consequently, ELI recommends revising this statement to read:**

> EBM plans and strategies must **be designed to minimize** the cumulative effects of multiple human activities and varying levels of those activities on entire ecosystems, and address explicitly approaches for assessing trade-offs among these activities with the goal of maintaining ecosystem health and services.[10]

These changes will more accurately reflect that EBM is an approach to managing resources and human uses and activities over time, across the ecosystem, and within and across management sectors to minimize the cumulative impacts that degrade ocean and coastal ecosystem health and function.

RECOMMENDATION 2: Strengthen EBM Policy and Governance Theme by developing actions to:

(1) Integrate EBM plans and approaches with project-level decision-making under NEPA and other existing laws and regulations;
(2) Explicitly assess impacts to ecosystem services during NEPA analyses;
(3) Develop necessary statutory and regulatory changes to advance EBM;
(4) Minimize gaps and understand needs in science and technology.

(1) Integrate EBM Plans and Approaches with Project-Level Decision-Making under NEPA and Other Existing Laws and Regulations

ELI agrees that "EBM needs to be incorporated cohesively into the environmental statutory and regulatory regime and project planning and review processes (e.g., National Environmental Policy Act,

[8] EBM SAP Outline (added text in bold).

[9] EBM SAP Outline, page 1.

[10] EBM SAP Outline, page 1 (added text in bold).

Endangered Species Act, Coastal Zone Management Act, Magnuson-Stevens Fishery Conservation and Management Act) to ensure a more holistic ecosystem-based approach."

In our prior comments to the NOC, we presented a framework for integrating regional EBM approaches with various decision-making and implementation activities to ensure that decisions about ocean and coastal uses, activities, and goals "are made based on best available science and incorporate principles of ecosystem-based management." project-level permitting and decision-making.[11] As in that comment, we focus here on integrating regional EBM approaches with the environmental assessment process under NEPA because that law provides significant but unrealized opportunities to incorporate regional ocean plans and objectives into decision-making and to better understand cumulative human impacts at the project- or action-specific level.

We specifically recommend developing regional EBM plans that are integrated with project-level activities, and not simply a regional layer on top of an existing sector-based management system. In this type of integrated system, EBM implementation activities would build from, align with, and inform project-level ocean management (and vice versa).

There are many opportunities to integrate regional ocean governance with environmental assessment processes under NEPA. Integrating these regional and project-level approaches can ensure that the best available information is used in decision-making, advance regional goals and objectives, and more effectively minimize cumulative impacts.

The final EBM SAP should consider integrating regional EBM with project-level environmental assessments using the following three approaches:

- Link Ecosystem Assessments and Environmental Impact Assessments Conducted for NEPA Purposes
- Linking Regional Plans and Project-Level Assessments with Regulation and Permitting
- Linking Regional Ecosystem Monitoring and Environmental Assessment

Here we provides additional information on each of these approaches:

- ***Link Ecosystem Assessments and Environmental Impact Assessments Conducted for NEPA Purposes*.**

Regional ecosystem assessments associated with regional EBM and/or CMSP and project-level impact assessments associated with NEPA and other regulatory frameworks could be integrated to increase understanding of ecosystem processes and project impacts, better predict potential cumulative impacts, and to support and inform management and decision-making at both the regional and project-specific levels. Regional ecosystem assessments generally encompass large geographic areas and can provide an important context for project-specific studies. Information generated by a regional ecosystem assessment can identify information gaps to support the precautionary approach, identify appropriate mitigation and mitigation priorities, and provide key baseline information for project-level assessments. By using regional ecosystem information as a platform for project-level impact assessment, project managers could improve process efficiency and minimize the time and expense required to collect

[11] *Id*. at 32; *see also* National Ocean Council, *Ecosystem-Based Management: Public Comments Received 1/24/2011 – 4/29/2011*, page 32.

information from scratch. They could also improve the quality of environmental impact assessments by providing ecosystem information that may be difficult and resource-intensive to collect for smaller-scale assessments.

Not only can regional ecosystem assessment inform environmental impact assessments, the reverse is true: project-specific assessments can supply information at a level of detail that an ecosystem assessment often cannot, and can provide focused information related to the actual impacts of projects and actions within geographic regions. This may be particularly valuable during iterative ecosystem assessments once a plan is in place.

- ***Linking Regional Plans and Project-Level Assessments with Regulation and Permitting*.**

Regional plans should be designed with regulation and permitting in mind so that decision-makers have the information that they need to make permitting decisions consistent with regional goals and objectives. Requirements for compliance with regional plans and coastal and marine spatial plans specifically, should be bolstered with legislation and regulations that explicitly require appropriate consideration of regional management visions and plans during permitting and decision-making processes.

The benefit of such an approach is that it makes consideration of an ocean management plan mandatory and enforceable and provides greater certainty that planning visions and goals will not be jeopardized due to lack of implementation. Regional EBM plans also may be implemented through less formal mechanisms, like memoranda of understanding or letters of agreement. For example, federal and/or state government entities could agree to adhere to regional plans and goals "to the extent possible," and could memorialize that commitment in a memorandum of understanding. Existing sector-specific and environmental laws would be used as the legal and regulatory basis for implementation. The benefit of a soft-law approach is that it avoids the time, resources, and political support that new legislation or legislative amendments require. Drawbacks to this approach potentially include issues with compliance and enforcement, and challenges in achieving uniform implementation of plans and goals among numerous agencies and jurisdictions.

- ***Linking Regional Ecosystem Monitoring and Environmental Assessment.***

For maximum effectiveness, monitoring should occur at both the regional and project levels, and should involve gathering information to: (1) evaluate the condition and state of the environment; and (2) track performance of a regional plan or the success of project-specific implementation. Further, monitoring at both levels should be coordinated so the information gathered at each level supplements that provided by the other.

EBM planning goals and objectives should also be integrated into existing environmental regulatory processes, as discussed in ELI's previous comments to the NOC.

(2) Explicitly Address Impacts to Ecosystem Services during NEPA Analyses

As acknowledged in the EBM SAP Outline, an important way to advance EBM goals and principles is by explicitly considering and addressing impacts to ecosystem services and functions "through environmental risk analyses, permits, and authorizations under the National Environmental Policy Act and other relevant Federal environmental legislation." By explicitly considering these impacts, managers

will have a greater understanding of the ability of ocean and coastal ecosystems to accommodate additional change.

Thus, for example, rather than describing impacts to a salt marsh in terms of acreage lost or impacts to salt marsh species, an environmental impact assessment under NEPA would take a broad view of the salt marsh ecosystem and describe the impact to habitat values and functions, such as its storm buffering capacity, ability to improve water quality, and value in food web cycles and as nursery habitat. With a more comprehensive view of cumulative impacts, managers and practitioners also would be better positioned to design effective mitigation and adaptive strategies.

In light of current and emerging efforts to identify, map, and value important ecosystem services, managers and practitioners have substantial opportunities, both now and in the near term to consider and integrate ecosystem service information in decision-making.[12]

We, further, note that under the Task Force recommendations, regional planning bodies are to assess, analyze, and value "[i]mportant ecosystem services in the planning area and their vulnerability or resilience to the effects of human uses, natural hazards, and global climate change" as they develop ecosystem assessment for CMS Plans.[13] Information on key ecosystem services and values developed for coastal and marine spatial plans could help to identify and evaluate services potentially impacted by proposed projects or actions.

(3) Develop Necessary Statutory and Regulatory Changes to Address Gaps in the Law and Policy as Needed to Advance EBM

The EBM SAP Outline states that: "[t]argeted statutory and regulatory changes may be made to address relevant deficiencies in law and policy when deemed necessary in order to advance EBM."

ELI has spent several years researching law and policy mechanisms to implement ecosystem-based management for the oceans, including coastal and marine spatial planning.[14] As a result of this research, we have identified specific gaps in law and policy that should be addressed to strengthen EBM implementation. In addition to the potential legal and regulatory actions to link regional plans and project-level environmental impact assessments described previously (see page 6), this section briefly discusses potential statutory and regulatory changes to bolster the integration of EBM into decision-making processes.

For example, in EXPANDING THE USE OF ECOSYSTEM-BASED MANAGEMENT IN THE COASTAL ZONE MANAGEMENT ACT (2009), ELI suggested six reforms that could be adopted to strengthen EBM principles via reauthorization of the Coastal Zone Management Act (Box 1). These reforms would result in regulatory changes ranging

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[12] *See e.g.,* Natural Capital Project, *About the Natural Capital Project*, *available at* http://www.naturalcapitalproject.org/about.html; the Communication Partnership for Science and the Sea, *Ecosystem Services*, *available at* http://www.compassonline.org/science/ecoservices.

[13] Interagency Ocean Policy Task Force, *supra*, note 1 at 57 & 66.

[14] For more information, *see* ENVIRONMENTAL LAW INSTITUTE (ELI) AND CENTER FOR OCEAN SOLUTIONS, COASTAL AND MARINE SPATIAL PLANNING: LEGAL CONSIDERATIONS (2010); ELI, MARINE SPATIAL PLANNING IN U.S. WATERS: AN ASSESSMENT AND ANALYSIS OF EXISTING LEGAL MECHANISMS, ANTICIPATED BARRIERS, AND FUTURE OPPORTUNITIES (2009) (included here as an appendix); ELI, OCEAN AND COASTAL ECOSYSTEM-BASED MANAGEMENT: IMPLEMENTATION HANDBOOK (2009); ELI, EXPANDING THE USE OF ECOSYSTEM-BASED MANAGEMENT IN THE COASTAL ZONE MANAGEMENT ACT (2009). Additional information and reports are available at http://www.eli.org/Program_Areas/ocean_projects.cfm

from updated statutory definition of "special area management plan" (Section 304(17)) to incorporate elements of EBM to new legal requirements to develop ecosystem assessments that would form the basis for state coastal zone management plans as a condition of program approval.

Box 1. Six Reforms for Strengthening EBM Principles in the CZMA

In EXPANDING THE USE OF ECOSYSTEM-BASED MANAGEMENT IN THE COASTAL ZONE MANAGEMENT ACT (2009), ELI proposed the following six reforms to strengthen integration of EBM principles in the CZMA:

1. **Require Ecosystem Assessments**
   - As a condition of program approval, require development of ecosystem assessments that would form the basis for state coastal zone management plans.
   - Expand coastal zone science by bolstering the National Oceanic and Atmospheric Administration's Coastal Services Center.
2. **Require a Coastal Zone Plan That Is Based on Sound Ecosystem Science**
   - As a condition of program approval, require states to create long-term management plans based on ecosystem assessments.
3. **Update Statutory Definitions**
   - Change the definition of the inland boundary of the coastal zone (CZMA Section 304(1)) so that it is based on either an ecosystem assessment or watersheds as identified by USGS hydrologic units or the coastal component of NOAA's Coastal Assessment Framework.
   - Change the definitions of "land use" and "water use" (Sections 304(10) and (18)) to explicitly include conservation measures as acceptable "uses."
4. **Collaborate, Address Cumulative Impacts, and Make Tradeoffs**
   - As a condition of program approval, require states to undertake greater interstate coordination with regard to shared ecosystems based on ecosystem assessments.
   - As a condition of program approval, require states to evaluate cumulative impacts and adopt the precautionary approach when using the evaluation in planning and permitting.
   - As a condition of program approval, require states to develop explicit mechanisms for evaluating, recommending, and deciding trade-offs among different sectors and competing uses.
5. **Use the Special Area Management Program to Enable Ecosystem-Based Management**
   - Reword the definition of "special area management plan" (Section 304(17)) to incorporate the elements of ecosystem-based management.
   - As a condition of program approval, require state programs to develop mechanisms that would allow the development of special area management plans at a local or state scale.
   - Apply the special area management plan approach to other sections of the CZMA.
6. **Maintain Federal Consistency**
   - Encourage greater usage of the federal consistency provisions (Section 307(c)) and simplify the procedures for upholding the enforceable policies of the state program.

Specific regulatory changes could also facilitate the integration of EBM concepts and approaches for purposes of the National Environmental Policy Act (NEPA). These include: (1) amending CEQ regulations to include a definition of "adaptive management" for purposes of NEPA; (2) adopting agency mitigation requirements as described in the CEQ's recent Mitigation Guidance in order to minimize unanticipated impacts; (3) developing CEQ guidance to assist agencies in considering cumulative impacts, applicable to ocean and coastal activities, and to assist agencies in developing or incorporating precautionary measures into decision-making; and (4) amending regulations to require agencies to consider impacts on ecosystem services during NEPA analyses.

(4) Address Gaps and Needs in Science and Technology

This section of the EBM SAP Outline focuses on mechanisms for strengthening communication and awareness regarding EBM among federal agencies, rather than science and technology needs.

Although increased awareness and agency buy-in are important to EBM implementation, the final EBM SAP should specifically identify and describe science and technology needs that should be filled to instill EBM "as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes."

ELI previously reported on science and technology needs for effective EBM implementation in our Ocean and Coastal Ecosystem-Based Management: Implementation Handbook (2009). This Handbook may serve as a useful resource for identifying science and technology needs to strengthen EBM governance. It specifically focuses on science and technology needs related to access to data and information and to improve existing regulatory structures and institutions by developing the right platforms for sharing and utilizing data and other regulatory information that will inform EBM.[15]

RECOMMENDATION 3: Strengthen **EBM Leadership and Collaboration Theme** by including actions to:

(1) Improve access to scientific information within and across federal agencies through the use of a GIS-based system that builds from existing regulatory requirements;
(2) Develop appropriate guidance for integrating EBM principles and concepts into NEPA decision-making;
(3) Integrate EBM principles and concepts into pilot projects and federal regulatory processes;
(4) Leverage existing information and resources to improve EBM understanding and access to data.
(5) Integrate the inter-agency framework for implementing EBM with the developing CMSP framework;

[15] ELI describes additional science needs, *supra*, in our recommendations related to theme 2 (EBM Science Framework).

According to the EBM SAP Outline, the final EBM SAP will include actions to enhance EBM leadership and the understanding and integration of EBM principles and concepts among federal agencies and federal decision-making processes. In order to achieve desired outcomes effectively and efficiently, and avoid duplication of federal and non-federal agency efforts, we recommend the following actions for final EBM SAP development:

(1) Improve Access to Scientific Information within and across Federal Agencies through the Use of GIS-based Information Gathering Systems that Build from Existing Regulatory Requirements

A significant amount of science and information is presently collected under existing regulatory, requirements, and is then synthesized into reports and other permitting records, but that information frequently becomes obsolete once permitting is complete. These data and information present a significant but unrealized resource to support EBM and to increase the efficiency of existing regulatory processes.

The NOC has an opportunity to move ocean and coastal management into the 21st century and advance EBM efforts by leveraging existing data and information and identifying innovative ways to promote the "development and exchange of sound, accessible, and best-available scientific and socio-economic data regarding the condition and health of ecosystems" as discussed in the EBM SAP Outline.[16]

One way to significantly increase agency capacity and share information is by developing a digital information system that can allow reports developed under various environmental programs (e.g., NEPA, ESA/EFH consultations, and environmental permits) to be identified by marine region and searched in a comprehensive way.[17] This information system would further EBM goals by providing a source of searchable, web-supported information to support EBM implementation, and would improve the efficiency of the regulatory processes and enhance the utility of regulatory and permitting documents.

Therefore, ELI recommends that EBM efforts include the design and development of such a GIS-based regulatory information system as a mid-term action in the final EBM SAP.

(2) Develop Guidance for Integrating EBM Principles and Concepts into NEPA Decision-Making

ELI, further, recommends developing agency guidance to support the integration of EBM principles and concepts into environmental decision-making under NEPA. A NEPA/EBM guidance document would help achieve the broad EBM SAP Outline goal of developing "agency specific guidance that provides direction for using EBM to achieve management requirements with existing regulatory and legislative authorities."[18]

A NEPA/EBM guidance document should provide managers and practitioners with sufficient direction to make strong plan-based, adaptive, precautionary, and ecosystem-based decisions in conjunction with major ocean and coastal projects and actions. Specific topics addressed by this guidance could include:

[16] EBM SAP Outline, page 3.
[17] Additional science needs for EBM are considered under our recommendations for Theme 2 (EBM Science Framework).
[18] *Id*. at 4.

(1) the need to build precaution into decisions to avoid surpassing ecological thresholds caused by human use impacts;
(2) procedures for evaluating ecosystem services and using these in decision-making;
(3) specific approaches and tools for understanding and minimizing the cumulative impacts of ocean uses and activities; and
(4) protocols and approaches for implementing routine and effective monitoring and adaptive management programs.

In addition, this guidance should provide direction on using coastal and marine spatial plans as platforms for NEPA analyses.

(3) Incorporate EBM Principles and Concepts into Pilot Projects and Existing Regulatory Processes

ELI agrees that new EBM programs should be designed with an eye to "integrating place-based goals and plans into existing regulatory and statutory requirements."[19] In our previous comments to the NOC, we specifically identified the need for federal agencies and regional bodies to develop EBM plans that contain concrete goals and measurable objectives that can be used in existing regulatory and statutory programs, including environmental impact assessments under NEPA (*see* Appendix 1 attached). We, also, recommended, as a near-term action, that the NOC encourage managers and regulators integrate the relevant concrete goals and measurable objectives found in *existing* regional EBM plans into their environmental decision-making. We re-iterate our prior recommendations here and specifically recommend that the final EBM SAP call on federal agencies to integrate regional plan goals and objectives to determine when an impact should be considered "significant" under NEPA. We also recommend that the final EBM SAP encourage regional planning bodies developing coastal and marine spatial plans to incorporate EBM plans, goals, and objectives in their planning efforts.[20]

As part of the effort to integrate EBM principles and concepts into regulatory processes, the Council on Environmental Quality (CEQ) should integrate such principles and concepts into projects currently being developed for the NEPA Pilot Program. This could help achieve the EBM SAP Outline goal of using pilot projects to demonstrate "how to effectively implement EBM principles and concepts."[21] Although the CEQ's NEPA Pilot Program focuses on NEPA, projects developed under this program could provide a platform for demonstrating the use of best practices for implementing EBM principles and concepts, including the use of precautionary, collaborative, ecosystem-based, adaptive, or plan-based approaches in the context of environmental impact assessment.

(4) Leverage Existing Information and Resource to Improve EBM Understanding and Access to Data

The NOC can facilitate efforts to achieve specific milestones by strengthening the use of existing information, approaches, and resources. As described *supra*, the NOC has an opportunity to use information developed under existing legal mandates (e.g. NEPA, ESA/EFH consultations) to enhance the development and exchange of information between and among Federal and non-Federal agencies,

[19] *Id*. at 3.
[20] ELI's prior comments to the NOC specifically focus on the need to integrate place-based goals and objectives into environmental decision-making.
[21] *Id*. at 3.

enhance agency capacity, and to improve the availability, quality, and quantity of information to support agency decision-making.

In addition, the final SAP Outline should leverage existing resources, approaches, and tools to facilitate EBM implementation and achieve desired outcomes. For example, the EBM SAP Outline points to several examples of EBM programs that may be used as models for building EBM competence in additional regions, including regional fisheries management and the National Estuary Program. To best achieve milestones outlined in the final EBM SAP, we recommend looking at additional important programs that may serve as useful EBM models, including the work of the Puget Sound Partnership, Chesapeake Bay Partnership, and other smaller scale EBM programs, including San Luis Obispo Science and Ecosystem Alliance (SLOSEA). These and other EBM programs and approaches are described in ELI's 2009 *Ocean and Coastal Ecosystem-Based Management Implementation Handbook* (Handbook). This Handbook may also assist the Working Group in its efforts to "[c]ompile and disseminate information depicting examples of EBM capacity as well as resources and tools to further EBM implementation at all levels,"[22] and to achieve other milestones described in the EBM SAP Outline.

(5) Integrate final EBM and CMSP SAP Leadership and Collaboration Processes

We recommend aligning and integrating the intergovernmental frameworks for implementing EBM and coastal and marine spatial planning (CMSP).

At present, the EBM SAP Outline describes a process for implementing EBM that appears separate and distinct from the process for CMSP, even though these two approaches may require many of the same resources, tools, information, and parties. Specifically, the EBM SAP Outline calls for the creation of a joint interagency-regional EBM working group (Working Group) for implementing EBM. The Working Group will develop a framework for working with management entities at all levels of governance, enhance training and resources available to federal agencies with respect to EBM, ensure that EBM is appropriately integrated into federal decision making processes, and monitor EBM activities within federal agencies. Among other outcomes, the work of this group will result in:

- An intergovernmental collaboration among regional, territorial, tribal state, and local stakeholders and decision-makers that will collaborate to identify shared goals and key interests for a given region and will "develop and adopt strategies for addressing priority needs."[23]
- A process to "implement collaborative approaches to resource management, using EBM to set strategic goals and objectives and more effectively manage ecosystems";[24] and
- A process to enhance the "integration of capabilities and resources and among Federal and non-Federal parties."[25]

CMSP also may result in many of these same outcomes, but will be implemented through regional planning bodies as described in the Task Force's final recommendations and the developing CMSP SAP.

Because CMSP is a tool for implementing EBM, separate leadership and collaboration processes for EBM and CMSP may over-tax available resources, and result in inefficiencies and duplicated efforts. The final

[22] EBM SAP Outline, page 4.
[23] EBM SAP Outline, page 3.
[24] *Id*.
[25] *Id*.

EBM SAP should explicitly incorporate relevant actions developed for the final CMSP SAP (and vice versa), and should ensure that the inter-governmental frameworks for these approaches are coordinated and cohesive.

RECOMMENDATION 4: Develop the EBM Science Framework Theme so that it includes actions to:

(1) Leverage existing resources and information to develop the EBM Science Framework;
(2) Explicitly address science needs and actions for understanding and minimizing cumulative impacts; and
(3) Integrate the EBM Science Framework with science needs and actions to implement CMSP.
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(1) Leverage Existing Resources and Information to Develop the EBM Science Framework

Actions in the final EBM SAP should leverage existing information and resources to the maximum extent possible to meet articulated milestones.[26] Important emerging resources include those geared at mapping cumulative impacts, including Halpern et al's (2009) California Current assessment of cumulative human impacts.[27] Cumulative impacts maps can provide important information related to the spatial overlap of human impacts and can serve as baselines against which to compare future ocean conditions. With higher resolution data, these map-based assessments could be used to support local-scale decisions and actions.

The EBM SAP Outline calls for "[e]stablishment of a comprehensive repository of governmental, non-governmental and private sector data and resources (e.g. Marine Protected areas, NOAA stock assessments, Navy monitoring efforts."[28] In order to be most useful, this repository of information should be designed to support regional EBM, and to effectively link regional EBM efforts with project-level decision-making under NEPA and other environmental statutes. In addition to the resources noted in the EBM SAP Outline, the repository also should include data and information from project-level ecosystem and baseline assessments and monitoring results, such as those developed for NEPA purposes. In addition, the system should be accessible to practitioners, agency staff, and the public for use in regional planning and project-level decision-making. Developing this system would require effective mechanisms for transferring relevant information from dispersed sources and protocols, and approaches for standardizing relevant data. Data and information in this system should be continuously

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[26] ELI's 2009 *Ocean and Coastal Ecosystem-Based Management: Implementation Handbook* would provide a useful resource in achieving these milestones. Other useful resources include the EBM Tools Network and Sea Grant's West Coast Regional Marine Research and Information Needs (2009) report that focuses on science needs for an effective ecosystem-based approach to ocean and coastal management. Ecosystem-Based Management Tools Network, *available at* http://www.ebmtools.org/; Sea Grant, *West Coast Regional Marine Research and Information Needs* (2009).

[27] Benjamin S. Halpern et al. *Mapping cumulative human impacts to California Current marine ecosystems*, CONSERVATION LETTERS 2: 138-148 (2009).

[28] EBM SAP Outline, page 7.

updated to ensure that best available science is used for EBM efforts and to appropriately manage impacts of human use and activity.

(2) Explicitly Address Science Needs and Actions for Understanding and Minimizing Cumulative Impacts

EBM, at its core, is an approach focused on minimizing cumulative impacts of human use and activity in order to maintain the full suite of ecosystem services. Accordingly, the final EBM SAP should explicitly consider and address science and technology needs focused on minimizing cumulative impacts and understanding the linkages between human activities, resources, and ecosystem components. These needs also should be addressed in EBM Science Frameworks developed under this theme.

Important gaps in the information needed to effectively minimize cumulative impacts and advance EBM include:

- Baseline information related to key species, habitats, and human activities;
- Spatial information related to key ecosystem services and values;
- Data and information concerning the interconnections within and among activities, resources, and ecosystems; and
- Methods and approaches for integrating climate-change information into decision-making.

In addition to strong science and information, managers and practitioners require robust and cost-effective tools, approaches, and strategies for sharing, managing, synthesizing, and communicating data and information to interested parties in order to effectively address cumulative impacts. Specific needs include a central repository of data and information and protocols, tools, and approaches to:

- Store information related to the status of resources and ecosystems, and past, present and future uses and activities electronically so that it can be effectively used in decision-making;
- Timely share information developed for regional EBM programs and project-level decision-making processes, including environmental assessments under NEPA;
- Timely analyze and share regional and project-level monitoring data so that it can efficiently feed into management and decision-making;

Managers and practitioners will also require standardized protocols and approaches for collecting, storing, and reporting on EBM science and information, and searchable web-based databases and interactive maps to facilitate science-based ocean and coastal management.[29]

(3) Integrate the EBM Science Framework with Science Needs and Actions to Implement CMSP

We strongly encourage the NOC to develop an Inter-agency EBM Science Framework that incorporates and integrates actions developed for the final CMSP SAP.

To implement both EBM and CMSP, federal and non-federal actors may rely on the same scientific information, tools, and approaches to understand relevant resources, ecosystems, and human impacts within a given region, and key interests and priorities. Data and information gaps, and science and

[29] ENVIRONMENTAL LAW INSTITUTE, OCEAN AND COASTAL ECOSYSTEM-BASED MANAGEMENT: IMPLEMENTATION HANDBOOK, 36-59 (2009).

technology needs for implementing EBM and CMSP, also could overlap. In light of the overlapping science and technology needed to implement EBM and CMSP, actions to develop the scientific basis for EBM should be fully integrated with actions in the final CMSP SAP (and vice versa) to avoid conflicts, duplicative efforts, and to efficiently use limited resources. For example, the final EBM and CMSP SAPs should coordinate actions to identify key indicators of ecosystem health, spatial areas of unique value, and to develop repositories of ecosystem information, as these actions can inform both EBM and CMSP. The NOC also should specifically consider whether an interagency EBM Science Work Group is needed, as called for in the EBM SAP Outline, in light of actions taken to develop CMSP.

RECOMMENDATION 5: Develop the Inform Decision Making Theme so that it appropriately integrates EBM and CMSP actions. Our recommendations to other sections of the EBM SAP Outline also apply to this Theme.

The Inform Decision Making theme should incorporate and integrate actions developed for the final CMSP SAP. As described in our comments for the Leadership and Collaboration and Inter-Agency EBM Science Framework themes, EBM and CMSP implementation may rely on similar resources, tools, information, and parties. Actions to integrate EBM into federal decision-making processes EBM should be fully integrated with the CMSP SAP (and vice versa) to the extent possible to avoid conflicts, duplicated efforts, and to efficiently use limited resources.

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Ecosystem-Based Management:

American Petroleum Institute

(8 pages)

July 1, 2011

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Submitted Electronically

In response to the June 9, 2011 Federal Register notice from the Council on Environmental Quality requesting comments on the draft Strategic Action Plan (SAP) outlines prepared for the nine priority objectives as part of the implementation of the National Ocean Policy (NOP), the American Petroleum (API) is pleased to offer the following comments on these outlines. These comments are offered in addition to substantial comments filed by the API in response to the National Ocean Council's (NOC) request for comments on the preparation of SAPs during the previous comment period on this topic.

API is the only national trade association serving all aspects of America's oil and gas industry. API represents more than 470 companies involved in exploration, production, refining, pipeline operation, distribution, marketing, equipment manufacture and supply, and other diverse offshore support services. Either directly or indirectly, many API member companies are working to develop our offshore energy resources in an environmentally responsible manner.

GENERAL COMMENTS

API and its members recognize that, in addition to biological and ecological resources, the oceans also contain significant non-living resources that support many industries crucial to maintaining both the United States' and global economies. A growing global population is creating an increased demand for energy and making the efficient development of all energy sources more important than ever. If properly regulated and managed, the vast majority of our coastal waters and oceans should be, and can be, made available to the American people for multiple uses while retaining healthy ecosystems.

API submits these comments to assist the NOC in developing an effective national ocean policy that is consistent with the position that coastal and ocean resources can be responsibly developed while furthering the restoration, maintenance, and enhancement of healthy and sustainable ecosystems. As discussed in our previous comments, a key challenge to the NOC is to develop an implementation strategy that fully recognizes and works with the many existing laws and regulations. A prime example is the regulation of offshore oil and gas activities under

the Outer Continental Shelf Lands Act (OCSLA), which already establishes a framework for "effective coastal and marine spatial planning to address conservation, economic activity, user conflict, and sustainable use," called for again in the earlier NOC notice. 76 Fed. Reg. 4,139. With regard to offshore oil and gas activities, the OCSLA occupies the regulatory field and preempts the need and legal justification for any new regulatory mechanisms arising under the NOC or to be implemented through SAPs.

As discussed in our previous comments, the NOC should not seek to create a new management regime or develop a new regulatory program to implement the SAPs for oil and gas activities already covered by the OCSLA. Indeed, neither the NOC nor any agencies included in the NOC have the legal authority to establish a mandatory SAP program for offshore oil and gas activities. The role of the SAPs should be as permissive guidelines developed on a consensus basis by all potentially affected stakeholders. Participation of affected stakeholder groups should be taken into consideration in future decision-making by the agencies responsible for administering the existing laws and programs governing the conservation, management, and use of coastal and marine resources.

There is neither the need nor the authority for a program that seeks to reinvent the wheel for offshore oil and gas activities in the name of coastal and marine spatial planning (CMSP). Such a program has the potential to be an extraordinarily cumbersome, expensive, confusing and counterproductive process that defeats the goals set forth in the SAP Notice. Rather than pursue a new initiative applicable to offshore oil and gas activities, the NOC should utilize the existing legal authorities and mechanisms, such as the OCSLA leasing and regulatory system, as the foundation for all future actions to carry out CMSP.

In addition, API believes that a more project oriented approach needs to be employed by the NOC where the SAPs are viewed as a more comprehensive program rather than nine individual plans. For instance, there are obvious actions (detailed in the specific comments below) that must take place before any others can be undertaken by the federal, tribal and state entities charged with implementing the National Ocean Policy. As evidenced by comments in the Preface to the SAPs, the NOC recognizes this and hopefully will address this by the time the final draft plans are issued.

API is struck by the scope of the proposed actions presented and we believe that a scaled back, more realistic effort, with more modest budgetary implications would provide a better chance for successful implementation of the NOP over time. One way to do this would be to identify a region that is receptive to the implementation efforts of the NOC and use this region to conduct a pilot implementation program. The results of the pilot project could then be used to inform the efforts in other regions. Any effort undertaken by the NOC should focus on making the best use of existing data and resources to minimize costs.

SPECIFIC COMMENTS

In reviewing the nine SAP outlines, API identified areas of improvement and areas of agreement in some of them. These are detailed below:

1. **Ecosystem-Based Management (EBM)**

Action 1:

- One of the outcomes identified is place-based pilot projects to guide implementation of EBM. API believes this is a good approach and this should be done prior to full scale implementation in all regions.
- In milestones, API questions if there is any priority given to the order in which these milestones need to be achieved. It would seem that some activities cannot take place until certain milestones are met. For instance, EBM training and skills development for decision makers and managers should be first and foremost before they are asked to identify make decisions using EBM criteria. Leadership and governance capacity is identified as a gap and it must be filled before proceeding.
- Also in milestones, the identification of priority areas for implementation and the criteria for identifying these areas appears to be a government only activity with no input from stakeholders. Stakeholder participation at all stages is essential.

Action 2 – Under gaps and needs in science and technology, identification of key indicators of ecosystem health and areas of high or unique vales is highlighted. It would seem that this gap must be filled before proceeding with the identification of priority areas for implementation and the criteria for identifying these areas.

Action 3 – API agrees with the milestone to implement and complete two to three pilot studies using adaptive management decision making tools in selected areas. This should be done prior to full scale implementation of EBM.

Action 4 – One of the milestones listed is to issue model legislation and/or regulations. API was under the impression that NOP could be fully implemented under the current legislative and regulatory framework. If so, this milestone is in conflict with our understanding.

2. **Coastal and Marine Spatial Planning**

General comment - The team drafting the SAP should incorporate findings from the May 2, 2011 Report to the NOAA Science Advisory Board from the Ecosystem Science and Management Working Group, "Strategic Advice on Designing and Implementing Coastal and Marine Spatial Plans" into the SAP (http://www.sab.noaa.gov/Reports/Reports.html). This report offers a critical review of other CMSP efforts in the U.S. and internationally and the SAP would benefit from the recommendations contained in the report.

Objective 2 – API supports the effort to incorporate applicable non-confidential and other non-classified Federal data into a National Information Management System and Data Portal to support science-based decision making provided the information included in the system is science-based subject to rigorous data quality standards.

Regional Implementation – API believes the following items should be added to this section of the outline:

Periodic Reviews and Modifications of CMSP. [This subsection will be designed to cover periodic reviews and revisions to the CMS plans. To ensure the Regional CMS plans have the desired effect of optimizing the ongoing health, productivity and resilience of the covered water body, at a minimum, annual review of the CMS plans will be required. The CMS plans have to be designed in a way to adapt to changes in the marine environment and the activities impacting the covered ecosystem. As new data and information become available which could have a positive or negative impact on the implementation of the CMS plan, the plan should be modified. Periodic reviews of the plan, and the related activities on which the plan is based, and making modifications to the plan as deemed necessary, will ensure plans are being administered in the a way that meets the overall vision of the National Ocean Policy.]

Prioritization of Existing Activities versus New Activities. [This section will cover the prioritization of existing activities in a geographic area. As CMS plans are developed, priority will be given to those classes of activities (e.g. recreational fishing, energy production, etc….) currently found in areas covered by the CMS. As new classes of activities are proposed to be added to the spatial area covered by an existing plan, a mechanism will be created to assess whether or not the new activity should be added to the plan area. If the end result of this assessment shows the activity should be added, the CMS plan shall be amended as soon as reasonably possible.]

Stakeholder Advisory Councils. [This section will address the requirement for each RPB to establish a long term FACA based Stakeholder Advisory Committee. Ocean and Great Lakes relevant stakeholders are not members of RPBs. To ensure these relevant stakeholders are given a voice in the creation and implementation of CMS plans that will have a direct impact on their ocean or great lakes activities, a Stakeholder Advisory Board will be created with members represented from each stakeholder class. The RPBs will be required to address the comments, concerns and recommendations generated by the Stakeholder Advisory Board. In addition to the public meetings envisioned by the RPBs, this higher level of engagement by the Stakeholder Advisory Board will allow greater transparency in the administration of CMS plans.]

Data and Information Submittal. [This section will address the mechanism for interested parties to submit information, studies, analysis and data to the RPB or National Ocean Council for retention in the National Information Management System.]

3. **Inform Decisions and Improve Understanding:**

Action 2 – API notes the heavy emphasis on renewable energy technologies under this action and requests that consideration be given to the inclusion of emerging oil and natural gas technologies as well.

Action 3 – Under gaps and needs in science and technology, the outline identifies "quantification and valuation of ecosystem services related to coastal management decision making". API believes it is critical to fill this gap prior to embarking on any effort to undertake CMSP.

Action 4 – Rather than attempting to "develop human capacity and the workforce, including providing scholarships, internships, fellowships, and other opportunities for high school, undergraduate, and graduate students, particularly from under-represented groups, pursuing degrees in ocean science, management, and related fields", API believes that expending resources on existing science efforts and filling identified gaps would be more beneficial than this action.

Action 5 – Rather than attempting to "increase ocean literacy, including expanding accessibility and use of ocean content in formal and informal education programming for students, teachers, and the public", API believes that expending resources on existing science efforts and filling identified gaps would be more beneficial than this action.

Action 7 – One or more pilot projects that use socioeconomic and natural sciences to identify, develop and test valuation frameworks for ecosystem services are identified as milestones for this action as is using the results from these pilot projects to develop a framework for valuation of ecosystem services. API views this as a critical first step in this strategic action plan and should be completed before developing CMSPs.

4. **Coordinate and Support.**

Action 2 – Identify, prioritize, and seek to resolve legal barriers to the implementation of the National Ocean Policy. API believes this action to be in conflict with statements from the NOC and other administration officials that NOP could be implemented under existing legal and regulatory authority. As detailed in our previous comments, a perfectly suitable and successful framework for offshore energy exploration and development currently exists under the Outer Continental Shelf Lands Act. This action raises further questions as to the need for the full scale development of a NOP.

Action 5 –Two of the outcomes listed identify the need to identify non-governmental programs and funding sources to leverage opportunities to implement this action. API believes that this could be problematic and potentially compromise effective development of the NOP if not managed properly. If non-governmental programs and funding are included in any way, there should be no

discrimination as to the source of that program or funding and the willingness to accept it – all that wish to partner in the effort need to be included.

5. **Resiliency and Adaptation to Climate Change**
General Comment – There needs to be recognition by the team drafting this SAP that certain milestones need to be completed under various actions before undertaking other actions. The type of critical path thinking outlined below needs to be done as part of the SAP development. For example, here is API's suggested path for one area using milestones found under various actions:

   I. ***Action 6:-- Begin with this step on a limited number of specific sites/examples and view only as test cases that will illuminate some of the difficulties in planning for adaptation;***
      - *Milestone - Implement pre-disaster mitigation planning and recovery to prepare for climate change. Revise Federal guidelines and programs to encourage more resilient and sustainable forms of rebuilding or retreat.*

   II. ***Action 3: -- the above experience will help identify what you don't know but you need to know in the following:***
      - *Milestone - Complete inventory and assessment of existing observations and monitoring capabilities in networks/systems of coastal and ocean protected areas, research sites, and observing systems.*
      - *Milestone - Based on the inventory (above), determine critical gaps in information/coverage and solutions for addressing these gaps.*

   III. ***Action 2: -- then move to modeling to better define the challenge;***
      - *Milestone - Coordinate modeling and projections with the National Climate Assessment.*
      - *Milestone - Continue development of the Earth System Prediction Capability (NEON, IOOS, GEOSS, etc.) with respect to development of a fully coupled ocean observation, data assimilation, and modeling capability for the ocean, our coasts, and the Great Lakes.*

   IV. ***Action 5: -- apply all the above to a subset of specific resources to test adaptation protocols;***
      - *Milestone - Complete comprehensive climate change vulnerability assessments for federally funded and/or managed coastal facilities, infrastructure, cultural resources, and ecosystems.*

   V. ***Action 6: -- then help communities get to work on adaptation plans that might prove beneficial.***
      - *Promote, build on and incentivize design, implementation, and evaluation of adaptation strategies in local, state, regional, tribal, and federal decision making.*

6. **Regional Ecosystem Protection and Restoration:**
Action 7 – Identify nationally significant marine and Great Lakes aquatic areas in need of protection. API is supportive of this effort provided the selection criteria are identified and selection of these areas is based on sound science and done in an open and transparent manner.

8. **Changing Conditions in the Arctic:**
General comment - Arctic policy decisions should avoid subjecting management of the region to new layers of government bureaucracy, or additional laws, regulations, or the creation of new advisory groups with unclear mandates that could lead to inter-agency disputes over interpretation and jurisdiction. Before embarking on a remake of governance in the region, a thorough assessment should be conducted with the various resource management agencies with oversight of Arctic resources that have identified what works well, and what needs improvement in the current system. This assessment should include discussions with the State of Alaska and the North Slope Borough and its communities as potential partners in development of policy and decision-making in the region. We agree that interagency and international cooperation should be emphasized in project plans developed as the vision described in the strategic action plan is implemented.

Action 1 – Over the last few decades, the oil and gas industry has made considerable progress on methodologies to reduce the environmental and socio-economic risks of Arctic oil and gas exploration, production and transport. There have also been advances in oil spill prevention and mitigation, yet responding to oil spills in the Arctic presents different challenges compared to more temperate areas, especially for offshore spills amidst sea ice. Several projects have been conducted such as the SINTEF Oil In Ice JIP, Dispersant projects at Ohmsett, and spill detection and monitoring trials. As reported at the recent International Oil Spill Conference in Portland, OR, industry is moving forward with a plan to carry out a number of research projects to improve its capabilities and coordination in the area of Arctic oil spill response.

A joint committee comprising members of the IPIECA Oil Spill Working Group (OSWG), Industry Technical Advisory Committee (ITAC) and the API Emergency Preparedness and Response Program Group (EP&RPG) was formed in May 2009 to review prior and future work by the oil industry on prevention and response to oil spills in ice, identify technology advances and research needs in industry preparedness, and prioritize identified issues. The outcome of this effort is the recommendation to establish a Joint Industry Program (JIP) to undertake various research projects that have been identified to improve industry capabilities and coordination in the area of Arctic oil spill response. The JIP will be managed under Oil and Gas Producers (OGP) for the Industry.

The JIP will oversee component projects in the subject areas of in situ burning, dispersant use in broken ice, fate of dispersed oil beneath ice, slick trajectory modelling in ice and in poor visibility conditions, tracking oil in and beneath ice, mechanical recovery in ice infested waters, and associated field research activities.

The knowledge of Arctic spill response has been based primarily on simulated or field research spills under carefully managed conditions that have taken place in the U.S. Beaufort, the Canadian Beaufort and High Arctic, the Barents Sea, and Svalbard.

These have provided a good understanding of the countermeasures that could be used to combat Arctic spills.

Good knowledge exists on burning fundamentals (the limits for ignition, burning rates, effects of slick thickness and emulsions) based on 30+ years of research, much of it specifically related to Arctic conditions. Laboratory and field experiments have verified that in situ burning and chemical dispersion can be highly effective response methods. Likewise, good knowledge exists on the environmental effects of burning, and effective decision-making tools have been developed to assist in pre-spill planning and in decision-making at the time of a response.

Action 2 – API supports the recommendations for improving the capability to observe and forecast sea ice. Doing so will improve navigation and maritime safety in the Arctic, and should provide information that will be helpful to indigenous communities as well.

Action 4 – API supports improvements to Arctic communications. Our industry has a long record of cooperation with domestic and international government agencies on measures to improve and to coordinate communications protocols and infrastructure in remote areas, including the Arctic.

Action 5 – API supports efforts to develop more accurate hydrographic surveys and shoreline mapping in the Arctic. This represents another area for potential collaboration and information sharing by our industry.

Action 6 – API supports improved coordination on Arctic Ocean issues. Any new Arctic policy should mandate that agencies with Arctic responsibilities should work cooperatively with each other to achieve a balanced approach to stewardship of the resources of the Arctic. This stewardship needs to include provision for environmentally responsible development of energy or mineral resources in the region that allows reasonable and cost-effective access to these resources on a multiple use basis.

In closing, API appreciates the opportunity to comment on the draft SAP outlines and looks forward to continuing to work with the NOC on development of the SAPS. Should have any questions on our comments, please contact Andy Radford (radforda@api.org).

Sincerely,

Andy Radford

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Ecosystem-Based Management:

National Estuarine Research Reserve Association EBM

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 1 – Ecosystem Based Management

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 1 – Ecosystem Based Management.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 1.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

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phone 202-236-4819 • www.nerra.org

- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 1 – Ecosystem Based Management</u>

NERRA recommends the following:

1. Through implementation of the Coastal Zone Management Act and other foundational legislation, apply ecosystem based management at the watershed scale.

2. Align federal funding and technical resources to support ecosystem priorities in state and federal programs.

3. Utilize the existing pilot projects being conducted through the NERRS Science Collaborative and the NERRS sites. These projects provide a wealth of information that will help inform the strategies for implementing ecosystem based management.

NERRA strongly supports the NOC in its work to finalize and implement the Ecosystem Based Management objective action plan. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Ecosystem-Based Management:

National Wildlife Federation

(8 pages)

July 1, 2011

Submitted via www.whitehouse.gov/administration/eop/oceans/sap/comments

National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Comments on the National Ocean Policy Strategic Action Plan Outlines

Dear Chair Sutley, Chair Holdren, and National Ocean Council Members:

The National Wildlife Federation appreciates the opportunity to submit these comments on the National Ocean Policy Strategic Action Plan Outlines.

The National Wildlife Federation (NWF) is the nation's largest conservation education and advocacy organization. NWF has more than 4 million members and supporters, and conservation affiliate organizations in forty-seven states and territories. NWF has a long history of working to protect the nation's coastal and inland waters and the fish and wildlife that depend on those vital resources.

General Comments

NWF recognizes the strength of the Strategic Action Plan Outlines, and appreciates the considerable amount of work that has gone into developing these outlines, including the extensive efforts to obtain public input. NWF believes that implementation of the items identified in these outlines would produce much needed improvements to the management of our nation's ocean and coastal resources.

These comments focus on additions to the Strategic Action Plan Outlines that NWF believes are critical for achieving long term sustainability of our oceans and coasts. NWF believes that the strategic action plans must explicitly address the planning and operation of federal water resources projects if the action plans are to achieve the goals and objectives established by the National Ocean Policy. The importance of reforming federal water resources management as a tool for improving ocean health has been recognized by both the U.S Commission on Ocean Policy and the Pew Ocean Commission (see Attachment A).

Poorly planned and managed federal water resources projects (paid for by federal tax dollars) have led to significant damage to the nation's oceans and coasts. For example, levees and navigation projects constructed and maintained by the U.S. Army Corps of Engineers have cut off the Mississippi River from more than 90 percent of its floodplain and continue to interfere with the river's ability to carry sediments downstream. These projects prevent the river from sustaining and replenishing coastal

wetlands, and are primary culprits in the loss of some 1,900 square miles of Louisiana's coastal wetlands. Louisiana continues to lose more than a football field of its coastal wetlands each and every hour.

Another Corps of Engineers' project, a navigation channel known as the Mississippi River Gulf Outlet (MRGO), has destroyed more than 27,500 acres of Louisiana's coastal wetlands and converted an additional 38,000 acres of wetlands to higher salinity habitats. The saltwater intrusion facilitated by the MRGO has spoiled valuable oyster beds, killed marsh grass leading to more wetland erosion, and significantly impaired the health of Lake Pontchartrain. While the MRGO is now technically "closed" it remains a 76-mile long, 1,000 to 2,000 foot wide, gash through the heart of Louisiana's coastal wetlands.

The MRGO also played a horrible and deadly role in the flooding and destruction of New Orleans and St. Bernard Parish following Hurricane Katrina. The funnel created by the MRGO and a nearby waterway increased the velocity of Katrina's storm surge to almost 7 feet per second, more than twice as fast as the 3-foot-per second velocity of the storm surge traveling over nearby marshes.[1] It also increased the surge height. The impact was heartbreaking. The 18 to 25 foot high onslaught of water that hurtled down the funnel leveled many of the levees and floodwalls along the MRGO,[2] overwhelming both St. Bernard Parish and New Orleans' lower Ninth Ward. Only 52 of the 28,000 structures in St. Bernard Parish escaped unscathed from Katrina.[3] The open water of the MRGO also allowed the full onslaught of Hurricane force winds and waves to attack the levees along the MRGO's banks, leading to the failure of those levees and additional flooding and destruction.

Federal water projects and federal river management have also played a major role in increasing the severity of flooding along the Mississippi and Missouri Rivers. Federal planning for these rivers has produced poorly timed releases from upstream federal reservoirs that increase flood crests; levees that have raised flood heights by three to five feet while creating a false sense of safety; and thousands of river "training" structures designed to facilitate barge traffic that scientists estimate have raised flood levels by up to 15 feet in some locations. These and other federal projects have eliminated much of the natural flood fighting defenses provided by the rivers' floodplains and delta wetlands at federal taxpayer expense.

In addition to destroying homes and business and creating enormous human suffering, the current Mississippi and Missouri River floods are predicted to lead to the largest Gulf of Mexico "dead zone" measured to date. This summer's dead zone is expected to cover from 8,500 to 9,421 square miles, surpassing the record of 8,400 square miles set in 2002.[4] In addition to killing sea life that cannot escape, this recurring hypoxic zone also impacts more mobile species. The Marine Science Institute at the University of Texas at Austin, recently reported that Atlantic croaker living in the Gulf of Mexico

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[1] Bob Marshall, *Studies abound on why the levees failed. But researchers point out that some levees held fast because wetlands worked as buffers during Katrina's storm surge,* The New Orleans Times-Picayune, March 23, 2006.
[2] Ralph Vartabedian, *Much Wider Damage to Levees Is Disclosed*, Los Angeles Times, Sept. 13, 2005, available at http://www.latimes.com/news/nationworld/nation/la-na-corps13sep13,0,5962987.story?coll=la-homeheadlines.
[3] Michael Grunwald, *Canal May Have Worsened City's Flooding*, Washington Post, September 14, 2005 at A21.
[4] ScienceDaily, Record Gulf of Mexico 'Dead Zone' Predicted Due to Mississippi River Flooding, *June 14, 2011, available at* http://www.sciencedaily.com/releases/2011/06/110615091057.htm.

dead zone "exhibit severe reproductive impairment with potential long-term impacts on the fish's population abundance."[5]

Problems created by construction and operation of federal water projects are by no means limited to the Mississippi and Missouri Rivers and coastal Louisiana. For example, repeated deepening and operation of the Savannah Harbor have caused saltwater from the Atlantic Ocean to intrude up the Savannah River, "seriously altering the area's natural intermixture of saltwater and freshwater" and leading to a host of significant problems including "severe losses of the tidal freshwater marshes," which the U.S. Fish and Wildlife Service has identified as "the single most critical natural resource in the harbor" and severe low oxygen levels in the Savannah River.[6] The Corps of Engineers recently recommended deepening the Savannah Harbor Federal Navigation Project by another 5 feet, which will cause additional, significant harm to nationally significant coastal habitats.[7]

In light of these and many other federal water resources activities that significantly affect ocean, estuarine, and coastal resources, NWF urges the National Ocean Council to include goals and actions in the Strategic Action Plan Outlines directed at improving federal water resource projects and gaining a better understanding of the role of federal river management actions on the health of the nation's coasts, estuaries, and oceans.

A critical starting point in this process is to ensure that the water resources planning principles and guidelines (P&G), which are currently being revised by the White House Council on Environmental Quality, require that federal water resources plans and projects protect the public; protect and restore the nation's waters; address national priorities; and anticipate and be designed to increase the resiliency of human and natural communities to climate change. NWF and many other organizations have repeatedly called for the new P&G to:

- Adopt a plan selection process that abandons the current reliance on benefit-cost analysis as the fundamental guide for federal water resources planning and instead utilizes legal and policy requirements to provide clear guidance for determining whether a project or program is in the national interest, and whether it is an appropriate federal investment.

- Establish a mandatory planning principle that requires all possible efforts to avoid and minimize adverse environmental impacts *and* that requires the use of less environmentally damaging alternatives, including nonstructural, water efficiency, and restoration approaches where practicable.

- Establish a mandatory planning principle that requires federal investments in restoration activities to restore, enhance, and protect ecosystem functions and processes in order to improve ecosystem health, sustainability, and resiliency, and to be cost-effective.

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[5] University of Texas, Gulf Of Mexico Dead Zone Severely Impairs Reproduction In Atlantic Croaker, Researchers Find, June 14, 2011, available at http://www.utexas.edu/news/2011/06/14/atlantic_croaker/.
[6] Comments on the Notice of Availability of a Draft Tier II Environmental Impact Statement and Draft General Reevaluation Report for Savannah Harbor Federal Navigation Project, Chatham County, GA and Jasper County, submitted by the Southern Environmental Law Center on behalf of the South Carolina Coastal Conservation League, the South Carolina Wildlife Federation, the Center for a Sustainable Coast, the National Wildlife Federation, and the Savannah Riverkeeper, January 25, 2011.
[7] *Id*.

- Make compliance with each of the planning principles established in the Principles and Standards mandatory rather than merely referencing or discussing the value of certain planning approaches.

- Apply the Principles and Standards to a broad range of federal programs and to the full range of federal project activities, including to project operations and reoperations.

- Clearly and properly define critical terms to ensure sound planning and recommendations only for activities in the national interest, including by defining the "benefits" to be optimized in project planning and evaluation as national benefits and benefits to the public as a whole.

A strong P&G that provides clear direction and criteria for future federal investments in water resources projects and that requires federal agencies to follow those directions is essential to achieving the goals of the National Ocean Policy. Other critical additions to the Strategic Action Plan Outlines include action items to: ensure that federal planning complies with the new P&G; establish a process to ensure that federal plans that will damage coastal and ocean resources do not move forward; and ensure that federal regulatory programs are strictly applied to protect coastal resources.

These additions will help ensure that federal water resources programs and projects, and federal regulatory activities, are fully integrated and focused on protecting our nation's vital natural systems. This integration is essential to meet the objectives of the National Ocean Policy.

Additional Outline Specific Comments

In addition to the recommendations identified in the "General Comments" section above, NWF recommends the following additions to the Strategic Action Plan Outlines to help ensure that federal water resources planning will protect and restore the nation's ocean, estuarine, and coastal resources.

Outline 1: Ecosystem-Based Management Strategic Action Plan
Objective: Adopt ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes.

NWF recommends the following additions and/or revisions to actions under this Objective:

- Revise Action 4 (Incorporate EBM Principles into Policy and Governance) to state that ecosystem management principles <u>shall be followed by federal agencies when planning and operating federal water resources projects.</u>

- Add action items focused on ensuring compliance with EBM planning for federal water projects and programs; ensuring that federal projects do not harm ocean, estuarine, or coastal resources; and ensuring that federal regulatory programs are strictly applied to protect coastal resources.

Outline 3. Inform Decisions and Improve Understanding Strategic Action Plan
Objective: Increase knowledge to continually inform and improve management and policy decisions and the capacity to respond to change and challenges. Better educate the public through formal and informal programs about the ocean, our coasts, and the Great Lakes.

NWF recommends the following additions to actions under this Objective:

- Undertake necessary scientific investigations needed to better understand the role of federal river management activities in sediment transport and the effects on coastal wetlands.
- Undertake necessary scientific investigations needed to better understand the role of federal river management in increasing both high flow and low flow conditions (for example, are river training structures increasing flood heights to such an extent that they are contributing to increases in hypoxic zones?).
- Undertake necessary scientific investigations needed to better understand the role of federal river and harbor management in altering water quality and/or salinity levels.
- Undertake necessary scientific investigations needed to better understand alternative approaches to federal water resources management to minimize adverse effects to ocean, coastal, and estuarine systems and to restore those systems.

Outline 4. Coordinate and Support Strategic Action Plan
Objective: Better coordinate and support Federal, State, Tribal, local, and regional management of the ocean, our coasts, and the Great Lakes. Improve coordination and integration across the Federal Government and, as appropriate, engage with the international community

NWF recommends the following additions to actions under this Objective:

- Include actions that focus on ensuring <u>the recommendation and implementation of sound approaches to regional and other management actions</u>, in addition to the proposed actions which appear designed to improve the processes used to reach decisions.
- Under Action 4 (Identify and disseminate Best Management Practices (BMPs) utilized in Federal or regional partnerships) revise the action to read: **"**Help ensure that National Ocean Policy implementation will be successfully and consistently managed <u>and that environmentally and scientifically sound management practices will be implemented</u> despite the diverse planning groups with varied traditions and activities throughout the regions.

Outline 5. Resiliency and Adaptation to Climate Change and Ocean Acidification, Strategic Action Plan
Objective: Strengthen resiliency of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and ocean acidification

NWF recommends the following additions to actions under this Objective:

- Include actions to forecast the impacts of climate change implications for river and land based management actions that will affect ocean, coastal, and Great Lakes ecosystems for use in vulnerability assessments, adaptation planning, and decision-making.
- Include in Action 5 (Assess vulnerability of the built and natural environments and their interactions in a changing climate) an explicit action to assess the impact of federal water resources planning and river management on the vulnerability of the natural and built environment of ocean, coastal, and Great Lakes ecosystems.
- Include in Action 6 (Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions) an explicit action to design, promote, and implement water resources planning and management strategies to reduce vulnerabilities to climate change, including reducing coastal and riverine wetland losses,

promoting ecologically sound flow and sediment transport regimes, reducing artificially high and low river flows, and restoring natural systems.

- Add an action to require federal agencies to utilize designs and management actions that reduce vulnerability and increase resiliency of human and natural communities to climate change impacts.

Outline 6: Regional Ecosystem Protection and Restoration Strategic Action Plan
Objective: Establish and implement an integrated ecosystem protection and restoration strategy that is science-based and aligns conservation and restoration goals at the Federal, state, tribal, local, and regional levels.

NWF recommends the following additions to actions under this Objective:

- Add an action that requires federal agencies to take actions to improve coastal wetlands and to prevent additional wetland losses through both federal projects and programs and regulatory actions. In many cases, the factors responsible for wetland losses have already been identified. In these cases, it is critical that the federal agencies be required to take steps to stop those losses.
- Add an action to identify critical wetland resources where no additional losses should be allowed and develop processes to prohibit the issuance of Clean Water Act section 404 permits and to prohibit federal projects that would adversely impact wetlands within those no impact zones.
- Ensure that the assessment of coastal wetland status and trends will in fact identify the reasons for the wetland losses (e.g., 404 permits, levee construction, illegal draining, floodplain development). Knowing the specific reasons for wetland losses is as important as knowing the rate/trends associated with wetland losses as understanding why the losses are happening is critical for developing and implementing strategies to stop those losses.
- Add an action to ensure that federal activities, including federal water resources activities, including dredging and beach renourishment projects, fully avoid all impacts to coral reef ecosystems.
- Place a much stronger emphasis on actions to avoid adverse impacts in the first instance throughout this outline. All steps possible should be taken to avoid additional adverse impacts to wetlands, coral reefs, and other critical habitats.
- Establish an objective for restoration activities to restore, enhance, and protect ecosystem functions and processes in order to improve ecosystem health, sustainability, and resiliency.

Outline 7. Water Quality and Sustainable Practices on Land Strategic Action Plan
Objective: Enhance water quality in the ocean, along our coasts, and in the Great Lakes by promoting and implementing sustainable practices on land.

NWF recommends the following additions to actions under this Objective:

- Add explicit actions focused on improving river management and federal water resources management activities to improve water quality. Federal planning and federal programs play significant roles in increasing nutrient loads reaching coastal areas and decreasing or misdirecting sediments needed to restore coastal wetlands.
- Add explicit actions focused on requiring federal water resources planning to protect and restore wetlands and coastal habitats to improve water quality.

- Add an action to identify critical locations for restoring and protecting upstream wetlands to improve water quality in the oceans, coasts, and Great Lakes ecosystems. Target federal restoration activities to those areas.

Outline 8. Changing Conditions in the Arctic Strategic Action Plan
Objective: Address environmental stewardship needs in the Arctic Ocean and adjacent coastal areas in the face of climate-induced and other environmental changes.

NWF recommends the following additions to actions under this Objective:

- Add an action to develop guidance on actions and activities to be prohibited and/or avoided in light of the unique characteristics of this region. Ensure that federal agencies comply with this guidance.

Outline 9. Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure
Objective: Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system and integrate that system into international observation efforts.

NWF recommends the following additions to actions under this Objective:

- Add actions focused on ensuring an understanding of the role of water resources management, including particularly the role of river management actions on changing flow, form, functions, and processes that affect coastal systems.

Thank you for your consideration of these comments.

Sincerely,

Melissa Samet
Senior Water Resources Counsel

Attachment A to Comments of the National Wildlife Federation
Ocean Policy and Federal Water Resources Management

Recommendations from the U.S. Commission on Ocean Policy:
An Ocean Blueprint for the 21st Century, Final Report of the U.S. Commission on Ocean Policy—Pre-Publication Copy, Washington, D.C., 2004

Recommendation 10-1. The National Ocean Council should review and recommend changes to the U.S. Army Corps of Engineers' Civil Works Program to ensure valid, peer-reviewed cost-benefit analyses of coastal projects, provide greater transparency to the public, enforce requirements for mitigating the impacts of coastal projects, and coordinate such projects with broader coastal planning efforts.

Recommendation 12-4. The U.S. Army Corps of Engineers (USACE), National Oceanic and Atmospheric Administration, U.S. Environmental Protection Agency, and U.S. Geological Survey should develop a strategy for improved assessment, monitoring, research, and technology development to enhance sediment management. Congress should modify its current authorization and funding processes to encourage USACE to monitor outcomes from past projects and study the cumulative, regional impacts of its activities within coastal watersheds and ecosystems.

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Recommendations from the Pew Ocean Commission:
Pew Ocean Commission, A Report to the Nation, Recommendations for a New Ocean Policy, *May 2003*

Recommendation 4. Redirect government programs and subsidies away from harmful coastal development and toward beneficial activities, including restoration.

Congress should enact substantial reforms of the Army Corps of Engineers, including

- legislation ensuring that Army Corps of Engineers projects are environmentally and economically sound, and reflect national priorities articulated in the new National Ocean Policy Act;
- uniform standards for Army Corps participation in shoreline restoration projects, which ensure that
  - the full range of alternatives to intervention in coastal geological processes is considered,
  - costs and benefits are considered broadly and over a minimum 50 year time horizon, and
  - mitigation is carried out in those cases where intervention is justified.
- transformation of the Corps-over the long term-into a strong and reliable force for environmental restoration, to work in partnership with natural resource management agencies. (Mechanisms for this change include authorization and appropriations bills.)

Congress should direct the Army Corps of Engineers, FEMA, and other appropriate agencies to develop a comprehensive floodplain management policy that emphasizes nonstructural control measures.

- Appropriate measures would include buyouts, zoning changes, and the purchase of flood easements in concert with engineering measures to restore natural floodplain functioning.

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Ecosystem-Based Management:

Quinault Indian Nation

(3 pages)

Quinault Indian Nation
POST OFFICE BOX 189 ◻ TAHOLAH, WASHINGTON 98587 ◻ TELEPHONE (360) 276-8211

SAP 1. Ecosystem-Based Management

General Comments
The definition of EBM notes that an integrated approach to resource management will consider the entire ecosystem, **including humans**… The Quinault people have been inexorably linked to their environment since their beginning. Quinaults are a part of that environment and it is part of them. Any true EBM will include humans as part of that ecosystem.

Funding this initiative at a level that will allow, at minimum, two to three comprehensive pilot projects in U.S. marine waters is necessary for this SAP to have any viability. There is little use to going forward with this initiative unless funding is available to demonstrate its viability in an area of multiple management entities and regimes such as the Magnuson-Stevens Act, Endangered Species Act, Coastal Zone Management Act, etc.

Collaboration of all management agencies involved will be vital but it is equally important that federal agencies facilitate cooperative efforts to fulfill this requirement.

Tribal participation in this process will require close collaboration with their respective management agencies and governments. Tribes with treaty rights in marine areas will require government to government consultation per Executive Order 13175 before any actions take place that may affect their treaty reserved resources or access to those resources. Tribes may opt to work with federal, state and other agencies through whatever process they deem appropriate including Memorandum of Agreements but none of these will replace government to government formal consultation if any tribe feels that necessary.

Tribes may be exceptionally well suited to conduct **place-based pilot projects** of EBM with state and federal partners if funding to do so is available. The Quinault Indian Nation and its fellow coastal treaty tribes in Washington State, the Hoh, Quileute and Makah tribes, have long proposed an ecosystem based approach to managing their treaty marine areas but data to do so is lacking. Federal support to gaining and collating the information necessary to conduct a pilot EBM project on the coast of Washington would

be necessary to begin. Quinault and the other coastal treaty tribes participate fully in the Pacific Fisheries Management Council (PFMC) process as well as numerous other management forums.

Some of the best expertise available to begin work on EBM in the Quinault ocean area will come from Quinault biology and science staff and from the NOAA Fisheries Northwest Fisheries Science Center (NWFSC) in Seattle. We recommend that any EBM projects be through the NWFSC in collaboration with Quinault and coordinated with the PFMC.

Specific Comments

Specific to Milestones under A. EBM Leadership and Collaboration and B. EBM Science Framework, A. calls for a "joint interagency-regional working group" and B. for an "interagency EBM Science Work Group". Tribes must be represented on either of these bodies when EBM is being considered that may directly or indirectly affect their treaty fisheries or the habitat that sustains those treaty reserved rights. Quinault and other tribes have ocean policy and science experts on staff but they do not have the capability of taking on new mandates such as EBM or CMSP without assistance by their federal trustees to assure that their treaty rights are protected in such processes. In any case, tribes must be "at the table" if EBM or CMSP occur in their respective treaty areas or may affect their treaty resources.

A.4.Milestones calls for developing a "course catalog of recommended **curriculum** for developing competencies in leading the adoption of EBM and adaptive management approaches." Any such curriculum must consist of the best peer-reviewed science available. To augment western science, tribes have made use of **traditional knowledge** in managing their resources since time immemorial. There is no mention of how this knowledge and information will be integrated into a science-based EBM approach to the resources that tribes depend upon for their cultural, subsistence and economic needs.

Data Needs

Any approach to EBM must consider the socio-economic impacts of proposed actions or scenarios while seeking such data to determine present and anticipated human uses of marine areas that may have ecosystem impacts. Coastal communities' futures depend upon sustaining marine resources while responsibly accessing and extracting them.

The Quinault Indian Nation co-manages a large ocean area (over 2,900 sq. nautical miles) that is largely uncharacterized and not effectively monitored. Recent collaborations with science teams such as the Northwest Association of Networked Ocean Observing Systems (NANOOS) and its partners including the Center for Coastal Margin Observation and Prediction (CMOP) have joined with Quinault to participate in studies to better characterize and monitor this large ocean area including usage of a Slocum sea-glider to monitor the water column for hypoxia events and to monitor upwelling and resulting productivity. Quinault fully supports remote sensing and ocean observing

systems such as **IOOS** that utilize technology to better monitor and characterize marine ecosystems. A National Science Foundation (**NSF**) funded study, the Ocean Observatories Initiative (OOI), is planning to deploy state-of-the-art tethered buoy systems in the Quinault treaty area and have signed a Memorandum of Agreement with the tribe to do so while sharing data and offering educational outreach to Quinault schools, fishers and general public. These activities and projects will help to augment the data needs for EBM but they are only a start.

Centralizing and collating the varied data sets for ocean areas will be critical to accomplish EBM. Data must be usable and accessible to local resource managers if they are to make informed decisions. Many studies conducted in marine waters have collected valuable mapping, sediment, habitat, flora-fauna and other data often held by investigating institutions, not available to the public or to managers that could utilize such information. Any data collected using federal funding should be made available to the public and EBM will need to mandate that such data be “taken off the shelf” to fill gaps and better prioritize future data needs.

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Ecosystem-Based Management:

Pew Environment Group

(4 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Dear Council Members,

On behalf of the Pew Environment Group's Pacific Fish Conservation Program, thank you for this opportunity to offer our thoughts on the National Ocean Council's ecosystem-based management strategic action plan (SAP). We believe the best way to truly begin implementing a SAP is to start with specific, tangible conservation actions that will set the foundation for further action. That's why we are asking the National Ocean Council - along with National Oceanic and Atmospheric Administration (NOAA) and other relevant agency staff - to provide the guidance and leadership necessary to implement an ecosystem-based fishery management plan (EFMP) as part of their SAP. After all, any ecosystem –based management plan for our nation's oceans must include a plan to protect the base of the marine food web to help sustain healthy, resilient systems.

Pacific Fishery Management Council's Ecosystem Fishery Management Plan

With their current development of an Ecosystem Fishery Management Plan (Plan), the Pacific Fishery Management Council and the National Marine Fisheries Service have an opportunity to further establish themselves as leaders in the management of marine resources. With respect to fisheries, ecosystem-based management relies on the explicit consideration of trophic relationships and food web interactions in the setting of harvest levels.[1] Protecting those forage species that comprise the foundation of the marine food web is a natural first step towards true ecosystem-based management. This is needed to move from a management paradigm that focuses on single species, maximum sustainable yield concepts to an approach that takes a holistic view on an ecosystem wide scale.[2] Unfortunately, establishing a precautionary forage policy has been met with resistance from some Pacific Council Members and NOAA staff. We feel the proper proactive guidance by agency staff will help create a new standard that takes our oceans away from a "management by crisis" scenario. Indeed, it has become clear to us that NOAA leadership will be crucial if the sort of precautionary policies lauded by Dr. Lubchenco are to be acted on by the agency in every region and adopted by the regional councils.

[1] Field, J.C. and Francis, R.C. 2006. Considering ecosystem-based fisheries management in the California Current. Marine Policy 30:552-569.
[2] West Coast Governors Agreement on Ocean Health. July 2008. Action Plan, See Priority Area 3, pg. 58-59

As an initial step, we urge the Pacific Council and NOAA staff to consider marine food web interactions and predator-prey relationships in the management of fisheries. This Plan should further help develop mechanisms for the incorporation of ecosystem considerations into the management of existing forage fisheries and apply a precautionary approach to currently unmanaged and non-targeted forage fish species, including options to prohibit directed fishing on select forage species and also to suspend the development of new fisheries on select forage species until scientific knowledge and new management measures can be implemented to protect ecosystem structure and function and ensure sustainability.

California Current Ecosystem

The California Current Ecosystem is an important social, economic and ecologic resource that stretches from Baja California, Mexico to British Columbia, Canada. Of the 64 large marine ecosystems in the world, this ecosystem is one of only five characterized by the upwelling of cold, nutrient rich waters that make it so biologically diverse and which sustain key populations of marine mammals, seabirds and fish. In turn, these species support many commercial and recreational activities that are part of our cultural heritage and which are crucial to the economic well being of not only our coastal communities, but our Pacific regional economy as a whole. As such, it is essential that we maintain a vibrant and healthy marine ecosystem to ensure that we continue to enjoy the benefits it provides.

Forage species in the California Current Ecosystem play a critical role in the marine food web. Forage species like sardine, anchovies, herring and smelt provide vital ecological services by converting lower trophic phytoplankton and zooplankton into life sustaining protein for upper trophic predators. The list of fish that rely on forage species is exhaustive and includes Pacific salmon stocks that are both endangered and commercially and recreationally valuable, tunas, groundfish and more. Seabirds such as the Brown Pelican and marine mammals from sea otters to whales also depend on forage species as a major source of food. Ensuring sufficient abundance of forage is therefore necessary for maintaining healthy populations of these important species at the top of the food chain.

Because of the critical role that forage species play in this unique large marine ecosystem, and because of the rapidly growing demand for easily obtained biomass for fishmeal, livestock feed and other uses, we are very concerned about the management and potential expansion of new forage fisheries.

Examples of Ecosystem-Based Fishery Management

As ecosystem science has progressed and the implications for management have become clear, we have seen positive examples of ecosystem principles being incorporated into existing management. In particular with regard to protecting the forage base and the marine food web, we have seen leadership in the Pacific region.

In 1998, the North Pacific Fishery Management Council amended the Gulf of Alaska and Bering Sea and Aleutian Island Groundfish Fishery Management Plans to identify a list of over 20 important forage species in 9 scientific families and prohibit directed fishing on

those species. According to the National Marine Fisheries Service, this was "necessary to conserve and manage the forage fish resource off Alaska….a critical food source for many marine mammal, seabird and fish species."[3] In 1999, the state of Washington implemented a precautionary fish policy that "manages forage fish from an ecosystem-based approach rather than a single-species approach." This management plan further emphasizes that "the ability of forage fish to provide a source of food for salmon, other fish, marine birds and marine mammals will be a primary consideration."[4] In 2006, the Council adopted a prohibition on commercial fishing for all species of krill in West Coast federal waters through its Coastal Pelagic Species Fishery Management Plan (CPS FMP), citing krill as "one of the cornerstones of the entire marine ecosystem."[5] In 2009, the North Pacific Council again sought to enact a precautionary ecosystem-based policy that includes protecting forage fish through its implementation of the Arctic Fishery Management Plan which prohibited commercial fishing for all species in the Exclusive Economic Zone north of the Bering Strait.

These are all solid examples of precautionary, ecosystem-based policies that do not create winners and losers, nor do they have significant negative impacts on existing major fisheries. In fact, we believe proactive and precautionary management of the forage base can help increase both the productivity and sustainability of all of our fisheries. Moreover, conservation groups are not alone in this view. The North Pacific's ban on new fisheries for forage species is hailed in a commercial fishing industry sponsored study as one of thirteen "best practices in ecosystem-based fishery management."[6] Dr. Lubchenco herself cites the North Pacific's Arctic FMP as a "stellar example" of precautionary fishery management.[7]

Regionally, the West Coast Governors' Agreement on Ocean Health also calls for an ecosystems-based approach to forage fish management. This agreement highlights implementation of ecosystem-based management as a priority goal for Washington, Oregon and California. For oceans, the agreement finds that fisheries management should move from a single-species approach to one that focuses on the ecosystem as a whole. It further notes that the Pacific Council's Ecosystem Plan should "more fully recognize the role of forage species in fisheries management and long-term health." As a policy objective, this agreement calls for precautionary measures to be taken to ensure the protection of forage species.[8]

Complying with Federal Mandates

An ecosystem-based approach will help existing west coast fisheries come into compliance with the Magnuson-Stevens Fishery Management and Conservation Act, which requires that, "Conservation and management measures shall prevent overfishing

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[3] 50 CFR 679. See also June 2004 PFMC Meeting. Exhibit G.4.a Situation Summary.
[4] Bargmann, Greg. (1998) Forage Fish Management Plan. A plan for managing the forage fish resources and fisheries of Washington. Washington Department of Fish and Wildlife. Olympia, WA.
[5] Please refer to June 2004 PFMC Meeting. Exhibit G.4.b. Letter from Monterey Bay National Marine Sanctuary to PFMC Chair Donald Hansen.
[6] Warren, Brad. 2007. *Sea Change: Ecological Progress in U.S. Fishery Management.* A report jointly commissioned by the Marine Conservation Alliance and the Institute for Social and Economic Research and the University of Alaska Anchorage. July, 24, 2007.
[7] June 20, 2011. Washington, D.C. Dr. Jane Lubchenco, NOAA Administrator. Keynote speech to the 4th Symposium on the Impacts of an Ice-Diminishing Arctic on Naval and Maritime Operations.
[8] West Coast Governors Agreement on Ocean Health. July 2008. Action Plan, See Priority Area 3, pg. 58-59

while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry."[9] The statute defines OY to be Maximum Sustainable Yield as reduced by relevant economic, social and ecological factors.[10]

In regards to economic considerations, we believe the management of forage species should consider new scientific studies evaluating the economic value of forage species as forage for other recreationally and commercially important species relative to their economic value as commercially targeted stocks.

In regards to ecological considerations, the National Standard 1 Guidelines articulate that "consideration should be given to managing forage stocks for higher biomass than B_{MSY} to enhance and protect the marine ecosystem."[11] Among others, considerations under this section should include the relative contribution of a particular forage stock to the diets of key predators with respect to ocean conditions and the results of modeling analyses to identify the potential effects of alternative harvest strategies.

Conclusion

In closing, we'd like to thank the National Ocean Council for the opportunity to offer our thoughts and concerns regarding ecosystem-based management of our fisheries. We believe a precautionary approach that embodies the philosophy of adaptive management will greatly improve both the sustainability and productivity of our fisheries. There is no better place to start than to assure there is enough food to sustain a healthy, vibrant ocean. But this precautionary approach will not be achievable without visionary guidance from the agency staff that provides the scientific and policy basis for management decisions. As decision makers gain a better understanding of fisheries impacts on the ecosystem, they will ultimately be able to improve the management and stewardship of our oceans.

We appreciate the National Ocean Council undertaking this endeavor and look forward to working with all stakeholders to maintain healthy oceans and sustainable fisheries.

Thank you in advance for your time and consideration.

Sincerely,

Paul Shively
Manager, Pacific Fish Conservation Program
Pew Environment Group

[9] 16 USC 1851 § 301(a)(1)
[10] 16 USC 1802 § 3(33)(B)
[11] 50 CFR § 600.310(e)(3)(iv)(C).

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Ecosystem-Based Management:

OceanPeople Resources

(3 pages)

OceanPeople Resources

Moana Po`e Kumu Waiwai

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206-697-3547 oceanpeople@peaceaction.org

Working the interface between science and policy toward sustainable fishing communities and healthy ocean ecosystems

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July 1, 2011

National Ocean Council
The White House
Washington, D.C.

RE: Comments on Strategic Action Plan Outlines

Fundamental Core Issues

If we are going to demonstrate the connection between stewardship of the oceans, coasts and Great Lakes and the "broad national goals" of environmental health, sustainability, human health and well-being, national prosperity and social justice, we must engender a radical cultural change from the materialistic consumption-based economy of the past 60 years and nurture a society based on respect –of nature and of each other – service and reciprocity. We must also recognize that the increasingly oligarchic structure of our governance system that threatening the very core of our democracy as well as the health of our planet. The industrial world-view has been waging war on the natural world for over a century, disrupting and discarding as waste all that is useless to profits and impoverishing far too many people. This attitude toward waste in a "throw-away" society coupled with a wonton race to bottom for wealth regardless of the unintended consequences, is the nucleus around which revolves all the destructive practices that have lead to the crisis our oceans and our Earth are now facing.

The Governance Process

The intrinsic value of the ocean and all it stands for can only be protected by honoring the dignity of the people whose hearts, lives and livelihoods are woven into the rhythms of the sea. The proposed Regional Planning Bodies can only be effective if they involve and empower those with traditional wisdom and knowledge of the local region and how it functions. Federal, state and local government officials rarely have the connectedness needed to implement real local solutions and should not have decision-making power over local community-based processes. As has been demonstrated repeatedly, most recently by Gutierrez, et al. in Nature January 2011, community-based management is the most effective in cultivating change.

There are many demonstrations of "bottom-up" management springing up around the continental U.S.; the southern Oregon Coast Port Orford Ocean Resource Team (POORT) is one of many. Here in Hawaii, ocean life is vital to our way of life and the traditional Hawaiian

ahamoku/ahupuaa system (as with most indigenous oceanic cultures) has many important principles that can educate and inform the national process. If we are going to be successful in restoring our ocean's health and vitality, we must look to the ancient wisdom to reinvigorate those principles in our governance systems.

The challenge here is to link the successful bottom-up, community-based solutions with top-down government generated policies. Because of the powerful influence of corporate interests in our government today, the latter tend to benefit wealth and power over people and healthy oceans. Care must be taken in developing the Regional Planning Bodies to avoid the kind of acrimonious and politically manipulated environments created in the regional fisheries management councils which have failed over the last 35 years not only to protect our fisheries resources but to safeguard the health of our coastal fishing communities.

On a related topic: One fundamental problem with the language of the Strategic Plan Outline is that you make a distinction between "stakeholders" and the "public." When it comes to the health of the oceans, we are all "stakeholders" and I respectfully request that you eliminate this distinction and use more inclusive language.

Ecosystem-Based Management

I applaud the placement of ecosystem-based management as the over-arching principle to guide our nation's ocean policies. As a fisheries biologist and ocean policy analyst who spent the first half of the 1990's lobbying to get ecosystem considerations incorporated into fisheries management, it is very gratifying to see that it now has attained this appropriate prominence in national policy deliberations. As most are aware, however, developing a common understanding and a successful approach toward implementing this concept in management strategies has been circuitous at best, particularly in fisheries.

The definition of ecosystem-based management is problematic from the onset if we are do not first understand where we came from and align with new expectations for the future. Our fisheries management approach in the past has been driven by the underlying belief that if we refine our models well enough, have enough data and good science, we can predict and therefore manage the production of marine and aquatic life under given extractive conditions. These armchair analyses, which often stretch the limits of scientific veracity, lack the intrinsic wisdom of the traditional approaches mentioned above. For example, we fish on spawning stocks, take more than we need and waste what we can't use, and disregard habitat and water quality, not to mention disregarding any spiritual connectedness that might guide right behavior in the marketplace or on the fishing grounds.

What must be abundantly clear in this strategic planning process is that we, mankind, cannot manage marine or aquatic ecosystems anymore than we can manage the fish in the ocean. We can only manage our own behavior relative to what we know about these natural systems and the gifts they offer us. This is a critical distinction. It's not about how much fish we can take from the sea, but how we take it and why. We need the science to understand how these ecosystems work so we can act in harmony with highly productive systems that we have interfered with for too long, reducing, not "enhancing," their productivity. If we are truly concerned about feeding people, it is not about predicting how high halibut shares will trade for on the commodities exchange market but how can we best balance our needs with what the ocean offers us.

The Ocean is the engine of this planet that gives us life. It is that source of life that we are threatening by our errant, disrespectful behavior and which has brought such urgency to developing a national ocean policy. It is not an economic engine that provides "ecosystem services" or "ecological services" that we can manage. Science and economics are useful tools but only tools and should not replace human and environmental dignity and common sense.

Plastics and Pollution

Finally, above all else, the issues of climate change, ocean acidification industrial plastics and chemical pollution from a myriad of sources must be addressed and contained immediately if my grandchildren and yours are to have a habitable planet with all the amenities Mother Nature has created to allow us thrive. No amount of management of economic activity will be effective if these overarching problems are not addressed in short order. The "plastic soup" developing and worsening in our seas combined with ocean acidification equated to a death knell for sea life and sustainable fisheries. International cooperation must begin NOW to stop and reverse these problems.

Mahalo for considering my comments.

Aloha kakou,

Kristin L. Stahl-Johnson

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Ecosystem-Based Management:

Washington State Coastal Treaty Tribes

(2 pages)

Washington Coast Treaty Tribes

Hoh Tribe, Makah Tribe, Quileute Tribe, and Quinault Indian Nation

Review of National Ocean Council Strategic Plan (SAP)

<u>Specific Comments regarding Priority Objectives</u>

Ecosystem-Based Management (EBM)

- The tribes are supportive of a more holistic and comprehensive assessment of natural resource management. This approach should include specific actions to develop agency-specific and cross-agency EBM goals and objectives that are in concert with regulatory and statutory management requirements. Alignment of the regulatory and statutory requirements of all federal agencies with EBM goals and objectives will also be needed. This action is necessary to avoid this core principle from becoming only a process check for consideration and not compliance by federal agencies in their environmental review. All federal agency's mission statements, as well as their individual programs' stated goals and objectives should be review and amended, where necessary to insure their contribution to this new approach.

- The final version of this section should recognize that Ecosystem-Based Management is an integrated approach to resource management that considers the entire ecosystem and as such does not guarantee any particular outcome or end result. Furthermore, this approach is an evolving science, still unproven either from the perspective of whole or partial ecosystem modeling. The current draft implies that implementing this assessment process will result in achieving sustainability.

Coastal and Marine Spatial Planning

- Greater detail should be provided on the extent of commitment in terms of staff time and engagement that will be required of entities that are considering signing on to the process.
- National Objective 4, Discussion – There should be an acknowledgement of the western Washington coastal tribes' treaty rights to marine resources and management authority. The Hoh, Makah and Quileute Tribes and Quinault Indian Nation have treaty secured fishing rights and recognized management authority in federal waters.
- Appendix A. Glossary of Key CMSP Terms – Added to this list of terms should be government-to-government consultation and treaty rights.

Coordinate and Support

- The tribes support this effort, but the National Oceanographic Partnership Program (Action 1) needs to be inclusive of tribes. The four coastal treaty share ownership of the marine resources of the Washington coast with the United States and their usual and accustomed includes federal waters. Yet this section focuses federal interaction, services and funding to Regional Ocean

Governance entities. The selected entity of the west coast, the West Coast Governors Agreement, does not include tribal representation. This action must be expanded to include tribes in the interaction, services, and funding efforts.

Integrated Ocean Observing System

- The tribes strongly support the Integrated Ocean Observing System (IOOS) throughout all nine strategic action plans (SAP). The IOOS will play an especially important role in the "Ocean, Coastal, and Great Lakes, observation, mapping and infrastructure" SAP. Their important role must include work on building a coastal observing system that delivers data and information products that are available directly to resource managers.

*Please also refer to earlier comments from the Coastal Treaty Tribes dated April 29, 2011 regarding the SAPs.

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Ecosystem-Based Management:

Ocean Peace, Inc.

(3 pages)

F/T OCEAN PEACE

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(206) 282 6100 ph (206) 282 6103 fax

July 1, 2011

Mr. Michael Weiss
Deputy Associate Director for Ocean & Coastal Policy
Council on Environmental Quality
Executive Office of the President
722 Jackson Place, NW
Washington, DC 20503

Mr. Weiss,

Ocean Peace, Inc. operates the 220' factory trawler *F/T Ocean Peace* in the groundfish fisheries of the Bering Sea, Aleutian Islands, and Gulf of Alaska. We have been participating in these fisheries for well over 20 years and have consistently demonstrated our commitment to sustainable fisheries, science-based management, and transparent stakeholder engagement in the management process. As such, we respectfully submit comments in response to the Request for Comments regarding the National Ocean Council (NOC) Nine Priority Objectives Strategic Action Plan (SAP) Content Outlines as published in the Federal Register Vol. 76, No. 111 (June 9, 2011). While the Request for Comments asks for input on all nine SAP's we note with some disappointment that at this time the SAP's are in draft form and lack much of the detail and substance that would provide stakeholders reasonable material upon which to comment. Rather, the draft outlines provide a very vague description of lofty goals that any reasonable person would be hard-pressed to disagree with. Furthermore, the draft outlines often refer back to the SAP's specifically dealing with Ecosystem Based Management and Coastal & Marine Spatial Planning. Therefore, at this time we will limit our detailed comments to those two SAP Outlines. In the future we look forward to the opportunity to review and comment upon an expanded suite of SAP's that provide concrete details on how the NOC plans to implement the National Ocean Policy.

Ecosystem Based Management

As defined by the NOC, Ecosystem-Based Management "is an integrated approach to resource management that considers the entire ecosystem, including humans, and the elements that are integral to ecosystem functions." The SAP then goes on to recommend that EBM be adopted as a foundational principle with regard to resource management in our Nation's oceans, coasts, and Great Lakes. We agree with this recommendation and note that the North Pacific Fishery Management Council (NPFMC) has adopted an ecosystem approach to its stewardship of marine resources in the North Pacific, going back at least as far as 2004. In particular, the NPFMC has convened an Ecosystem Committee, consisting of State and Federal employees, representatives of academia, Native Alaskans, community representatives, and affected stakeholders from the private sector. This Committee's charge is "to discuss current ecosystem-related initiatives and assist in shaping Council positions" relative to EBM. In addition to the Ecosystem Committee, the NPFMC has developed an Aleutian Islands (AI) Fishery Ecosystem Plan as "a strategic policy and planning document, to guide the Council in its management actions relating to the Aleutian Islands." Furthermore, the Council has convened an AI Ecosystem Team to assist Council staff in developing and implementing the AI Fishery Ecosystem Plan. The Team members include individuals

with expertise in fisheries management, modeling, oceanography, habitat studies/GIS, socioeconomics, seabirds, and the full suite of relevant fish species. In short, this team is multi-disciplinary; its members represent multiple Federal agencies as well as State personnel and members of academia; and its work is directly applicable within the management context. In addition, the NPFMC has sponsored a number of Workshops on Ecosystem Modeling through its Scientific & Statistical Committee (SSC). And finally, in 2006 the NPFMC signed a Memorandum of Understanding (MOU) with 10 Federal agencies and 4 State agencies "to create the Alaska Marine Ecosystem Forum (AMEF)." The AMEF is tasked to "improve coordination and cooperative understanding between agencies on issues of shared responsibilities related to the marine ecosystems off Alaska's coast" (please see link to MOU at: http://www.fakr.noaa.gov/npfmc/current_issues/ecosystem/AMEF_MOU.pdf). So in conclusion, Ocean Peace firmly believes in the need for resource managers to take an ecosystems approach to their work. However, we feel that the NPFMC, and its partners at the State and Federal level, in academia, and among stakeholders have already accepted this challenge and have taken concrete steps towards its implementation. For the NOC to recommend an ecosystem approach for the management of marine resources in the North Pacific is at this point redundant and unnecessary at best. At worst, it has the potential to create another layer of bureaucracy and detract from the significant efforts that have already been made with respect to EBM in the North Pacific.

Coastal & Marine Spatial Planning

The NOC, in its SAP relating to Coastal & Marine Spatial Planning (CMSP), mentions "in practical terms, CMSP provides a public policy process for society to better determine how the ocean, coasts, and Great Lakes are sustainably used and protected-now and for future generations." That sounds wonderful, but in *truly* practical terms the development of CMSP has been anything but a public process. The NOC was created via Executive Order. The public has had little or no opportunity to meaningfully comment on the structure, function, or membership of this Committee. The National Ocean Policy, including a recommendation to implement CMSP, was adopted via Executive Order. The extent to which public comment was incorporated into this Policy is unclear. Multiple attempts to advance the concept of CMSP have failed in Congress. In short, CMSP is envisioned as a public process, but at no point yet has the public truly been engaged or even voiced its desire to implement CMSP. With that said, Ocean Peace is of the opinion that the following points are relevant to the discussion of CMSP:

- The National Ocean Council (NOC) and its efforts with regard to Coastal & Marine Spatial Planning must not in any way dilute or supersede the management authority of the North Pacific Fishery Management Council (NPFMC) or any other Regional Fishery Management Council.
- Until the Executive Branch is able to provide a detailed blueprint describing how Federal agencies will cooperate and/or coordinate their activities with respect to CMSP, how they will balance competing agency mandates, and how they will balance competing budgetary concerns, among other things, no Federal funds should be expended in support of CMSP. The one exception to this expenditure prohibition may be in the development of the aforementioned blueprint.
- Ocean Peace is of the opinion that implementing CMSP through Executive Order is inappropriate. If the American people felt the need for such a program they would encourage their Congressional representation to initiate such an effort or they would have supported previous failed efforts in Congress.
- Any further advancement of the CMSP program must include Congressional direction and appropriate oversight if it is to be considered legitimate.
- States and/or Regions that are able to demonstrate a comparable existing program must be afforded an "opt out" option with regard to the NOC/CMSP program, recognizing that the "one size fits all" approach the Administration seems intent on pursuing is not appropriate for all

regions of the Nation. The aforementioned Alaska Marine Ecosystem Forum, whose participants include 10 Federal and 4 State agencies, would be an example of a comparable program.

- Regional Fishery Management Councils must be provided an obligatory seat on each of the Regional Planning Bodies. Furthermore, a Council representative (likely the Chair of the Council Coordinating Committee) must be afforded an obligatory seat on the National Ocean Council.
- Considering that CMSP has not specifically received Congressional approval, nor an appropriation, Federal agencies must not "rob Peter to pay Paul" in terms of diverting funds from a previously funded programs, such as stock assessments and fisheries monitoring, to pay for CMSP-related activities.
- Ocean Peace is of the opinion that if all members of the NOC are political appointees it is unreasonable to expect the NOC to function as a long-term, consistent, and coordinated planning body, given the high likelihood of significant turnover in the upper echelons of the Executive Branch that usually comes with a change in Administration.
- The Arctic must not be used as a "template" for CMSP given the fact that the issues facing the Arctic are not reflective of those facing the remainder of the coastal United States.
- The lack of clear authority for resolving conflict between Executive agencies is not an invitation for the Administration to assume that responsibility with respect to CMSP. That authority should be vested in the Congress, through legislation.
- Existing agencies within the Federal government should be strengthened, streamlined, and more fully integrated given current mandates and authorizations, rather than imposing a new, unfunded bureaucracy on agencies already spread thin.
- There is an urgent need to explicitly clarify the relationship between the NOC/CMSP process and existing regulatory processes and authority. Ocean Peace is under the assumption that the Executive Order is not creating new regulatory authority. If this is not the case we'd appreciate clarification.

In conclusion, Ocean Peace will continue to be engaged in the National-level dialogue regarding the National Ocean Policy and its implementation via the National Ocean Council. We recently participated in the public session of the National CMSP Workshop in Washington, DC. In coordination with other North Pacific fisheries stakeholders we have submitted comments to previous Federal Register requests. We have also participated in recent regional listening sessions. While we feel that our participation has to date simply afforded the opportunity for the Administration to "check the box" with respect to stakeholder engagement and participation, we realize that if there is any hope that our voice will be heard in this process we must continue to engage whenever the opportunity presents itself. With that said, please accept our comments at this time.

Sincerely,

Mark H. Gleason
Government Affairs
Ocean Peace, Inc.
4201 21st Avenue West
Seattle, Washington 98199

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Coastal and Marine Spatial Planning:

Sport Fishing & Boating Partnership Council

(3 pages)

SPORT FISHING & BOATING
PARTNERSHIP COUNCIL

U.S. Fish and Wildlife Service
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Ms. Nancy Sutley, Co-Chair
Dr. John P. Holdren, Co-Chair
National Ocean Council
722 Jackson Place, N.W.
Washington, D.C. 20503

APR 29 2011

Dear Ms. Sutley and Mr. Holdren,

I am writing as Chairman of the Sport Fishing and Boating Partnership Council (SFBPC) in follow-up to Mr. Michael Weiss' presentation at our March 3, 2011, meeting. Mr. Weiss provided a briefing about the on-going implementation of the National Ocean Policy (NOP). The SFBPC is a Federal advisory committee that advises the Secretary of the Interior and the Director of the Fish and Wildlife Service (Service) about aquatic conservation endeavors that benefit recreational fishery resources and recreational boating and that encourage partnerships among industry, the public, and government.
This correspondence offers our ideas related to the 9 Strategic Actions Plans of the NOP.

Objective 2: Coastal and Marine Spatial Planning

NPO and the America's Great Outdoors (AGO) Initiative Should Be Consistent

It has come to the SFBPC's attention that the priorities and policies established as a result of the AGO Initiative do not extend beyond the Nation's coastlines and into our ocean waters. Given the current significant level (and likely future increase) of recreation occurring in our Nation's oceans and on the Great Lakes, and the proximity of a major portion of our Nation's population to these waters, we view this as a significant flaw in the AGO Initiative. The SFBPC recommends that the Administration recognize this shortcoming through a revision of the AGO Initiative that clarifies its reach throughout all of the territorial waters and links this initiative to the NOP.

Also, given that the AGO Initiative identifies outdoor recreation and access to recreational opportunities as a national priority, the SFBPC recommends that the

same priority be articulated recognized consistently as the Administration implements other National policy initiatives. The SFBPC feels that the NOP, specifically the implementation of Coastal and Marine Spatial Planning (CMSP), has the potential to run counter to the priorities established through the AGO Initiative. The Administration must recognize that ocean-based recreation, including recreational angling and boating, is a qualitatively different use in many respects and should be accommodated accordingly. For example, recreational angling and boating contributes to the conservation and access programs funded through the Sport Fish Restoration and Boating Trust Fund. The Trust Fund annually provides hundreds of millions of dollars to States to implement conservation and access programs that benefit the American public and aquatic resources. Specifically we recommend that NOP reflect the fact that recreational use of the oceans is both appropriate and compatible, unless there is a specific conflict with other ocean uses which may warrant restrictions. The NOP could accomplish this by identifying the maintenance and enhancement of ocean-based recreation and recreational access as a national objective within Objective 2: CMSP.

Objective 4: Coordinate and Support

<u>Identify ways to improve coordination, address capacity issues for participation by States, and the recreational angling, boating and conservation communities</u>

As implementation of the NOP proceeds, the National Ocean Council must fully understand the economic, social and biological aspects of all ocean uses. The SFBPC and other existing federal advisory committees with recreation-related missions could play a key role in understanding the possible impacts of the NOP on ocean uses, especially recreational uses. We recommend NOP utilize the SFBPC to achieve this objective.

The NOP assumes robust participation by all interests in the various regional planning efforts described in the plan, a laudable objective. Unfortunately, not all stakeholder groups have the financial resources and personnel to effectively participate. Corporate interests, large foundations and large national nongovernmental organizations (NGOs) do have the resources to participate effectively in these various regional efforts. States and smaller NGOs may be at a distinct disadvantage as a result of limited budgets, limited staff resources and travel restrictions that conspire to prevent full participation. (States and NGOs, already actively involved in existing regional planning efforts such as the fish habitat partnerships of the National Fish Habitat Action Plan and waterfowl joint ventures, may find this new effort further taxing their existing resources.) In the near-term, we would recommend that the NOC find ways to accommodate the disadvantages that may prevent the full participation of States and small NGOs.

Thank you for this opportunity to provide these recommendations for your consideration as you work to finalize the National Ocean Policy Strategic Action Plans.

Sincerely,

Thomas J. Dammrich
Chairman

Cc: Honorable Ken Salazar
Acting Assistant Secretary Will Shafroth
Rowan Gould
Dan Ashe
Elizabeth Stevens
SFBPC members

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Coastal and Marine Spatial Planning:

State of Alaska, Department of Fish and Game

(21 pages)

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

SEAN PARNELL, GOVERNOR
Cora Campbell, Commissioner

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July 2, 2011

National Ocean Council
722 Jackson Place, N.W.
Washington, DC 20503

Re: State of Alaska comments on the Detailed Draft Outlines for the Nine Strategic Action Plans for the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes

Dear Council:

The National Ocean Council (NOC) released draft detailed outlines for the nine priority Strategic Action Plans that will be developed over the next several months. In its release, the NOC requested comments by July 2, 2011. Following are the consolidated comments for the State of Alaska based on input from the Alaska Department of Fish and Game, Alaska Department of Natural Resources, Alaska Department of Environmental Conservation, and the Alaska Department of Law. Please consider and include these comments within the administrative record. Please also include in the record the enclosed comments the State provided on April 29, 2011; September 10, 2009; and February 12, 2010, in response to the request for comments on the development of a national oceans policy. The right to supplement or amend the State's comments is reserved.

Let me begin by stating that Alaska has a strong interest in assuring the continued health and productivity of its marine and coastal resources. We rely on these areas for commercial, sport, and subsistence fisheries, recreation, transportation, shipping, and a multitude of other uses. Marine and coastal resources are vital to our economy, supporting a vibrant fishing industry that produces almost six billion dollars in economic activity in our state annually, accounts for approximately 60 percent of the nation's seafood production, and is our largest private sector employer. Coastal and marine areas also provide abundant opportunities, such as offshore oil and gas, renewable energy, shipping, and tourism. The Alaska Outer Continental Shelf (OCS) is a large area, roughly the size of Texas and California combined, and is largely untapped as a natural resource. This area holds an estimated 27 billion barrels of oil and 132 trillion cubic feet of natural gas, and is a key to our nation's energy security. With 44,500 miles of shoreline - more mileage than the other eight proposed planning areas combined - and an expansive Exclusive Economic Zone (EEZ), Alaska's interest in managing ocean and coastal resources cannot be overstated.

The development of these nine strategic action plans appears to be focused on developing a framework for marine and coastal policy coordination. Given this interest, we provide the attached comments on the 9 detailed draft outlines. To ensure an effective outcome, it is important that any broad ocean policy and coastal and marine planning effort have clearly defined expected outcomes, an appropriate timeline, and provide both the states and the users of coastal and marine resources with primary authority to develop ocean and coastal policies. While we understand that this is an evolving process, these have not, in our opinion, been adequately established to date. The expected outcomes have not been clearly defined. The health and management of our coastal and marine resources is simply too critical to engage in a process that does not provide clearly defined outcomes or a meaningful avenue and time frame for both state and public input and support. We support a major role and voice for the coastal states in coastal and marine policy making and decisions. Coastal states must be recognized as partners with sovereign jurisdictions and authorities, not relegated to stakeholder status in coastal and marine policy development and implementation.

Jurisdiction and management decisions for marine waters and submerged lands and responsibility for coastal and marine activities and ecosystems is divided between the states and the federal government. Alaska's jurisdiction includes uplands, wetlands, tide and submerged lands and extends out three nautical miles to the territorial limit. Within these areas, Alaska manages and leases lands and permits or restricts activities on them that could impact the environment. Alaska shares a common responsibility with the federal government and local communities to maintain healthy, resilient, and sustainable coastal and marine resources. We urge that before imposing any new policies or strategies, the federal executive branch seek express and clear authority for such changes through the passage of a bill by Congress. Congress has a keen awareness of the current multi-jurisdictional structure and respect for the traditional role of states in managing their coastal and marine resources.

State government is in a good position to evaluate how proposed national coastal and marine policies will work, or not work, in different ecosystems and communities around the state. With a state as large and diverse as Alaska, it will be critically important to capture the experience and knowledge of the state in developing and implementing coastal and marine policies. We encourage that these policies be developed from the ground up. Durable, reliable, and implementable national policies require an understanding of local issues and a public process sufficient to ensure local support, trust and understanding and durability. There are already numerous successful partnerships in Alaska among federal, state, and local governments, tribes, organizations, and concerned citizens. National policies should recognize these existing partnerships and avoid supplanting them with management or direction coming from outside the state.

Alaska's experience and record demonstrate that a strong state model can be very effective when implemented responsibly and, therefore, national policies must recognize the need for state-based decision-making. Our record of sustainable management of Alaska's coastal and marine resources has led to national and international recognition of Alaska as a leader in these fields. In Alaska, significant progress has been made to strengthen and enhance marine research, coastal and marine observing, and habitat protection.

Alaska's coastal and marine resources and their uses are already tightly regulated by a vast and diverse array of federal, state, and local authorities. This existing oversight has a proven track record and is fully capable of ensuring the long-term health and viability of Alaska's coastal and marine resources. At this time, we do not believe that the need for or benefits of new federal regulatory and/or regional planning bodies has been established. Sufficient oversight and public processes exist under current laws and regulations. We do not support use of regional planning bodies for zoning or regulated marine use planning purposes in the waters of Alaska. We are carefully considering options that might suit our purposes, and would respectfully request that we be consulted as to a suitable implementation strategy for the Alaska region. Any implementation strategy should avoid creation of additional bureaucracy or regulation and instead support achieving efficiency by relying on the effective proven processes and authorities that are already in place.

Our specific comments on the full content outlines for the nine strategic action plans are attached. We appreciate your consideration and look forward to additional opportunities for dialogue on this subject.

Sincerely,

Cora Campbell

Cora Campbell,
Commissioner

cc: The Honorable Mead Treadwell, Lt. Governor, State of Alaska
The Honorable Lisa Murkowski, Senator, U.S. Senate
The Honorable Mark Begich, Senator, U.S. Senate
The Honorable Don Young, Congressman, U.S. House of Representatives
John Katz, Director of State and Federal Relations and Special Counsel, State of Alaska
Randall Ruaro, Deputy Chief of Staff, State of Alaska
The Honorable Dan Sullivan, Commissioner, State of Alaska
The Honorable John Burns, Attorney General, State of Alaska
The Honorable Larry Hartig, Commissioner, State of Alaska
Mark Robbins, Associate Director, State of Alaska
Doug Vincent-Lang, Special Assistant, State of Alaska

Ecosystem-Based Management (EBM) Strategic Action Plan Outline

General comments: Alaska already manages using an ecosystem approach. Our current land and resource management programs focus not only on the needs of individual species, but also on protecting these species in the context of their inter-relationships and associated ecosystems. Our programs also focus on conserving the sustainability of ecosystems and their dependent uses in the context of multiple use principles.

Numerous examples exist. Both the Alaska Board of Fisheries and North Pacific Fisheries Management Council (NPFMC) incorporate ecosystem principles into their management plans and actions. The Alaska Department of Environmental Conservation (ADEC) air permitting is approached on a regional basis, with the identification of areas where air quality is attained and areas where air quality is not attained. ADEC Air Quality Division's State Implementation Plan reflects this regional focus.

The State of Alaska recently received permitting authority for wastewater discharges from the Environmental Protection Agency. ADEC has taken on industry permitting in distinct phases and is slated to take over authority for oil and gas permitting in the fall of 2012. Wastewater permitting for oil and gas exploration through the Clean Water Act will require an Ocean Discharge Criteria Evaluation (ODCE) to be performed. The ODCE looks at the marine ecosystem and the effects of proposed discharges on marine life from the smallest copepod to the largest whale.

While Alaska manages using an ecosystem approach, we have concern with adopting ecosystem-based management guidelines at the federal or international level. State level management is the best approach. We also oppose mandating "precautionary approaches" or "precautionary principles" that dictate worst-case assumptions when faced with scientific uncertainty. These terms are misleading and should not be confused with the careful and conservative abundance-based management used in Alaska. We support approaches that deal with scientific uncertainty by adopting reasonably conservative assumptions.

Given the vast differences in ecosystems, we also believe that it is important that any planning effort initiated remain regionally focused and rooted. Flexibility to respond to regional needs and changing conditions is crucial to successful management of our marine and coastal resources and their uses. The plans should be driven locally and not by national outcomes and policies that are overly prescriptive and inflexible.

We also have concerns about how EBM will be implemented. The detailed outline identifies the following outcome and milestones:

- "If determined to be necessary, issuance of new model legislation and/or CEQ regulations to address relevant deficiencies in law and policy.
- Incorporate EBM principles into efforts responsive to legislative and regulatory environmental mandates (2014).
- Review environmental statutory and regulatory regimes to determine areas of conflict and opportunities for integrating multiple agency management objectives towards achieving EBM goals (2015).

- Issue model legislation and/or regulations (2015)."

It has been our understanding that National Oceans Policy is not intended to be legislative or regulatory. This outcome and these milestones, however, clearly cross into legislative and regulatory areas. Since this policy was enacted by presidential order rather than congressional action, the statutory authority to implement these actions remains in question. It should be noted that both Norway and the United Kingdom enacted their marine spatial planning efforts through legislation rather than administrative action.

Recommended near-term actions: Sound management requires development and use of effective, funded observing networks, such as the Alaska Ocean Observing System (AOOS) and Sustained Arctic Observing Network (SAON), as well as geospatial and planning tools. As such, we believe that an appropriate near-term action is to catalog and inventory these existing efforts to identify gaps and possible areas of overlap. There may be significant overlap in the array of geospatial and planning tools and much could be gained from better centralization and coordination of these efforts. Once the catalog and inventory of current efforts has been developed, we believe identified gaps should be prioritized and filled and tactics developed to ensure coordination of inter-related activities.

Specific comments:

EBM Leadership and Collaboration Section:

Page 2 Action 1: The text states "*The Work Group will establish a process for working with state, tribal, and local authorities and regional governance structures to apply the most successful approaches in the areas of the greatest need.*" This cannot be achieved without meaningful involvement of states early and often in the process.

Page 3, Milestones, bullet one: Will states be invited to participate in the joint interagency EBM Work Group to be established in 2012?

Page 3, Milestones, bullet three: Who will select the geographic priority areas for EBM implementation?

Page 4 Milestones, bullet six: The text notes that one of the important milestones is to "*complete agency-specific guidance that provides direction of using EBM to achieve management requirements with existing regulatory and legislative authorities.*" From our perspective this direction should have been taken from the beginning of the process, rather than being a milestone at a later date. We note that the section on Arctic spill response planning does not take into account the existing National Contingency Plan process that existing under the authority of the Oil Pollution Act of 1990 (OPA 90).

EBM Science Framework

On page 5 the text notes that "*EBM needs a science framework that will identify spatial extent of ecosystems, or boundaries, in terms of both management needs and the natural*

environment. Identify potential connections at multiple scales for ecosystems that connect across multiple jurisdictional boundaries, including international." Unfortunately, the strategic plan outline does not appear to take this direction as there is virtually no mention of the ecosystems that are shared with our neighbor Canada, especially given the focus on oil and gas development in the Arctic, when the Canadian Beaufort Sea has a similar history of oil and gas exploration to the Alaskan Beaufort Sea.

The planning focus should remain on short and mid-term predictive models (those less than 25 years), rather than on longer term predictive models which are more speculative, untested, and uncertain.

On page 6, one of the milestones is to "*Develop and implement an Integrated Ecosystem Assessment approach as a key tool for the execution of EBM. The results will provide a basis for balancing those uses through spatially and temporally explicit marine spatial planning (2013).*" Further, on page 7 under Why Do This, the text states that EBM will "*Enable managers and stakeholders to adapt their use of ecosystems, assess tradeoffs (i.e., maximize benefits while minimizing risks), accommodate multiple ecosystem uses, reduce conflicts, and improve outcomes.*" The NOC has clearly stated that this process will not be used for zoning or other regulated marine use restrictions. This statement, however, appears to lean towards some type of zoning or other regulated/restricted use activity. We do not support use of the national ocean policy for zoning or other regulated/restricted marine use planning purposes.

Incorporate EBM Principles into Policy and Governance

On page 9 the text notes that "*EBM needs to be incorporated cohesively into the environmental statutory and regulatory regime and project planning and review process (e.g., NEPA, ESA, CZMA).*" There appears to be a disconnect here, since this action is meant to support rapid and effective implementation of EBM. Yet in a number of areas within the CMSP Strategic Plan Outline, duplicate processes are proposed without any mention or reasoning for not using the existing processes, such as the National Contingency Planning process authorized by the Oil Pollution Act of 1990 when addressing oil spill planning and preparedness in the Arctic. It is hard to grasp how new proposed action that are duplicative of existing congressionally-mandated processes can be either rapid or effective.

Incorporated EBM Principles into Policy and Governance

Page 10 milestones, bullet three notes that a Mid-Term Timeframe Milestone should be to *"Review environmental statutory and regulatory regimes to determine areas of conflict and opportunities for integrating multiple agency objectives towards achieving EBM goals."* From our perspective this direction should have been taken from the beginning of the process, rather than being a milestone at a later date. A number of goals and objectives within the plan appear to have been drafted without consideration of the existing regulatory structure and processes. These areas of conflict should be addressed up front rather than waiting until mid-term in a timeline where plans have been committed to and put into action.

Coastal and Marine Spatial (CMSP) Strategic Action Plan Outline

General comments: While we appreciate the effort to further define the CMSP process in the full content outline, we remain concerned that the proposed CMSP process lacks sufficient specificity. Consequently, the intent of the effort remains uncertain both in terms of the process that would produce a plan and the expected content and utility of such a plan. Specifics must be provided on both the expected outcomes and on how the process will be implemented. These specifics must be provided in time for the public to comment on them. Given that insufficient insight into the substantive expectations and outcomes of the planning process has been provided, our immediate concerns focus on process and participation in the development of these plans and goals and expectations of the plans.

The goals and expectations of the CMSP planning effort need to be clearly defined before the program is initiated. Given the adequacy of the existing regulatory programs, we do not believe an additional process adds value. The focus should remain aimed at coordinating and informing existing regulatory processes rather than developing new regulatory and decision processes. Sufficient authorities exist and focus should remain on informing and coordinating these authorities.

Also, expectations regarding the timeline for the planning process, when it might conclude, and anticipated benchmarks to judge progress also require definition. A deliberate and inclusive process is a necessity and, therefore, we encourage a conceptual level of discourse to be followed by expansive outreach and consultation with states. We note that CMSP pursued in other countries or by individual states in our own country has been a process requiring years of intensive effort.

It has been our understanding that CMSP is not supposed to be legislative or regulatory. Several statements throughout the detailed plan, however, clearly border on crossing into legislative and regulatory areas. For example:

- "*... to comprehensively and proactively identify those areas best suited for certain uses based on all relevant factors*" (Page 2)
- "*a regional CMSP process involves defining and analyzing existing conditions and future conditions spatially – before any particular permitted activity is considered.*" (Page 6)
- "*Thus, this objective strives to avoid those impacts considered unacceptable, and will lead to desirable activities being planned for those areas where resulting impacts are minimized or avoided.*" (Page 6)

Since CMSP was enacted by presidential order rather than legislation, the statutory authority to implement these actions remains in question. It should be noted that both Norway and the United Kingdom enacted their marine spatial planning efforts through legislation rather than administrative action.

We are also concerned with the lack of clarity regarding the role and authority of the proposed Regional Planning Bodies (RPB). It is critical that role and authority of these bodies be defined early along with governance and founding charters. To be successful, these should be established in partnership with anticipated partners and members of the bodies.

The detailed outline calls for "certification" of developed regional plans by the National Ocean Council. Unfortunately, details are not provided on the criteria that will be used to certify these plans. This will make development of these plans difficult since the certification bar will be unknown. We urge that clear, upfront guidance be developed in close association with the partners on the development of the certification criteria.

Coastal and marine ecosystems are not limited to the spatial extent of federal jurisdiction and hence, the development of CMSP cannot proceed without active participation of coastal states as sovereigns with authorities in coastal and marine waters and relevant uplands, as well as resources and competencies of value to the planning process. Furthermore, the process should include active outreach to the wide range of constituencies and authorities with interests or responsibilities in the coastal and marine environment and resources.

Also, CMSP should have a state and regional focus relying on the expertise of state and regional authorities. Other countries have developed coastal and marine spatial plans of varying extent. Belgium is developing an integrated national plan for its jurisdiction in the North Sea which entails 44 kilometers of coastline and 3,600 square kilometers of marine waters. Between 2002 and 2006, Norway completed a plan for part of its exclusive economic zone (EEZ) that addresses an area of 1.4 million square kilometers in the Barents Sea and anticipates two more plans for areas of a similar size. The U. S. has jurisdiction over 11 million square kilometers in its EEZ in addition to the Great Lakes, with the marine area extending from the Arctic to the temperate zones along the shores of two oceans. The extent of U.S. marine holdings and complexities of jurisdiction require that action at the national level focus on broad goals and objectives and that more localized processes be employed to develop strategies and programs to fulfill the national goals.

The approach taken by the Magnuson-Stevens Fishery Conservation and Management Act bears further detailed study. The regional councils created by the Magnuson-Stevens Act (MSA) choose from a variety of options for management. These measures and allocation determinations are then sent to the U.S. Secretary of Commerce for approval. The National Marine Fisheries Service is then responsible for implementation of those determinations, so there is clear accountability. From our perspective, Congress provided a useful yardstick for effective management with the MSA, carefully balancing the needs for jobs and the need for conservation, setting deadlines for compliance and a relatively straightforward process for achieving those goals. It is troubling that the proposed CMSP is silent as to how the process will work with existing bodies such as the NPFMC. Regional fishery management councils and coastal states have the local knowledge and regulatory processes necessary to expand, modify, or contract plan implementation measures in response to new scientific research or changing conditions.

It appears that CMSP is being proposed to act as a new mechanism for conflict resolution. Given that CMSP as proposed would be voluntary and not regulatory, it is unclear how CMSP will aid in coastal zone management disputes, since the Coastal Zone Management Act (CZMA) requires that the resulting decision be binding upon the parties involved. We do not support use of this process for zoning or marine use planning purposes.

It appears inevitable that the complexity of marine and coastal management will only increase with the introduction of CMSP. It also appears inevitable that the introduction of CMSP will increase the transactional costs of planning and management due to the increased number of meetings, increased involvement of stakeholders and increased amount of time involved.

Since a major CMSP decision could be considered an action that requires consultation under the Endangered Species Act (ESA) and a federal activity under National Environmental Policy Act (NEPA), it is not entirely clear how these processes will interact with each other. Given the tiered lease sale process engaged in by the Bureau of Ocean Energy Management, there may be difficulties in determining the proper time for engaging in ESA consultation. The criteria for determining whether a decision is ripe for review must now follow the standards set out in *Center for Biological Diversity v. U.S. Department of Interior (563 F.3dU.S. Department of Interior (563 F.3d 466 (D.C. Circuit, 2009).*

There is also a danger in attempting to add the CMSP process to the ESA, CZMA and NEPA processes without a clear understanding of the relative statutory authorities of each process. It is not clear whether a CMSP decision could supersede a state coastal management plan or whether a CMSP decision can change or influence an ESA or NEPA process. Since CMSP is not supposed to be regulatory, it should not result in giving a task force, agency or federal office authority over another unless specifically directed to by Congress. Since CMSP was enacted by presidential order rather than legislation, the statutory authority remains in question.

There is also an expectation that the responsibility for engaging the public at large has been shifted to the RPB. This is potentially a significant role for which funding has not been provided, and as such represents an unfunded mandate.

Finally, planning should focus on near and mid-term outlooks rather than longer-term outlooks (those beyond 50 years). There is simply too much uncertainty to focus planning beyond 50 years.

Inform Decisions and Improve Understanding Strategic Action Plan Outline

General comments: The gathering of increased knowledge to continually inform and improve management and policy decisions and the capacity to respond to change and challenges is a critical element of any adaptive planning effort. Alaska recognizes this and supports data and information collection aimed at improved management and regulatory decisions. Yet, to be clear, endless study and re-study of issues and delay of responsibly permitted resource development until every possible study has been completed is not necessary or wise.

Alaska would benefit from improved baseline data, environmental monitoring, and access to high resolution mapping and imagery. Much of Alaska's coastline lacks updated and complete navigational and bathymetric data. Resources are also needed to increase Alaskans' knowledge of ocean acidification and the effects of climate change on the marine environment and resources, for stock assessments, and improved observing and monitoring of oceans conditions.

Numerous efforts have been initiated to collect baseline information to increase the knowledge base to inform policy decisions. For example, Alaska has recently received funding through the Department of Interior's Coastal Impact Assessment Program to collect important scientific information about the Arctic marine environment. This scientific information will help inform policy decisions in both state and federal waters in the Arctic. Also, significant resources are being expended under the guidance of the North Pacific Research Board (NPRB) in the Bering Sea and Gulf of Alaska. The Pacific Coastal Salmon Recovery Fund also funds numerous studies aimed at assessing the health of Alaska's coastal and marine resources.

The diversity of data and information collection activities could be better coordinated. Currently, each agency has its own plan or policy in place to guide data and information collection activities. Additional focus on coordinating these activities would reduce overlap and redundancy. Given the budget climate and reduced availability of new funds, a more formalized process for coordinating data and information collection across jurisdictions and boundaries is needed. ADEC has already had success working across agencies and with industry on coordinating the collection of baseline water quality monitoring data in the Arctic, where the difficult logistics and the expense of data collection provides a strong impetus for cooperation and collaboration.

Finally, education and outreach are a critical element towards increasing public understanding of the changes facing our coastal and marine resources. Alaska understands this need and supports the development of improved education and outreach strategies. A recent example was a workshop held by the North Slope Science Initiative (NSSI) in Barrow where western science was brought to the local community in the hopes of bridging the gap between better science and local knowledge.

Recommended near-term actions: An essential first step is to catalogue and inventory past and current efforts underway to increase the knowledge base to inform policy decisions. Use, coordinate, and appropriately fund existing science-based planning processes including NPRB, AOOS, SAON, and NSSI. Another essential near-term action is to develop a strategy to better communicate with the stakeholders and the public regarding marine and coastal management issues.

Specific comments:

The detailed outline states that federal agencies and partners will use the new Science for an Ocean Nation: An Update of the Ocean research Priorities Plan as the primary basis for prioritizing research activities within their agencies. We were not involved in the preparation of this plan. Many other plans exist for prioritizing needed research activities in the marine and coastal waters off Alaska (e.g., AOOS, NPRB, NPFMC, etc.). We do not support the use of this

plan as the "primary basis for prioritizing research activities." It should be one of many inputs into the prioritization process. Also, it is inappropriate for the NOC to dictate that partners will use this plan to prioritize their research activities.

Coordinate and Support Strategic Action Plan Outline

General comments: Alaska supports better coordination between Federal, State, Tribal, local, and regional entities, but this can be done without national mandates. We also support improved coordination and integration across the Federal government agencies so that one agency is not approving an action that another agency later disapproves.

Given the vast differences in regions, we believe that it is important that any planning effort remain regionally and state focused. Flexibility to respond to regional needs and changing conditions is crucial to successful management of our marine and coastal resources and their uses. Any plans that may be developed need to be driven at the state level and not driven by national policies that are overly prescriptive and inflexible. In other words, the plans need more flexibility and be developed from the bottom up rather than the top down.

Engagement with the international community is a key issue in the Arctic. The potential for development of oil and gas resources located on the Arctic OCS has created intense interest in the potential areas that can be claimed by each Arctic nation. Given that the United Nations Convention on the Law of the Sea (UNCLOS) has yet to be ratified by the United States, it is unclear how any decisions made through the coastal and marine spatial planning process will be affected by the potential ratification of the UNCLOS treaty and the potential settlement of the disputed international boundary in the Beaufort Sea between the U.S. and Canada. International engagement on Arctic issues in the context of the Arctic Council is necessary with State of Alaska involvement.

Implementation of a national marine and coastal policy should also recognize that different legal regimes, with their associated freedoms, rights and duties, apply in different maritime zones.

Specific comments:

The detailed outline notes that the strategic action plan will address "*Identification of needs, inconsistencies, and duplications in statutory authorities, policies, and regulations, and necessary and appropriate actions to address them.*" This statement is confusing since the CMSP strategic plan appears to introduce its own inconsistencies and duplications to the existing rules and regulations. Examples have been noted elsewhere in these comments.

The outline states that the SAP will "address legal barriers inhabiting effective implementation of the National Ocean Policy." It goes on further to state that an action will be to "Identify, prioritize, and seek to resolve legal barriers to implementation of the National Ocean Policy." Since the National Ocean Policy was enacted by presidential order rather than legislation, the statutory authority to implement these actions and address legal barriers remains in question.

The outline calls for the identification and dissemination of Best Management Practices (BMP) to be utilized in federal or regional partnerships. Existing processes have BMP that are in place and that are sufficient to guide marine and coastal resource development activities. This process should not establish new, possibly duplicative BMP practices.

Resiliency and Adaptation to Climate Change and Ocean Acidification Strategic Action Plan Outline

General comments: Climate change has the potential to have both short and long term impacts on marine and coastal environments. These impacts range from melting permafrost to increased coastal erosion to changes in sea ice to acidification of the oceans. It is important to collect information to assess the impacts of these possible changes and to assess the resiliency of marine and coastal resources to these possible impacts.

Physical effects and resulting alterations in the natural environment will pose challenges for Alaskans and the Alaska economy. Changes in permafrost affect coastal erosion rates, near shore sedimentation, and sediment input into coastal waters. The need to understand these shifting permafrost extents unique to Alaska should not be overlooked. Additionally, shifting Arctic Ocean conditions such as increased coastal storm surge frequency due to changing sea ice coverage illustrates the need for improved wave and weather monitoring. These effects will also provide economic opportunities due to a longer summer tourism season and increased navigation potential. It is essential to develop adaptation strategies to inform programs and decisions so that climate change and its consequences are taken into consideration.

Alaska believes that taking proactive steps to address the potential impacts and opportunities facing Alaska could provide significant savings over costs that would be incurred if action is delayed until such impacts are imminent or even dire. Towards this end, a solid base of information on which to base sensible decision-making and engagement of a wide range of stakeholders and collaborators --both within and outside state government—in the process of adaptation is needed. Indigenous knowledge and Native community participation will also be critical contributors to adaptation.

Not enough is known about acidification of marine and coastal waters to consider and select an approach. Some researchers believe acidification has the potential to alter marine food webs. If this were to occur to the hypothesized levels, it could affect sustained yields of species that are dependent upon marine waters for all or part of their lives. More baseline monitoring and modeling are needed to understand possible effects.

Finally, we note that community resiliency can be intimately tied to socio-economic factors that are distinctly different from those typically addressed in ecosystem-based management.

Recommended near-term actions:

- Focused data collection, monitoring, mapping and observation to understand the current status of resources and changes over time.
- Assess, analyze, and evaluate climate impacts and stressors.

- Improve coordination and collaboration with key government agencies, organizations, and decision makers.
- Identify the appropriate institutional and decision making framework.

Specific comments:

Action 2: Forecast the impacts of climate change and ocean acidification at decision-relevant scales - The forecasting focus should remain on short and mid-term predictive models (those less than 25 years), rather than on longer term predictive models which are more speculative, untested, and uncertain.

Action 4: Provide accessible, timely, and relevant climate change and ocean acidification information, tools, guidance, and services to support decision making at all scales – pg 7, milestones notes that an interagency plan should be developed "*for LIDAR mapping, to acquire and maintain more precise shallow bathymetry.....*" This milestone appears to assume that baseline bathymetry already exists. This is not the case in Alaska, where chart coverage is poor and outdated in the Bering, Chukchi and Beaufort Seas. In Northwest Alaska, deep draft navigation information is only available for the Red Dog Mine dock and Nome has the only modern harbor chart. We would propose that before more precise shallow bathymetry is sought that complete baseline information be obtained for Alaska coastal areas.

Action 6: Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions – pg 10 milestones, bullet 10 proposes to "*Reduce the impacts of stressors over which we have more direct control (e.g., pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes ecosystems to climate change and ocean acidification.*" This milestone appears to place ecosystem resilience (an ill-defined term) above the economic survival of coastal communities that may be dependent on resource extraction for their economic survival. Resource development is an important economic driver in Alaska and this broad brush objective does not reflect the outlook in Alaska, where resource extraction and strict environmental safeguards co-exist.

Regional Ecosystem Protection and Restoration Strategic Plan Outline

General comments: This plan appears to be focused on the establishment of conservation and restoration strategies for marine and coastal waters across jurisdictions. Alaska recognizes that experience has shown that the most successful conservation is that which crosses boundaries and jurisdictions. As such, Alaska recognizes that there is much to be gained by cooperating on cross jurisdictional conservation planning.

Towards this end, the State of Alaska and the NPFMC have designated 673,000 square miles in the waters off Alaska as closed to fishing with some or all gear types. It is important that boundaries and management measures for these areas remain under state and council control. Regional councils and coastal states have the local knowledge and regulatory processes necessary to expand, modify, or contract these areas in response to new scientific research or

changing conditions. We do not support inclusion of existing protected areas into a national framework that could make it difficult to modify boundaries or management measures in the future.

We also agree on a focus on restoration of impacted areas. In Alaska, the Coastal America Partnership Program has a successful history of coastal restoration throughout Alaska. The NSSI also recently evaluated restoration as part of its emerging issues effort. It is important to utilize these types of existing partnerships as restoration goals are established.

Recommended near-term actions: An essential first step will be to define how the planning process will appropriately balance ecosystem protection and resource development. Since Alaska is relatively undeveloped, this differs greatly from the situation in the rest of the U.S. The goals and objectives created for this region need to reflect the importance of resource development to the economy of the State of Alaska as well as the coastal communities.

Specific comments:

Overview - This objective proposes to establish and implement a strategy that aligns conservation and restoration goals at the Federal, state, tribal, local, and regional levels. It appears from the overview provided on page 1 that this objective is predicated on the premise that the ecosystems continue to *"suffer significant adverse impacts resulting from urban and agricultural development and other human activities"* as well as on the premise that "*fish and wildlife habitat continues to be degraded and destroyed.*" These environmental characterizations are not true for Alaska; in fact federal agencies have described Alaska's environment as healthy, productive and relatively pollution free. A recent report by the Environmental Protection Agency (EPA) on the condition of the nation's coast concludes that, "Alaska's coastal resources are generally in pristine condition." Given Alaska's lack of development, it is difficult to understand how these objectives and action plans would apply.

The term "integrated ecosystem protection and restoration strategy" is provided. This term requires definition in terms of process and expected outcomes and goals.

Action 3: Reduce coastal wetland loss and improve understanding of coastal wetland status and trends: pg 7 proposed that an important objective would be "*to reduce, and work towards the goal of reversing, coastal wetland loss.*" Due to a variety of factors, much of Alaska has been classified as wetlands. But unlike the lower-48 states, much of Alaska's wetlands remain intact. According to a 1994 report from the U.S. Fish & Wildlife Service, wetlands comprise 43% of Alaska's surface area compared with 5% in the lower 48 states. Alaska, at 170 million acres, contains more wetlands than the other 49 states combined. Nearly all of Alaska's wetlands remain intact, so imposing wetland rules, regulations or objectives on Alaska would be penalizing the state's growth and economy based on the action of others in areas far removed from Alaska. It also defies logic that the policy and objectives for wetlands would be imposed on Alaska based on information from the *2011 Status and Trends of Wetlands in the Conterminous United States*, when "conterminous United States" by definition excludes Alaska.

Water Quality and Sustainable Practices on Land Strategic Action Plan

General comments: This objective appears to assume that the water quality in Alaska and the Arctic is impaired and the current practices on land are unsustainable. Given the fact that a majority of Alaska is relatively undeveloped, impacts are relatively minor and not the same issue as in other more densely populated or industrial areas. For those areas that are developed, Alaska has a robust permitting and monitoring program in place to maintain water quality in the ocean and along our coasts. We do not support extension of this planning effort into adjacent uplands and freshwater systems.

The State of Alaska recently received permitting authority for wastewater discharges from the Environmental Protection Agency. The DEC has taken on industry permitting in distinct phases and is slated to take over authority for oil and gas permitting in the fall of 2012. Wastewater permitting for oil and gas exploration through the Clean Water Act will require an Ocean Discharge Criteria Evaluation (ODCE) to be performed. The ODCE looks at the marine ecosystem and the effects of proposed discharges on marine life from the smallest copepod to the largest whale.

Recommended near-term actions: The near-term priorities are collection of water quality data at the ecosystem level to establish baseline conditions and development of a greater understanding of the ocean acidification process in offshore areas of Alaska.

Specific comments:

Action 7 calls for the issuance of federal register notices requesting public comment on the proposed criteria to add new sites to the National Marine Sanctuary site evaluation list and to solicit new sites for establishment. It also calls for the identification and development of collaborative action plans to protect, maintain, and conserve high valued watershed areas on National forests and adjacent private lands. The State opposes the creation of new marine sanctuaries or upland conservation areas. Sufficient protections are already in place.

Changing Conditions in the Arctic Strategic Action Plan

General Comments: Alaska is a resource storehouse. Our oceans and coastal watersheds produce approximately 14 percent of the nation's domestic oil and about 60 percent of the nation's seafood. In addition, Alaska has a vibrant cruise ship and tourist industry, attracting visitors from around the world. The Arctic Ocean has been explored for over 500 years for its shipping potential; we are seeing that potential realized in the present generation.

As the nation looks to reduce greenhouse gas emissions, there is no better place to look for a relatively low-carbon fuel, natural gas, than Alaska. Alaska has the ability to provide 5 to 8 percent of the nation's natural gas supply. An Alaska natural gas pipeline will also enhance the economics of continued production of oil from the North Slope. With proper resource management and responsible development, a portion of the estimated 45 billion barrels of technically recoverable oil on both state and federal acreage in Alaska could help further reduce the nation's dependence on imported oil. We encourage consideration of the long-term

economic, energy, and security needs of the country and creation of a framework so those needs can be realized within the sustainability goals for our oceans and coastal areas.

To access additional energy resources, the State of Alaska strongly supports a responsible OCS leasing program that makes leases available in Alaska's OCS for the exploration, development, and production of oil and gas that is vitally important to Alaska and the nation. There are an estimated potential technically recoverable 27 billion barrels of oil and 130 trillion cubic feet of natural gas in the Alaska OCS. Development of these resources will increase economic opportunities for both Alaska and the nation, and significantly advance U.S. national security and foreign policy interests. We urge support for sharing a certain portion of revenue derived from OCS development with affected coastal states, including Alaska. Those states and communities that absorb the impacts of coastal development should receive a portion of the federal revenues to support planning, infrastructure development, and impact mitigation that falls to state and local governments to provide. A copy of Governor Parnell's recent letter to Secretary Salazar on this topic is enclosed and provides additional details.

Alaska is on the front lines of climate change. Some of our communities are already dealing with severe effects from permafrost melt, storm surge and coastal erosion. The State, under the guidance of the Alaska Climate Change Subcabinet, is developing a climate change strategy for Alaska. More information on the development of the climate change strategy is available at http://www.climatechange.alaska.gov/. Alaska, as the nation's only Arctic state, is planning for the implications of a warmer and more accessible Arctic. Recently the nation updated and revised its Arctic policy. Alaska had a strong interest in that policy and participated in its development. We believe it will serve the nation well and would encourage a national oceans policy that is compatible.

With increased maritime traffic in the Arctic comes the need for better navigational aids, charts, weather data and forecasts, monitoring, spill prevention, incident response, and enforcement capacity. The State of Alaska appreciates the good working relationship we have with the U.S. Coast Guard (USCG). We are already cooperating on a number of different projects extending our reach into the Arctic to better serve the needs of the people who live and work there. ADEC has partnered with the USCG on a comprehensive risk assessment of marine traffic that transits the Aleutian Islands between North America and Asia. With the right resources, we could take what we learn and move north, performing similar risk analyses for the Bering Straits, the Chukchi Sea, and the Beaufort Sea. Clearly, additional traffic in the Arctic will require development and expansion of port facilities and infrastructure in the area.

A copy of Governor Parnell's recent statement before the U.S. Senate Subcommittee on Homeland Security Appropriations, entitled "The Strategic Importance of the Arctic in U.S. Policy," is enclosed should you wish to consider in detail the implications of a more accessible Arctic on resource development, homeland security, national security, science, and foreign policy. One key point in the testimony is the need for the nation to fund new USCG icebreakers. Melting sea ice and increased military and commercial activity in the Arctic require a greater USCG presence. The USCG needs to move north and improve its capabilities, and our heavy icebreakers are on their last legs. To provide homeland security, the USCG must have new

icebreakers equipped for search and rescue missions, border protection, law enforcement, fisheries enforcement, infrastructure, and environmental protection.

The U.S. Arctic Research Commission (USARC), the Interagency Arctic Research Policy Committee (IARPC), NPRB, and NSSI should play key roles in the development and implementation of research efforts in the Arctic. The USARC and IARPC are responsible for developing a national Arctic research policy and five-year plan to implement that policy. NSSI, developed by federal, state, and local governments with land and ocean management trust responsibilities to "facilitate and improve collection and dissemination of ecosystem information pertaining to the Alaskan North Slope region, including coastal and offshore regions," has as its mission the "improve[ment] [of] scientific and regulatory understanding of terrestrial, aquatic and marine ecosystems for consideration in the context of resource development activities and climate change." The State supports full utilization of existing programs such as these.

The U.S. Government and Alaska must also work together to reestablish leadership in Arctic and Sub-Arctic oil spill research. This will require appropriate planning and funding. As offshore oil and gas exploration is in process now in Russia, Canada, Greenland, Iceland and Norway, as well as Alaska, industry and government efforts to exchange best practices and establish sensible international standards is appropriate and necessary. Rather than refuse to drill in offshore areas of Alaska, the United States needs to be working more closely with its Arctic neighbors to make sure drilling, wherever it occurs in the Arctic, happens responsibly.

Finally, we provide for reference Alaska Lt. Governor Mead Treadwell's letter to Senator Lisa Murkowski on Arctic funding priorities and his letter to Julie Gourley on eco-system based management framework for the Arctic Environment.

Recommended near-term actions:

- Put a commitment of resources ahead of new rules and authorities in the coastal region.
- Provide the USCG with resources to construct new icebreakers, forward basing for helicopters, and appropriate port facilities. These funds are needed for the USCG to carry out its national statutory missions in the newly accessible Arctic.
- Fund the AOOS, the Integrated Ocean Observing System (IOOS), SAON, NPRB, and NSSI science programs. Better use the joint science planning processes of the Arctic Research and Policy Act, the NSSI, the NPRB, and the Oil Spill Pollution Act of 1990.
- Work internationally to establish coordination in Arctic Ocean fisheries management, including in the unregulated high seas outside each nation's 200 mile EEZ.
- Work internationally to establish a "safe, secure and reliable" Arctic shipping regime envisioned by the U.S. Arctic Policy, perhaps modeled after the St. Lawrence Seaway.
- Assist Alaska in planning new Arctic ports.
- Recognize and join with Alaska in establishing new security regimes in the Arctic.
- Prioritize issues and funding opportunities in concert with the USARC and the IARPC.
- Improve wave and weather monitoring in the Arctic.

- Establish an effective Arctic oil spill research and response program.
- Adopt a goal of sustaining the fuel of the TAPS pipeline at 1 million barrels per day or more within 10 years, with state, federal, onshore and offshore resources.
- Share OCS and Extended Continental Shelf revenues with the State of Alaska.
- Work to see refined gas transport infrastructure put in place.

Specific comments:

Action 1: Improve Arctic environmental response management: A number of issues discussed in Action 1 of the CMSP Strategic Plan Outline are closely related to processes that are already established for oil spill response planning and preparedness in Alaska and the Arctic. Action 1 in the plan deals specifically with Improving Arctic environmental response management to protect communities and ecosystems from oil spills and other accidents associated with oil and gas resource extraction, as well as Arctic marine transportation. Please note that these specific issues are already addressed through the National Contingency Plan process under the authority of the Oil Pollution Act of 1990 (OPA 90). OPA 90 requires that formulation of a Unified Plan and Subarea Plans which require input from the following agencies:

- U.S. Coast Guard 17th District
- Environmental Protection Agency (EPA)
- Department of Defense – Alaska Command
- General Services Administration
- Department of Interior
- Department of Commerce – National Oceanic and Atmospheric Administration (NOAA)
- State of Alaska – Department of Environmental Conservation (DEC)

From our perspective the separate process being considered in the CMSP Strategic Plan would be duplicative, inefficient, and costly. As noted in our earlier comments, the aim of the national ocean policy should be to build on the strength of existing partnerships and avoid supplanting them with management or direction coming from outside the state. All the agencies noted above have personnel on the ground in Alaska and recognize the limitation of climate and logistics that rule oil spill response in the Arctic. The State of Alaska appreciates the good working relationship that already exists with the U.S. Coast Guard, NOAA and the EPA. At present the subarea plans for the Northwest Arctic and North Slope are being updated and amended to reflect many of the same issues being discussed in the Arctic Strategic Action Plan Outline. It is important from our perspective to guard against replacing or interfering with organizations and mechanisms that are working well. Please note that this process of updating the Northwest Arctic Subarea Plan has involved a substantial public process to date, involving local and regional stakeholders and we anticipate the North Slope Subarea Plan update will involve a similar amount of public input as well.

The CMSP Strategic Plan outlined in this milestones section could also potentially impede the established process for spill planning and preparedness in Alaska if the outcome from the CMSP process differed from the process established under OPA 90. Given that the current process for address planning and preparedness in Alaska is underfunded, it would make more sense to fund

the existing process, rather than trying to reinvent the wheel through the CMSP process. This is especially important when you consider that the Oil Pollution Act of 1990 set up the Oil Spill Recovery Institute, based in Cordova, Alaska, specifically to identify and develop the best available techniques, equipment and materials for dealing with oil spills in the Arctic and sub-Arctic marine environment (33 U.S.C. 40, Section II). From Alaska's perspective it would be better to follow through on the directions from prior Congressional action than start a new effort. Similarly, Title III of the Oil Pollution Act of 1990 already provides the authority for developing cooperative agreements with the governments of other Arctic nations.

Action 3: Establish a distributed biological observatory: pg 6, milestones notes that the distributed biological observatory (DBO) partners would conduct DBO research cruises. Given the tremendous expense of conducting research in the Arctic, it is not clear how these research cruises would be funded. Existing distant offshore environmental monitoring in the Arctic is being conducted during USCG Healy voyages. Nearshore Arctic environmental monitoring is also done in collaboration with the State of Alaska- Dept. of Environmental Conservation and University of Alaska, with some logistical support from the oil and gas industry. Unless substantial new additional funding sources are found, it may not be realistic to expect that this monitoring will be undertaken within existing budgets.

Action 4: Improve Arctic communications: pg 7: notes that an inventory of existing communications capabilities and gaps needs to be undertaken in the Arctic. It should be noted that the Alaska Land Mobile Radio Project in partnership with the Department of Defense has been working on establishing a wireless interoperable communication system in rural areas of Alaska and should be consulted regarding lessons learned on the viability of communications system in Alaska. In addition, a number of state and federal agencies will be participating in a Homeland Security exercise - "Alaska Shield Exercise 2012" which will include an extreme cold weather scenario with associated effects. One of the objectives of the exercise will be to validate the interoperable communication capabilities within the region. This exercise may provide useful information for moving forward on the Arctic Strategic Plan objectives. The Alaska Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management will be the coordinating agency for this exercise.

Ocean and Coastal Observations, Mapping and Infrastructure Strategic Action Plan

General comments: Alaska endorses this goal, which is essentially a reiteration of the purposes and intent of the Integrated Coastal Ocean Observing System Act (ICOOS) signed into law by President Obama in 2009. The ICOOS Act established NOAA as the lead federal agency and created an interagency Integrated Ocean Observing Committee (IOCC) to oversee the federal/non-federal partnership. A central element of this program is the creation and implementation of a robust data management and communication system that allows for the rapid and seamless integration of dispersed federal and non-federal data. Already, the program has been successful in bringing non-federal data into the system. Currently, over 50% of the data served by NOAA's National Buoy Data Center is from non-federal sources made possible by the IOOS data management system.

International scientists recently set up a Sustained Arctic Observing Network (SAON) in the Chukchi and Beaufort Seas, a series of observation points offshore that will be visited at different times during scientific field seasons. This international cooperation provides a unique opportunity that should be built upon.

In Alaska, AOOS represents a network of critical ocean and coastal observations, data and information products that aid our understanding of the status of Alaska's marine ecosystem and allow stakeholders to make better decisions about their use of the marine environment. The mission of AOOS is to address regional and national needs for ocean information, gather specific data on key coastal and ocean variables, and ensure timely and sustained dissemination and availability of these data. Alaska supports this effort as a critical element towards increasing our understanding of Alaska's marine and coastal resources. We further support having an effective NPRB, NSSI, and SAON.

The plan should endorse the full implementation of the IOOS, and in Alaska, AOOS, as the mechanism for achieving this goal. The National Ocean Council (NOC) should work closely with the IOCC to ensure that the IOOS program priorities align with the NOC priorities and that the limited resources are allocated in the most productive and effective manner.

There is a need to develop a national in-situ observation plan. The need for observations has long been recognized, but the nation still lacks a cohesive plan that describes what observations are needed. The NOC should engage the IOCC and IOOS to develop a national plan for in-situ observations to fulfill user needs. The plan should include the scientific rationale for the observations (oceanographic features such major currents, upwellings, biologically active zones, hypoxic zones, etc.), the temporal and spatial scale requirements and the technical options for gathering the observations (fixed platforms such as buoys, gliders, etc), and include the priorities for filling gaps.

Recommended near-term actions:

- Put a commitment of resources ahead of new rules and authorities in the coastal region.
- Provide the USCG with resources to construct new icebreakers, forward basing for helicopters, and appropriate port facilities. These funds are needed for the USCG to carry out its existing statutory missions in the newly accessible Arctic.
- Fund the AOOS, the Integrated Ocean Observing System (IOOS), SAON, NPRB, and NSSI science programs. Better use the joint science planning processes of the Arctic Research and Policy Act, the NSSI, the NPRB, and the Oil Spill Pollution Act of 1990.
- Work internationally to establish coordination in Arctic Ocean fisheries management, including in the unregulated high seas outside each nation's 200 mile EEZ.
- Work internationally to establish a "safe, secure and reliable" Arctic shipping regime envisioned by the U.S. Arctic Policy, perhaps modeled after the St. Lawrence Seaway.
- Assist Alaska in planning new Arctic ports.
- Recognize and join with Alaska in establishing new security regimes in the Arctic.
- Prioritize issues and funding opportunities in concert with the USARC and the

IARPC.

- Improve wave and weather monitoring in the Arctic.
- Establish an effective Arctic oil spill research and response program.
- Adopt a goal of sustaining the fuel of the TAPS pipeline at 1 million barrels per day or more within 10 years, with state, federal, onshore and offshore resources.
- Share OCS and Extended Continental Shelf revenues with the State of Alaska.
- Work to see refined gas transport infrastructure put in place.

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Coastal and Marine Spatial Planning:

Art Ivanoff

(4 pages)

February 2, 2011

Art C. Ivanoff, Chairman
Southern Norton Sound Fish and Game Advisory Committee
Box 49
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artcivanoff@hotmail.com

U.S. Department of Commerce
Honorable Gary Locke, Secretary of Commerce
1401 Constitution Avenue, N.W.
Washington D.C. 20230

RE: PERMANENT BAN OF TRAWLING IN NORTHERN BERING SEA RESEARCH AREA.

Dear Honorable Gary Locke:

Mark Twain wrote; "*Man is the only religious animal, in the holy task of smoothing his brothers path to the happiness of heaven, he has turned the globe into a graveyard*".

My name is Art C. Ivanoff, Chairman of Southern Norton Sound Fish and Game Advisory Committee (SNSAC). I am from a commercial fishing village of Unalakleet, some 360 air miles from Anchorage. Our small scale commercial fishing operation helps off set the cost of other activities relating to a hunting, fishing and gathering. For the last several years, SNSAC has been engaged with the National Marine Fisheries Service and the North Pacific Fisheries Management Council (Council) advocating for conservative measures to address bycatch, lack of tribal representation on the Council and tribal consultation. We are keenly aware of the significant danger trawling poses to the marine resources, marine resources we depend upon.

SNSAC consist of the villages of Shaktoolik, Koyuk, Stebbins, Saint Michael, and Unalakleet. SNSAC petitions to establish a **permanent ban** on trawling in the Northern Bering Sea Research Area (NBSRA). We believe this effort is in accord to the Executive Order; STEWARDSHIP OF THE OCEAN, OUR COASTS, AND THE GREAT LAKES and true to the purpose and policy established by the White House which states;

Under Section 1. Purpose: This order establishes a national policy to ensure the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources.

Section 2. Policy states; (i) protect, maintain, and restore the health and biological diversity of ocean, coastal, and Great Lakes ecosystems and resources; the policy continues to state; (ii) improve the resiliency of ocean, coastal, and Great Lakes ecosystems, communities, and economies; and finally; (iii) bolster the conservation and

sustainable uses of land in ways that will improve the health of ocean, coastal, and Great Lake ecosystems;

The Northern Bering Sea Research Area is home to Alaska's abundant marine wildlife. It is central to the health and diversity of the Alaska Native diet which consists of the five species of salmon, marine mammals, migratory birds and other resources. NBSRA is also the habitat of several species that are listed under the Endangered Species Act or being considered listing under the ESA that include; Northern Fur Seals, Northern Right Whale, Short-Tailed Albatross, and the Kittlitz's Murrelet.

By definition, the NBSRA stretches north of Saint Matthew Island into the waters of Wales and into Norton Sound. It stretches 81,693 square miles according to Bob R. Lauth of the National Marine Fisheries Service (See attached map). NBSRA was established by the North Pacific Fisheries Management Council motion as part of the Bering Sea Habitat Conservation Measures action, BSAI Amendment 89-June 2007. St. Lawrence Island has limited exclusion of NBSRA.

Josh Eagle's report Taking Stock of Regional Fishery Management Council revealed the "North Pacific fisheries discard more than 300 million pound of bycatch annually". How can we prevent trawlers or supertrawlers from further wanton waste in the Bering Sea? With these large vessels and today's technology very little prevents a collapse of stocks of Pollock and marine life dependent on the abundance. Simply put, smaller vessels and less fishing will greatly improve the conservation needed for future generations; however, industry and government tend to have a short attention span that is measured by monetary value only.

Another quote that speaks volumes regarding the fact our oceans are endangered states; "Overfishing is a growing problem. About 60 percent of the fish types tracked by the Food and Agriculture Organization of the United Nations (FAO) are categorically as full exploited, overexploited, or depleted" (Kurlansky 1997). Furthermore, a report by CNN found; "More than 70% of the world is covered by oceans. There are currently more than 4,000 marine protected areas covering just over 1 percent of the oceans, but the vast majority of reserves have only limited protection". The article went on to say; "The Global Ocean Legacy, a project of the Pew Environment Group, issued a statement to mark World Oceans Day in June signed by 257 marine scientists in 37 countries calling for a large network of highly protected no-take reserves" (Davies 2010).

Daniel Pauly, a fisheries biologist from the University of British Columba coined the term "shifting baseline syndrome". The shifting baseline syndrome suggests that with each new generation we can expect less and less fish. Pauly went on to assert: "The result is that, overtime, the expectation of the natural number of fish in the sea gets

smaller and smaller-until the population is so small that even a modest environmental perturbation, or a tad more fishing, causes it to unexpectedly collapse, as the cod population collapsed off Newfoundland and Labrador in the early 1990's" (Pala 2008)

The call to establish the Northern Bering Sea no trawl zone is an effort to avert a debacle that is occurring across the world with the overharvest of fish and other marine life. We believe there is need to ensure future generations are permitted to experience, witness and indulge in the biodiversity of our oceans. This effort will also allow the hunting and fishing society found in Alaska to flourish enabling knowledge gained over generations to be passed to the next generation. Alan Friedlander, a fisheries ecologist with a biogeography branch of the National Oceanic and Atmospheric Administration in Honolulu states: "It's much better to conserve than to rehabilitate." The debacle on the east coast with the cod stock is a clear indicator that overfishing will occur despite good intentions. Alaska's marine resources in the Bering Sea Aleutian Islands show signs of exhaustion and reduction. Overfishing maybe the culprit, however, there are many variables that need to be analyzed

The nature of man kind portrayed by Mark Twain suggests man will not stop until the earthly resources are exhausted. Paul Goldberg pointed out in Four Fish: "Because seafood is such a global, boundary-free business, whenever a restaurant, a city, or a country takes to the moral high ground and tries to reduce or improve the footprint of its seafood consumption, another, less scrupulous restaurant, city, or nation is ready to step in and continue the bad practices". In reality, the problems are exacerbated because of the shear nature of corporations and access corporations have to the federal government and agencies that have been given oversight in the management of marine resources. Kurlansky's book Cod uses a quote from Will and Ariel Durant that exemplify the biological competition that sums up our concern; "So the first biological lesson of history is that life competition. Competition is not only the life of trade, it is the trade of life-peaceful when food abounds, violent when the mouths outrun the food. Animals eat one another without qualm; Civilized men consume one another by due process of the law". The founding father's of this great country understood the problem faction's posed to stable governments suggesting laws are written not for the many, but the sagacious and moneyed few. The evolution of the pivotal role faction's play in the federal government's process of making laws and policies today would bewilder and stagger those that chartered the course for this country nearly two centuries ago. Conceivably, the best case in point relating to factions, the federal government and fisheries, is the Magnuson-Stevens Fishery Conservation Management Act (MSA). The National Standard's For Fishery Conservation and Management explicitly lean heavily toward industrial commercial fishing.

While the National Standard's cites the importance of conservation, the language pertaining to conservation is inadequate and weak at best. Of the ten National Standard's

found in Section 301, the phrase; "Where practicable" is referred to half a dozen times that relate to conservation. It provides for loose interpretation and was used frequently by industrial commercial fishing representatives at the North Pacific Fisheries Management during the discussion of bycatch of Chinook salmon over the last two years.

In closing, SNSAC hope is to ban permanently trawling based on an old adage; *History repeats itself.* The George Banks and Grand Banks on the east coast experienced their cod stocks spiral down; in Alaska, we have an opportunity to evade a debacle. Sam Lee argued best in Kurlansky's book Cod when the question posed was; When will the cod would return? "They're coming back because they have to". We can avoid the desperation that Sam Lee and others experienced on the east coast. The federally recognized tribes and rural residents depend on the five salmon species, marine migratory birds and marine mammals to carry on their cultural practices, not to mention to meet their source of nutrition. We need healthy and robust ecosystems. We need to prevent overfishing. If anything, research has revealed that man's impact on the oceans has been nothing more then disgraceful, however, as a beacon of the world, the United States can and must do more to prevent further degradation of our oceans. Robert F. Kennedy, Jr. book; Crimes Against Nature quotes Teddy Roosevelt's precept; "The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, not impaired, in value". We have an opportunity to do what is right, moral and just.

Sincerely,

Art C. Ivanoff
Chair

Cc: Lisa L. Praskovich, Executive Office of the President
Jose Aguto, National Congress of American Indians
Monica P. Medina, Principal Deputy Under Secretary, Dept of Commerce
Donald Chapman, Senior Advisor on Native American Affairs, Dept of Commerce
Eric Olson, North Pacific Fisheries Management Council
Karen Gillis, Bering Sea Fishermen's Association
Dorothy Childers, Alaska Marine Conservation
Loretta Bullard, Kawerak, Inc
Gary Harrison, Alaska Intertribal Council
Myron Naneng, Association of Village Council of Presidents
Ian Erlich, Maniilaq Association
Edward Itta, North Slope Borough
Julie Kitka, Alaska Federation of Natives
Native Village of Saint Michael
Native Village of Shaktoolik
Native Village of Stebbins
Native Village of Koyuk

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Coastal and Marine Spatial Planning:

Defenders of Wildlife

(2 pages)

National Headquarters
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www.defenders.org

Comments of Defenders of Wildlife
at the National Ocean Policy Listening Session in San Francisco on June 30, 2011

Presented by Richard Charter, Senior Policy Advisor, Marine Programs, Defenders of Wildlife

Coastal and Marine Spatial Planning:

1) Coastal and marine spatial planning is a long-proven way to manage America's oceans. It has been utilized to a limited geographic extent for several decades during which prior Administrations have developed, in bipartisan coordination with local communities, fishing interests, and state governments, our fourteen flagship National Marine Sanctuaries, various coastal National Wildlife Refuges, and two Outer Continental Shelf Exclusion Zones deemed so sensitive that offshore oil and gas activities are permanently precluded within them.

2) While most National Marine Sanctuaries were configured appropriately as originally designated, the expansion of the boundaries of certain of our existing National Marine Sanctuaries is in the immediate national interest because of nearby threats posed by proposed industrial and polluting activities in adjacent waters. Some obvious examples are: (a) expansion of the northern boundaries of the Gulf of the Farallones and Cordell Banks National Marine Sanctuaries to include one of the world's four most productive ocean upwelling systems immediately north of the existing Sanctuaries; (b) expansion of the Thunder Bay National Marine Sanctuary to incorporate protection for additional cultural and historic resources in the form of numerous shipwrecks now remaining unprotected; (c) boundary adjustments to the Stellwagen Bank, Florida Keys, and Flower Garden Banks National Marine Sanctuaries as studied by the Sanctuary Advisory Councils for those sites. The Gulf of Mexico was specifically highlighted in the Final Report of the *President's Commission on the BP Deepwater Horizon Oil Spill* as an appropriate location for additional protection under the National Marine Sanctuaries Program as part of the mitigation efforts for the Gulf oil spill disaster. Reactivation of the Site Evaluation List (SEL) by the National Marine Sanctuaries Program of NOAA presents the most logical and accessible way to conduct an open public process to consider and implement new sites and needed site reconfigurations in a timely and orderly manner.

3) The California State Legislature, recent and current Governors of California and the California State Fish and Game Commission have been engaged in a marine spatial planning protocol under state law pursuant to the California Marine Life Protection Act. We have learned a lot during the past several years as restoration of shoreline segments and state waters have been negotiated among a multitude of stakeholders. This process has been intense and challenging at times, but is, with patience, ultimately proving to be productive. Lessons learned from these proceedings can help in the marine spatial planning efforts needed for federal waters.

4) Agencies should incorporate the National Ocean Policy and the coastal and marine spatial planning principles in processes and programs they are undertaking right now, such as the development of the 5-Year Offshore Oil and Gas Leasing Program and the Smart from the Start wind energy initiative. An inclusive and transparent public planning process and the use of the

best available science to inform decision making will lead to better outcomes for our oceans and should be adopted by agencies right away.

5) The Arctic Ocean poses pressing special challenges for marine spatial planning and ecosystem-based management. Present compelling evidence of climate change impacts, the presence of what appear to be significant hydrocarbon resources, some of the most sensitive living marine resources on the planet, and the nearly complete absence of any workable oil spill cleanup technology all argue toward an early and proactive focus on this region for the application of ecosystem-based management.

6) Bristol Bay's world-class sockeye salmon fisheries in the North Aleutian Planning Area, richest on the planet, deserve permanent protection from offshore oil and gas activities.

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Coastal and Marine Spatial Planning:

National Marine Manufacturers Association

(7 pages)

National Marine Manufacturers Association

July 1, 2011

Mr. Michael Weiss
Deputy Associate Director for Ocean and Coastal Policy
National Ocean Council
The White House
Washington, DC

Dear Mr. Weiss:

The National Marine Manufacturers Association (NMMA), the nation's leading recreational marine industry trade association, appreciates the opportunity to provide comments on the National Ocean Council's Strategic Action Plan Outline for the National Ocean Policy. The National Oceans Policy is being implemented by nine priority objectives. Federal agencies developed strategic action plans to address these nine priority objectives:

1. **Ecosystem-Based Management:** Adopt ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes.

2. **Coastal and Marine Spatial Planning:** Implement comprehensive, integrated, ecosystem-based coastal and marine spatial planning and management in the United States.

3. **Inform Decisions and Improve Understanding:** Increase knowledge to continually inform and improve management and policy decisions and the capacity to respond to change and challenges. Better educate the public through formal and informal programs about the ocean, our coasts, and the Great Lakes.

4. **Coordinate and Support:** Better coordinate and support Federal, State, tribal, local, and regional management of the ocean, our coasts, and the Great Lakes. Improve coordination and integration across the Federal Government and, as appropriate, engage with the international community.

5. **Resiliency and Adaptation to Climate Change and Ocean Acidification:** Strengthen resiliency of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and ocean acidification.

6. **Regional Ecosystem Protection and Restoration:** Establish and implement an integrated ecosystem protection and restoration strategy that is science-based and aligns conservation and restoration goals at the Federal, State, tribal, local, and regional levels.

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7. **Water Quality and Sustainable Practices on Land:** Enhance water quality in the ocean, along our coasts, and in the Great Lakes by promoting and implementing sustainable practices on land.

8. **Changing Conditions in the Arctic:** Address environmental stewardship needs in the Arctic Ocean and adjacent coastal areas in the face of climate-induced and other environmental changes.

9. **Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system and integrate that system into international observation efforts.

Recreational Uses Should Be Fully Recognized by all Strategic Action Plans

NMMA and its members continue to be concerned that recreational uses be fully recognized and supported by the National Ocean Council, the Administration and its implementing agencies in these nine action plans. The boating and fishing public have long viewed ocean waters as the great commons for recreation. It is the boater's and angler's direct and frequent connection with the water that provides their deeply-held feelings of protection and concern for our oceans. Boaters and anglers are important partners in the quest for healthy sustainable oceans and coastal communities and should be embraced as such.

NMMA is especially interested in commenting on the following specific aspects of the Strategic Action Plan Outlines:

Ecosystem Based Management Must be Based on Sound Science and Gaps in Science Must be Filled

We are pleased that "Ecosystem-Based Management Strategic Action Plan Outline" (EBM) "considers the entire ecosystem, including humans" and that it is "informed by science."[1] Our interest, of course, is in those aspects of outdoor recreation that involve boating and activities such as fishing and watersports. We note that boating is not specifically addressed in this plan, even though 75 million Americans enjoyed boating as an outdoor activity in 2010 and are directly affected by the manner in which any regulations that result in limitations on

[1] National Ocean Council, 06-02-11, "Ecosystem-Based Management Strategic Action Plan Full Content Outline," available at: http://www.whitehouse.gov/administration/eop/oceans/sap P. 1.

boating-related activities such as fishing are implemented. It is notable that of the diverse human activities identified as linked to or dependent upon coastal and marine resources, boating and water recreation are missing. We applaud efforts to promote ecosystem health, and we encourage planners not to adopt a policy in which a lack of science or lack of data results in decisions to restrict recreational access to resources. Such a position is not science-based, does not reflect sound decision making, and has potentially negative economic consequences.

NMMA is pleased that the EBM Strategic Action Plan outline addresses the need to include both "Federal and non-Federal agencies and organizations" in its planning activities.[2] We encourage those who are tasked with developing these plans to reach outside the governmental sector and to include stakeholders from the private, non-governmental sector. Such organizations have considerable interest and expertise in this arena and represent literally tens of millions of Americans who would be directly affected by planning decisions. Such non-governmental entities are essential for securing public buy-in of any planning decisions and represent distinct constituencies whose support is critical to implementation of a National Ocean Policy.

NMMA endorses the outline's addressing of "Gaps and Needs in Science and Technology."[3] It is clear that much more data must be gathered on "the status of marine and coastal ecosystems" if science is to be used as the basis for planning and decision making. Such data should also include the recreational patterns of use of marine waters. The need for such human behavior information is rightly contemplated in the "Informed Decision Making Action Plan" on page 9. Failure to apply the resources necessary to collect such data would represent a fatal flaw in this entire process and would lead to nothing more than "assumption-based decision making." Such an outcome would not be acceptable to any of the stakeholders and would represent a colossal failure in this endeavor. Such increased data collection might well require either more funding for the organizations within the Federal Government charged with this activity (e.g., NOAA), or might require a re-prioritization of the budgets of such organizations.

Coastal and Marine Spatial Planning

Coastal and Marine Spatial Planning (CMSP) is described in the Action Plan outline as being "based on sound science," so as to "identify areas most suitable for various types or

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[2] *Ibid.*, P. 3.

[3] *Ibid*., Pp. 4-5.

classes of activities in order to reduce conflicts among uses, reduce environmental impacts, facilitate compatible uses, and preserve critical ecosystems services to meet economic, environmental, security, and social objectives." [4] Including "economic objectives" within the rubric of CMSP is essential, because we fear that decisions that result in a restriction on marine access or which decrease the ability of Americans to enjoy their water-based resources are sometimes made without consideration of the economic impact that such decisions might have on coastal communities and those who either engage in recreation on or make their living from the sea. As an example, closing an area to fishing or boating could have a severe economic impact on marinas, fuel providers, bait dealers, and the local hospitality industry. Such closings should only be made on the basis of scientific evidence that such closings or restrictions are necessary to protect or restore the health of the fishery, and not because there is no data one way or the other. We believe that in the absence of data, the government's default position should be that of keeping the fishery open, with full access.

We applaud the outline's recognition of the "social, economic, public health, and conservation benefits of sustainable recreational use of ocean, coastal, and Great Lakes resources, such as fishing, **boating** [emphasis added], swimming and diving, by providing improved coordination with recreational users to ensure continued access and opportunities to enjoy these activities consistent with economic, safety, and conservation goals."[5] However, NMMA is concerned that there are no objectives identified that will assess whether the CMSP process has in fact sustained recreational use. Recreational use should be quantified and tracked to ensure that CMSP actions do not result in the public's loss of access to the water.

It is both necessary and appropriate that the outline address "Stakeholder and Public Engagement and Participation." We believe the "sustainable recreational uses" outlined above are compatible, and we are pleased that the outline addresses the requirement to "involve environmental and trade groups, commercial and recreational fishing interests, other stakeholders and the general public . . . ."[6] We also believe that the called-for "meaningful and frequent opportunities for stakeholder and public engagement throughout the implementation of CMSP,"[7] if done correctly, will ultimately lead to a National Ocean Policy that is realistic, sustainable, and supported by the public that is most directly affected by the Policy. We urge those who develop the final National Ocean Policy to work closely and meaningfully with

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[4] Coastal and Marine Spatial Planning, P. 1.

[5] *Ibid.*, P. 3

[6] *Ibid.*, P. 7.

[7] *Ibid*., P. 10.

organizations like the National Marine Manufacturers Association as they do so. We at NMMA are prepared to offer our expertise and assistance to ensure that the final NOP is a document we can all embrace.

Regional Ecosystem Protection and Restoration

It should be noted that through their gasoline taxes that go into the Sport Fish Restoration and Boating Trust Fund, boaters contribute almost $400 million per year to activities that contribute to the health of our nation's waters, such as coastal wetlands restoration, fish habitat restoration, and boat sewage pump out stations. The "Regional Ecosystem Protection and Restoration" chapter in the Strategic Action Plan specifically calls for "strengthening conservation partnerships."[8] This chapter also expressly states a goal of reducing coastal wetland loss.[9] It is clear that boaters already recognize the need for such action and are participants in such a conservation partnership. Full recognition of boater contributions in this area should be made explicit in the Strategic Action Plan.

Regional Ecosystem Protection and Restoration efforts as described in the outline provide a model for how the private, corporate sector can participate fully with government at all levels in advancing the ends of good ocean policy. We note that the outline discusses "enhanced mechanisms to increase partnerships" and singles out the "Corporate Wetlands Restoration Partnership" (CWRP) as a model.[10] The National Marine Manufacturers Association is a corporate member of the National Association of Manufacturers (NAM), which is one of the members of the CWRP, so NMMA is already participating in this public-private endeavor, and we anticipate our continued support for it.

It would also be quite appropriate to reach out to the private sector through such groups as the Sport Fishing and Boating Partnership Council. This advisory group, which was established in 1995 under the auspices of the U.S. Fish and Wildlife Service, U.S. Department of the Interior, is comprised of representatives of private sector trade associations, conservation groups, outdoor recreation groups, the academic sector, and representatives of Federal, State,

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[8] National Ocean Council, 06-02-11,"Regional Ecosystem Protection and Restoration Strategic Action Plan, Full Content Outline," P. 5.

[9] *Ibid.,* P. 7.

[10] National Ocean Council, 06-02-11,"Regional Ecosystem Protection and Restoration Strategic Action Plan, Full Content Outline," P. 5.

local, and tribal governments.[11] The expertise of its membership would be invaluable as planners endeavor to develop additional partnerships with the private sector.

Water Quality and Sustainable Practices on Land

NMMA is supportive of efforts to reduce the threat of aquatic nuisance species. Recreational boaters understand their responsibilities in this area as they move their boats from one body of water to another, and they wish to protect the full vitality of our aquatic ecosystems. The literature we have seen suggests that the one species cited in the outline, the Indo-Pacific lionfish, was probably introduced into Atlantic and Caribbean waters from saltwater aquariums.[12] Saltwater anglers are greatly concerned about the competition that this non-native species provides for desirable fish like snapper and grouper and NMMA would be supportive of efforts to remove this species from our coastal waters or to diminish its presence.[13]

NMMA is also supportive of efforts to use "best management practices" for controlling marine debris.[14] The goal to "Reduce trash and marine debris through pollution and removal"[15] is an admirable one. As the outline states, "Marine debris and trash are pervasive problems in and along our watersheds, Great Lakes, coasts, and the ocean." This goal will be achieved through "strengthened partnerships with governmental . . . , industry, and non-governmental partners," and NMMA represents a great portion of the industry that would be supportive of such efforts. NMMA applauds the desire to "identify the types of marine debris producing significant negative effects on the marine environment, and quantify these impacts to focus targeted prevention, removal, and mitigation efforts."[16]

Please do not hesitate to contact me if you have questions about these comments. NMMA wants to engage fully with those who are developing the National Ocean Policy, as we

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[11] http://www.fws.gov/sfbpc/

[12] Paula E. Whitfield, Todd Gardner, Stephen P. Vives, Matthew R. Gilligan, Walter R. Courtenay, Jr., G. Carleton Ray, and Jonathan A. Hare, "Biological invasion of the Indo-Pacific lionfish *Pterois volitans* along the Atlantic coast of North America," Marine Ecology Progress Series, Vol. 235: 289-297, 2002. Found at http://www.breef.org/Portals/0/Lionfish%20FINAL.pdf

[13] "Regional Ecosystem Protection and Restoration Strategic Action Plan, Full Content Outline," P. 11.

[14] National Ocean Council, 06-02-11,"Water Quality and Sustainable Practices on Land, Strategic Action Plan, Full Content Outline," p. 1.

[15] *Ibid.*, P. 5.

[16] *Ibid.,* P. 6

have every desire that the final policy be both comprehensive and supportable by those who like us value the oceans as a great national resource, to be exploited wisely and preserved for future generations of Americans.

Sincerely,

Thomas J. Dammrich
President

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Coastal and Marine Spatial Planning:

West Coast Governors' Agreement on Ocean Health, CMSP

(6 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

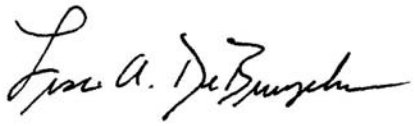
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 2: Coastal and Marine Spatial Planning (CMSP)

The WCGA supports comprehensive planning to protect and manage coastal and ocean resources, and believes CMSP can be a valuable tool to achieve regional and national ocean health priorities. The following objectives within this SAP could be strengthened with these recommendations:

Overview

WCGA recommendations:

- **More clearly articulate that CMSP is a tool that can help achieve NOC goals and consider implementing pilots to demonstrate success**
- **More clearly articulate federal guidelines for developing CMS plans**

Although the NOC states that CMSP is intended to promote societal goals, we recommend that the NOC more clearly articulate that CMSP is tool to achieve other NOC goals, whether it be clean water in which to swim or fish (SAP 7) or healthy ecosystems (SAP 6). We believe that by articulating CMSP in terms of the results achieved, political support for these efforts will increase. Furthermore, initiating pilot projects in a few regions will be a way to demonstrate success while focusing limited resources.

We appreciate the NOC's statements that implementation of CMSP will be flexible and will be driven by the regions. However, we need further articulation from the federal government on what actions will meet the federal guidelines for developing the CMS Plans, such as the criteria for establishing sub-regional plans.

Objective 1: Establish nine RPBs to undertake CMSP and develop by 2020 initial CMS plans for sustainable use and long-term protection of the ocean, coasts, and Great Lakes

WCGA recommendations:

- **Strategically review federal resources and provide additional guidance on and support for the development and operation of Regional Planning Bodies.**
- **Better define the minimum requirements for the sequence, pace and composition of Regional Planning Bodies and their early implementation activities.**
- **Allow for Regional Fishery Management Council (RFMC) representation on the RPBs**

Establishing and managing a Regional Planning Body and CMSP process will require adequate and sustained resources and federal agencies should provide more guidance on their strategy for supporting CMSP. The regional capacity assessments described under section IV should be

encouraged as an early next step perhaps even prior to officially forming the regional planning body.

The Pacific Fishery Management Council (PFMC) plays an important role in regional marine resource management along the West Coast. While we appreciate that the Interagency Ocean Policy Task Force Report states that the RPB will establish a formal mechanism for consultation with the RFMC, the three West Coast states agree that PFMC's participation in the West Coast RPB is very important. We urge the NOC to allow regions to decide whether participation of the RFMCs is appropriate for their region.

Objective 2: By 2015, applicable non-confidential and other non-classified Federal data identified for inclusion will be incorporated into the National Information Management System and Data Portal.

WCGA recommendations:

- **Identify essential types of data (e.g. seafloor mapping) that will help regions assess their own data gaps or needs.**
- **Support regional geospatial data acquisition plans to fill essential data gaps.**
- **Formulate an agreement between federal agencies and regions on the data management methods, standards, and metadata to ensure the best coordination possible between the National Information Management System (NIMS) and regional information systems.**
- **Ensure NIMS datasets include fishery management data from each of the regional fishery management councils.**
- **Support regional data portal development by incorporating federal datasets into these systems in the near-term and improve communication with regions.**

The creation of a National Information Management System (NIMS) with nested regional information management systems is an important element in the CMSP SAP. We hope that by providing guidance to the regions about essential data types (e.g., seafloor habitat maps, human use maps) and data standards, this will help regions identify data gaps, prioritize data acquisition, ensure consistency between regions in the types of data considered during the planning process, and facilitate the interoperability of regional and national information systems. Furthermore, we hope that regional data portal development will be advanced simultaneously with NIMS as we need federal agencies to engage in regional efforts.

Objective 3: Preserve and enhance opportunities for sustainable and beneficial ocean use through the promotion of regulatory efficiency, consistency, and transparency as well as improved coordination across Federal agencies.

WCGA recommendations:

- **Incorporate CMSP goals and objectives into federal programs through a "unifying" federal statute.**

Incorporating CMSP goals and objectives into the statutory authorities of participating federal agencies through a unifying "act" (such as the Coastal Zone Management Act or Outer Continental Shelf Lands Act) will provide a formal structure for CMSP implementation and ensure federal consistency with state CMS plans.

IV. Regional Implementation, Actions and Milestones, and Work Products

WCGA recommendations:

- **Provide a mechanism for inclusion of local governments in stakeholder and public engagement and participation.**
- **Develop indicators of environmental and socio-economic conditions so that geospatial data can be interpreted by decision-makers, managers and the public.**
- **Support technical training for federal, state, tribal, and local governments to interpret spatial data.**
- **Describe the monitoring and evaluation processes for CMSP.**

We thank the NOC for acknowledging the importance of stakeholder and public engagement and participation under section IV. Although many stakeholder groups are mentioned, we recommend more clearly articulating the importance of local government participation.

Under "Consultation with Scientists and Technical and Other Experts", we recommend that the NOC work with these group to develop indicators that describe environmental and socio-economic conditions. These indicators help provide context to the geospatial data about the status and trends of environmental and socio-economic conditions that will help decision-makers, managers, and the public interpret often complex data.

Under "Implementation of CMS Plans" we recommend that the NOC support technical training for federal, state, tribal, and local governments to increase their knowledge of the tools available and increase the technical proficiency in managing and analyzing spatial data.

We recommend that a description of monitoring and evaluation processes be added as a bullet under section IV. These processes should consider questions such as whether CMSP has resulted

in increased efficacy in planning/regulating, decreased user conflicts, and greater consideration of cumulative impacts on the environment.

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Coastal and Marine Spatial Planning:

Michael Kosro, OSU and NANOOS

(1 page)

I am an active participant in coastal ocean observing, through my own research and as the Oregon State University representative to NANOOS, the Regional Association of IOOS in the Pacific Northwest. I appreciated the opportunity to attend the listening session held in Portland, Oregon on July 1, 2011.

I fully endorse the comments and recommendations provided by the National Federation of Regional Associations for Coastal and Ocean Observing (NFRA), submitted in a letter dated July 1., and of Jan Newton, Director of NANOOS, made at the Ocean Shores, WA, listening session. The need to use and build on the work that has already been done on ocean observing over the last decade is critical for efficiency.

I would add the following comments:

SAP #9, II Context and Action 2. The action highlights "unmanned and satellite remote sensing systems" as means for extending or multiplying the reach of survey and research missions, and notes their potential for aiding in science and emergency response activities in a cost effective manner. Land-based remote sensing systems, such as HF surface-current mapping radars, are contributing in a like way to these goals. It is recommended that the language be revised to consider them explicitly in this effort, e.g. "unmanned, land-based, and satellite remote sensing systems".

SAP#2, Coastal and Marine Spatial Planning. The language appears to treat ocean spatial mapping data as fixed and unchanging. While this is largely true for some kinds of CMSP data, such as bathymetry, other important distributions respond to changes in the ocean on time scales from tidal to seasonal to interannual to decadal and longer. These include distributions from beach sand to offshore fisheries species. Some explicit recognition of the importance of time variation in fields important to CMSP, and the need to include it in planning, is recommended.

Regards,
Michael Kosro
Professor of Oceanography
Oregon State University and

Northwest Association of Networked Ocean Observing Systems (NANOOS)

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Coastal and Marine Spatial Planning:

Consortium of Ocean Leadership

(11 pages)

July 1, 2011

Nancy Sutley
National Ocean Council Co-Chair
Chair of Council on
Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

John Holdren
National Ocean Council Co-Chair
Director of the Office of Science
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Dear Chairs Sutley and Holdren,

On behalf of the Consortium for Ocean Leadership's 97 member institutions, I would like to submit the following recommendations and comments on the Strategic Action Plans (SAPs) full content outlines for the National Ocean Policy (NOP). We appreciate the opportunity to provide input and hope that the following information is considered during the development of the SAPs full narratives.

We recognize that one main purpose of the NOP is to streamline and reduce the overlap in current federal efforts to manage our oceans, coasts, and Great Lakes. However, in their current states, these outlines are not integrated and seem to be standalone documents with no overarching framework to guide priorities. For example, SAP #3 "Inform Decisions and Improve Understanding" should be an important objective for the other 8 SAPs, yet we do not see how #3 will be implemented throughout the other SAPs. We strongly encourage the National Ocean Council (NOC) to develop an intellectual framework that sets overarching priorities. This framework will help identify near-term and long-term funding requirements and focus interagency collaborations to execute these priorities. We recommend that the SAPs be integrated together and the full narratives provide detailed information on how they will be implemented. For instance, if the goal is to operate at high latitudes, then a top infrastructure priority should be to invest in ships for those environments, including ice-breakers. If the goal is coastal ecosystem management, then infrastructure investments are needed to operate in shallow waters and at the water-land interface.

The issues addressed in the NOP are global issues which will require strong, sustained international collaborations and external partnerships. However, there is little mention of international collaborations and the role of external stakeholders in implementing the NOP. The NOP should focus on developing bridges that span across political and physical boundaries (including linkages between ocean, land, and atmosphere). Moreover, the government needs the capacity and expertise of the

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external research community and industry partners to understand the natural and social science parameters of these issues. We encourage the National Ocean Council (NOC) to continue to engage with those stakeholders for input throughout this process.

Finally, the Consortium for Ocean Leadership and its member institutions recognize the difficulties of the current fiscal environment. However, in order for the National Ocean Policy to drive tangible and effective solutions for managing and conserving our nation's oceans, coasts, and Great Lakes, it will require the Executive Branch and its federal agencies to dedicate appropriate and sustained funding levels. We look forward to working with the NOC and the federal agencies to ensure the objectives of the National Ocean Policy are fulfilled in a timely, effective, and accurate manner. Our comments for SAPs #2,3,5,6,8, and 9 are listed below and represent a consensus of our member institutions' recommendations for the full content outlines.

SAP #2 – Coastal and Marine Spatial Planning

- ***Overall Comments***: An implementation plan is key to the success of the CMSP process and we recommend the full SAP be more explicit about how the outcomes and milestones will be accomplished. The direct actions neither are clear, tractable nor linked to a particular set of metrics to identify progress. Therefore, we recommend that additional context be provided in the full SAP that focuses on identifying actions and milestones. Furthermore, to avoid redundancies of current efforts underway, we encourage the NOC to involve the IOOS regional associations, external scientific community, and regional stakeholders in the writing and execution of the CMSP process.
- ***Section II*** –
    1. This SAP will be based on "sound science", however there is no mention of how the science should be done or how to bring in current scientific studies as part of the process. We recommend this SAP provides clarification on the science needs and how these data will be collected to inform the CMSP process.
    2. The CMSP process needs to be conducted in a comprehensive way which includes accessing existing and future activities.
- ***Objective* 1** –
    1. We believe, as a first step, the National Ocean Council should support a state-focused operational framework centered on regional issues with distributed data management and stakeholder engagement. By initially working at a more local level where CMSP efforts are underway, federal agencies would be able to build capacity and partnerships needed to operate a national CMSP process. One such partnership should be with universities, which house much of the analytical capability, research and training, experience, and outreach needed for a successful CMSP process.
    2. We recommend a more formal role for the regional research experts to provide guidance to the regional planning bodies (RPBs). Specifically, we believe each

RPB should be required to have a member who represents the external regional science community.

- ***Objective 2*** –
    1. There is no mention of data quality standards (or at least disclosures), which will be important when integrating data from multiple sources, especially Federal with non-Federal. We recommend that the action plan addresses standards to help the interpretation and use of the data accessible by the public.
- ***Objective 3*** –
    1. This plan omits a regional data integration or portal component and we do not see how a national data system could be developed without a defined regional system to match and complement the RPBs. Instead, we recommend the RPBs work closely with the Regional Associations of IOOS to create regional data portals for the integration and dissemination of regional data in support of CMSP.

<u>SAP #3 – Inform Decisions and Improve Understanding</u>

- ***Overall Comments:*** It is difficult to provide detailed comments on this SAP since it is based on the update to the Ocean Research Priorities Plan and Implementation Strategy which has yet to be released. Consequently, we urge swift release of this report, which was expected to be released last year, and encourage the NOC to cross reference this SAP in the other SAPs. Overall, more effort should be made to highlight specific partnerships with organizations, academia, and industry that engage with the general population on ocean science Similarly, educating the general public is different than educating policy makers. Also, actions and information needed to improve decisions made at a federal or regional level will be very different than what is needed at the state or local level. Therefore, we recommend the SAP addresses these important distinctions and incorporates some of the findings and recommendations found in the chapter on Education in the Report of the U.S. Commission on Ocean Policy.
- ***Priority Objective***:
    1. In its current state, Section I neither addresses the importance of understanding how the ocean works as part of the earth system nor articulates how to achieve more generalized science literacy. Understanding the ocean shouldn't be reduced to understanding the benefits of the ocean to us. We should understand how the planet works as a matter of understanding earth systems, and the intrinsic value of maintaining a healthy planet. Therefore, we recommend changing the 4th bullet in Section I to:
        - "Increase understanding of the vital role that the ocean, coasts, and Great Lakes play in our daily lives and in maintaining the health of the global ecosystem."
- ***Action 2*** –

1. We recommend this action addresses the science needed to support the use of non-renewable, non-sustainable resources as well as renewable resources. Informed decisions on these types of uses are still needed and should be included in this SAP.

- ***Action 3*** –
  1. The users and types of decisions should be defined to help identify the types of decision-support tools and processes that will be needed to support managers and policy makers.
  2. We believe milestone, bullet 1 should not be a milestone. Instead, it should be a near-term action, which would feed into the outcomes and milestones.
  3. We recommend a stronger mention of the explicit role for academia and industry in providing research and value-added information.
- ***Action 4*** –
  1. This action only mentions scholarships, internships and fellowships starting in high school. Instead, we recommend it should target K-12 or early childhood-adult age groups and should focus on more than scholarships, etc. Beyond scholarships, ocean sciences need to be embedded in the mainstream science curriculum and in the informal/out of school education system at all levels.
  2. This action should also include development and promotion of high quality, engaging out of school activities related to the ocean.
  3. We recommend the NOC utilize quantitative targets rather than qualitative ones such as "more" and "increased".
  4. There is no need to limit this action to federally-supported or fellowship/internship programs. We recommend the 2nd bullet be changed to:
     - The number of students, especially from underrepresented groups, entering the workforce related to ocean sciences and management is increased by X.
  5. We recommend the list in the 2nd bullet under "Milestones" should include community organizations, churches, high schools, community colleges, etc.
  6. We encourage the NOC to examine the full scope of learning opportunities beyond academic competitions referred to in the 4th and 5th bullets under "Milestones." Instead these ideas should be expanded to consider other programs and service learning opportunities.
  7. We recommend the addition of the following bullet to the "Gaps and Needs in Science and Technology" section:
     - A better understanding of the knowledge, skills, and abilities that resource managers involved in CMSP and other ocean management activities need to have to enable the design of better Masters/Ph.D. programs that can produce students with the requisite skill set to be resource managers and advise decisions makers.

- ***Action 5*** –
    1. We strongly support this action, which is very much needed, but we recommend that the overview sentence is changed to the following:
        - Increase Ocean Literacy and fully incorporate ocean content into the regular practice of formal and informal educational programs for students, teachers, and the public.
    2. We encourage the NOC to recognize the value of informal education programs in raising awareness as well as improving learners' abilities to assess risk and trade-offs, and to make informed and responsible decisions based on evidence.
    3. We recommend the additional outcomes:
        - Systemic inclusion of ocean topics and concepts, including the importance of the ocean in the earth system, in mainstream K-12 and informal education systems. A future action plan to accomplish the milestone that stems from an inventory and assessment of existing ocean education programs.
    4. We hope the action plan includes a coherent, unified strategy for accomplishing these complex goals which influences the formal and informal education systems. Milestones should include an overall strategy for influencing standards, curriculum, assessment, professional development, exhibits, informal/out of school programs, etc.
- ***Action 7*** –
    1. We recommend that these efforts should be integrated with local and traditional ecological knowledge.

<u>SAP #5 – Resiliency and Adaptation to Climate Change and Ocean Acidification</u>

- ***Overall Comments:*** The timescales of actions in this SAP lack near-term and more mid-term focus. Therefore, we recommend providing stepping blocks toward achieving the long-term goals. All action times should allow for continued action, evaluation of program, and opportunity for evaluating and applying new conservation approaches when necessary. In particular, scientific evidence shows that many species (e.g., corals) will not be resilient and will not adapt to currently projected climate and chemistry changes. Therefore we recommend this SAP recognize the need for new and effective mitigation and conservation approaches beyond those afforded solely by natural resiliency and adaptation. It should also discuss minimizing impacts rather than just managing them. We believe this SAP does not adequately address the need for downscaling climate models to provide regional information to states and nations. In addition, we recommend this SAP incorporate both a focus on international partnerships and references to the recommendations of plans addressing this issue, such as National Research Council and National Academies of Science reports.
- ***Action 1*** –
    1. We recommend the following bullets in the "Milestones" section:

        - Solicit and evaluate potential preservation, restoration, mitigation, and adaptation actions that would conserve ecosystems and their services, beginning with support of actions that help stabilize if not reduce atmospheric CO_2 levels.
    2. We recommend the addition of the following three bullets in the "Gaps and Needs in Science and Technology" section:
        - Understanding and prediction of future thermal, chemical, and physical regimes at local to global scales.
        - Solicitation and evaluation of adaptation, management, and mitigation options for conserving species and ecosystems.
        - Synthesizing "best available information" for climate change impacts predicted in next 15-25 years.
- ***Action 3*** –
    1. We recommend the following near-term action:
        - The NOC should supplement the existing observing assets operated by the IOOS RAs with additional pH/pCO2 sensors and other related measurements across a representative diversity of coastal and estuarine locations, especially in areas of marine resource vulnerability (e.g., coral reefs, shellfish beds, etc.), thereby establishing a coastal network of ocean acidification observations.
- ***Action 4*** –
    1. We recommend the addition of the following bullet in the "Milestones" section:
        - Propose and evaluate specific ecosystem management practices that could mitigate, avoid, or ameliorate climate and acidification impacts.
- ***Action 5*** –
    1. We recommend the addition of the following bullet in the "Milestones" section:
        - Assist decision makers in conceiving of and evaluating management practices that may reduce impacts to vulnerable areas.

<u>SAP #6 – Regional Ecosystem Protection and Restoration</u>

- ***Overall Comments:*** The marine environment is dynamic and current environmental conditions for marine species and habitats may not be available in the future. Protection and restoration strategies must be very adaptive, and accommodate potential change, movement, etc., which will require long-term, sustained commitments to monitoring. Therefore, observations and monitoring should be considered outcomes for all action items in this SAP. We recommend that this SAP addresses existing, regional programs to leverage existing partnerships between all levels of government, academia, and industry. We also recommend that the restoration efforts in the Gulf of Mexico receive high priority and these efforts should be based on sound science and observations.

<u>SAP #8 – Changing Conditions in the Arctic</u>

- ***Overall Comments:*** This SAP outline covers all of the major themes related to the Arctic. However, we recommend that the full plan include the needs, goals, and activity related to both industry (oil and gas development, seabed telecommunications cable activity, tourism, and shipping) and the military. Furthermore, U.S. research and operations infrastructure in the Arctic is insufficient and considerable investment needs to be made in ice capable vessels. These are heavy users of the region and will be in the future. The concept of "map once, use many times", as well as "monitor often, use many times", should be greatly emphasized as it relates to the future monitoring and mapping needs in support of the data requirements for the themes and needs listed in the outline. As research and data collection requirements in the region require much higher costs to conduct, and the annual seasonal opportunity to access the areas of interest are limited, emphasis on "map once, use many times" and "monitor often, use many times" should be considered a mandatory requirement that calls for close coordination of such activities and resources across federal agencies. Furthermore, we encourage the NOC to incorporate the findings from the recent United States Geological Survey's report entitled *An Evaluation of the Science Needs to Inform Decisions on Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska*. Specifically, we concur with the need for a comprehensive science planning process for the Arctic. On page 122, the conclusion chapter reads, "A collaborative and comprehensive Arctic science planning process would bring great value to the decisions required to proceed with development of oil and gas and other strategic assets in the Arctic in a changing climate environment." Also, we call for this action plan to address the recommendations found in the recent National Academies Naval Studies Board report *National Security Implications of Climate Change on U.S. Naval Forces*.
- ***Action 1*** –
    1. In order to improve Arctic environmental response management and develop an ERMA type decision-support tool, we recommend first identifying the integrated datasets needed to populate such a tool. This should be done in coordination with #2 below.
    2. We recommend the following near-term action:
        - Develop field spill response procedures and management systems in U.S. Arctic waters to meet immediate needs of decision-making on future oil and gas exploration in the Chukchi Sea. The plan should identify the top five priorities for research and monitoring, including data integration and synthesis, for the next 2-5 years, which are directly connected to funds for those activities.
- ***Action 2*** –
    1. We agree that improvements to sea ice observations and forecasting is an urgent need. It appears that funding has been secured for a high resolution U.S. Arctic Sea Ice Atlas (through the Alaska Ocean Observing System – AOOS) and for a

lower resolution pan-Arctic Sea Ice Atlas (through the Alaska Center for Climate Assessment and Policy – ACCAP). These should be included as specific milestones for this action.

- ***Action 3*** –
    1. We recommend the title of Action 3 be changed to: "Extend the Arctic observing network to broaden its spatial footprint and to include critical ecosystem and resource management components."
    2. We support the establishment of an internationally distributed biological observatory as a relatively low cost means of establishing time series observation transects and stations in the Arctic. However, we do not believe this – and improved sea ice forecasting – should be the only action items for implementing the observing network and climate and ecosystem themes included in this priority objective. Management of ocean, atmospheric, fishery and ecosystem aspects of the observing system should be coordinated.
    3. We recommend the following two near-term actions:
        - Downscaling of current climate models for the ocean ecosystems in the Beaufort, Chukchi and Bering Seas in order to incorporate climate change into future scenario planning.
        - Development of an integrated regional data node, such as the one being developed by Alaska Ocean Observing System, for federal, state, local, and industry research and monitoring data, in order to facilitate information sharing and synthesis.
    4. We recommend the following two mid- to long-term actions:
        - Development of a comprehensive, integrated, ecosystem-based research and monitoring plan for U.S. Arctic waters. Existing plans by agencies (NSF, NOAA, DOI) and other organizations (AK Ocean Observing System, North Pacific Research Board, US Arctic Research Commission) should be part of this broader, integrated plan.
        - We recommend support for a fully-developed Alaska Ocean Observing System within U.S. Arctic waters, to complement AON activities.
- ***Action 4*** –
    1. In order to improve Arctic communication in response to increased shipping needs, we recommend the following near-term action:
        - An assessment of baseline ship traffic (all sizes) transiting the Bering Strait.
- ***Action 5*** –
    1. We recommend establishment of baseline sea level measurements at select locations to complement improved mapping and charting in the Arctic,

<u>SAP #9 – Ocean, Coastal and Great Lakes Observations, Mapping and Infrastructure</u>

- ***Overall Comments***: This plan needs to address the data and infrastructure needs to accomplish the high priority objectives. This should include: recapitalization of the National Oceanographic Fleet, fixing the Earth remote sensing satellites, and developing/deploying under-ice AUVs. Furthermore, rather than just reiterating the requirement for more observations, we strongly encourage the NOC provide details about the kinds of observations that are required to support NOP priority areas and how the NOC plans to acquire these observations.
- ***Action 1*** –
    1. Fleet renewal has been a concern for many years. In fact, the examination of the status of the National Oceanographic fleet is an ongoing effort within the Fleet Improvement Committee of UNOLS. An assessment of the requirements, gaps, and priorities that cannot be met with the current fleet is highly recommended as the first step in developing a realistic plan for the National Oceanographic Fleet.
    2. Then a recapitalization plan could be developed for the four fleet components (UNOLS, Navy, NOAA and USCG) would embrace past and current efforts to address the aging federal fleet.
    3. Fleet renewal should be a milestone of this plan, rather than an update to a report, which is an exercise that has been repeated many times.
- ***Action 2*** –
    1. Under the "Why do this" section, we recommend adding the following text: "the need for sustained critical global and regional time series observations."
    2. Satellite observations are not mentioned throughout this action item. We recommend an assessment of what parameters are currently being measured by satellites, what parameters need to be measured, and whether there may be gaps in coverage. This assessment should be followed by a plan to improve/fill gaps in these systems. A cost-benefit analysis is also needed to decide which technology is most cost effective for a mission and to fulfill priorities. A status report is inadequate.
    3. The focus of this action plan seems to be on unmanned mobile platforms, and we believe there is also a need to mention the role of operational buoy systems.
    4. Furthermore, this section is disconnected from ships and we believe this is an opportunity to consider how to use unmanned systems to extend ship capabilities.
    5. We recommend the NOC consider tagged animal tracking systems as a component of this action. Animal tracking systems can be a cost-effective means of gathering key information on animal migrations and oceanographic data which are useful for NOP objectives. Specifically, tags on highly migratory predator species return vast amounts of oceanographic data, as well as migratory patterns of the animals, which are useful for NOP objectives.
- ***Action 3*** –

1. This action is already underway in a campaign mode. We recommend the expansion of the HOTS-BATS kind of program into other coastal and regional environments.
2. Technology investments might act as "ship multipliers" as well as opportunities to lower costs or increase resilience in current infrastructure. However, this action does not address the leveraging of these resources and investments through a structured framework.
3. This action also does not address the declining marine technician field, which is something UNOLS has highlighted as a problem on several occasions. We recommend the SAP calls for a focus on developing the next generation of this workforce.
4. Global mapping is mentioned as a milestone. However, the community has been measuring and modeling seasonal changes for the last decade fairly well so we would not really see this as a milestone. However, measurements of inter-annual (or year-to-year) and decadal-scale changes in the parameters are needed.

- ***Action 4*** –
    1. In its current state, this action implies IOOS can "meet the data needs of the National Ocean Policy". We believe it will contribute to the needs, but the NOP has much more breadth (both spatial and data requirements) than does the IOOS.
    2. Furthermore, the outcomes listed under this action in the SAP have been pursued for the past 10 years. While we continue to strongly support the implementation of the IOOS, we are concerned that without a more robust commitment by the federal agencies (including NOAA) to fully fund and integrate IOOS, the outcomes and milestones will continue to be unsuccessful.
    3. While improved observations of our coasts, oceans and Great Lakes are central to all priority areas of the National Ocean Policy, there continues to be a lack of a strategic vision for IOOS that sets forth clear outcomes and priorities. For example, IOOS recently invested in the development of a Blueprint for IOOS which was done with little, if any, community or interagency involvement. It fails to articulate a vision for the future of IOOS and does not provide clear strategies for accomplishing this vision. Therefore, the NOC should recommend the development of a strategic vision for IOOS that engages the other federal agencies, the IOOS Regional Associations, and the broader community, and identifies the ways in which IOOS will support each priority area of the NOP.
- ***Action 5*** –
    1. We acknowledge the fundamental importance of ocean mapping in providing the underlying geospatial context for many cross-cutting ocean-related activities as well as information critical to safety of navigation.

2. We applaud any efforts to increase the efficiency and coordination of mapping programs and note the relevance of this action to the recently passed Ocean and Coastal Mapping Integration Act (part of PL 111-11).
3. We are concerned that Action 5 fails to acknowledge or capture the remarkable technological advances that have taken place in ocean mapping that offer unprecedented views of seafloor and water column processes. Better utilization of these tools in concert with further advancement of ocean mapping technologies (including autonomous vehicles) offers tremendous opportunities for better informed decision-making.
4. We recommend the following near-term action:
    - Make DOD and US Navy charts/bathymetry, etc. available to improve Arctic bottom maps for multiple uses.

- ***Action 6*** –
    1. We support an integrated observation data management system. We believe it should be done at the regional level according to national standards. In its current state, this SAP does not provide information on how the new NIMS fits in with the national IOOS DMAC efforts.
    2. This action should be a central element of Action 4. Furthermore, this has been a focus for 25 years and to accomplish data management will require fiscal commitments and continued collaboration with internal and external partners.

Once again, thank you for your consideration of our comments and recommendations. We look forward to working with you to implement the National Ocean Policy and its nine priority objectives.

Sincerely,

Robert B. Gagosian
President and CEO
Consortium for Ocean Leadership

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Coastal and Marine Spatial Planning:

Senator Daniel K. Inouye

(2 pages)

DANIEL K. INOUYE
HAWAII

COMMITTEE ON APPROPRIATIONS,
CHAIRMAN
SUBCOMMITTEE ON DEFENSE,
CHAIRMAN

COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

COMMITTEE ON INDIAN AFFAIRS

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June 30, 2011

The Honorable John Holdren
Director
Office of Science and Technology Policy
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

The Honorable Nancy Sutley
Chair
Council on Environmental Quality
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Director Holdren and Chair Sutley,

Thank you for providing the opportunity to comment on the development of the National Ocean Council's Priority Objective Strategic Action Plans (SAPs). I would also like to thank you for hosting a public listening session on this issue in Honolulu on June 16th. I understand that the Pacific Region was not originally scheduled to have such a session. The decision to add a session in Hawaii and the Pacific Region was greatly appreciated. I hope this session is useful as you further refine the President's National Ocean Policy (NOP). I believe that the NOP represents a positive step in how we approach our nation's ocean resources. There is nevertheless much to do and I offer the following comments for your consideration.

I commend the desire to take a comprehensive approach to ocean planning as evidenced by the elevation and attention that is being paid to the Coastal and Marine Spatial Planning (CMSP) Priority Objective in the NOP. There are however a few points I wish to make regarding the proposed approach. First, I note that the discussion of developing Regional Planning Bodies has been sublimated as a sub-activity under the CMSP objective. This is, in my opinion, putting the cart before the horse and somewhat short sighted. The opportunity to foster the development of effective regional ocean coordination entities is too important to limit their development to a focus on CMSP. There are numerous pressing ocean and coastal management issues that might be better addressed through the creation of executive level agreements between States, Territories, and the Federal government, many of which have only tenuous links to questions of competing use. Adapting to the impacts of climate change and dealing with coastal pollution are just two that come to mind. Both of these issues have spatial components but you would be hard pressed to argue that their resolution would depend primarily on

effective CMSP. Furthermore, by identifying these regional planning bodies with CMSP so exclusively, there is a risk that the opportunity for a broader mission and collaboration could be lost due to their association with what is, in some cases, a politically charged issue.

Second, instituting CMSP should not be viewed as an objective unto itself but rather developed as a tool to be used by regional planning bodies to address specific issues as needed. Every successful example of CMSP implementation revolves around the resolution of a specific instance of conflict or issue of concern. Coastal Marine Spatial (CMS) plans need to be explicitly linked, where appropriate, to specific regional priorities, not the other way around. As currently constructed the policy seems to place a greater emphasis on the development of CMS plans over broader regional action plans. Hawaii has long embraced a comprehensive approach to ocean management as embodied in our Ocean Resource Management Plan and its associated working groups. These groups bring together the heads of all the relevant State agencies to address long term management priorities that deal with specific issues of concern. I encourage you to look to this example.

Finally, Hawaii and the Pacific Islands offers a unique perspective as you continue to develop the National Ocean Policy, both because ocean management is so integral to our economies and culture, and because our region is so vast with members separated by distances that are in some cases greater than the span of other entire regions. We, in the Pacific, share a common cultural heritage and many similar ocean management issues but we are also not physically contiguous as is the case for the other ocean planning regions. I would thus urge you to consider fostering sub-regional approaches and providing appropriate support for such as you develop your action plans.

Thank you once again and I wish you the best of luck and offer whatever assistance I may provide in this important endeavor.

Aloha,

DANIEL K. INOUYE
United States Senator

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Coastal and Marine Spatial Planning:

Mike Doherty

(1 page)

Board of Clallam County Commissioners

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From the Desk of
COMMISSIONER MIKE DOHERTY

File: A22.164

24 June 2011

RE: Formation of a Washington State Outer Coast Partnership Organization in Preparation for Coordinating Coastal Marine Spatial Planning

National Ocean Council Members:

Clallam County, Washington is located in the northwest corner of Washington State with over 200 miles of saltwater shoreline on the Pacific Ocean and the inland waters of the Strait of Juan de Fuca. Clallam County sponsors two citizen-based Marine Resources Committees that are the basis of local community participation in the West Coast Governor's Agreement on Ocean Health and Coastal Marine Spatial Planning.

Clallam and neighboring Jefferson County each sponsor Marine Resources Committees (MRCs) in their Puget Sound marine waters through the Northwest Straits Commission. We know firsthand the valuable role MRCs play in a cost effective, efficient manner to bring stakeholders together to solve marine issues and initiate worthwhile community projects focused on marine health. For the last three years, Clallam and Jefferson have shared an additional MRC. The North Pacific Coast Marine Resources Committee is modeled after the Northwest Straits Commission and funded by Washington State through the Department of Fish and Wildlife.

A critical new role of coastal MRCs, unique to this state-funded version, is participation in the Washington State Ocean Caucus. This has allowed us direct participation in the Coastal Marine Spatial Planning report. The outer coast representation is on par with the Puget Sound Partnership and the Lower Columbia River Estuary Partnership.

Coastal MRCs form the kernel of a uniform body of stakeholders that outer coast communities cannot afford to lose with the advent of federal Coastal Marine Spatial Planning (CMSP). The impetus of this discussion centers on recommendation 18 of the "2010 Final Report to the Washington State Legislature on CMSP." To quote,

> *"Develop a marine management plan with a marine spatial plan component for Washington's coast. Establish a coordinating body for the Washington Coast that would work collaboratively with all levels of government (state, tribal, federal, and local) to pursue marine spatial planning. Use a broad working group to develop, explore, and evaluate specific roles and membership for a coast coordinating body. Specific roles for the coordinating body and for the various groups in the MSP process for the coast would be established through a Memorandum of Agreement."*

I believe that federal assistance for the formation of this coastal coordinating body for the outer coast of Washington State should be a high priority for the implementation of Coastal Marine Spatial planning on the Pacific Coast

Sincerely,

Mike Doherty

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Coastal and Marine Spatial Planning:

North Slope Barrow, Office of the Mayor

(11 pages)

North Slope Borough

OFFICE OF THE MAYOR

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Edward Itta, Mayor

July 1, 2011

Co-Chair Nancy Sutley
Co-Chair John Holdren
Members of the National Ocean Council
National Ocean Council
722 Jackson Place, NW
Washington DC 20503

Submitted online at: http://www.WhiteHouse.gov/administration/eop/oceans/comment

Re: National Ocean Council Strategic Action Plan Content Outlines for Nine Priority Objectives for Addressing Challenges to Our Coastal and Marine Ecosystems

Dear Co-Chair Sutley, Co-Chair Holdren, and Members of the National Ocean Council:

The North Slope Borough ("Borough") appreciates the opportunity to comment on the initiatives of the National Ocean Council ("NOC") as outlined in the Strategic Action Plan Content Outlines ("SAP outlines") for the nine priority objectives for addressing challenges to our coastal and marine ecosystems. The Borough previously submitted comments regarding the Strategic Action Plan for Changing Conditions in the Arctic. We appreciate the NOC's consideration of those comments, and we particularly appreciate the emphasis within the Strategic Action Plan for Changing Conditions in the Arctic on the importance of managing our oceans to protect subsistence resources.

It is critical that the NOC continue to emphasize the importance of protecting our subsistence resources, both for physical health and for cultural identity. The Inupiat people derive much their nutritional and cultural sustenance by hunting marine mammals from the Chukchi and Beaufort Seas. Offshore development, other commercial uses of our oceans, and climate change therefore present risks to the Inupiat people's physical and cultural survival.

The Borough supports many of the specific initiatives described in the SAP outlines. We recognize that the teams drafting the SAP outlines worked hard to identify an incredibly broad range of initiatives that would address many of the challenges to our coastal and marine ecosystems. To the extent that the SAP outlines may not identify the full array of possible initiatives, it is clear that the NOC intends for the Strategic Action Plans to be adaptive, and that new initiatives will be identified and prioritized in time. Attached to this letter are comments from our Department of Wildlife that provide specific recommendations with respect to several of the initiatives listed in the SAP outlines.

Because the Strategic Action Plans will serve as the foundation upon which our communities will participate in coastal and marine spatial planning ("CMSP planning"), our comments here focus on the process by which the NOC proposes to facilitate planning among federal, state, tribal, local, and other stakeholders. Central to this process, with respect to the Arctic region, is the inclusion by the NOC of the North Slope Borough as a member of the regional planning body for Alaska and/or sub-regional planning bodies for the Chukchi and Beaufort coastal and marine ecosystems.

While we appreciate many of the ideas set forth in the SAP outlines, we must also emphasize the value of clear guidelines that define a simple, straightforward process through which stakeholders both understand and are comfortable with their role.

Finally, because our collective goal is to address challenges to our coastal and marine ecosystems, we recommend that the NOC take a unique approach to planning for the Arctic region. There is a need today to focus on the implications of near-term offshore oil and gas development and increased shipping activities in the Arctic offshore. Given the likelihood of these activities in the Arctic, the Borough requests that the NOC reconsider its approach to Arctic planning to focus immediately on a regional planning process directed at mitigating risks associated with such activities.

The North Slope Borough Should Be a Member of Alaska's Regional Planning Body

As an Arctic government with 8,031 miles of shoreline and a coastal area of 24,654 square miles, we are extremely disappointed that the regional planning body for Alaska apparently will exclude the North Slope Borough. We believe that the failure to include the Borough as anything less than a full partner in the regional planning body for Alaska and/or sub-regional planning bodies for the Chukchi and Beaufort ecosystems will be detrimental to the establishment and execution of any planning process for the Arctic region.

Several of the nine SAP outlines support initiatives to help "coordinate and support Federal, State, Tribal, local, and regional management" of coastal and marine ecosystems. President Obama's July 19, 2009 Executive Order, "Stewardship of the Ocean, Our Coasts, and the Great Lakes", also provides for the development of CMSP plans that build upon and improve existing federal, state, tribal, local, and regional decision-making and planning processes, and directs the NOC to establish a Governance

Coordinating Committee consisting of officials from state, tribal, and local governments. However, while the Executive Order recognizes local governments as key stakeholders in coastal and marine planning, the July 19, 2010 Final Recommendations Of The Interagency Ocean Policy Task Force and the SAP outline for Coastal and Marine Spatial Planning make clear that actual membership of each of the nine regional planning bodies will consist of federal, state, and tribal authorities, but not local authorities. Although we understand that the regional planning bodies may be organized with a large degree of flexibility, as discussed at the June 21 National CMSP Workshop, there is little assurance that the Borough will be included as a true partner in regional planning.

The North Slope Borough is the largest municipality in the United States, covering 89,000 square miles and representing more than 8000 miles of Arctic coastline. We are an Arctic government and we are a coastal government. Over 70 percent of Borough residents are Inupiat, a people who have inhabited the land for thousands of years and are fundamentally connected to the ocean. Our jurisdiction stretches from the U.S.-Canadian border across to the western border of Alaska, across the Beaufort and Chukchi Seas. The Borough interacts on a daily basis with federal, state, local and tribal governments, international bodies, intergovernmental organizations, nongovernmental organizations, Native Corporations, Alaska Native organizations tasked with the co-management of marine mammal subsistence harvests, other indigenous organizations, and scientists. Maintaining its own Department of Wildlife, the Borough has the capacity to engage on behalf of North Slope communities in federal, state and local planning processes, and does so for a range of land and ocean management issues.

The Borough plays an integral role in maintaining the health of our Arctic coastal and marine environment. The Borough's experiences with federal planning, both good and bad, have taught us hard lessons about the importance of communication among stakeholders, the consequences of inefficient or incomplete planning, and the need for direct and substantial participation by the Borough in the planning process.

As emphasized at the June 21 National CMSP Workshop, the National Ocean Policy is meant to be implemented using a bottom up approach, with significant participation from stakeholders and regional participants. The Borough agrees with this approach. If planning is truly meant to be bottom up, the Borough needs to have a voice that goes beyond the submission of public comments or participation in working groups. While we understand that the Borough will be invited to participate in CMSP planning in Alaska at some level, the exclusion of the Borough as a member of any planning body for the Arctic coastal and marine environment would be unacceptable to our communities.

The North Slope Borough Supports Formation of Sub-Regional Planning Bodies

Federal agencies may have the capacity to digest the dozens of initiatives listed in the SAP outlines, prioritize actions, identify staffing and funding for those initiatives, and carry out those initiatives in a manner that lends to greater efficiency in planning, but we fear that these will be monumental tasks for Alaska's regional planning body, which is

charged with planning for five different Large Marine Ecosystems. We therefore support using a sub-regional approach to planning, as discussed at the June 21 CMSP Workshop, involving the formation of sub-regional planning bodies. This approach will allow the Borough, tribes, and other regional entities to focus on planning for the two regions most pertinent to us, the Beaufort and the Chukchi coastal and marine ecosystems.

The Borough Encourages the National Ocean Council to Focus on Developing Guidelines that Define a Straightforward Planning Process that is Simple, Efficient, and Clear with Respect to the Roles of Participants

We know that the NOC intends to establish national ocean policy objectives, provide coordinated attention to coastal and marine issues, establish priorities for action, and establish a framework for effective CMSP planning. This high-level planning approach appears to us to be consistent with the concept of tiering established under National Environmental Policy Act ("NEPA") regulations, through which initial systems-level analyses inform subsequent reviews of site-specific proposals and their impacts. Tiering is also an important planning tool for analyzing the cumulative impacts of anthropogenic activities on the environment and on the health, social structure, and culture of communities. Strengthening the planning processes by which cumulative impacts are studied and managed is one of the primary goals of the North Slope Borough.

The tiered process established under NEPA regulations can introduce efficiencies into planning processes by eliminating duplication of efforts to address broad concerns that may be implicated by many specific proposals. But NEPA is also a good example of a process that has been criticized as a cause of delays and increased costs for projects. Addressing these criticisms, the Council on Environmental Quality recently requested nominations for "pilot projects" that might demonstrate a more efficient approach to NEPA implementation while improving transparency and informed decision making.

The Borough is no position to comment on how best to establish a federal planning process, but we encourage the NOC to ensure that CMSP planning is simple and straightforward and clear with respect to how participants are to play a role in various processes. The overlay of CMSP planning may influence planning for the better – we certainly recognize that the NOC intends to improve existing planning processes – but only if such processes are simple and efficient, ultimately limiting time and cost commitments for all stakeholders.

The National Ocean Council Should Focus Immediately on Establishing a Preliminary Regional Planning Framework for the Arctic Region

Like any stakeholder, our resources are limited. Our capacity to effectively participate in any process is challenged by the sheer number of overlapping federal, state and local planning processes currently underway. It is important that the Administration

implement CMSP planning in a way that will not strain limited resources and thereby dilute the efforts of stakeholders to engage in important existing planning processes.

Planners must be able to survey which actions in the SAP outlines are already in progress and how to leverage those actions to best utilize limited resources. Organizing the many ideas in the SAP outlines to address challenges to our coastal and marine ecosystems will require a clear strategy to identify priorities and carry out specific actions in specific regions within a specific timeline on a specific budget. It will also take time.

While the Borough looks forward to participating in CMSP planning, there is a need today to focus on the implications of near-term offshore oil and gas development and shipping for the coastal and marine ecosystems of the Arctic. The National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling suggested that "[t]he need for additional research should not be used as a *de facto* moratorium on activity in the Arctic." In fact, we believe that federal decisions expected later this year may allow for Arctic offshore oil and gas exploration.

Given the likelihood of near-term exploration and development activities in the Arctic, the Borough requests that the NOC reconsider its approach to Arctic planning to focus immediately on mitigating the risk of such activities.

The recently released USGS analysis on Arctic Ocean data gaps recognizes that effective Arctic technologies are the first step in overall oil spill risk minimization. It also recommended the development and pre-positioning of a multi agency coordinated oil spill contingency plan to potentially mitigate the challenges inherent to spill response in the Arctic. The recommendation stated the need for local citizen engagement.[1]

These findings are consistent with the findings of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, which acknowledged that successful oil-spill response methods from the Gulf of Mexico, or anywhere else, cannot simply be transferred to the Arctic. To deal with these serious concerns about Arctic oil spill response, containment, and search and rescue, the Commission recommended three approaches before the Department of the Interior makes a fully informed determination that drilling in a particular area is appropriate.

> First, the Department of the Interior should ensure that the containment and response plans proposed by industry are adequate for each stage of development and that the underlying financial and technical capabilities have been satisfactorily demonstrated in the Arctic. Second, the Coast Guard and the oil companies operating in the Arctic should carefully delineate their respective responsibilities in the event of an accident, including search and rescue, and then must build and deploy the necessary capabilities. Third,

[1] United States Geological Service, "An Evaluation of Science Needs to Inform Decisions on the Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska" 147 (June 2011).

> Congress should provide the resources to establish Coast Guard capabilities in the Arctic, based on the Coast Guard's review of current and projected gaps in its capacity.[2]

Given the likelihood of near term oil and gas activities in the Arctic, as well as other considerations such as the increases in marine vessel traffic in the Arctic, we propose that the NOC focus immediately on regional planning for the Beaufort and Chukchi region to ensure

- intensive review of containment and response plans;
- careful delineation of agency, industry, and community responsibilities;
- a commitment of federal funding and resources, including sufficient funding for Coast Guard oversight and deployment of Coast Guard assets in proximity to offshore activities;
- inspection of new vessels, equipment, and technologies deployed in Arctic waters, multi-agency coordinated oil spill contingency planning, and engagement of and coordination with local communities;
- that communities are kept apprised of activities in real time;
- that federal, state, local, and tribal government representatives engage in regular, well-coordinated dialogue with industry to identify opportunities for research, oil spill response training, field testing of oil spill response assets, and field testing of ice management assets; and
- that data gaps, technology gaps, vessel and equipment needs, infrastructure needs, response gaps and any other risk factors are identified, prioritized and addressed.

As part of this effort, the Borough proposes that the NOC consider adopting a "safety case" approach to assessing risks associated with rig and vessel management leading up to – and during – any near-term offshore oil and gas activities in the Beaufort and Chukchi Seas. Although the "safety case" approach may not require, in many circumstances, the active participation of multiple regional stakeholders, a well-organized safety case approach to oversight of near-term Arctic offshore activities could be coordinated with and may provide support for other regional planning initiatives outlined above.

Also, as a longer term measure, but starting as soon as possible, we suggest that the NOC consider initiating a risk assessment for Arctic offshore oil and gas and shipping activities with a goal of developing recommendations for risk reduction measures to reduce the possibility of marine accidents. The Coast Guard should take the lead in coordinating an assessment among Arctic stakeholders, including as appropriate other Arctic nations, regarding placement and maintenance of aids to Arctic navigation; appropriate Arctic marine safety, tug, and salvage capabilities; oil spill prevention and response capabilities;

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[2] National Commission on the Deepwater Horizon Oil Spill and Offshore Drilling, "Deepwater: The Gulf Oil Disaster and the Future of Offshore Drilling" 304 (January 2011).

Arctic maritime domain awareness, including long-range vessel tracking; and Arctic search and rescue. In initiating the risk assessment, the NOC may consider the organizational model and lessons learned from the Aleutian Islands Risk Assessment.

We believe that lessons learned from engaging regional and local stakeholders in immediate efforts to mitigate risks from Arctic offshore activities may help inform longer term efforts by the NOC to establish and administer regional planning bodies for Alaska Large Marine Ecosystems, particularly for the Beaufort and Chukchi regions.

Conclusion

Our ability to respond with detailed recommendations to this set of plans is challenged by the vast scope of actions proposed by the NOC and the preliminary nature of the SAP outlines. For example, the process by which regional planning bodies will be identified remains unknown, and we find ourselves commenting on the basic suggestion that regional planning bodies will include only federal, state and tribal representatives. The SAP outline for Coastal and Marine Spatial Planning does not contain specific regional implementation guidelines, action items, milestones or work products, but rather provides descriptions of what those sections will contain. Such a broad and general set of plans makes it difficult to provide substantive comments on specific initiatives.

We understand that current planning is focused at the national level and that the NOC is preparing guidance for regional planning. We appreciate that it takes time to develop basic guidelines for CMSP planning for all of the United States and to communicate with the thousands of stakeholders concerned about that process. We look forward to seeing SAP outlines with more detailed and precise plans and the opportunity to offer more focused comments.

We must stress that the North Slope Borough needs to play a key role in regional planning for the Beaufort and Chukchi Seas, and should be a member of the regional planning body for Alaska. The Borough believes sub-regional planning groups to be an effective way of addressing the concerns of a region as large and diverse in ecosystems as Alaska.

While we appreciate many of the ideas put forth in the SAP outlines, we must also emphasize the value of issuing clear guidelines that define a simple, straightforward process through which stakeholders both understand and are comfortable with their roles in that process.

Finally, in Alaska's Arctic, we have immediate concerns regarding the possibility of impending oil and gas and shipping activities, and we recommend that the NOC focus on a planning model that facilitates regional planning immediately, even if regional and sub-regional planning bodies are not formally established until a later date. The Arctic's coastal and marine ecosystems are unique, as are the challenges associated with planning and development in the Arctic environment. If our goal is to address challenges to our

coastal and marine ecosystems, we recommend that the NOC consider innovative approaches to regional planning focused on likely near-term activities in the Beaufort and Chukchi Seas. As a longer term measure, but starting as soon as possible, we suggest that the NOC consider initiating a risk assessment for Arctic offshore oil and gas and shipping activities with a goal of developing recommendations for risk reduction measures to reduce the possibility of marine accidents.

Thank you for considering these comments. We look forward to working with NOC as it continues developing the strategic action plans for implementing the National Ocean Policy.

Sincerely,

P.P.

Andy Mack

Attachments: Exhibit A, July 1, 2011 Comments on Specific Strategic Action Plan Content Outlines for the Nine Priority Objectives for Addressing Challenges to Our Coastal and Marine Ecosystems

Cc: Senator Lisa Murkowski
Senator Mark Begich
Congressman Don Young
Governor Sean Parnell
David Hayes, Department of the Interior
Kim Elton, Department of the Interior
Pat Pourchot, Department of the Interior
Rex Rock, President and CEO, ASRC
Harold Curran, CAO, NSB
Bessie O'Rourke, NSB Attorney
Taqulik Hepa, NSB Director, Department of Wildlife Management
Dan Forster, NSB Director, Planning Department
Karla Kolash, Advisor the Mayor, NSB, Mayor's Office

North Slope Borough

July 1, 2011 Comments on Specific Strategic Action Plan Content Outlines for the Nine Priority Objectives for Addressing Challenges to Our Coastal and Marine Ecosystems

Exhibit A

North Slope Borough Comments on Individual Strategic Action Plan Content Outlines for the National Ocean Council's Nine Priority Objectives for Addressing Challenges to Our Coastal and Marine Ecosystems

July 1, 2011

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5. Resiliency and Adaptation to Climate Change and Ocean Acidification Strategic Action Plan

Action 1 should include "sound dispersion" in milestone item 4: "…including thermal and pH change, alterations in oceanic circulation patterns, variations in precipitation and freshwater input, and biogeographic range shifts."

6. Regional Ecosystem Protection and Restoration Strategic Action Plan

Many action items within this SAP are written in the context of working with regional ocean governance organizations. However, Alaska/Arctic does not have a regional ocean governance organization established. An ocean governance organization should be established for this region, such that native communities are an integral part of the organization and the decision making process, especially in cases as Action 7 which determines the designation of marine sanctuary areas.

8. Changing Conditions in the Arctic Strategic Action Plan

The above Strategic Action Plan (SAP) comprises most critical issues that afflict the Arctic region and that are within the National Ocean Policy (NOP) priorities. However, the plan does not include an action item that addresses "Resilient and healthy Arctic communities and economies", as stated in the "Context and Continuity" section as one the of the focus areas for the "Changing Conditions in the Arctic Strategic Action Plan". Therefore, we recommend that a seventh action item be included in this SAP, and that the outcomes and milestones within this plan address improving the infrastructure, economy and health in Arctic communities.

All SAPs within the NOP address the needs for improved communication, data sharing and management, and coordination of efforts. However, remote communities, especially in the Arctic region, are at a disadvantage from the starting point in the NOP, because their means of communication are not comparable to most regions in the USA. The speed and volume of data that can be transmitted via the "world wide web" and "mobile systems" in these communities is low, and precludes coordination of management efforts, data sharing and effective communication. Therefore, it is essential to improve the infrastructure that supports effective communication systems in the Arctic and other remote communities. This should be done

within a near-term or mid-term timeframe so that Arctic communities are truly included in the NOP-SAP.

The time frame in Action 1 “Improve environmental response management” is mid-term, and its success is highly dependent on the outcomes of Actions 2, 3 and 4, which are all within the long-term time frame. Action 1 does not seem viable within a mid-term time frame, especially because this action does not include the presence of an operating heavy ice breaker in the Arctic. It is illogical to list “Partner with industry to ensure the development of oil spill prevention, containment, and response infrastructure, plans, and technology that are proven effective in ice-covered seas” as a milestone, when in fact the parameters defining effective oil spill prevention and containment in ice-covered areas are mostly unknown.

The milestones in Action 3 should include the participation of private industry in the Distributed Biological Observatories (DBO). Furthermore, the winter season should be included in the second item of “Gaps and Needs in Science and Technology” in Action 3.

9. Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure Strategic Action Plan

Action 3 is not clear on what are “advanced observation and sampling technologies”. The description of this action should include examples of such technologies and the criteria that are used to rank these technologies as advanced.

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Coastal and Marine Spatial Planning:

Sierra Club Marine Action Team

(3 pages)

- EBM approach to CMSP. Regional Planning Bodies (RPBs) have political boundaries, whereas ecosystems cross political boundaries. This Strategic Action Plan should spell out procedures for RPBs to coordinate management actions, e.g. protection of migrating whales, which cross boundaries of adjacent RPBs. Maps and data provided by CMSP tools should not be cut off at political boundaries.

- Outreach and Education: Currently, private industries that oppose the National Ocean Policy cast CMSP in an unfavorable light. The Stakeholder and Public Engagement and Participation section of this SAP should spell out an outreach strategy for educating average Americans as to the concepts and benefits of CMSP.

- Implementation Schedule: The target date for Regional Planning Bodies to produce coastal and marine spatial plans (CMS plans) is 2020, which is a long time from now. We urge more ambitious efforts to implement the National Ocean Policy, with at least some of the Regional Planning Bodies producing CMS plans within the next 3-5 years.

Acknowledgement of progress on CMSP since our comments submitted April 29, 2011:

In our previous comments, we presented an example of CMSP tools that were insufficient for the purpose of assessing the probabilities of North Atlantic Right Whales (NARWs) being in, or traversing through, the BOEMRE Massachusetts Request for Interest (RFI) in the area off the coast of the state of Massachusetts. This is because the data layer for the NARWs shown on the Massachusetts Ocean Resource Information System (MORIS) was cut off, apparently at a political, rather than ecological, boundary (See FIGURE 1 below). Subsequently, we were pleased to discover the Northeast Data Portal, which provides an example of how CMSP <u>should</u> be designed (See FIGURE 2 below). Note that the data layer for the NARWs not only encompasses the entire BOEMRE area, but also extends into the Canadian waters of the Gulf of Maine. Such ecosystem-based tools should be employed in each of the planning regions, and a federal database should provide data layers that cover multiple planning regions, e.g. the Atlantic coast, where they occur.

FIGURE 1: CMSP OVERLAY FROM MORIS SHOWING NORTH ATLANTIC RIGHT WHALE SITINGS PER UNIT EFFORT.

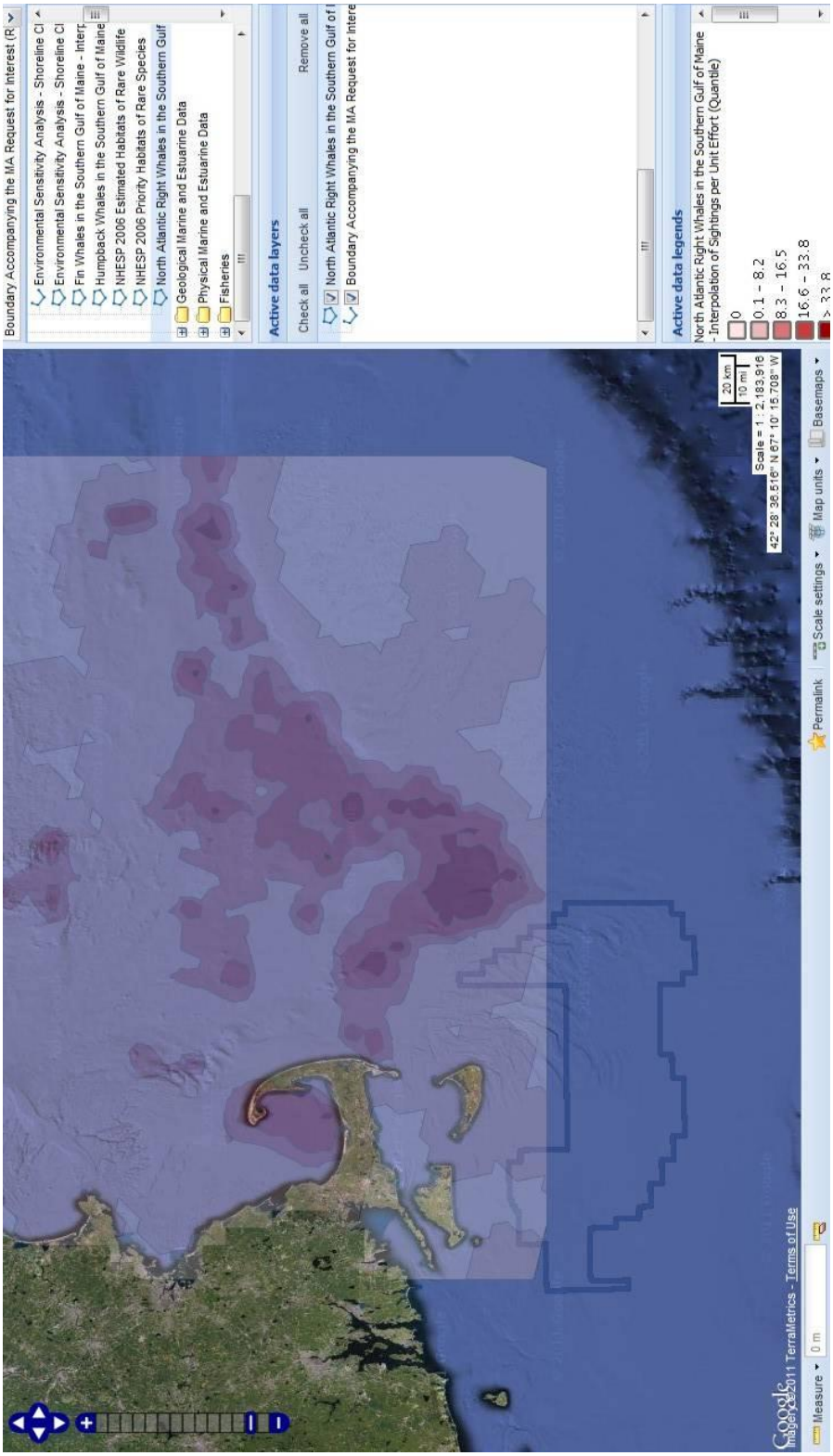
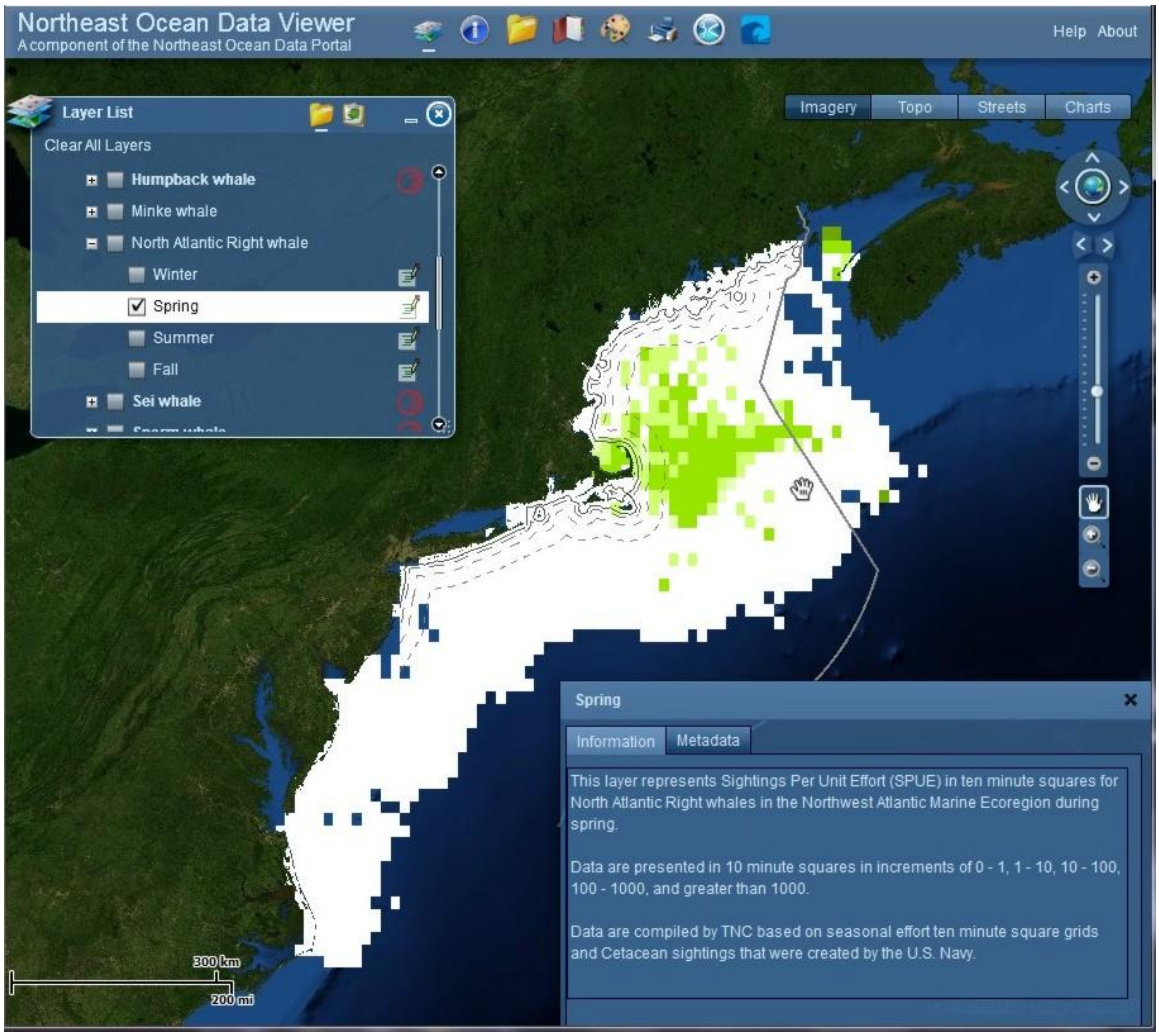


FIGURE 2 – NORTHEAST OCEAN DATA VIEWER SHOWING NORTH ATLANTIC RIGHT WHALES SIGHTINGS PER UNIT EFFORT - SPRING



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Coastal and Marine Spatial Planning:

Comment of National Estuarine Research Reserve Association, CMSP

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 2 – Coastal & Marine Spatial Planning (CMSP)

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 2 – Coastal & Marine Spatial Planning (CMSP) Action Plan.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 2.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**
    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

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phone 202-236-4819 • www.nerra.org

- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.
- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**
    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.
    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.
    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**
    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.
    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.
    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 2 – Coastal & Marine Spatial Planning (CMSP)</u>

The National Estuarine Research Reserve System has community credibility and on-the-ground experience in convening coastal and ocean stakeholders and in gathering baseline data at all 28 reserve sites. The National Ocean Council should use this NOAA program to assist with the CMSP process.

NERRA recommends the following:

1. Build upon the existing NOAA and state programs to provide stakeholder and public engagement.

2. Use the existing NOAA placed sites to provide protocols for consistent scientific data collection on environmental changes relevant to planning efforts.

3. Climate and sea level rise data should be included as a factor in planning.

NERRA strongly supports the NOC in its work to finalize and implement the CMSP objective action plan. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Coastal and Marine Spatial Planning:

Quinault Indian Nation, CMSP

(3 pages)

Quinault Indian Nation
POST OFFICE BOX 189 □ TAHOLAH, WASHINGTON 98587 □ TELEPHONE (360) 276-8211

SAP 2. Coastal and Marine Spatial Planning

General Comments
The Quinault Indian Nation (QIN) has closely followed the Coastal and Marine Spatial Planning (CMSP) effort by the federal government. The QIN has participated in numerous local and regional forums on CMSP since the President's announcement that a National Ocean Policy (NOP) would be created that included CMSP. We have commented on the Final Recommendations and have been invited to speak to the Ocean Policy Task Force regarding CMSP and the NOP. We applaud President Obama's foresight in maintaining and protecting ocean uses while planning for the future so that future generations will have access to the cultural, subsistence and economic resources of the ocean that are part of Quinault's identity.

RPB's
We have made it clear that as a tribe that holds treaty rights to ocean resources with the United States we must have a seat on any Regional Planning Body (RPB) formed for the west coast region. We are sovereign, we are managers and it is the trust responsibility of the U.S. government to maintain our treaty resources and access to them. The QIN co-manages over 2,900 square nautical miles of ocean adjacent to Washington State. Our jurisdiction extends well beyond state waters into the federal EEZ. For these reasons alone any RPB will have to have a voting Quinault policy representative in order to fulfill its mandate while insuring protection of Quinault treaty rights.

As a manager of our area, we concur that coordinating the many authorities in ocean areas will be a key to CMSP success. We welcome such coordination with the many federal agencies that have jurisdiction in our waters including NOAA, U.S. Navy, USFWS, BOEMRE and others. Any forum that can simplify this overlapping management would be a step forward for ocean management in the QIN area. These agencies along with the state of Washington agencies must work together and share information to make any CMSP effort worthwhile.

We appreciate that RPB early actions and planning activities will have the flexibility needed to adapt to regional needs and priorities. The west coast RPB will have different priorities and governance structures than others.

Quinault will closely follow the development of the "National Objectives and Performance Milestones and Measures" for CMSP. These are obviously important to the process and will give insight into what specifically the NOC is expecting from the regions. These measures will need to be carefully defined so that CMS plans will have tracking, evaluation and adaptive management ability.

Data Portal and IMS
Quinault has found it difficult at times to procure information needed to better characterize and evaluate our ocean area. Datasets exist that have been gathered using federal funds and Quinault should have access to all such data collected from our treaty ocean area. The Data Portal and Information Management System (IMS) should greatly augment Quinault's and other coastal entities' ability to find and utilize available data. We welcome a federal mandate to its agencies and funding recipients to upload all such data into a central data repository in formats that are usable by managers and the public.

Objective 3- regulatory consistency, transparency and coordination of agencies
The NOC needs to define "sustainable and beneficial ocean use". Terms such as these are easily manipulated and can become something other than intended. Is fishing sustainable and beneficial? Is oil extraction on the continental shelf? Is whale watching? Who will decide what is and what isn't sustainable and beneficial? The same term is used in Objective 4 but in the last bullet of the conclusion of the draft SAP it is changed to "sustainable and productive ocean uses." Definitions and consistency are essential for terms such as these.

IV Regional Implementation, Actions and Milestones, and Work Products.
Quinault has already stated that we must have a voting seat on the west coast RPB and the RPB must have us on it to have comprehensive representation of the coastal authorities on the west coast. We believe an RPB seat should be offered to any of the four coastal treaty tribes that request one. The State of Washington will work with tribes within Puget Sound that have treaty rights in state waters. The coastal treaty tribes are unique in having authority reserved by treaty in federal as well as state marine waters.

We understand the **Regional CMSP Development Agreements** should have been termed "Charters" and that they will not hold a party to acceptance of a CMS Plan submitted by the region to the NOC. Agreement to participate in the RPB process however is fully contingent on funding to support that participation at the proper level that insures Quinault's treaty rights are protected in any CMS Plans.

Regional Capacity Assessments should be blunt regarding abilities, funding needs and potential conflicts.

Regional CMSP Workshops will be a critical learning tool for a wider audience than the National Workshop. It will also allow a more focused effort to identify issues that will face the RPB as it begins work. In some larger areas it will be wise to have more than a single Regional Workshop due to travel constraints and overall budgetary savings.

NOC certification of regional CMS Plans needs an additional essential element, consultation with any recognized tribes that may be affected by those plans. Consultation with tribes per Executive Order 13175 is recognized by federal agencies and any plan that is federally mandated must also follow that EO. States must be held responsible for conducting meaningful consultation with tribes in their respective areas if they are developing CMS Plans.

Quinault agrees with some comments heard at the National Workshop on CMSP that any **regional plans should start small**, concentrating on workable areas that have sufficient data to conduct CMSP and learn from those experiences before beginning wider scale planning based on insufficient data. The RPB's should have the flexibility to concentrate their early efforts in data rich areas.

VI Legal Analysis and Guidance

The NOC will need to inform all RPBs of the tribal consultation process and treaty rights where they exist in marine areas or may be affected by actions in marine area.

IX Conclusion

Empowering regional bodies to conduct this ambitious plan will not be simple. It may be to the benefit of the NOC and the States to have a more localized approach in larger regional planning areas such as the West Coast. Ideally the three states and four tribes will work on plans for their respective areas, come to the RPB to determine if conflicts arise with neighboring areas and create a regional plan. Giving the RPB much power other than to guide CMSP efforts will create tensions needlessly.

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Coastal and Marine Spatial Planning:

Statoil

(4 pages)

July 1, 2011

SUBMITTED ELECTRONICALLY

Michael Weiss
Deputy Associate Director for Ocean and Coastal Policy
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Comments of Statoil USA E&P Inc. on Strategic Action Plan Content Outline Regarding Coastal and Marine Spatial Planning

Dear Mr. Weiss:

Statoil USA E&P Inc. (Statoil) appreciates the opportunity to submit comments on the National Ocean Policy's strategic action plan outline for Coastal and Marine Spatial Planning (CMSP). We believe active engagement with stakeholders and the public is necessary to ensure a sound and balanced National Ocean Policy.

Exploration of the Outer Continental Shelf (OCS) is a primary objective of Statoil. We remain concerned, however, with how CMSP will be implemented, particularly on the Outer Continental Shelf (OCS), an area already subject to rigorous planning and balancing under the Outer Continental Shelf Lands Act (OCSLA). In order to prevent unnecessary delays and duplicative permitting requirements, Statoil strongly believes the NOC should exempt OCS and associated areas from the scope of anticipated CMSP activities.

I. BACKGROUND ON STATOIL

Statoil and its affiliates comprise an international energy enterprise with operations in forty countries. We have more than thirty-five years of experience from oil and gas production on the Norwegian Continental Shelf, where we operate 80% of the production. Statoil is the largest offshore operator in the world, and we are committed to accommodating the world's energy needs in a responsible manner, applying technology, and creating innovative business solutions.

Statoil began building its upstream petroleum assets in the US market in 2002, and we have invested over $14 billion to grow our upstream business. Statoil is one of the largest leaseholders in deepwater Gulf of Mexico and holds significant positions in the Alaska Chukchi Sea. Over the past two years, we entered into joint venture agreements for onshore gas production in several eastern states and Texas.

In 2008, Statoil acquired sixteen leases during the MMS's OCS Lease Sale 193 in the Alaska Chukchi Sea. We successfully completed a 3-D marine seismic program on our leases and adjacent areas during the open water season of 2010 and are planning a shallow hazards and soil investigation program for the 2011 open water season. Statoil is also a 25% owner in

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ConocoPhillips' Devils Paw prospect in the Chukchi Sea and has worked cooperatively with Shell and ConocoPhillips to collect environmental baseline data in the region.

Statoil is the designated operator on 181 leases in the Gulf of Mexico. We continue to invest in the Gulf and obtained twenty-three leases during MMS's Central Gulf of Mexico Outer Continental Shelf Lease Sale 208 in March 2009, and obtained twenty-one leases in Lease Sale 213 in March 2010.

II. COASTAL AND MARINE SPATIAL PLANNING

A. IMPACT ON PERMITTING

Statoil reiterates the concerns and recommendations included in our April 29, 2011 comment letter on the development of a Strategic Action Plan for Coastal and Marine Spatial Planning (CMSP). In short, Federal actions for oil and gas activities on the OCS are conducted in accordance with the OCSLA, which already provides robust consideration and protection of coastal and marine environments. Adding a new set of regulations and restrictions on top of existing management mechanisms such as the Interior Department's 5 year plan, OCSLA provisions and related regulations, and the Coastal Zone Management Act threatens to delay, restrict, and add new costs to offshore oil and gas exploration and development activity, thereby decreasing our domestic supply of energy and increasing energy prices for consumers. Statoil continues to urge the NOC to exempt OCS oil and gas lease areas and associated corridors to onshore areas from any new CMSP requirements.

An additional concern regarding implementation of a National Ocean Policy is the potential for CMSP to result in exclusionary zoning. Greater predictability associated with permitting activities will be of little value if accompanied by permit denials and the exclusion of large geographic areas from consideration for commercial activity.

B. ECONOMIC IMPACTS

The CMSP Strategic Action Plan Full Content Outline ("CMSP Outline") states that CMSP is "intended to facilitate sustainable economic growth in coastal communities by increasing transparency and predictability for economic investments…" It adds that CMSP should promote "enhanced national energy security and trade and provide economic incentives, such as more predictable and faster project implementation, for a wide range of commercial users." CMSP Outline at 3.

It is imperative that all aspects of the National Ocean Policy are implemented and developed with an informed, clear understanding of the potentially adverse economic implications associated with the new, revised, or expanded use of federal guidelines, requirements and regulations. In particular, before CMS Plans come into effect, Statoil believes it is essential for the NOC to carefully and robustly examine the potential impacts CMSP will have on the ability to produce oil and gas from the OCS. This should include an assessment of potential impacts on the broader U.S. economy, impacts on employment, and impacts on affected oil-producing states such as Alaska and those in the Gulf of Mexico. Any such analysis should encompass not only the areas where oil will be produced, but also rigorously evaluate the impact of CMSP on the the

potential locations and routes for oil and gas infrastructure, such as pipelines, that would be necessary to move hydrocarbons to market. It is imperative that leaseholders have the ability to explore their leases and to bring these areas into production, which necessarily requires the ability to build infrastructure both on and off lease.

C. POTENTIAL LITIGATION TOOL

The "Legal Analysis and Guidance" section of the CMSP Outline states that the NOC's SAP will provide an "analysis of how various statutory authorities of particular agencies can be harmonized in order to support comprehensive, integrated regional CMSP." Outline at 9. Statoil urges the NOC to give careful consideration to how development of CMSP could lead to new disputes and litigation among user groups, potentially threatening to jeopardize opportunities for and access to productive ocean uses.

D. REVISED TIMELINES

Statoil believes that before moving forward with implementation, additional time is needed to allow for significant and meaningful engagement of the public, stakeholders, and Congress, in addition to comprehensive studies that carefully examine the policy's potential impacts. The CMSP implementation timeline included in the Final Recommendations adopted in last year's executive order called for all initial CMS plans to be completed and certified by mid-2015;[1] the CMSP Outline proposes a national objective to have initial CMS plans developed by 2020.[2]

Statoil supports actions that provide time and opportunity for adequate engagement, studies, and analysis to take place. Statoil urges the NOC to take adequate time for CMSP implementation and accommodate appropriate engagement and comprehensive, stakeholder-reviewed studies prior to implementation.

III. CONCLUSION

Statoil wants to ensure that implementation of a National Ocean Policy is done in such a way that is helpful rather than harmful to the important national interests, including the interests of commercial and recreational users of the oceans and marine-related energy and natural resources. Federal actions for oil and gas activities on the OCS are conducted in accordance with the OCSLA, which already provides robust consideration and protection of coastal and marine environments.

Since the CMSP outline "serve[s] as an early and valuable point" in "an ongoing [plan development] process to be further informed by comments received during the public comment period," Statoil hopes that the concerns and recommendations contained herein are carefully considered for incorporation into the full draft Strategic Action Plan to be released in the fall of

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[1] *See* Final Recommendations at 69.

[2] *See* CMSP Outline at 4.

2011. Accordingly, Statoil urges the NOC to exempt OCS oil and gas lease areas and associated corridors to onshore areas from any new CMSP-based planning or regulatory requirements.

Thank you for consideration of our comments.

Very truly yours,

James R. Meek
Vice-President – Commercial & Negotiations
Exploration North America

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Coastal and Marine Spatial Planning:

Association of Fish and Wildlife Agencies

(3 pages)

ASSOCIATION of FISH & WILDLIFE AGENCIES

The voice of fish and wildlife agencies

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July 1, 2011

Honorable Nancy Sutley, Chair
National Ocean Council
722 Jackson Place, N.W.
Washington, D.C. 20503

RE: State Fish and Wildlife Agencies' Comments on Draft Strategic Action Plans Including Coastal and Marine Spatial Planning

Dear Ms. Sutley:

On behalf of the Association of Fish and Wildlife Agencies (Association), thank you for the opportunity to comment on the nine priority strategic plan outlines and on coastal and marine spatial planning in particular. We greatly appreciate the work you and the National Ocean Council staff, staff of the federal agencies, and others have done in pulling together the outlines.

The Association represents all 50 state fish and wildlife agencies regarding the conservation and management of fish and wildlife resources. Many of our member agencies have statutory responsibilities for marine fish and wildlife resources, and the Association has a long history of assisting with the development of marine policy, regulations, and legislation, including re-authorization of the Magnuson-Stevens Act. The Association has an Ocean Resource Policy Committee and is devoting significant attention to marine conservation issues, including aquaculture, energy development, climate change impacts, recreational fishing access, and sustainable fisheries management. We remain prepared to work with you on such issues, both now and in the future, and we hope you will consider the Association a valuable source of insights for marine conservation issues, especially given state trust responsibilities for aquatic resources.

The development of the nine strategic action plans appears to be focused on creating a framework for marine and coastal policy coordination. To ensure an effective outcome, it is important that any broad ocean policy and coastal and marine planning effort have clearly defined expected outcomes and an appropriate timeline. It should also provide both the states and the users of coastal and marine resources with primary authority to develop ocean and coastal policies. While we understand that this is an evolving process, these have not been adequately established to date.

The health and management of our coastal and marine resources is simply too critical to engage in a process that does not provide clearly defined outcomes, or a meaningful avenue and time frame for both state and public input and support. We are also concerned with the lack of clarity regarding the role and authority of the proposed Regional Planning Bodies (RPBs). It is critical that the role and authority of these bodies be defined early in conjunction with governance and founding charters. To be successful, the role and authority should be established in close partnership with anticipated partners and members of the bodies, not given to the RPBs as formal guidance documents.

In earlier letters to you (October 16, 2009) and Michael Weiss (February 12, 2010) we addressed some of our thoughts as you began the process of establishing a National Ocean Policy and a framework for coastal and marine spatial planning (CMSP). In those letters, we indicated our support for both ecosystem-based management and CMSP as constructive tools for addressing the challenges facing our nation's coastal and marine resources. We continue to believe that these tools can be effective, but that there must be flexibility in their application.

Several of our agencies recently attended the National Coastal and Marine Spatial Planning Workshop. The workshop gave us a better understanding the CMSP process and the role of the RPBs. While the workshop was valuable, there are some issues that remain of concern to our membership.

First, we support a major role and voice for the coastal states in coastal and marine policy making and decisions. Coastal states must be recognized as partners with sovereign jurisdictions and authorities, not relegated to stakeholder status in coastal and marine policy development and implementation. To that end, state fish and wildlife agencies should be included on the RPBs. The state fish and wildlife agencies have had responsibility for managing the fishery and wildlife resources of this country for more than 100 years. We have direct management authority over fishery resources to the limits of state waters. We also have direct authority over wildlife along the coasts; we cannot forget that land species will also be affected by implementation of the National Ocean Policy. We are disappointed with the lack of representation by our member agencies on the committees established to date under the National Ocean Policy. We believe the most effective and efficient mechanism for our agencies' engagement at this point would be to have a seat for each state's fish and wildlife agency on each of the RPBs; we cannot rely on other state agencies to grasp the intricacies of our management authorities. We also support inclusion of our partners at the regional fishery management councils on the RPBs as well. Fish and wildlife managers must be at the table.

Second, we want to ensure that the RPBs do not interfere with long-standing fishery management authorities. We believe the management structures in place under state laws and the Magnuson-Stevens Act should be given strong consideration. National Ocean Policy must be implemented in accordance with these existing authorities.

Third, the issue of flexibility for CMSP was raised repeatedly during the recent workshop. Flexibility will be crucial to the success of this process. The National Ocean Council needs to establish flexibility in where and when CMSP is rolled out as well as in boundary issues. With regard to the "wheres and whens" of CMSP, we encourage you to approach this effort in

manageable segments. We concur with others whom have observed that CMSP should be undertaken where the concept is desired. Several regions have already initiated spatial planning processes and it makes sense that these on-going efforts can be used to pilot the national CMSP effort. It does not make sense to attempt to conduct all of the CMSP efforts at the same time. Similarly, the NOC must be flexible enough to allow the RPBs to conduct joint activities as well. Coastal and marine resources require flexibility in jurisdiction.

CMSP also must not hinder the planning done at the local or state levels. Planning is an inherently state or local function. States and localities have the infrastructure in place for planning. For instance, in Oregon local government plans are the backbone of the state's planning process. It would be unfortunate if CMSP undercut the importance of local and state planning by essentially creating a "middle-up" approach from regions to the national level. As CMSP efforts get underway, we do believe, however, that it makes sense to ensure some consistency within and between regions.

Finally, we continue to have concerns with the resources necessary to accomplish this initiative. We are particularly concerned that CMSP will divert resources, particularly from the National Marine Fisheries Service (NMFS) budget, to undertake the large data compilation and analysis required by CMSP. In an era of tight budgets, we cannot endorse the use of limited resources for CMSP when the critical stock assessment needs of the agency are not funded at sufficient levels. In addition, while state fish and wildlife agency administrators need to be involved in CMSP, capacity issues remain of concern especially in light of staffing reductions, travel restrictions, and other budget-related problems. We appeal to the Administration to provide direct financial assistance to state fish and wildlife agencies to assist with meeting the needs of this new federal planning effort.

Once again, thank you for the opportunity to offer these comments. We look forward to working with the Administration on these issues in the future.

Sincerely,

Curtis Taylor
President

cc: Coastal State Directors
Eric Schwaab, NMFS

Index: Attachments to Comments

Coastal and Marine Spatial Planning:

Center for Regulatory Effectives

(9 pages)

Center for Regulatory Effectiveness

C R E

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July 1, 2011

Nancy H. Sutley
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Re: Comments on Strategic Action Plan Content Outlines

Dear Chairwoman Sutley:

The Center for Regulatory Effectiveness (CRE) is pleased to submit these comments to the National Ocean Council (NOC) regarding NOC's Notice of Availability of the Strategic Action Plan Content Outlines and request for comments.[1] Coastal Marine Spatial Planning as proposed, is redundant of existing frameworks for managing ocean uses, it is operating without the requisite Congressionally approved legal authority, and lacks transparency and involvement from stakeholders. Accordingly, CRE recommends that NOC use existing legislative and regulatory frameworks to manage the ocean. In the alternative, CRE recommends that NOC implements CMSP in a more transparent manner that includes greater involvement by stakeholders and compliance with the Data Quality Act.

I. CMSP is Redundant of Existing Legal Frameworks

A. OCSLA Provides a Comprehensive Framework to Govern Ocean Uses

The Outer Continental Shelf Lands Act (OCSLA), administered by the Department of the Interior (DOI), establishes the framework for regulating and planning ocean uses. Specifically, OCSLA mandates that:

> Management of the Outer Continental Shelf shall be conducted in a manner which considers economic, social, and environmental values of the renewable and nonrenewable resources contained in the Outer Continental Shelf, and the

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[1] 76 Fed. Reg. 33726, June 9, 2011.

> potential impact of oil and gas exploration on other resources values of the Outer Continental Shelf and the marine, coastal, and human environments.[2]

Importantly, when citing energy development projects on the Outer Continental Shelf, the Secretary is required to consider impacts on all of the ocean waters, not just the Outer Continental Shelf. Specifically, the Secretary must consider the impacts on "marine, coastal, and human environments."[3] Marine environment is defined as the "physical, atmosphere, and biological components…[that] determine the productivity, state, condition and quality of the marine ecosystem, including the *waters of the high seas*, contiguous zone, *transitional*, and *intertidal areas*, *salt marshes*, and *wetlands within the coastal zone*."[4] The coastal environment includes the physical and biological features that affect the condition and quality of the "terrestrial ecosystem from the shoreline inward to the boundaries"[5] of the coastal waters and adjacent shore lands, including "islands, transition and intertidal areas, salt marshes, wetlands, and beaches."[6]

In addition, OCSLA requires the Secretary of the interior to consider:

> (a) existing information concerning the geographical, geological, and ecological characteristics of [energy development] regions;
>
> (b) an equitable sharing of development benefits and environmental risks amonth the various regions;
>
> …
>
> (d) the location of such regions with respect to other uses of the sea and seabed, including fisheries, navigation, existing or proposed sealanes, potential sites of deepwater ports, and other anticipated uses of the resources and space of the outer Continental Shelf;
>
> …
>
> (F) laws, goals, and policies of affected States which have been specifically identified by the Governors of such States as relevant matters for the Secretary's consideration;
>
> (G) the relative environmental sensitivity and marine productivity of different areas of the outer Continental Shelf; and

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2 43 U.S.C. § 1344(a)(1).

3 *Id.*

4 *Id* at § 1331(g) (emphasis added).

5 *Id* at § 1331(h).

6 *Id* at § 1331(e).

> (H) relevant environmental and predictive information for different areas of the outer Continental Shelf.[7]

Similar to OCSLA, CMSP proposes to provide a "comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of ocean, coastal, and Great Lakes areas."[8] President Obama's Executive Order further defines CMSP as a program that "identifies areas most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce environmental impacts, facilitate compatible uses, and preserve critical ecosystem services to meet economic, environmental, security, and social objectives."[9]

Thus, spatial planning for future and anticipated ocean uses under CMSP is the very same comprehensive planning that already occurs under OCSLA. As such, CMSP will create redundancy of existing regulatory frameworks. The redundancy of ocean planning will come at a great cost to taxpayers that will provide questionable improvements over the existing regulatory program conducted by DOI.

B. OCSLA Requires a Balancing of Environmental and Economic Uses of the Ocean

Under OCSLA, the Secretary is required to "consider available relevant environmental information in making decisions…, in developing appropriate regulations and lease conditions, and in issuing operating orders."[10] The Secretary is required to "conduct a study of any area or region included in any oil and gas lease sale or other lease in order to establish information needed for assessment and management of environmental impacts on the human, marine, and coastal environments of the outer Continental Shelf and the coastal areas which may be affected."[11]

Moreover, before any leasing decisions are made, the Secretary of Interior must "obtain proper balance between the potential for environmental damage, the potential for the discovery of oil and gas, and the potential for adverse impact on the coastal zone."[12] In *California v. Watt*, the D.C. Circuit Court held that the Secretary of the Interior "must strike the proper balance 'to the maximum extent practicable.' The Secretary must evaluate [energy development], which can

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[7] *Id* at § 1344(a)(2).

[8] White House Council on Environmental Quality, *Final Recommendations of the Interagency Ocean Policy Task Force,* at 41 (July 19, 2010) available at http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf

[9] Exec. Order No. 13547, 76 Fed. Reg. 43023 (July 22, 2010) available at http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf

[10] 43 U.S.C § 1346(d)

[11] 43 U.S.C § 1346(a)(1)

[12] 43 U.S.C § 1344(a)(3)

be quantified in monetary terms, in conjunction with environmental and social costs."[13] The court further found:

> The [Secretary's] obligation…is to look at all factors and then balance the results. The Act does not mandate any particular balance, but vests the Secretary with discretion to weigh the elements so as to "best meet national energy needs." The weight of these elements may well shift with changes in technology, in environment, and in the nation's energy needs, meaning that the proper balance for 1980-85 may differ from the proper balance for some subsequent five-year period.[14]

Subsequent the leasing and development of an area pursuant to OCSLA, the Secretary is required to conduct additional studies as necessary and to monitor the marine and coastal environments and to identify significant changes to those environments.[15] The Secretary must also submit to Congress and assessment of cumulative impacts of activities conducted under the OCSLA on human, marine, and coastal environments every three years."[16]

C. OCSLA Requires Interagency and Public Involvement

CMSP is being established with the priority objective of having a regional approach that includes working closely with state, local, and tribal governments. However, OCSLA already has mechanisms in place that incorporate the recommendations of local and state officials in the planning and siting process. For example, OCLSA requires, "The Secretary shall, by regulation, establish procedures for carrying out his duties under this section, and shall plan and carry out such duties in full cooperation with affected States…The Secretary may also utilize information obtained from any State or local government, or from any person, for the purposes of this section. For the purpose of carrying out his responsibilities under this section, the Secretary may by agreement utilize, with or without reimbursement, the services, personnel, or facilities of any Federal, State, or local government agency."[17] In addition, the Secretary must consider the recommendations of local and state governments regarding the size, time, or location of

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13 *California v. Watt*, 668 F.2d 1290, 1317 (D.C. Cir. 1981).

14 *Id.*

15 43 U.S.C § 1346(b) ("Subsequent to the leasing and developing of any area or region, the Secretary shall conduct such additional studies to establish environmental information as he deems necessary and shall monitor the human, marine, and coastal environments of such area or region in a manner designed to provide time-series and data trend information which can be used for comparison with any previously collected data for the purpose of identifying any significant changes in the quality and productivity of such environments, for establishing trends in the areas studied and monitored, and for designing experiments to identify the causes of such changes).

16 *Id.*

17 43 U.S.C § 1346(c)

proposed lease sales.[18] Finally, the Secretary is authorized to form cooperative agreements with affected states for the purpose of "sharing information,…the joint utilization of available expertise, the facilitating of permitting procedures, joint planning and review, and the formation of joint surveillance and monitoring arrangements to carry out applicable Federal and State laws, regulations, and stipulations relevant to outer Continental Shelf operations both onshore and offshore."[19]

In addition, under OCSLA, the Secretary is required to keep Congress and the public apprised of the cumulative effects of oil and gas leasing. OCSLA provides, "As soon as practicable after the end of every 3 fiscal years, the Secretary shall submit to the Congress and make available to the general public an assessment of the cumulative effect of activities conducted under this subchapter on the human, marine, and coastal environments."[20]

D. CMSP Directly Conflicts with the Congressionally Established OCSLA

CMSP is being implemented by an executive order and without legislation. As discussed above, there is currently an existing statutory framework for managing ocean uses. The implementation of CMSP will interfere with Congressionally and Judicially established mandates. Moreover, Congress made its intent clear that OCSLA governs the use of the ocean Outer Continental Shelf:

> (1) the subsoil and seabed of the outer Continental Shelf appertain to the United States and are subject to its jurisdiction, control, and power of disposition as provided in this subchapter;
>
> (2) this subchapter shall be construed in such a manner that the character of the waters above the outer Continental Shelf as high seas and the right to navigation and fishing therein shall not be affected;
>
> (3) the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs.[21]

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[18] 43 U.S.C § 1345(a)
[19] 43 U.S.C § 1345(e)
[20] 43 U.S.C § 1346(e)
[21] 43 U.S.C. § 1332(a)(1)

CMSP has been established by an Executive Order. Generally, Executive Orders may enforce a law, but it cannot infringe upon Congress' exclusive power to enact legislation. Thus, an Executive Order cannot conflict with a clear Congressional mandate. As implemented, CMSP will be in direct conflict with the statutory framework created under OCSLA. The National Ocean Council should heed the recommendation of the Environmental Law Institute and proceed with CMSP via federal legislation.[22]

II. CMSP Lacks Transparency and Direct Representation of Stakeholders

Over the past year, the implementation of CMSP has been marked by a lack of transparency and participation by stakeholders. There has been extremely limited information on the source of funding for CMSP and the details of what CMSP will look like and how it will affect ocean users. Of more concern, is the lack of transparency and participation by current ocean users in CMSP.[23]

The lack of participation is especially prevalent with the related ocean planning program—The Department of Interior's Smart from the Start Initiative.[24] The Smart from the Start Initiative is seen as "test case" for CMSP.[25] As such, it has failed to be transparent and include current ocean users in the planning process. The Smart from the Start Initiative is a program that intends to streamline the leasing process for offshore wind energy by establishing Wind Energy Areas (WEAs), which are ocean locations that DOI has designated as particularly well suited for the development of offshore wind projects. However, in the process of citing WEAs, DOI has cut out current stakeholders from the planning process.

Specifically, fishermen have been shut out of the process in the siting of WEAs and leasing sites. In developing WEAs, formal consultations have not occurred with Regional

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[22] Environmental Law Institute, *Marine Spatial Planning in US Waters: An Assessment and Analysis of Existing Legal Mechanisms, Anticipated Barriers, and Future Opportunities*, p 63 (2009) available at http://www.policyarchive.org/handle/10207/bitstreams/22069.pdf

[23] The only place in all of the Strategic Action Plans that call for direct engagement with current ocean users is in the call for increased funding by the Corporate Wetland Restoration Partnership. National Ocean Council, *Regional Ecosystem Protection and Restoration Strategic Action Plan: Full Content Outline*, p. 6, June 2, 2011, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_6_repr_full_content_outline_06-02-11_clean.pdf (citing the goal to"Increase, by 50 percent, annual CWRP financial and in-kind contributions to Federal ocean, coastal, and Great Lakes protection and restoration projects").

[24] *See* Phil Taylor, *Interior Offshore Wind Leasing Program Seen as 'Test Case' for Marine Spatial Planning*¸ New York Times, June 23, 2011, available at http://www.nytimes.com/gwire/2011/06/23/23greenwire-interior-offshore-wind-leasing-program-seen-as-16182.html ("As the 27-agency National Ocean Council begins the formidable task of mapping out the myriad resources of the nation's oceans, lakes and coasts, some are looking to the Interior Department's offshore wind program for hints of how early planning can improve federal decisionmaking. Interior's plan to expedite wind leasing and development off the Atlantic Coast is viewed by some as an early glimpse of the potential for coastal and marine spatial planning, or CMSP.").

[25] *Id.*

Fishery Management Councils. For example, DOI recently published a RFI for potential leases in 3,000 square miles of ocean in the Nantucket Sound.[26] Fishermen and the public only became aware of the proposal after DOI held a hearing in New Bedford, with the comment period ending only 12 days later.[27] Massachusetts lawmakers were outraged by the lack of transparency and the speed with which DOI was moving ahead with the leasing process. In a letter signed by Senator Scott Brown, Senator John Kerry, and Representatives Barney Frank and John Tierney, the lawmakers proclaimed, "We feel that amount of time is insufficient for affected stakeholder to analyze and submit comments on an energy development proposal that could have lasting impacts in the region."[28] Representative Frank commented, "I am deeply disappointed by this decision by DOI and upset that neither Congress, the fishing industry, nor fishing regulators were notified before the decision was made."[29] After the outcry from the public and lawmakers, BOEMRE reduced the area allocated for the WEA by half.[30] Recognizing the detrimental impact on Massachusetts fishermen and interference with established shipping lanes, BOEMRE reduced the amount of land dedicated to wind leasing by half.[31]

As the "test case" for CMSP, the Smart from the Start Initiative has failed to be transparent and include current ocean users in the planning process.[32] Thus far, CMSP has suffered from the same deficiencies as it predecessor. This is especially evident by the National Ocean Council's failure to release to the public its heavily relied upon report, *Science for an Ocean Nation: An Update of the Ocean Research Priorities Plan*."[33]

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[26] 75 Fed. Reg. 82055, December 29, 2010.

[27] Patrick Cassidy, *Wind Energy Leasing Plan Under Fire by Mass. Lawmakers*, Cape Code Times, February 23, 2011, available at http://www.capecodonline.com/apps/pbcs.dll/article?AID=/20110223/NEWS/102230324/-1/rss02.

[28] *Id.*

[29] Lawmakers Demand More Public Input on US Offshore Wind Plan, Recharge News, February 23, 2011.

[30] The Bureau of Ocean Energy Management, Regulation and Enforcement, *BOEMRE Announces It Will Reduce Area Offshore Massachusetts Under Consideration for Commercial Wind Energy Leasing*, May 2, 2001, available at http://www.boemre.gov/ooc/press/2011/press0502.htm; *see also* Keith Chu, *US agency halves offshore Massachusetts wind leasing area*, Platts, May 2, 2011 available at http://www.platts.com/RSSFeedDetailedNews/RSSFeed/ElectricPower/6045512.

[31] *Id.*

[32] *See* Phil Taylor, *Interior Offshore Wind Leasing Program Seen as 'Test Case' for Marine Spatial Planning*¸ New York Times, June 23, 2011, available at http://www.nytimes.com/gwire/2011/06/23/23greenwire-interior-offshore-wind-leasing-program-seen-as-16182.html.

[33] National Ocean Council, *Inform Decisions and Improve Understanding Strategic Action Plan: Full Content Outline*, p. 2, June 2, 2011, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_3_idui_full_content_outline_06-02-11_clean.pdf (This report is being used "as the primary basis for prioritizing research activities within their agencies").

The NOC admits that in order to obtain economic, ecological, and social benefits, CMSP must "be transparent, and be informed by all stakeholders and the general public."[34] With the implementation of CMSP, the NOC has failed to fulfill these objectives.

III. The Data Quality Act Applies to CMSP

The DQA and its general government-wide guidance[35] requires that information disseminated to the public shall be "accurate, clear, complete and unbiased," shall be developed "using sound statistical and research methods," and shall be useful for its intended purpose.[36] If the information is considered "influential," it should be held to higher standards.[37] In particular, "influential" scientific information must be transparent with regard to the data and methodology used so that it is substantially reproducible.[38] Information is "influential" if it would have a "clear and substantial impact on important public policies or important private sector decisions."

If CMSP is to proceed as planned, the National Ocean Council must comply with the Data Quality Act (DQA). The proposed National Information Management System and Data Portal will be an information dissemination subject to the DQA. As stated by the NOC, to yield economic, ecological, and social benefits, CMSP "must incorporate the principles of *sound science* for ecosystem-based and adaptive management."[39] Full compliance with the DQA and its general government-wide guidance will ensure that the CMSP incorporates the principles of sound science.

IV. Conclusion

For the foregoing reasons, CRE recommends that the NOC work within the existing statutory and regulatory framework to develop a comprehensive plan to manage ocean uses. It is essential that the National Ocean Policy incorporates the United States national interests, which includes commercial and recreational ocean users. Thus far, the implementation of CMSP has lacked transparency and participation from stakeholders and the public. Moreover, CMSP is redundant of the existing framework created under OCSLA.

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[34] National Ocean Council, *Coastal and Marine Spatial Planning Strategic Action Plan: Full Content Outline*, p. 2, June 2, 2011, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_2_cmsp_full_content_outline_06-02-11_clean.pdf

[35] After OMB issued the government-wide guidance, all agencies issued their own conforming guidance.

[36] 67 Fed. Reg. at 8459.

[37] *Id.* at 8452.

[38] *Id.* at 8460.

[39] National Ocean Council, *Coastal and Marine Spatial Planning Strategic Action Plan: Full Content Outline*, p. 2, June 2, 2011, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/sap_2_cmsp_full_content_outline_06-02-11_clean.pdf

CRE will continue to monitor developments for CMSP on its Ocean Zoning Interactive Public Docket (IPD) and provide a forum for public comments, which CRE invites NOC to review periodically. The IPD is available at http://www.thecre.com/creipd/. If you need further information regarding any issue discussed in this comment letter, please do not hesitate to contact me at secretary1@mbsdc.com or (202) 265-2383.

Respectfully submitted,

Jim Tozzi
Center for Regulatory Effectiveness

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Coastal and Marine Spatial Planning:

Land and Sea Conservation Planning Project

(2 pages)

Box 1. Decision support tools applied to land-sea planning

Conservation planners often use numerical optimization tools (e.g., C-Plan, Marxan, Zonation) to help identify priorities for conservation. Two studies demonstrate novel methods for integrated land-sea planning using Marxan (Ball et al. 2010). Marxan has the capability to support comprehensive land-sea planning, including socioeconomic considerations, cross-system threats, and ecological processes.

Tallis et al. (2008) explored changes in the distribution of threats and the configuration of marine priority areas when cross-system threats were explicitly considered. They incorporated the impact of river-derived threats to identify conservation priorities in the US Pacific Northwest. They found that the spatial location of marine conservation priorities was substantially different between scenarios that incorporated and ignored cross system threats (Figure 1).

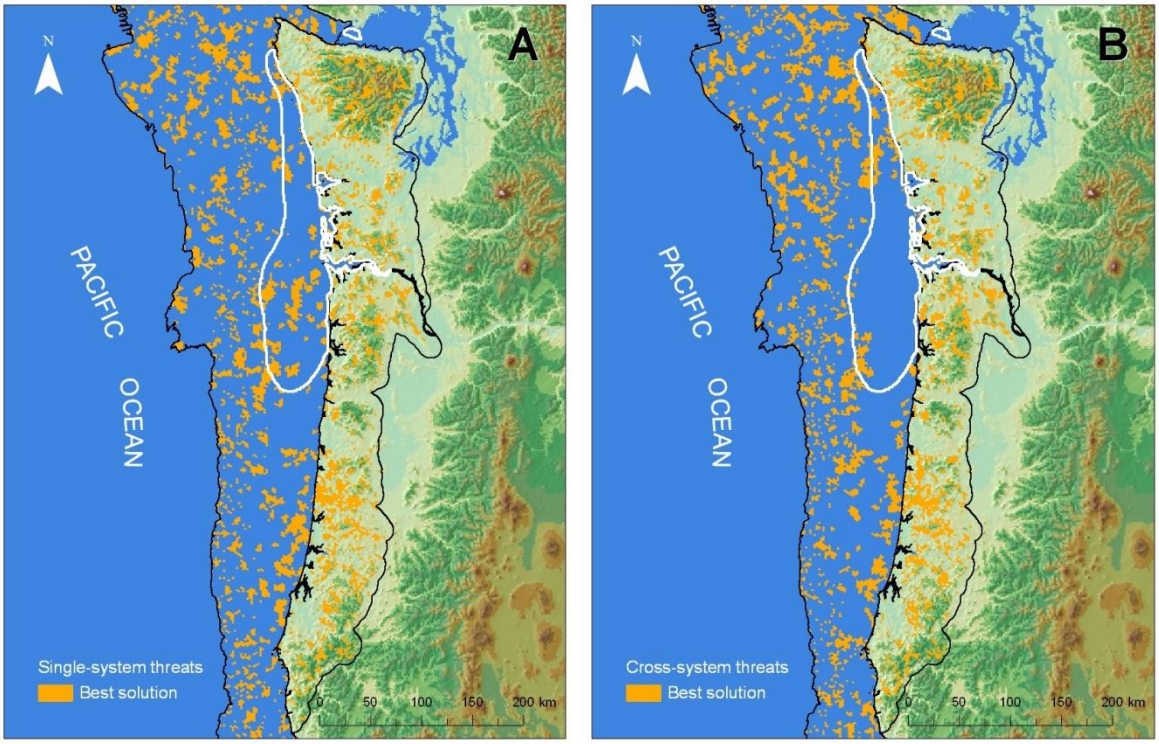

Figure 1. A) Only single-system threats considered. B) Planning units within the plume of the Columbia River (as encompassed by the white line) had higher costs for marine conservation. Most coastal marine areas within the zone of influence of the river plume were not selected. Copyright (2008) Wiley. Figures reproduced and modified from Tallis et al. 2008 with permission from the authors.

Hazlitt et al. (2010) incorporated a land-sea process to identify priorities for conservation of a forest-breeding seabird, the marbled murrelet, in British Columbia, Canada. The marbled murrelet requires old-growth forest for nesting and high quality marine habitats for foraging. For this species, they found that the inclusion of marine objectives (a function of quality of and distance to potential suitable marine foraging habitats) in the planning process influenced the location of priority areas for terrestrial reserves (Figure 2), especially when conservation resources only allowed for the protection of a small fraction of available terrestrial habitat.

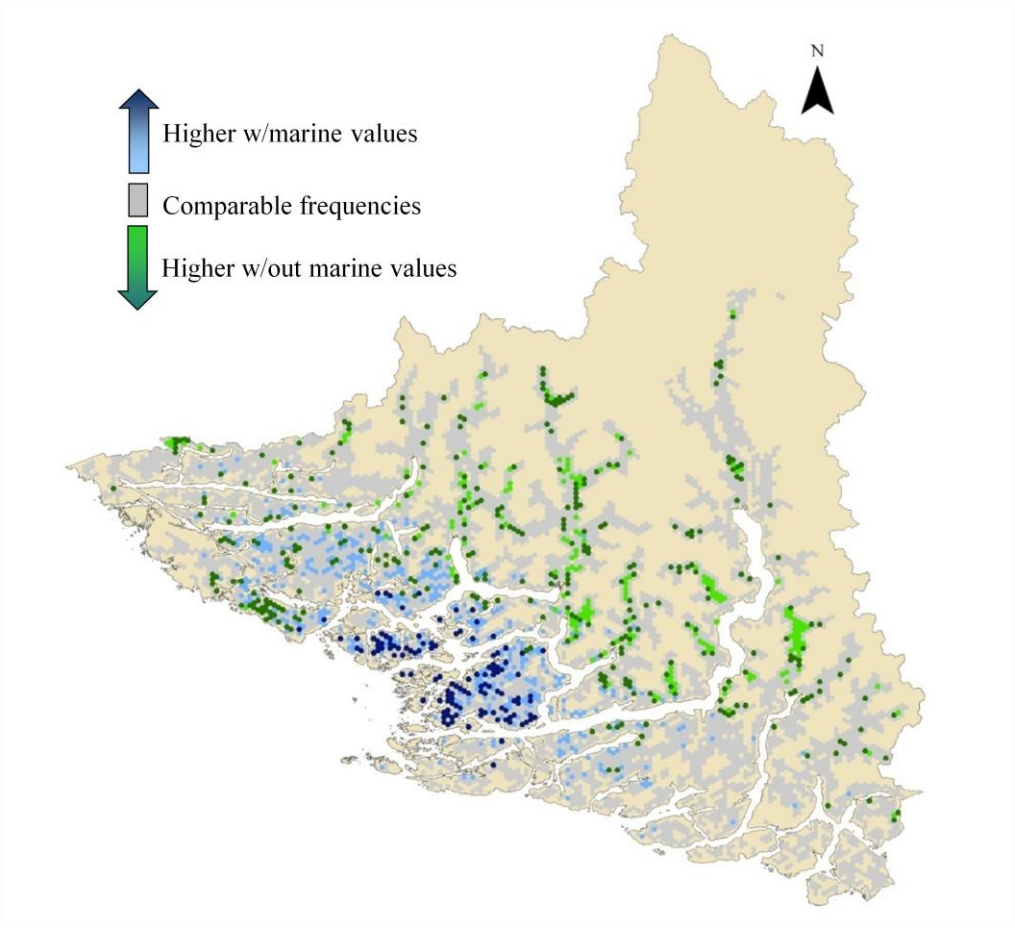

Figure 2. Difference in priority areas for conservation of marbled murrelet terrestrial nesting habitat when marine objectives for this species were incorporated or omitted.

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Coastal and Marine Spatial Planning:

Alaska Oil and Gas Association

(5 pages)

Alaska Oil and Gas Association

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July 1, 2011

Ted Wackler
Deputy Chief of Staff
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722 Jackson Place
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Re: Comments on the Outlines for the Strategic Action Plans for the Nine Priority Objectives for Implementation of the National Ocean Policy

Dear Mr. Wackler:

The Alaska Oil and Gas Association ("AOGA") appreciates this opportunity to submit comments on the outlines for the Strategic Action Plans ("SAP") for the nine priority objectives for implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes ("National Ocean Policy" or "NOP"). AOGA is a private, nonprofit trade association whose member companies account for the majority of oil and gas exploration, development, production, transportation, refining and marketing activities in Alaska.

AOGA members have been operating in the Arctic for decades and are longstanding supporters of Arctic research and environmental conservation and stewardship efforts. We oppose additional layers of bureaucracy for oil and gas activities in marine and coastal waters and instead support more coordinated and efficient implementation of the existing statutory and regulatory regime, including the Outer Continental Shelf Lands Act ("OCSLA"), the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act and the Clean Air and Water Acts.

The importance of oil and gas development on Alaska's Outer Continental Shelf ("OCS") cannot be overstated. This largely untapped area holds an estimated 27 billion barrels of oil and 132 trillion cubic feet of natural gas. By comparison, total production to date from the North Slope is about 16 billion barrels of oil. Development of these resources is necessary for the continued operation of the Trans-Alaska Pipeline System ("TAPS"), which delivers 11% of domestic oil production to refineries on the West Coast and has been identified as critical infrastructure for national security. TAPS is currently operating at about one-third of its capacity, or

approximately 600,000 barrels of oil per day, compared to 2 million barrels of oil per day in 1988, and will face operational challenges without additional supply.

Furthermore, an estimated annual average of 54,000 new jobs in Alaska and the rest of the U.S. would be created and sustained by OCS-related development for 50 years. This translates into $63 billion in payroll to employees in Alaska and $82 billion to employees in the Lower 48 states. Federal, state and local governments would realize $193 billion in revenues. Clearly, development of Alaska's OCS resources is vital to the nation's energy security and could help turn the tide against the economic recession we're now facing.

The National Ocean Council ("NOC") has stated that the NOP "puts us on the path to achieving" a "robust economy and jobs."[1] However, the SAPs do not indicate how the NOP will accomplish this, or if it even can. There are contradictory signals regarding how the NOC plans to "operationalize," or implement the policy. The nine objectives are intertwined and cannot be considered or implemented separate from one another. This is particularly apparent with regard to the second objective, Coastal and Marine Spatial Planning ("CMSP"), which incorporates and necessitates the other eight objectives.

AOGA questions the legal authority to implement certain policies identified in the Strategic Action Plans without congressional approval. AOGA also questions the value of implementing redundant policies when the statutory and regulatory structure is already in place for planning purposes, such as the OCSLA for oil and gas exploration, development and production activities. Putting these points aside for now, however, we provide the following comments on the nine plans.

1. Ecosystem-based Management

Generally, the NOC should clarify what it means by "ecosystem-based management." For OCSLA activities, principles of ecosystem-based management are already applied, so there is no need to reinvent the wheel. Additionally, given the vast differences in ecosystems, particularly in Alaska, flexibility should be built in to account for and respond to an area's specific needs and changing conditions.

2. Coastal and Marine Spatial Planning

The NOC in the Preface to the SAP outlines states that CMSP will be developed and implemented under existing authorities, but the outlines include contradictory language. The language should be clarified to ensure that oil and gas activities continue to be managed under the existing statutory and regulatory regime, OCSLA. AOGA remains concerned that CMSP will result in exclusionary zoning, rather than multiple-use of various areas. We also remain

[1] *See* Frequently Asked Questions, National Ocean Council, *available at* http://www.whitehouse.gov/administration/eop/oceans/faq.

concerned about the lack of information and opportunity to comment on CMSP and how the regional planning bodies will be formed and operate. To date, the NOC has asked for public comment on conceptual and vague information only. The actual objectives of CMSP have not been identified. As a result, there has been little to no opportunity for public input on the "details of the plan." CMSP involves tens of thousands of miles of coastline and hundreds of thousands of miles of oceans and other water bodies. Given the potential scope, the NOC should slow this effort down, start small, and not attempt to implement CMSP nationwide at one time.

The *Report to the NOAA Science Advisory Board* from the Ecosystem Science and Management Working Group notes the large size of the nine planning regions and recommends the NOC support sub-regional planning efforts. AOGA agrees with the working group. This is particularly true for the Alaska/Arctic Region which encompasses three ecosystems. AOGA agrees with other commenters that there may be benefit in a pilot study in one-sub region first to provide an example of the planning process and the opportunity to learn lessons about what is and is not achievable that may be incorporated into larger regions over time.

The role of stakeholders and how they will be engaged at the regional level needs to be defined. Language in the SAP indicates that stakeholder engagement is optional – i.e. "[the NOC] will *remind* the regions of the need to include stakeholder engagement…." (emphasis added). Reminding a body what to do is far different from requiring that body to act. It is critical that stakeholders be included as part of any regional planning body, as well as have input into the formation of the regional planning bodies and establishment of the Coastal Marine Spatial ("CMS") plans. In the report referenced above, the working group recommends stakeholder engagement, including both private and non-profit organizations. In the same vein, any planning at the regional and sub-regional level should be driven by "bottom up" rather than "top down" decision-making in order to best "operationalize," or implement the plans.

There needs to be clarity with regard to the time period the NOC intends CMS plans to cover, e.g. 5 years, 10 years, longer? AOGA recommends against plans that extend too far in the future because of the uncertainty predicting long-term coastal and ocean uses would add to an already complex process.

Finally, AOGA requests clarification on the schedule for implementation. As stated above, we believe this effort needs to be slowed down. However, the NOC is also providing contradictory information on the implementation of various stages of CMSP. For example, the SAP indicates that the regional planning bodies should establish CMS plans by 2020, but at the CMSP workshop held in Washington, D.C. on June 21, 2011, statements were made that 2015 is the target date. It is vital for project planning purposes that these timeframes be known.

3. Inform Decisions and Improve Understanding

AOGA supports the sharing of science and increased knowledge to better inform decision-makers. However, AOGA does not believe economic development opportunities, including oil and gas, should be delayed due to endless study.

If decisions are based on modeling, those models should be reliable, transparent, validated and data-driven. Data/information in general should also be reliable, transparent and validated. Data and models should be compliant with all relevant statutes, including (but not limited to) the Administrative Procedures Act, Data Access Act, Paperwork Reduction Act, and Information Quality Act. Important to note here too is that until the objectives of CMSP have been identified, it is unclear what type of and how much data/information is needed.

The NOC must build flexibility into the NOP and SAPs to ensure that adequate time is provided for decision-making. Experience with the CMS plans assessed by the Ecosystem Science and Management Working Group in the *Report to the NOAA Science Advisory Board* showed that when deadlines for plan implementation were set and non-negotiable, time spent on decision-making was sacrificed due to the amount of time it took to collect the necessary data. If the purpose of the NOP is to ensure "healthy and resilient, safe and productive" oceans, coasts and Great Lakes, it makes no sense to rush plan implementation if decision-makers have not had sufficient time to synthesize all the data.

4. Coordinate and Support

Despite the language in the Preface to the SAPs stating that the outlines do not "suggest changes to existing legislation or [propose] new legislation," this SAP contains contradictory language. For example, under the Overview section, the NOC states that it will "provide recommendations to enact additional legislation or regulation where relevant." The NOC must clarify that the NOP will be developed and implemented under existing authorities, as it has consistently told the public.

AOGA supports better coordination between federal, state, and local governments, and tribal entities, however, this can and should be done regardless of the NOP, and should not result in additional bureaucracy or delaying or blocking agency action. AOGA also supports the development of the National Information Management System ("NIMS") as a clearinghouse for scientific research, which the public should also be able to access. However, the same quality standards for data discussed under the third priority objective should apply to the information fed into NIMS.

5. Resiliency and Adaptation to Climate Change

For this SAP, emphasis must be placed on sound science. Models to forecast the impacts of climate change and ocean acidification must be data-driven, reliable, transparent, validated and

based on quality inputs. We are concerned about Action item 2 which indicates that "best storylines" for projected changes will be developed out to 100 years, but includes no information on what models will be used or whether their reliability has been tested and validated.

6. Regional Ecosystem Protection and Restoration

Though, according to the language of the outline, this SAP will not apply to the Alaska/Arctic Region initially, future planning processes for the State and its coastal and marine waters must balance ecosystem protection and economic/resource development. This is particularly important in Alaska which is relatively undeveloped compared to the rest of the U.S.

7. Water Quality and Sustainable Practices on Land

More clarification is needed for this SAP to define which land-based activities are meant to be covered. Further, this objective should not be used to regulate land-based activities outside of the existing statutory and regulatory regimes for those activities.

8. Changing Conditions in the Arctic

Here, more benefit would be realized from increased resources for infrastructure rather than new rules and regulations to achieve the action items identified, including improved Arctic environmental response management and Arctic communication. The development of any Arctic policy should include discussions with the State of Alaska, as well as other Arctic countries. Finally, forecast models must be data-driven, reliable, transparent and validated.

9. Ocean, Coastal, and Great Lakes Observations, Mapping and infrastructure

AOGA supports objective 9 and agrees with the National Ocean Council that this information should be gathered and disseminated prior to action being taken on the other 8 SAPs and National Ocean Policy implementation.

Thank you again for this opportunity to provide comments on the Strategic Action Plans. If you have any questions, please do not hesitate to contact me.

Sincerely,

KATE WILLIAMS
Regulatory Affairs Representative

Index: Attachments to Comments

Inform Decision and Improve Understanding:

West Coast Governors' Agreement on Ocean Health

(4 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

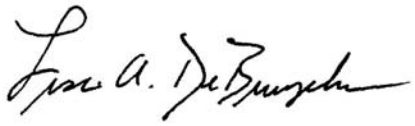
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 3: Inform decisions and improve understanding

We agree that expanding research, improving understanding, and increasing awareness of coastal resources is critical to the National Ocean Policy. Priorities 5 and 6 in the 2008 WCGA Action Plan, "Ocean Awareness and Literacy Among Citizens" and "Expand Ocean and Coastal Scientific Information" align with this NOP objective. We would like to specifically comment on and identify gaps in Actions 2, 3, 5 and 7.

Action 2 – Science to support emerging sustainable uses

WCGA Recommendations:

- **In the near term, evaluate current federal investments in scientific research on emerging sustainable uses such as renewable energy and seek to improve coordination and reduce duplication.**

Already federal agencies are providing significant funding to explore scientific questions around sustainable uses such as renewable energy. However, these investments need better coordination to prioritize funding toward important questions, reduce redundancy between projects, and improve access to results for managers, stakeholders, and the public.

Action 3 - Provide science support for managers and policy makers

WCGA Recommendations:

- **Distribute both existing and new scientific information to managers and improving communication about our oceans among scientists, managers, stakeholders, and the public**

This is not just about training or decision-support tools, managers often simply don't have access to scientific information. In addition, economic, social, and cultural scientific information is often sparse and is in need of particular emphasis. We agree that conducting a needs assessment for decision makers at all levels will be necessary to effectively provide science support to managers and policy makers. We advocate that a series of white papers and briefing statements on key priority ocean issues be developed and disseminated to decision makers and legislative staff at the state and federal levels. Topics of the white papers and briefing statements should be based on gaps identified through the needs assessment.

Action 5 - Increase Ocean Literacy

WCGA Recommendations:

- **Establish a task force to create a national plan to improve ocean literacy**
- **Clearly integrate ocean literacy into Science Technology Engineering and Mathematics (STEM) education guidelines**
- **Increase and secure federal funding for ocean education and research. As part of this effort, evaluate past and current federal investments in ocean literacy. Resume and maintain funding for effective programs with on-the-ground results.**
- **Create and disseminate curricula and other resources to promote ocean literacy**
- **Employ social marketing to promote ocean and coastal stewardship**

We advocate for the formation of a task force comprised of representatives from the federal and state governments, universities, Centers for Ocean Sciences Education Excellence (COSEE), regional governance groups and K-12 educators and administrators to create a clear national plan to improve ocean literacy that will: determine areas of need for formal and informal ocean education, establish a baseline of public knowledge, and identify how the federal government can support state efforts. We should also promote ocean literacy via STEM education by identifying subject areas and instructional modalities that could be addressed using ocean education content. We also think that the NOC should create secure funding for and expand existing ocean education and outreach programs (e.g. NOAA's B-WET program funding should be secured and this program should be expanded to additional areas). Social marketing research should be employed to develop a framework for a nation-wide campaign to promote ocean and coastal stewardship (e.g. California's Thank You Ocean Campaign). We believe that addition of these specific recommendations will help achieve the goal of increasing ocean literacy and the listed outcomes.

<u>Action 7 – Integrate social and natural scientific information</u>

WCGA Recommendations:

- **Identify some near-term, concrete activities to advance the integration of social sciences such as development of social and economic indicators in consultation with states, regions, and tribes.**

Employ a pilot project to advance the development of human and social indicators of ecosystem health, which is identified as a need for the West Coast region. We need better information on social, cultural, and economic values of ocean and coastal resources, including indicators of healthy coastal communities. Over the mid-term, the federal agencies should assess their capacity in this arena and should consult with local, state, tribal and regional efforts.

Index: Attachments to Comments

Inform Decision and Improve Understanding:

Consortium of Ocean Leadership

(11 pages)

July 1, 2011

Nancy Sutley
National Ocean Council Co-Chair
Chair of Council on
Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

John Holdren
National Ocean Council Co-Chair
Director of the Office of Science
and Technology Policy
New Executive Office Building
17th Street, NW
Washington, DC 20502

Dear Chairs Sutley and Holdren,

On behalf of the Consortium for Ocean Leadership's 97 member institutions, I would like to submit the following recommendations and comments on the Strategic Action Plans (SAPs) full content outlines for the National Ocean Policy (NOP). We appreciate the opportunity to provide input and hope that the following information is considered during the development of the SAPs full narratives.

We recognize that one main purpose of the NOP is to streamline and reduce the overlap in current federal efforts to manage our oceans, coasts, and Great Lakes. However, in their current states, these outlines are not integrated and seem to be standalone documents with no overarching framework to guide priorities. For example, SAP #3 "Inform Decisions and Improve Understanding" should be an important objective for the other 8 SAPs, yet we do not see how #3 will be implemented throughout the other SAPs. We strongly encourage the National Ocean Council (NOC) to develop an intellectual framework that sets overarching priorities. This framework will help identify near-term and long-term funding requirements and focus interagency collaborations to execute these priorities. We recommend that the SAPs be integrated together and the full narratives provide detailed information on how they will be implemented. For instance, if the goal is to operate at high latitudes, then a top infrastructure priority should be to invest in ships for those environments, including ice-breakers. If the goal is coastal ecosystem management, then infrastructure investments are needed to operate in shallow waters and at the water-land interface.

The issues addressed in the NOP are global issues which will require strong, sustained international collaborations and external partnerships. However, there is little mention of international collaborations and the role of external stakeholders in implementing the NOP. The NOP should focus on developing bridges that span across political and physical boundaries (including linkages between ocean, land, and atmosphere). Moreover, the government needs the capacity and expertise of the

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external research community and industry partners to understand the natural and social science parameters of these issues. We encourage the National Ocean Council (NOC) to continue to engage with those stakeholders for input throughout this process.

Finally, the Consortium for Ocean Leadership and its member institutions recognize the difficulties of the current fiscal environment. However, in order for the National Ocean Policy to drive tangible and effective solutions for managing and conserving our nation's oceans, coasts, and Great Lakes, it will require the Executive Branch and its federal agencies to dedicate appropriate and sustained funding levels. We look forward to working with the NOC and the federal agencies to ensure the objectives of the National Ocean Policy are fulfilled in a timely, effective, and accurate manner. Our comments for SAPs #2,3,5,6,8, and 9 are listed below and represent a consensus of our member institutions' recommendations for the full content outlines.

SAP #2 – Coastal and Marine Spatial Planning

- ***Overall Comments***: An implementation plan is key to the success of the CMSP process and we recommend the full SAP be more explicit about how the outcomes and milestones will be accomplished. The direct actions neither are clear, tractable nor linked to a particular set of metrics to identify progress. Therefore, we recommend that additional context be provided in the full SAP that focuses on identifying actions and milestones. Furthermore, to avoid redundancies of current efforts underway, we encourage the NOC to involve the IOOS regional associations, external scientific community, and regional stakeholders in the writing and execution of the CMSP process.
- ***Section II*** –
    1. This SAP will be based on "sound science", however there is no mention of how the science should be done or how to bring in current scientific studies as part of the process. We recommend this SAP provides clarification on the science needs and how these data will be collected to inform the CMSP process.
    2. The CMSP process needs to be conducted in a comprehensive way which includes accessing existing and future activities.
- ***Objective* 1** –
    1. We believe, as a first step, the National Ocean Council should support a state-focused operational framework centered on regional issues with distributed data management and stakeholder engagement. By initially working at a more local level where CMSP efforts are underway, federal agencies would be able to build capacity and partnerships needed to operate a national CMSP process. One such partnership should be with universities, which house much of the analytical capability, research and training, experience, and outreach needed for a successful CMSP process.
    2. We recommend a more formal role for the regional research experts to provide guidance to the regional planning bodies (RPBs). Specifically, we believe each

RPB should be required to have a member who represents the external regional science community.

- ***Objective 2*** –
    1. There is no mention of data quality standards (or at least disclosures), which will be important when integrating data from multiple sources, especially Federal with non-Federal. We recommend that the action plan addresses standards to help the interpretation and use of the data accessible by the public.
- ***Objective 3*** –
    1. This plan omits a regional data integration or portal component and we do not see how a national data system could be developed without a defined regional system to match and complement the RPBs. Instead, we recommend the RPBs work closely with the Regional Associations of IOOS to create regional data portals for the integration and dissemination of regional data in support of CMSP.

<u>SAP #3 – Inform Decisions and Improve Understanding</u>

- ***Overall Comments:*** It is difficult to provide detailed comments on this SAP since it is based on the update to the Ocean Research Priorities Plan and Implementation Strategy which has yet to be released. Consequently, we urge swift release of this report, which was expected to be released last year, and encourage the NOC to cross reference this SAP in the other SAPs. Overall, more effort should be made to highlight specific partnerships with organizations, academia, and industry that engage with the general population on ocean science Similarly, educating the general public is different than educating policy makers. Also, actions and information needed to improve decisions made at a federal or regional level will be very different than what is needed at the state or local level. Therefore, we recommend the SAP addresses these important distinctions and incorporates some of the findings and recommendations found in the chapter on Education in the Report of the U.S. Commission on Ocean Policy.
- ***Priority Objective***:
    1. In its current state, Section I neither addresses the importance of understanding how the ocean works as part of the earth system nor articulates how to achieve more generalized science literacy. Understanding the ocean shouldn't be reduced to understanding the benefits of the ocean to us. We should understand how the planet works as a matter of understanding earth systems, and the intrinsic value of maintaining a healthy planet. Therefore, we recommend changing the 4th bullet in Section I to:
        - "Increase understanding of the vital role that the ocean, coasts, and Great Lakes play in our daily lives and in maintaining the health of the global ecosystem."
- ***Action 2*** –

1. We recommend this action addresses the science needed to support the use of non-renewable, non-sustainable resources as well as renewable resources. Informed decisions on these types of uses are still needed and should be included in this SAP.

- ***Action 3*** –
  1. The users and types of decisions should be defined to help identify the types of decision-support tools and processes that will be needed to support managers and policy makers.
  2. We believe milestone, bullet 1 should not be a milestone. Instead, it should be a near-term action, which would feed into the outcomes and milestones.
  3. We recommend a stronger mention of the explicit role for academia and industry in providing research and value-added information.
- ***Action 4*** –
  1. This action only mentions scholarships, internships and fellowships starting in high school. Instead, we recommend it should target K-12 or early childhood-adult age groups and should focus on more than scholarships, etc. Beyond scholarships, ocean sciences need to be embedded in the mainstream science curriculum and in the informal/out of school education system at all levels.
  2. This action should also include development and promotion of high quality, engaging out of school activities related to the ocean.
  3. We recommend the NOC utilize quantitative targets rather than qualitative ones such as "more" and "increased".
  4. There is no need to limit this action to federally-supported or fellowship/internship programs. We recommend the 2nd bullet be changed to:
     - The number of students, especially from underrepresented groups, entering the workforce related to ocean sciences and management is increased by X.
  5. We recommend the list in the 2nd bullet under "Milestones" should include community organizations, churches, high schools, community colleges, etc.
  6. We encourage the NOC to examine the full scope of learning opportunities beyond academic competitions referred to in the 4th and 5th bullets under "Milestones." Instead these ideas should be expanded to consider other programs and service learning opportunities.
  7. We recommend the addition of the following bullet to the "Gaps and Needs in Science and Technology" section:
     - A better understanding of the knowledge, skills, and abilities that resource managers involved in CMSP and other ocean management activities need to have to enable the design of better Masters/Ph.D. programs that can produce students with the requisite skill set to be resource managers and advise decisions makers.

- ***Action 5*** –
    1. We strongly support this action, which is very much needed, but we recommend that the overview sentence is changed to the following:
        - Increase Ocean Literacy and fully incorporate ocean content into the regular practice of formal and informal educational programs for students, teachers, and the public.
    2. We encourage the NOC to recognize the value of informal education programs in raising awareness as well as improving learners' abilities to assess risk and trade-offs, and to make informed and responsible decisions based on evidence.
    3. We recommend the additional outcomes:
        - Systemic inclusion of ocean topics and concepts, including the importance of the ocean in the earth system, in mainstream K-12 and informal education systems. A future action plan to accomplish the milestone that stems from an inventory and assessment of existing ocean education programs.
    4. We hope the action plan includes a coherent, unified strategy for accomplishing these complex goals which influences the formal and informal education systems. Milestones should include an overall strategy for influencing standards, curriculum, assessment, professional development, exhibits, informal/out of school programs, etc.
- ***Action 7*** –
    1. We recommend that these efforts should be integrated with local and traditional ecological knowledge.

<u>SAP #5 – Resiliency and Adaptation to Climate Change and Ocean Acidification</u>

- ***Overall Comments:*** The timescales of actions in this SAP lack near-term and more mid-term focus. Therefore, we recommend providing stepping blocks toward achieving the long-term goals. All action times should allow for continued action, evaluation of program, and opportunity for evaluating and applying new conservation approaches when necessary. In particular, scientific evidence shows that many species (e.g., corals) will not be resilient and will not adapt to currently projected climate and chemistry changes. Therefore we recommend this SAP recognize the need for new and effective mitigation and conservation approaches beyond those afforded solely by natural resiliency and adaptation. It should also discuss minimizing impacts rather than just managing them. We believe this SAP does not adequately address the need for downscaling climate models to provide regional information to states and nations. In addition, we recommend this SAP incorporate both a focus on international partnerships and references to the recommendations of plans addressing this issue, such as National Research Council and National Academies of Science reports.
- ***Action 1*** –
    1. We recommend the following bullets in the "Milestones" section:

        - Solicit and evaluate potential preservation, restoration, mitigation, and adaptation actions that would conserve ecosystems and their services, beginning with support of actions that help stabilize if not reduce atmospheric CO_2 levels.
    2. We recommend the addition of the following three bullets in the "Gaps and Needs in Science and Technology" section:
        - Understanding and prediction of future thermal, chemical, and physical regimes at local to global scales.
        - Solicitation and evaluation of adaptation, management, and mitigation options for conserving species and ecosystems.
        - Synthesizing "best available information" for climate change impacts predicted in next 15-25 years.
- ***Action 3*** –
    1. We recommend the following near-term action:
        - The NOC should supplement the existing observing assets operated by the IOOS RAs with additional pH/pCO2 sensors and other related measurements across a representative diversity of coastal and estuarine locations, especially in areas of marine resource vulnerability (e.g., coral reefs, shellfish beds, etc.), thereby establishing a coastal network of ocean acidification observations.
- ***Action 4*** –
    1. We recommend the addition of the following bullet in the "Milestones" section:
        - Propose and evaluate specific ecosystem management practices that could mitigate, avoid, or ameliorate climate and acidification impacts.
- ***Action 5*** –
    1. We recommend the addition of the following bullet in the "Milestones" section:
        - Assist decision makers in conceiving of and evaluating management practices that may reduce impacts to vulnerable areas.

<u>SAP #6 – Regional Ecosystem Protection and Restoration</u>

- ***Overall Comments:*** The marine environment is dynamic and current environmental conditions for marine species and habitats may not be available in the future. Protection and restoration strategies must be very adaptive, and accommodate potential change, movement, etc., which will require long-term, sustained commitments to monitoring. Therefore, observations and monitoring should be considered outcomes for all action items in this SAP. We recommend that this SAP addresses existing, regional programs to leverage existing partnerships between all levels of government, academia, and industry. We also recommend that the restoration efforts in the Gulf of Mexico receive high priority and these efforts should be based on sound science and observations.

<u>SAP #8 – Changing Conditions in the Arctic</u>

- ***Overall Comments:*** This SAP outline covers all of the major themes related to the Arctic. However, we recommend that the full plan include the needs, goals, and activity related to both industry (oil and gas development, seabed telecommunications cable activity, tourism, and shipping) and the military. Furthermore, U.S. research and operations infrastructure in the Arctic is insufficient and considerable investment needs to be made in ice capable vessels. These are heavy users of the region and will be in the future. The concept of "map once, use many times", as well as "monitor often, use many times", should be greatly emphasized as it relates to the future monitoring and mapping needs in support of the data requirements for the themes and needs listed in the outline. As research and data collection requirements in the region require much higher costs to conduct, and the annual seasonal opportunity to access the areas of interest are limited, emphasis on "map once, use many times" and "monitor often, use many times" should be considered a mandatory requirement that calls for close coordination of such activities and resources across federal agencies. Furthermore, we encourage the NOC to incorporate the findings from the recent United States Geological Survey's report entitled *An Evaluation of the Science Needs to Inform Decisions on Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska*. Specifically, we concur with the need for a comprehensive science planning process for the Arctic. On page 122, the conclusion chapter reads, "A collaborative and comprehensive Arctic science planning process would bring great value to the decisions required to proceed with development of oil and gas and other strategic assets in the Arctic in a changing climate environment." Also, we call for this action plan to address the recommendations found in the recent National Academies Naval Studies Board report *National Security Implications of Climate Change on U.S. Naval Forces*.
- ***Action 1*** –
    1. In order to improve Arctic environmental response management and develop an ERMA type decision-support tool, we recommend first identifying the integrated datasets needed to populate such a tool. This should be done in coordination with #2 below.
    2. We recommend the following near-term action:
        - Develop field spill response procedures and management systems in U.S. Arctic waters to meet immediate needs of decision-making on future oil and gas exploration in the Chukchi Sea. The plan should identify the top five priorities for research and monitoring, including data integration and synthesis, for the next 2-5 years, which are directly connected to funds for those activities.
- ***Action 2*** –
    1. We agree that improvements to sea ice observations and forecasting is an urgent need. It appears that funding has been secured for a high resolution U.S. Arctic Sea Ice Atlas (through the Alaska Ocean Observing System – AOOS) and for a

lower resolution pan-Arctic Sea Ice Atlas (through the Alaska Center for Climate Assessment and Policy – ACCAP). These should be included as specific milestones for this action.

- ***Action 3*** –
    1. We recommend the title of Action 3 be changed to: "Extend the Arctic observing network to broaden its spatial footprint and to include critical ecosystem and resource management components."
    2. We support the establishment of an internationally distributed biological observatory as a relatively low cost means of establishing time series observation transects and stations in the Arctic. However, we do not believe this – and improved sea ice forecasting – should be the only action items for implementing the observing network and climate and ecosystem themes included in this priority objective. Management of ocean, atmospheric, fishery and ecosystem aspects of the observing system should be coordinated.
    3. We recommend the following two near-term actions:
        - Downscaling of current climate models for the ocean ecosystems in the Beaufort, Chukchi and Bering Seas in order to incorporate climate change into future scenario planning.
        - Development of an integrated regional data node, such as the one being developed by Alaska Ocean Observing System, for federal, state, local, and industry research and monitoring data, in order to facilitate information sharing and synthesis.
    4. We recommend the following two mid- to long-term actions:
        - Development of a comprehensive, integrated, ecosystem-based research and monitoring plan for U.S. Arctic waters. Existing plans by agencies (NSF, NOAA, DOI) and other organizations (AK Ocean Observing System, North Pacific Research Board, US Arctic Research Commission) should be part of this broader, integrated plan.
        - We recommend support for a fully-developed Alaska Ocean Observing System within U.S. Arctic waters, to complement AON activities.
- ***Action 4*** –
    1. In order to improve Arctic communication in response to increased shipping needs, we recommend the following near-term action:
        - An assessment of baseline ship traffic (all sizes) transiting the Bering Strait.
- ***Action 5*** –
    1. We recommend establishment of baseline sea level measurements at select locations to complement improved mapping and charting in the Arctic,

<u>SAP #9 – Ocean, Coastal and Great Lakes Observations, Mapping and Infrastructure</u>

- ***Overall Comments***: This plan needs to address the data and infrastructure needs to accomplish the high priority objectives. This should include: recapitalization of the National Oceanographic Fleet, fixing the Earth remote sensing satellites, and developing/deploying under-ice AUVs. Furthermore, rather than just reiterating the requirement for more observations, we strongly encourage the NOC provide details about the kinds of observations that are required to support NOP priority areas and how the NOC plans to acquire these observations.
- ***Action 1*** –
    1. Fleet renewal has been a concern for many years. In fact, the examination of the status of the National Oceanographic fleet is an ongoing effort within the Fleet Improvement Committee of UNOLS. An assessment of the requirements, gaps, and priorities that cannot be met with the current fleet is highly recommended as the first step in developing a realistic plan for the National Oceanographic Fleet.
    2. Then a recapitalization plan could be developed for the four fleet components (UNOLS, Navy, NOAA and USCG) would embrace past and current efforts to address the aging federal fleet.
    3. Fleet renewal should be a milestone of this plan, rather than an update to a report, which is an exercise that has been repeated many times.
- ***Action 2*** –
    1. Under the "Why do this" section, we recommend adding the following text: "the need for sustained critical global and regional time series observations."
    2. Satellite observations are not mentioned throughout this action item. We recommend an assessment of what parameters are currently being measured by satellites, what parameters need to be measured, and whether there may be gaps in coverage. This assessment should be followed by a plan to improve/fill gaps in these systems. A cost-benefit analysis is also needed to decide which technology is most cost effective for a mission and to fulfill priorities. A status report is inadequate.
    3. The focus of this action plan seems to be on unmanned mobile platforms, and we believe there is also a need to mention the role of operational buoy systems.
    4. Furthermore, this section is disconnected from ships and we believe this is an opportunity to consider how to use unmanned systems to extend ship capabilities.
    5. We recommend the NOC consider tagged animal tracking systems as a component of this action. Animal tracking systems can be a cost-effective means of gathering key information on animal migrations and oceanographic data which are useful for NOP objectives. Specifically, tags on highly migratory predator species return vast amounts of oceanographic data, as well as migratory patterns of the animals, which are useful for NOP objectives.
- ***Action 3*** –

1. This action is already underway in a campaign mode. We recommend the expansion of the HOTS-BATS kind of program into other coastal and regional environments.
2. Technology investments might act as "ship multipliers" as well as opportunities to lower costs or increase resilience in current infrastructure. However, this action does not address the leveraging of these resources and investments through a structured framework.
3. This action also does not address the declining marine technician field, which is something UNOLS has highlighted as a problem on several occasions. We recommend the SAP calls for a focus on developing the next generation of this workforce.
4. Global mapping is mentioned as a milestone. However, the community has been measuring and modeling seasonal changes for the last decade fairly well so we would not really see this as a milestone. However, measurements of inter-annual (or year-to-year) and decadal-scale changes in the parameters are needed.

- ***Action 4*** –
    1. In its current state, this action implies IOOS can "meet the data needs of the National Ocean Policy". We believe it will contribute to the needs, but the NOP has much more breadth (both spatial and data requirements) than does the IOOS.
    2. Furthermore, the outcomes listed under this action in the SAP have been pursued for the past 10 years. While we continue to strongly support the implementation of the IOOS, we are concerned that without a more robust commitment by the federal agencies (including NOAA) to fully fund and integrate IOOS, the outcomes and milestones will continue to be unsuccessful.
    3. While improved observations of our coasts, oceans and Great Lakes are central to all priority areas of the National Ocean Policy, there continues to be a lack of a strategic vision for IOOS that sets forth clear outcomes and priorities. For example, IOOS recently invested in the development of a Blueprint for IOOS which was done with little, if any, community or interagency involvement. It fails to articulate a vision for the future of IOOS and does not provide clear strategies for accomplishing this vision. Therefore, the NOC should recommend the development of a strategic vision for IOOS that engages the other federal agencies, the IOOS Regional Associations, and the broader community, and identifies the ways in which IOOS will support each priority area of the NOP.
- ***Action 5*** –
    1. We acknowledge the fundamental importance of ocean mapping in providing the underlying geospatial context for many cross-cutting ocean-related activities as well as information critical to safety of navigation.

2. We applaud any efforts to increase the efficiency and coordination of mapping programs and note the relevance of this action to the recently passed Ocean and Coastal Mapping Integration Act (part of PL 111-11).
3. We are concerned that Action 5 fails to acknowledge or capture the remarkable technological advances that have taken place in ocean mapping that offer unprecedented views of seafloor and water column processes. Better utilization of these tools in concert with further advancement of ocean mapping technologies (including autonomous vehicles) offers tremendous opportunities for better informed decision-making.
4. We recommend the following near-term action:
    - Make DOD and US Navy charts/bathymetry, etc. available to improve Arctic bottom maps for multiple uses.

- ***Action 6*** –
    1. We support an integrated observation data management system. We believe it should be done at the regional level according to national standards. In its current state, this SAP does not provide information on how the new NIMS fits in with the national IOOS DMAC efforts.
    2. This action should be a central element of Action 4. Furthermore, this has been a focus for 25 years and to accomplish data management will require fiscal commitments and continued collaboration with internal and external partners.

Once again, thank you for your consideration of our comments and recommendations. We look forward to working with you to implement the National Ocean Policy and its nine priority objectives.

Sincerely,

Robert B. Gagosian
President and CEO
Consortium for Ocean Leadership

Index: Attachments to Comments

Inform Decisions and Improve Understanding:

Comment of Kohola Leo

(2 pages)

Comments on the National Ocean Policy Documents:

From: Nina Monasevitch 4457 Laukini Rd. Lihue, HI 96766
oceanmana@hawaiiantel.net
www.koholaleo.com

My first comment is a question:
Why is the Arctic considered an area distinct enough to be considered in its own plan, and the Hawaiian Pacific Region is not?
Hawaii is the only island state within the United States. Located in the Tropics it includes marine habitat not found anywhere else on Earth, and is home to nearly 25% of the unique species in the Pacific Ocean, and one-quarter of the listed threatened and/or endangered species in the U.S. The effects of global climate change are already apparent in Hawaiian waters with reefs dying and islands disappearing due to ocean acidification and rising sea level. The problems facing the Hawaiian Island Region are unique to the United States, and must be considered separately from a policy for the contiguous 48 states and the Great Lakes. The same holds true for the Arctic and Sub-Arctic Seas, which have been given their own Strategic Plan. Hawaii must also be recognized within the National Ocean Policy as the 10th Strategic Plan.

The role of the military is not defined in this document at all. The military, especially the Navy, is responsible for a large amount of land and ocean-based pollution, both due to toxic, hazardous waste and noise pollution. The military must not be exempt from rules and regulations that others must follow. Military Sonar is scientifically documented to cause extreme distress and death to cetaceans and recent studies show it affects ALL marine life including corals. With at least 25% of Hawaii's fish species unique to Hawaii and with critically endangered Monk Seals, endangered Humpback whales and other endangered species; the military's exemption from all regulations is TOTALLY UNACCEPTABLE.

Marine Debris is a very serious problem in our oceans, especially in areas such as Hawaii. Plastics in the water column and on the beaches is changing the marine ecosystem, turning it into a toxic soup. Plastics are in the fish we need to use for food. Whales, dolphins and turtles are ingesting plastics and many are dying from such ingestion. There is no policy for this. Another type of marine debris is ghost nets or rogue fishing equipment that become open ocean death traps for marine life. Net entanglement is one of the top deadly threats (besides Sonar) to the endangered Humpback whale. There is little or no federal effort to stop this serious problem. Marine debris of all types is not addressed in the NOP.

Another serious threat to Humpback whales (and other species) is vessel strikes. Extensive scientific literature documents that vessel speed is the main factor in vessel strikes with whales. For a synopsis of the research please see

http://www.koholaleo.com
Vessel strikes with marine mammals needs to be addressed in the NOP with enforceable speed limits in critical areas such as Hawaii's mating and birthing grounds, and other areas around the U.S.

Over-fishing in the open ocean is creating problems worldwide, and contributes to the changing ecosystem here in Hawaii as well as the rest of the United States. Other than stating that the NOC will "work with others", there is no stated policy on how the nation will handle this problem, even within its own jurisdiction. 90 % of the fish are gone, clearly some very serious measures need to be taken immediately.

The NOP does not acknowledge or include historical, cultural or local management practices in its decision-making process, and does not mention them, except in passing. Historical use and cultural practices in places like Hawaii may very well provide the key to successful management and adaptation to changing conditions, and could provide the key to sustainable management of other marine resources

Invasive species and aquarium fishing are destroying reef ecosystems throughout the Pacific region. Aquaculture is also a very big concern in Hawaii. There is no mention of any of these problems in the NOP.

Our oceans are dying. As recent articles have stated, the situation is catastrophic and way beyond what most scientists thought possible. Our entire planet—ALL species---depends on healthy oceans. This policy should be comprehensive and strict in addressing all the issues immediately.

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Inform Decisions and Improve Understanding:

Comment of National Estuarine Resesarch Reserve Association, IDIU

(2 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 3 – Inform Decisions and Improve Understanding

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 3 – Inform Decisions and Improve Understanding Action Plan.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 3.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

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- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

Objective 3 – Inform Decisions and Improve Understanding

NERRA recommends the following:

1. Align federal funding and technical resources to support informing decisions and improving understanding.

2. Conduct an assessment of what programs already exist that can complete an assessment as opposed to creating a team that starts from scratch to complete an assessment.

3. Use existing NOAA programs to inform and improve science conducted and education programs provided.

4. Focus on building and improving upon existing programs that possess community trust, such as the NERRS.

NERRA strongly supports the NOC in its work to finalize and implement the Inform Decisions and Improve Understanding objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Inform Decisions and Improve Understanding:

Comment of Quinault Indian Nation, IDIU

(3 pages)

Quinault Indian Nation
POST OFFICE BOX 189 ◻ TAHOLAH, WASHINGTON 98587 ◻ TELEPHONE (360) 276-8211

SAP 3. Inform Decisions and Improve Understanding

General Comments

The Quinault Indian Nation (QIN) is supportive of this federal initiative to improve the science and data gathering necessary for better management of our oceans. We generally support prioritizing research activities per **Action 1 of the SAP** but it is troublesome to comment on a draft document, "Science for an Ocean Nation", when it is not yet available for inspection. However the QIN has supported science and research activities that give us better information on ecosystems, climate change, ocean acidification and sea-level rise. Quinault along with the other coastal treaty tribes of Washington State have created an Ecosystem Initiative for our coast that evokes many of the science needs spelled out in this and previous federal reports.

Critical data needs for the Washington coast include fine-scale bottom bathymetry to determine spatial extent of habitat types, video ground-truthing of habitat areas, better spatial and temporal monitoring of the water column along the coastal margin to monitor the physical and biological changes in the ocean that drive ecosystem changes, better assessments of critical fish species especially in non-trawlable areas and comprehensive cataloguing of human uses. Many states have much of this information available versus Washington. We highly support allocating federal resources to accomplish these tasks on the Washington coast in order to meet the various needs mandated in the National Ocean Policy (NOP).

Action 2. Provide science to support emerging sustainable resources.
The QIN cannot support these activities in its treaty ocean areas (over 2,900 square nautical miles of the Washington coast) without first going through the CMSP process to determine where such activities may be feasible,

desirable or legal. Getting ahead of the planning process is problematic and will cause unnecessary tension during CMSP should areas be deemed appropriate for wind/wave energy or aquaculture by one process when in the other they may be disallowed. It is best to determine which areas are suitable for such activities considering current uses and ecosystem needs to better prioritize the research called for in this Action.

No such assessments should be conducted in the Quinault treaty ocean area without full consultation with the QIN government per Executive Order 13175. We consider any assessments of other potential uses of our treaty area to potentially affect our treaty rights and access to the treaty resources in this area.

Action 3. Provide science support for managers and policy makers.
Quinault supports this Action. We expect to be part of any interagency team to complete assessments of existing and needed research, data, traditional knowledge, tools, etc. In general the QIN supports collaborative monitoring systems that leverage new technology to better characterize our ocean areas. These include the regional IOOS entity (NANOOS), the Center for Coastal Margin Observation and Prediction (CMOP) and the Olympic Coast National Marine Sanctuary seasonal instrument moorings. We encourage the funding for and use of more of these cost-effective monitoring and research platforms to better inform managers and stakeholders.

Action 4. Develop human capacity and the workforce.
Quinault supports this Action and encourages engagement of students from our schools in ocean science and policy issues. Students may be able to fill data gaps in sponsored projects while better spreading **ocean literacy** to the local public (**Action 5**). Participation in ocean science, scholarships and presentations by ocean professionals will all be beneficial to young people from Quinault and other coastal communities.

Action 6. Engage in ocean exploration.
Quinault fully supports this Action and agrees that 95% of the ocean is poorly known or essentially unexplored. See our previous comments.

Action 7. Integrate social and natural scientific information.
This Action is integral to determining human interaction with the ecosystems they are part of. Quinault supports gathering the best possible

socio-economic information to inform policy makers of potential impacts when considering actions in our oceans.

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Inform Decisions and Improve Understanding:

Comment of Ocean Conservation Research

(2 pages)

OCEAN CONSERVATION RESEARCH

Science and technology serving the sea

The White House
National Ocean Policy Council

Re: Comments on Strategic Action Plan Outlines

July 2, 2011

To Whom It May Concern:

While we are pleased that the White House has finally set in motion the means to craft ocean management policies, the effort is at present is way to little and way too late.

In 2002 the Pew Oceans Commission came out with a report on the dire state of the ocean. This was followed up in 2003 by the US Commission on Ocean Policy (USCOP) report which dovetailed with the Pew Report in recommending critical management concerns.

These two reports drove the crafting of two complimentary bills – Rep. Nick Rahall's "Oceans 21" and Sen. Barbara Boxer's "National Ocean Policy Act" (NOPA). Much work was put into both of these bills, but largely due to the hydrocarbon fueled administration at the time they were never introduced. Nonetheless these two bills and the reports that drove them represented millions of dollars spent and hundreds of thousands of person/hours of work by our government and E-NGO's identifying and addressing the vital need for a comprehensive and coherent ocean management policy.

Now, with the introduction on the National Ocean Policy "Strategic Action Plans" it appears as if all of this previous work is being dropped in favor of crafting a "new" policy out of whole cloth.

This is a serious mistake, because almost 10 years ago with the Pew and USCOP reports "the red light in the dashboard began flashing." This state of affairs has been recently punctuated by the International Program on the State of the Ocean/IUCN report that clarifies that we need to change our ocean engagement immediately or suffer dire global consequences.

While it is good that we now have a legal framework for ocean policy, it is much more than disappointing that the tone – and up to this point the execution of the executive order seems not much more than a "plan to make a plan" with objectives outlined but priories foisted on to a yet-to-be-published "Science for and Ocean Nation." This clearly indicates a lack of leadership.

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This is exacerbated by the “all stakeholders” inclusive wording which will give an “equal” seat at the table to the extractive industries – corporate fisheries and fossil fuel interests, and the very same agents whose practice has been destroying the ocean.

This is a recipe for a studied and forceful inaction which we can not afford. It is our opinion that these interests should be excluded from participating proportionally to the extent that they have been responsible for the decimation of our public commons.

Additionally, we should start with USCOP and Pew; working with Oceans 21 and NOPA as a legislative foundation, and use the brief time we have available to weave in new information we have on new, or recently identified threats such as ocean acidification, the impacts of human generated noise on marine habitat, plastics accumulation, and anthropogenic marine/chemical toxins which were not as well understood at the time.

In the third strategic action plan titled “Inform Decisions and Improve Understanding” Action 3 “Provide science support for managers and policy makers” one of the milestones is to “Create an interagency (Federal, State, Tribal, regional, and local) team that will complete an assessment of existing and needed research, data, information, traditional knowledge, decision-support tools, and training to support ocean, coastal, and Great Lakes decision-makers.” We would like to contribute to this effort by becoming a member of that team.

With National Ocean Council strategic action plan we are heading in the right direction, but we need to take advantage of the very thorough and competent work that precedes us; not to do so would consume time we do not have and can not afford.

Sincerely,

Michael Stocker
Director

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Coordinate and Support:

Comment of West Coast Governors' Agreement on Ocean Health, CS

(4 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

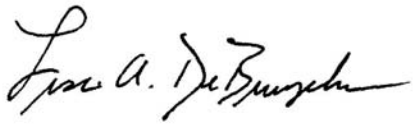
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



Lisa A. DeBruyckere
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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 4: Coordinate and Support

Action 1- Develop a regional communication framework under the National Oceanographic Partnership Program

WCGA recommendations:

- **Provide for a full-time federal position to coordinate federal agencies, ROG partnerships, tribal governments and other entities.**

We thank the NOC for recognizing the need for the various Regional Ocean Governance (ROG) partnerships to coordinate with one another and with the federal government. However, the development of a website, as suggested in this action, will have only limited utility to the WCGA. Staff time is the primary constraint in the ROGs working with each other and other groups. The WCGA has been very fortunate to have federal grant money to support a nearly full-time coordinator; however, these funds are limited to a 2-year period. Rather than create a website, we recommend that the NOC reallocate those resources to support a full-time federal position tasked with coordinating the ROGs, federal government, tribal governments, and other entities.

Action 5- Identify specific ways to prioritize and coordinate resources, reduce spending overlap, and leverage funding between and among Federal agencies, Tribes, and ROGs.

WCGA recommendations:

- **Coordinate across federal agencies and with OMB for *new* funding to implement the NOP.**

The adequate and sustained funding of the NOP, and CMSP in particular, has been one of the greatest concerns of the WCGA. We appreciate the recognition by the NOC that federal resources must be prioritized, overlaps in spending reduced, and that funding should be leveraged. We particularly appreciate the statement that the NOC will "produce a budget in coordination with the Office of Management and Budget (OMB) that identifies existing funding sources within the Federal budget that support the nine priority objectives." However, the WCGA notes that in order to fulfill the mandate of the NOP, identification of existing funding sources is not enough. New funding must be allocated to federal agencies, states, and tribes, and additional funding is necessary to realize the use of CMSP as a tool to advance national ocean and coastal health priorities. We encourage the NOC to coordinate with OMB and Congress to find new sources of funding.

Involvement with Tribes

WCGA recommendations:

- **Help initiate coordination between states and regions with tribes and tribal communities**

Tribes and tribal communities are rightly called out in the NOP for their special and unique role in ocean and coastal management. Although the states have continued to improve engagement and communication with tribes and tribal communities on the West Coast, the federal government will need to assist states or regions in efforts to involve and coordinate with the tribes. It will be important for the federal government to initiate this coordination with tribal nations on a government-to-government basis.

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Coordinate and Support:

Comment of Peter Papesch

(2 pages)

Papesch Associates
Architects & Development Consultants
416 Marlborough St., #804
Boston, MA 02115
Tel: 617 267-6598 - papesch@mac.com

Recommendations to the National Ocean Council

110702

My name is Peter Papesch. I am an architect-developer and educator, a member of E2, and chair of the BSA's Sustainability Education Committee. But I come before you as a private citizen.

The National Ocean Council is undertaking a long-overdue and vitally important project, namely the comprehensive review and planning for the 95,000 miles of our national coastlines.

Coastlines are not just lines on maps, but in the field represent the interface between the oceans or lakes, and the rivers and lands that abut them.

So in fact they are adjacent zones with separate yet interlocking characteristics.

That means that the individual systems of these zones, which vary from region to region, and with climate, need to by recognized, strengthened where ailing, and supported.

Our coastal zones are characterized by three major overlapping and interwoven systems, each with a specific form and functioning characteristic: spatial/geographic, ecologic and economic.

Therefore, I recommend the National Ocean Council consider for implementation the following:

1. That every plan developed for the US' 95,000 miles of coastal zones be labeled a **Coastal and Marine Spatial, Ecological and Economic System Plan**.

   In that way, the National Ocean Council will make explicit in each instance of review by the public the interwoven nature of spatial, ecological and economic systems planning.

   I understand that this proposed name exceeds the current nine priority objectives, but I respectfully submit that planning for ecological and spatial consistency leaves out the third critical component of all planning, namely economic planning. These three areas of planning systems have long been relegated to isolated silos because they each needed to be studied in their own terms in order to be understood, yet in reality are entirely interwoven. The very process of moving from planning to action, to the implementation of the objectives and aspirations contained in any plan, immediately involves all three realms of reality. Therefore, it is important that any planning effort being undertaken henceforth should avoid leaving out so essential a component as economic systems planning.

2. That each **Coastal and Marine Spatial, Ecological and Economic Systems Plan** contain 4 levels of pertinence: for the planet (international), for the nation, for the region, and for the locality (however narrowly the latter is defined).

By setting this framework for planning, the National Ocean Council will ensure that detailed plan recommendations which are pertinent at one level also remain pertinent at the next adjacent level.

3. That the National Ocean Council and its Policy Committee develop **a statement of mandate(s)** for those agencies, organizations or even nations responsible at each of the 4 levels of pertinence: international, national, regional and local.

If said formulation of mandates conflicts with specific previously-enacted mandates of a participating agency on the National Ocean Council, the National Ocean Council should feel - and should be - empowered to recommend altering such conflicting portions of a particular participating entity's mandate.

4. That each **Coastal and Marine Spatial, Ecological and Economic Systems Plan** contain the explicit requirement to meet the following **criteria** by which it can be evaluated:

a. How well it attenuates, mitigates or adapts to changing climate conditions, such changing climate conditions to be explicitly identified in the statement of meeting this criterion.

b. How well it serves each of the 4 levels of pertinence - international, national, regional or local.

c. How well any systems plan's implementation, i.e. its transformation into action, will serve each of the component categories of said Plan, namely the spatial, ecological and economic systems of the coastal and marine area being planned.

Sincerely,

Peter Papesch, AIA

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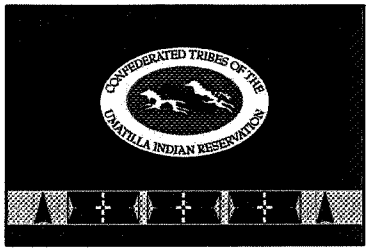
Coordinate and Support:

Comment of Leo Stewart, Confederated Tribes of the Umatilla Indian Reservation

(2 pages)

Confederated Tribes of the
Umatilla Indian Reservation

Board of Trustees



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Statement of Leo Stewart, Interim Chairman, Board of Trustees
Confederated Tribes of the Umatilla Indian Reservation

Listening Session on National Ocean Policy
Portland, Oregon
July 1, 2011

The Umatilla Tribes have long recognized the importance of the ocean and the vital role it plays in overall ecosystem health. In our *Columbia Basin Salmon Policy* adopted in 1995—sixteen years ago—we said that:

> "It is not just the salmon which are endangered. Salmon are only a small symptom of a dying ecosystem. It is the Columbia Basin and the Pacific Ocean which are endangered. The salmon are telling us that the mountains, valleys, plains, rivers and ocean are all sick. . . . Salmon, sturgeon, eels, and many other fish face certain extinction unless immediate and drastic changes are made in the human management of the Columbia Basin and the Ocean."

It is our stated tribal policy that "the health of the Columbia Basin and the Pacific Ocean be restored . . .." Our *Policy* has a specific section addressing the Ocean Ecosystem. It provides:

> "Salmonids spend the majority of their lives in the ocean. . . . Degradation of the ocean habitat along with poorly regulated international fishing are having an unknown effect on salmon survival. . . . The National Marine Fisheries Service must begin focusing its attention on the ocean."

The Umatilla Tribes commend NOAA and the other members of the National Ocean Council for their work on this issue. We appreciate and support President Obama's Executive Order on ocean and coastal stewardship. The nine identified National Priority Objectives make sense. The draft Strategic Action Plan outlines are also a good first step.

The Council should ensure that **inland** tribes are included in furthering the "Coordinate and Support" Priority Objective. Tribes like the Umatilla and other non-coastal sovereigns depend on marine resources. Our culture and communities are based on them.

We have a Treaty Right to fish—to harvest them, and to have the habitat conditions necessary to maintain and enhance healthy populations. They are among our First Foods. These fish include salmon and other ocean-going species.

In addition, the tribes have worked for years to improve conditions in inland tributaries. Fish supplementation and habitat restoration projects have led to substantial contributions to marine resources. There is a reciprocal relationship between inland watersheds and the marine environment.

Tribes, states, the federal government, local governments, stakeholders and countless other have worked for decades in the Pacific Northwest to recover and restore salmon and their freshwater habitats. Massive

investments have been made. Numerous successes have been achieved. While much work remains to be done, it is essential that our gains are not undermined by inadequate stewardship and poor management of the marine environment.

Inland tribes understand the value of ocean resources. Ocean health affects inland communities. Inland watersheds are enriched by marine nutrients.

Policies and plans developed as part of this federal initiative should acknowledge rivers as a key component of the ocean and coastal environment. As our *Salmon Policy* recognizes, all our waters are connected, and what we do to them, we do to ourselves.

The Umatilla Tribes agree with, and wish to emphasize the need for, a safe and sustainable food supply from our oceans. For years we advocated for stronger water quality standards for toxics in Oregon. Just a few weeks ago, after two decades of work, the State finally adopted standards based on the documented higher fish consumption rate of tribal members—which is nine times the current national "average" default rate.

The revised standards mean our people, and all Oregon citizens who eat fish, will be better protected. If implemented properly and effectively, the revised standards will result in improvements in the quality of water that flows into the ocean.

We have concerns about coastal and marine aquaculture, and its effects on water quality and natural fish populations. We also must look closely at ocean harvest of anadromous species. Ocean harvest needs to be understood in the context of impacts to inland Treaty Tribes fishing rights and fish restoration goals.

Salmon spend most of their lives in the marine environment. That portion of their life cycle is perhaps least understood. Research and harvest management should acknowledge this shortcoming. We must improve our understanding of marine environment issues and conditions as they relate to Columba Basin anadromous species.

Some of the current problems faced by our oceans received much attention last week. Articles about a recent scientific study had headlines like "Oceans in distress foreshadow mass extinction." Another one read: "Marine scientists' report says world's ocean at risk of entering mass species extinction phase." For people whose lives, religion, culture and tradition are woven into the fabric of the ecosystem and its continued good health, mass extinctions of ocean life would be a disaster.

The Umatilla Tribes' *Salmon Policy* states that "[t]he Federal Government's Trust Responsibility requires that it protect and restore the salmon, sturgeon, and eels, **and the Columbia Basin-Pacific Ocean habitat they require**." The Council's work on the National Ocean Policy will help to better fulfill that Responsibility.

Moving forward together, in partnership and cooperation, we hope that effective Action Plans can be developed and implemented. We, too, share the vision of "an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations."

Index: Attachments to Comments

Coordinate and Support:

Comment of National Estuarine Research Reserve Association, CS

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 4 – Coordinate and Support

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 4 – Coordinate and Support Action Plan.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 4.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

342 Laudholm Farm Rd. • Wells, ME 04090
phone 202-236-4819 • www.nerra.org

- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

Objective 4 – Coordinate and Support

We recommend the following:

1. We support the plan's goal of coordinating federal approaches to resource management and promoting integrated programs to avoid duplication of efforts.

2. Federal management and conservation efforts should provide support and guidance to local and state initiatives. State-federal partnership programs such as NERRS and coastal programs are excellent examples of such collaborations.

3. Regional ocean governance initiatives that include the NERRS and other programs with a role in implementing the National Ocean Policy should be adequately funded and supported by NOAA because they serve to support coordinated state and local efforts.

NERRA strongly supports the NOC in its work to finalize and implement the Coordinate and Support objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Coordinate and Support:

Comment of Quinault Indian Nation, CS

(2 pages)

Quinault Indian Nation
POST OFFICE BOX 189 ◻ TAHOLAH, WASHINGTON 98587 ◻ TELEPHONE (360) 276-8211

SAP 4. Coordinate and Support

General Comments
Many of the Actions proposed in this SAP will be key parts of other SAPs including CMSP and EBM. The Quinault Indian Nation (QIN) generally supports the Action Plans presented that will lead to more effective management of the ocean across authorities and agreements with the following comments.

II. Context and Continuity
Any analysis of authorities within the Quinault treaty ocean area will need to include the U.S. trust responsibility to maintain Quinault's treaty rights, treaty resources and access to them. Treaties with the U.S. government are the highest law of the land confirming the authority of the QIN as co-manager of this treaty ocean area (over 2,900 square nautical miles) with its state and federal partners. No federal actions should be considered in the QIN treaty area, including assessments for other uses, until a full government to government consultation has occurred per Executive Order 13175.
A central data repository is highly desirable and has been commented on in other SAP comments by the QIN.

Action 1. Develop a regional communication framework using NOPP.
Quinault does not want the NOC or the SAP writers to believe the West Coast Governor's Agreement on Ocean Health is representative of our views. We are not part of that agreement though we did make comment on it early on. The WCGA represents California, Oregon and Washington only. The other four coastal governments that have ocean management authority, the Quinault Nation, Hoh Tribe, Quileute Tribe and Makah Tribe have no representation with this group. The NOP will need to identify another ROG

(RPB in CMSP process?) or will have to communicate with the tribes individually to gain their perspective on ocean priorities.

Action 2. Identify and seek to resolve legal barriers to implementing the NOP.
Please see our previous comments in section II, Context and Continuity.

Action 3. Identify barriers to successful collaboration efforts.
No comments

Action 4. Identify and disseminate BMSPs utilized in federal or regional partnerships.
Quinault believes this can be useful but that our regional body has not been formed yet and will be entirely unique in the nation based on treaty rights and ocean governance. When such a body is formed the NOP must allow it the flexibility to determine its own BMPs based on our priorities and needs.

Action 5. Optimize funding and spending strategies.
Most of the proposed activities are acceptable. However leveraging non-profit and private dollars to achieve federal action has potential bias issues. Any activities funded by such must be free of obligation to the funders.

Action 6. Engage international community with the NOP.
Quinault supports this Action.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of California Coastkeeper Alliance

(3 pages)

CALIFORNIA COASTKEEPER. ALLIANCE

PO Box 3156, Fremont, CA 94539
(510) 770 9764 www.cacoastkeeper.org

Humboldt Baykeeper
Inland Empire Waterkeeper
Klamath Riverkeeper
Monterey Coastkeeper
Orange County Coastkeeper
Russian Riverkeeper
San Diego Coastkeeper
San Francisco Baykeeper
San Luis Obispo Coastkeeper
Santa Barbara Channelkeeper
Santa Monica Baykeeper
Ventura Coastkeeper

July 2, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503
Comments submitted electronically to whitehouse.gov/administration/eop/oceans/sap/comments

RE: Strategic Action Plan Content Outline (Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification)

Dear Chairs Sutley and Holdren and National Ocean Council Members:

The California Coastkeeper Alliance (Alliance) represents 12 Waterkeeper organizations safeguarding the coast from the Oregon border to San Diego. The Alliance and its member Waterkeepers work daily to protect and enhance healthy marine habitats and coastal watersheds throughout the state for the benefit of Californians and California ecosystems. On behalf of the Alliance, I am pleased to submit these comments on the National Ocean Council Strategic Action Plan Content Outline for Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification (Climate Change Outline or Outline).

According to a report released on June 21, 2011 by the International Programme on the State of the Ocean, marine species are in imminent danger of an unprecedented and catastrophic extinction event.[1] The Report forecasts "extreme dangers" for fish and marine creatures from the synergistic effects of climate change induced warming and acidification and overfishing, pollution, run-off of fertilizers.[2] Sea level rise projections pose equally profound impacts to coastal communities. In California alone, sea level rise puts 480,000 people and $100 billion worth of property at risk.[3]

Given the magnitude of the climate change threats that our coast and ocean face, it is critical that the Strategic Action Plan for Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification (Climate Plan) include actions that prepare communities and ecosystems for sea level rise, ocean acidification, and other climate change impacts. As described below, the Climate Change Outline largely focuses on the assessment phase of climate adaptation activities. While it is critical that we improve our understanding of climate change impacts, it is equally important that we take action to actually prepare for and mitigate impacts on communities and ecosystems. **The Climate Plan should provide specific, near-term direction regarding funding; legal and policy reforms; and on-the-ground work to facilitate coastal resilience**.

[1] *See* Rogers, A.D. & Laffoley, D.d'A. 2011. International Earth system expert workshop on ocean stresses and impacts. Summary report. IPSO Oxford, 18 pp.
[2] *Id.*
[3] Heberger, Matthew, Heather Cooley, Pablo Herrera, Peter H. Gleick, and Eli Moore. 2009. "The Impacts of Sea Level Rise on the California Coast." PIER Research Report, CEC-500-2009-024-D, Sacramento, CA: California Energy Commission.

1. Ensure adequate funding for climate change preparedness at all levels of governance.

The Climate Plan should identify significant sources of funding to support states' assessment, planning and implementation of adaptation strategies for sea level rise. Currently, the Overview of the Outline provides for the "evaluation of potential social and economic costs related to sea-level rise, such as accelerating erosion, increased saltwater intrusion, and more severe coastal and inland flooding."[4] Work to evaluate climate change impacts, particularly the creation of locally-scaled, specific models, is a critical component of climate change resilience and preparedness. However, many states have already undertaken impact assessments and now need funding to support climate change preparedness and sea level rise mitigation activities.

A recent survey by the California State Lands Commission found that Governors of several states, including Florida, Louisiana, Maryland, New Jersey, New York, South Carolina, Virginia, and Washington, have issued Executive Orders establishing various climate change commissions and advisory committees to consider and act on the potential effects of global climate change, including sea level rise.[5] A relatively modest but immediate infusion of federal dollars to help California and other coastal states adapt to projected changes will reap significant benefits. Conversely, doing nothing will result in crippling costs.

The sole reference to funding in the Outline is to "include consideration of climate change and ocean acidification impacts and costs in all federal financing (grants, loans) programs that support the maintenance or construction of public infrastructure in coastal areas."[6] The Climate Plan should identify many more sources of federal financing to support regional, state, and local efforts to identify and map climate change impacts, and develop and implement plans to deal with projected impacts in the climate corridor. As just one example, funding from the Disaster Mitigation Act could be used to ensure that state and local National Hazard Mitigation Plans consider sea level rise and other climate change hazards.[7] The Council should analyze how to tap existing federal sources of funding and consider how to establish new sources of funding for compilation into a comprehensive list of funding sources for climate adaptation in the Climate Plan.

2. Reform federal policies and laws to address climate change.

One of the biggest obstacles to climate change resiliency is a lack of institutional capacity to address sea level rise, ocean acidification, and other climate change-driven impacts to the coast and ocean. Federal,[8] state and local agencies, and the environmental and other laws that they administer, were put in place before the problem of climate change was recognized, and can at times actually operate counter to the pressures that climate change increasingly places on our people, infrastructure and environment.

The Climate Plan could greatly enhance climate resiliency by clarifying how federal laws and policies like the Clean Water Act and Coastal Zone Management Act should be interpreted and implemented in light of climate change. This guidance is being released at the federal level; U.S. EPA's

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[4] National Ocean Council, "Resiliency and Adaptation to Climate Change and Ocean Acidification Strategic Action Plan Full Content Outline" (June 2, 2011) (NOC Climate Outline) at p. 1.
[5] California State Lands Commission, "A Report on Sea Level Rise Preparedness, Staff Report to the California State Lands Commission," (December 2009) at p. 19.
[6] NOC Climate Outline at p. 10.
[7] 42 U.S.C. §5121 et seq.
[8] Notably, the National Oceanic and Atmospheric Administration (NOAA) is restructuring to create a new Climate Service. *See* http://www.noaa.gov/climate.html.

recent recognition of ocean acidification impairments under Section 303(d) of the Clean Water Act is one example.[9] However, guidance is being released slowly and sporadically. The Council could accelerate and coordinate work to analyze federal laws in light of climate change, and help identify data gaps, by including an analysis of federal laws related to climate change in the Climate Plan.

This analysis would aid agencies and states in expeditiously implementing the Plan. The Outline currently contains the smart and laudable policy goal of "achiev[ing] a no-net increase in the amount of property and infrastructure in high-hazard areas," which we strongly support. However, the Plan does not identify what legal and policy reforms are necessary at the federal and state level to make this happen. The Council should work with member agencies and other partners to clarify how the Coastal Zone Management Act should be re-interpreted and applied in light of sea level rise.

3. Promote coastal resilience by prioritizing adaptation strategies that enhance an ecosystem's natural adaptive capacity and limiting the use of structural barriers such as sea walls.

The Plan should identify on the ground restoration and buffering strategies that improve coastal resilience (instead of aiming only to reduce vulnerability) by prioritizing adaptation strategies that enhance an ecosystem's natural adaptive capacity and limiting the use of structural barriers such as sea walls. Restoring tidal wetlands, eelgrass beds, oyster beds and other natural coastal ecosystems both creates aquatic habitats for threatened species and establishes a natural buffer against extreme weather. Creating buffers of open space around beaches and wetland areas is a "no-regrets" sea level rise adaptation strategy that both increases the amount and diversity of estuarine habitats and enhances an ecosystem's natural adaptive capacity by allowing beaches and wetlands to migrate inland as the sea level rises. These adaptation strategies should be highlighted in the Climate Plan.

Finally, while CCKA strongly supports Action 3 to create a "coordinated framework of "sentinel sites and systems"",[10] we respectfully request that the Council recognize the role of state agencies and partners. States' sentinel sites, such as California's network of marine protected areas, should be integrated into the framework of sentinel sites and systems.

***

Thank you for the opportunity to provide these comments on an issue of critical importance to the health and well-being of coastal residents and ecosystems.

Sincerely,

Sara Aminzadeh
Programs Manager
sara@cacoastkeeper.org

[9] United States Environmental Protection Agency, Memo: Integrated Reporting and Listing Decisions Related to Ocean Acidification (November 15, 2010) (EPA Ocean Acidification Memo), available at: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/upload/oa_memo_nov2010.pdf.
[10] NOC Climate Plan at p. 4.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of West Coast Governors' Agreement on Ocean Health, Resiliency and Adapation

(6 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

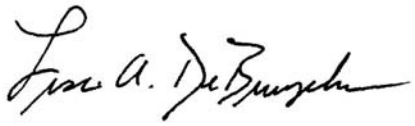
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification

Preparing for the effects of climate change is a key action in the 2008 WCGA Action Plan. Assessing West Coast shoreline changes and anticipated impacts to coastal areas and communities due to climate change over the next several decades, and developing actions to mitigate and adapt to the impacts of climate change and related coastal hazards are integral to ensuring the health and economic well-being of coastal communities. In 2010, the WCGA sponsored a West Coast sea level rise study by the National Research Council of the National Academies of Science, and the three governors and the premier of British Columbia signed an Action Plan for Ocean Conservation and Climate Change Adaptation of the Pacific Coast Collaborative.

Because there is relatively little research on ocean acidification versus climate change, we recommend the NOC consider separating ocean acidification from climate change issues, building off of existing national strategies to improve research on ocean acidification, and emphasizing that vulnerability assessments MUST be the first step before communities can take action. In addition, a key gap that exists is the need to develop feasible alternative scenarios for the future operations, maintenance, and relocation of built infrastructure (e.g., coastal roads, port facilities, dam operation) to mitigate the effects of climate change on ecosystems.

Overview

WCGA recommendations:

- **Develop actions to improve outreach and education on climate change and ocean acidification.**

Public outreach and education is critical to the successful completion of the actions listed in this SAP outline. This outreach should focus on planning for risks such as sea level rise, storm surges and increased wave heights/coastal flooding. The WCGA urges the NOC to develop communication resources and tools focused on coastal adaptation that resonate with stakeholders. In addition, sharing the results of collaborative climate research with the public is an important step in raising awareness of climate change and ocean acidification as emerging threats.

Action 1 – Improve understanding of the impacts of climate change and ocean acidification

WCGA recommendations:

- **Increase monitoring of ocean acidification, ocean pH, and climate impacts for species and habitat, including effects on fisheries and shellfish industries.**
- **Include estuaries and estuarine species in all federally initiated research on climate change.**
- **Develop opportunities, particularly for federal funding opportunities, that encourage collaboration among multi-sector key partners to advance research.**
- **Incorporate data from regional and local expertise into the data portal being established by the federal government.**

We appreciate the NOC's commitment to conduct strategic research on the response of key species to multiple stressors (e.g., pH) but want to emphasize the need for increased and sustained monitoring of these impacts, particularly their effect on fisheries and shellfish industries, essential fish habitat, hatcheries, and food webs. We recommend that estuaries and estuarine species be included in any federally initiated climate research, as estuaries may face different and equally significant impacts in ocean acidification that may differ from those seen in the open ocean. Collaboration among multi-sector partners (ie., regional, state, federal, tribal, private) will be particularly important in ensuring the most cost-effective and relevant research on climate change. Regarding the fifth bullet under "Why do this" for Action 2, we recommend the NOC acknowledge regional and local groups that are assembling climate change science.

Action 3 – Strengthen and integrate observations…

WCGA recommendations:

- **Include research on climate change impacts to shorelines in the proposed coordinated framework of "sentinel sites and systems."**

Identification of key baseline data is needed by both coastal planners and managers planning for sea level rise, coastal erosion, and severe storms. This integration of observations should include monitoring of shorelines where impacts of sea-level rise and climate change may occur.

Action 4 - Provide accessible, timely, and relevant climate change and ocean acidification information, tools, guidance, and services to support decision making at all scales

WCGA recommendations:

- **Work with state, local, and tribal governments to provide coastal planners in each region with one comprehensive resource to plan for climate change adaptation and sea level rise in the form of a 'guidebook'.**
- **Catalogue emerging and state-of-the-art adaptation strategies, both engineering and ecosystem-based approaches.**
- **Integrate information on the potential impacts to infrastructure into the proposed clearinghouse/portal**
- **Develop forums for knowledge sharing to effectively implement climate change adaptation**.

We thank the NOC for committing to the development of an interagency plan for LiDAR mapping. This information is critical to assessing and adapting to sea-level rise. The WCGA is currently working on the development of a "guidebook" to help inform decision makers and planners on a regional level. The NOC should engage in this process and provide support and information that is relevant both regionally and nationally. As science quickly develops on climate change, the WCGA urges the NOC to make real-time research on adaptation strategies available and accessible through a clearinghouse or data portal. Regarding bullet 5 under milestones, the WCGA recommends integrating information on the potential impacts to infrastructure into the proposed interagency climate clearinghouse/portal. This would help support economic analysis of structural and non-structural response options. Regarding bullet 6 under milestones, the WCGA commends the NOC for acknowledging the need for a "community of practice," and would recommend inclusion of experts from local, state, regional, tribal, and NGO communities.

Action 5 - Assess vulnerability of the built and natural environments and their interactions in a changing climate

WCGA recommendations:

- **Assess how other environmental stressors (e.g., hypoxia) may interact or exacerbate climate change impacts on the environment.**

The impacts of climate change may be magnified by other climate phenomenon such as hypoxia events. Regardless of the probability of occurrence, the WCGA recommends these synergistic effects of climate change be considered in vulnerability assessments and in the development of adaptation strategies.

Actions 6 – Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions

WCGA recommendations:

- **Support interagency coordination on climate change research and management in order to improve efficiency, innovation and flexibility.**
- **Provide funding for increased capacity of local governments and for the most urgently needed capital infrastructure alterations and/or habitat restoration.**
- **Encourage fisheries management to consider and adapt to climate change impacts.**
- **Include local and state representation in the proposed regional frameworks for coordinated adaptation, implementation, and evaluation across geographic scales and organizations.**

We thank the NOC for recognizing the various strategies for adaptation, particularly strategies for managed retreat listed under the milestones. Many local jurisdictions lack the necessary expertise, infrastructure, and funds to prepare for climate change. We urge the NOC to provide funding for increased capacity of local governments to plan for climate change impacts and provide funding for the most urgently need capital infrastructure alterations and/or habitat restoration. We request that the NOC encourage fishery managers to identify and evaluate management options to adapt to climate change, such as seeding and harvesting shellfish at different times and locations based on water conditions. Regarding bullet 5 under milestones, the WCGA supports the proposed regional frameworks as long as local and state participation is allowed.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of Sierra Club Marine Action Team, SAP 5

(2 pages)

- While climate change and ocean acidification are occurring, and we need to plan to predict their impacts and adapt to them, we also need to continue to strive to reduce greenhouse gas emissions in order to reduce the ultimate impacts of climate change for future generations. This should include strong support for clean energy alternatives, such as offshore wind energy projects properly sited through the use of CMSP tools.

This Strategic Action Plan focuses on adapting to the impacts of climate change. It should also address the causes of climate change and strategies for reducing the rate of climate change. Sea level rise, for example, is related to temperature increases caused by greenhouse gas emissions. The higher the rate of sea level rise, the higher the costs of adaptation by coastal communities. The future costs of current inaction are poorly understood by the general public, and there is a lack of political pressure on decision makers to act – especially at the national level. As we learned recently from the opening remarks by Broward County Commissioner Kristin Jacobs, at the Workshop on Coastal and Marine Spatial Planning, the impacts of sea level rise on Southeast Florida counties are already apparent.

While individual counties may have no other choice than to develop plans for adaption to predicted sea level increases, national and international governments collectively can take actions to reduce greenhouse gas emissions contributing to sea level rise. A recent report by the International Programme on the State of the Ocean urges just such actions.

Dr. Alex Rogers, Scientific Director of the International Programme on the State of the Ocean (IPSO), said:

> **"The findings are shocking. As we considered the cumulative effect of what humankind does to the ocean the implications became far worse than we had individually realized. This is a very serious situation demanding unequivocal action at every level. We are looking at consequences for humankind that will impact in our lifetime, and worse, our children's and generations beyond that."**
> (http://www.stateoftheocean.org/ipso-2011-workshop-summary.cfm)

Regarding the need to reduce greenhouse gas emissions, the IPSO report concluded that "Timelines for action are shrinking. The longer the delay in reducing emissions the higher the annual reduction rate will have to be and the greater the financial cost. Delays will mean increased environmental damage with greater socioeconomic impacts and costs of mitigation and adaptation measures." (Emphasis added).

In its report titled America's Climate Choices, released May 2011, The National Academy of Science reached similar conclusions on the urgency for action, and stressed the need for action at the national and international levels. Among its findings and recommendations are the following:

> **"The significant risks that climate change poses to human society and the environment provide a strong motivation to move ahead with substantial response efforts. Current efforts of local, state, and private sector actors are important, but not likely to yield progress comparable to what could be achieved with the addition of strong federal policies that establish coherent national goals and incentives, and that promote strong U.S. engagement in international-level response efforts. The inherent complexities and uncertainties of climate change are best met by applying**

an iterative risk management framework and making efforts to: significantly reduce greenhouse gas emissions; prepare for adapting to impacts; invest in scientific research, technology development, and information systems; and facilitate engagement between scientific and technical experts and the many types of stakeholders making America's climate choices."

.

"In the judgment of this report's authoring committee, the environmental, economic, and humanitarian risks posed by climate change indicate a pressing need for substantial action to limit the magnitude of climate change and to prepare for adapting to its impacts. There are many reasons why it is imprudent to delay such actions, for instance:

• The sooner that serious efforts to reduce greenhouse gas emissions proceed, the lower the risks posed by climate change, and the less pressure there will be to make larger, more rapid, and potentially more expensive reductions later.

• Some climate change impacts, once manifested, will persist for hundreds or even thousands of years, and will be difficult or impossible to "undo." In contrast, many actions taken to respond to climate change could be reversed or scaled back, if they somehow prove to be more stringent than actually needed.

• Every day around the world, major investments are being made in equipment and infrastructure that can "lock in" commitments to more greenhouse gas emissions for decades to come. Getting the relevant incentives and policies in place now will provide crucial guidance for these investment decisions.

• Many of the actions that could be taken to reduce vulnerability to climate change impacts are common sense investments that will offer protection against natural climate variations and extreme events." (http://www.nap.edu) Emphasis added.

Action 2 of this Strategic Action Plan calls for forecasting the impacts of climate change and ocean acidification at decision-relevant scales, **"relevant for use in vulnerability assessments, adaptation planning, and decision-making.**" We believe the scope of decision making should include possible actions at the national level that could be taken now to reduce the impacts of climate change and ocean acidification 15, 30, 60 and 100 years hence. We agree that **"Projections are urgently needed to plan and conduct vulnerability assessments to inform adaptation efforts, and to avoid maladaptive activities."** We strongly support mitigation efforts that recognize and capitalize on the roles of coastal habitats in carbon storage and sequestration. We also, however, see an urgent need for widespread dissemination of the projected financial and ecological costs of various scenarios of sea level rise and ocean acidification in the future. Such information is badly needed to better inform the public and decision makers of the risks we run in not acting more aggressively to reduce greenhouse gas emissions.

- As a Nation, we face the choice of fighting Nature with strategies such as armoring coastal communities and perpetually "nourishing" beaches, or working with Nature as necessary. We strongly support strategies and milestones in this SAP calling for **"ecosystem-based approaches to adaptation to use the adaptive services of natural systems to help reduce vulnerabilities and risks to people and the build environment",** and **"Achieve a no-net increase in the amount of property and infrastructure in high-hazard areas."**

Index: Attachments to Comments

Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of Dr. Greg Rau, UCSC

(13 pages)

Statement at NOC Listening Session, San Francisco, CA, June 30, 2011:

Dr. Greg Rau, Institute of Marine Sciences, University of California, Santa Cruz

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Thanks for coming and thanks for listening.

The first topic of concern for me in the SAP was the implied resignation that climate change and ocean acidification are inevitable, and there is no suggestion that we might be able to reduce or mitigate their impacts. In particular I found nowhere in the SAP a statement that the science community knows that a significant portion of climate and virtually all of ocean acidification is occurring because of our anthropogenic CO2 gas emissions. Therefore an obvious way to address and respond these threats posed to the marine environment is to have a strong statement supporting policies and strategies to stabilize if not reduce atmospheric CO2. There needs to be an action statement in the SAP saying that the marine community strongly supports actions that reduce CO2 emissions and strongly supports actions that preserve or enhance natural CO2 sinks. To its credit there is acknowledgement in the about the need to preserve natural marine CO2 sinks, but these alone will be insufficient to avoid CO2 induced climate change and ocean acidification. Therefore, the document must be expanded to include support of actions that reduce CO2 emissions and promote CO2 removal from air, and I have submitted (below) some additional wording to the #5 SAP action plan that would make such a statement.

My second area of concern are the actions offered by the SAP to remedy the biological effects of climate change and ocean acidification, and those actions appear to be limited to maximizing marine biota resiliency and adaptation. This assumes that resiliency and adaptation will be sufficient to overcome the effect of climate change and acidification. Granted we some marine taxa have been shown to thrive in warmer, more acidic waters. However, there is plenty of scientific evidence showing that many species (e.g., corals) will not be resilient and will not adapt to currently projected climate and ocean chemistry changes, e.g. corals. For these organisms and probably others yet to be studied, it is clear the resiliency and adaptation is not an option for preserving biota and ecosystems. So this begs the question: what are our options for conserving marine ecosystems in the now likely event that conventional management strategies alone like adaptation and resiliency cannot conserve marine species and ecosystems. A handful of scientist including myself have contemplated and written about required unconventional, pro-active conservations measures, which might include chemically neutralizing or countering the effects of acid stress, modifying local ocean currents to provide cooling to reefs, providing refugia or otherwise isolating or physically protecting reefs or other marine ecosystems from thermal and acid stress. However, at this stage we do not know what all of our options might be nor do we know at this juncture where any would ultimately be safe and effective. But it is certain that unless we get started now in identifying and evaluating our conservation and management options, we will have none to deploy when and if the time comes that we need really them. Again, I can offer specific language (below) in the document calling for an expanded search for

management options. As an example may I urge that the SAP #5 title be changed from Resiliency and Adaptation to Climate Change and Ocean Acidification to Responses to Climate Change and Ocean Acidification to convey that we are going to need to evaluate a range management options, some of which will be unconventional, due to the unconventional nature of the threats.

In summary the current SAP is too timid in stating the strong anthropogenic contribution (CO2 emissions) to climate change and ocean acidification, in calling for reductions in such impacts, and in demanding the need for and the evaluation of new strategies for marine conservation in the face of these new, unconventional threats.

Thanks again for listening. Let's hope that NOC's final document will be influential and effective in setting that stage for preserving marine ecosystems and services in the face of severe environmental challenges in the coming years.

G. Rau suggested edits/comments

~~Resiliency and Adaptation to~~ Climate Change and Ocean Acidification Strategic Action Plan Full Content Outline

Objective: ~~Strengthen resiliency of~~ Anticipate the impacts of climate change and CO2-induced acidification on ~~coastal communities and~~ marine and Great Lakes environments and ~~their abilities to adapt to climate change impacts and ocean acidification~~determine appropriate management and conservation strategies for avoiding, adapting to, or countering these impacts.

I. Overview of the Priority Objective

- Research, observations, and modeling needed to forecast regional and local scale climate change and ocean acidification impacts and related vulnerabilities for natural resources, health, infrastructure, and livelihoods, including social and economic impacts.

- Better integration of ocean and coastal science into the broader ~~climate~~ dialogue on the effects of excess CO2 and greenhouse gases ~~and measures~~ to improve understanding of the connections among land, water, air, ice, and human activities.
- Evaluation of potential social and economic costs ~~related to sea-level rise, such as accelerating erosion, increased saltwater intrusion, and more severe coastal and inland flooding~~of the preceding impacts.
- ~~Adaptive actions~~ Actions to identify and research climate change and ocean acidification impacts and related vulnerabilities~~, such as ocean acidification,~~, and ~~the~~ develop~~ment of ecological and economic resilience~~ adaptation and management strategies ~~and priorities for research and monitoring to address these strategies~~based on the preceding research.
- ~~Changes to~~ Incorporation of preceding strategies into local and regional ocean and lake management ~~systems that incorporate changing climate risks and elements of resilient systems~~.
- ~~A comprehensive approach to understanding~~Identification of human health implications ~~of policies for the ocean, our coasts, and Great Lakes~~of the preceding, ~~and for identifying~~ opportunities for the protection and enhancement of human health.

II. Context and Continuity

- The National Ocean Policy calls for better understanding of the ocean, coastal and Great Lakes environments and the changes happening there.
- Strategies to act on this recommendation should be developed and implemented to reduce vulnerability~~, increase resilience, and improve the adaptation o~~ and protect~~f~~ ecosystems ~~to~~ from climate change and ocean acidification impacts.
- This Strategic Action Plan includes a set of interdependent actions that will yield better understanding of, preparation for, and response to the impacts of climate change and ocean acidification impacts on communities and ecosystems. The Plan includes a coordinated approach of gathering observations, conducting foundational and interdisciplinary research to enhance understanding of the impacts of climate change and ocean acidification, developing improved models and forecasts at appropriate geographic and temporal scales, ~~and~~ conducting vulnerability assessments of human and natural systems, and developing appropriate conservation and adaptation strategies. These advances will ~~serve as a platform for the~~ provide~~provision of~~ accessible, timely, useful, and relevant science to inform and support ~~the implementation of adaptation actions~~marine management policy.
- This Strategic Action Plan outline was prepared in coordination with other strategies, plans, and assessments addressing climate change ~~adaptation~~ and ocean acidification [?] that are available, currently under preparation or nearing completion, including the National Fish, Wildlife, and Plants Climate Adaptation Strategy; National Climate Assessment; the Freshwater National Action Plan called for by the Interagency Climate Change Adaptation Task Force; and U.S. Global Change Research Program Strategic Plan.

III. Body of the Plan

A. Action 1 – Improve understanding of the impacts of climate change and ocean acidification.

Advance scientific understanding of the impacts of climate change and ocean acidification on ocean, coastal and Great Lakes ecosystems and communities to provide an information basis for forecasting, vulnerability assessments, ~~and~~ mitigation, adaptation, and management efforts.

1. Why Do This • Preparing for and responding to the impacts of climate change and ocean acidification

requires improved understanding of the scale, scope and intensity of these impacts on the Nation's valuable ocean and coastal ecosystems and the communities that depend on them.

- This action will provide the information needed for improved forecasts of changes in ecological, economic, and social systems due to climate change and ocean acidification.
- An integrated research agenda, including physical, natural, and social sciences, will address critical gaps in understanding and build a foundation for the development of models, tools, ~~and~~ services, and potential management strategies that support the needs of decision makers at all levels.
- This action will also advance understanding and decrease the uncertainties surrounding the physical, chemical and biological impacts of climate change and ocean acidification and how humans would prepare for, and respond to those changes, including mitigation and adaptation strategies.
- ~~This action supports and extends Action 1 in the Inform Decisions and Improve Understanding SAP.~~ [obviously?]

2. Timeframe – Long-term

3. Outcomes

- Improved scientific knowledge of the scale and scope of impacts from climate change and ocean acidification on coastal and ocean ecosystems to support the implementation of actions that ~~strengthen resiliency of~~ protect and conserve ocean and coastal ecosystems and communities.

4. Milestones

- Conduct strategic research on the response of key species to multiple stressors (e.g. ~~pH,~~pH, temperature, and nutrients) in ocean and coastal ecosystems.
- Improve understanding of how changes at the organismal level for key species will alter ecosystem structure and function using techniques such as evolutionary genetics, and laboratory, field, and mesocosm experiments on single and multi-species assemblages.
- Improve understanding and valuation of the impacts of climate change and ocean acidification on ecosystem services (e.g., fisheries, storm protection) and the communities/economies that depend on them.
- Develop integrated (e.g., coupled natural and human system) research projects on regional ecosystem responses to climate change and ocean acidification impacts, including thermal and pH change, alterations in oceanic circulation patterns, variations in precipitation and freshwater input, and biogeographic range shifts.
- Integrate social, cultural, behavioral, and economic sciences into studies and models of climate change and ocean acidification impacts.
- Based on the preceding information, propose and evaluate potential preservation, restoration, mitigation, and adaptation actions that would conserve ecosystems and their services. Examples might include: i) promoting reduction in anthropogenic CO2 emissions and promoting safe and effective natural and artificial carbon storage and sequestration as ways to stabilize if not reduce air/ocean CO2, ii) in situ neutralization of local seawater acidity, iii) enhancing the dissipation or dilution of local, excess heat, vi) creation of refugia or repositories for threatened species. ~~Conduct research that assesses the roles and relative importance of coastal habitats in carbon storage and sequestration to increase the ability to incorporate these valuable ecological services into restoration, management, adaptation and mitigation efforts.~~

5. Gaps and Needs in Science and Technology

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• Understanding and prediction of future thermal, chemical, and physical regimes at local to global scales (See Action 2)

• Understanding of potential for and the limitations of [!!!] physiological acclimation and evolutionary adaptation to the preceding drivers,
with emphasis on ecologically and economically important organisms.

• Solicitation and evaluation of adaptation, management, and mitigation options for conserving species and ecosystems

• [~~Expanded implementation of alkalinity as a tracer and incorporation of particulate inorganic carbon (PIC) and remineralization formulations in the biogeochemistry ocean general circulation model (BOGCM)~~.] [part of first bullet?]

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Action 2 – Forecast the impacts of climate change and ocean acidification at decision-relevant scales. Forecast the impacts of climate change and ocean acidification on ocean, coastal, and Great Lakes ecosystems and communities at temporal and spatial scales relevant for use in vulnerability assessments, ~~adaptation~~ and management planning~~,~~ and decision-making.

1. Why Do This

• The planning and management communities have identified a need for valid points of reference when preparing for future conditions and decisions are often made at state to local levels.

• As current knowledge of climate change impacts is assimilated, and new knowledge is being produced, the ability to predict the future state of the ocean, our coasts, and the Great Lakes as they respond to the effects of climate change and acidification is becoming even more necessary to support planning and management [what?? unclear]

• Projections are urgently needed to plan and conduct vulnerability assessments, to inform ~~adaptation~~ management efforts~~, and to avoid maladaptive activities~~.

• No single, reliable information broker is consistently meeting the demand, and the existing patchwork quilt of data, information, and services is inefficient and impedes a coordinated, ecosystem-based approach. [on the other hand, having a single information broker can be risky/dangerous and prone to political influence?!]

• The federal government can fill an urgent need by assembling the best science from federal agencies and the greater research community into best projections of what changes to expect at different spatial scales in the coming decades.

• These projections must be maintained through regular updates and recalibrated as new science and observations provide greater clarity; in addition, they must be disseminated to practitioners through an integrated framework of climate information and services.

2. Timeframe – Long-term

3. Outcomes

• For the upcoming 15, 30, 60 and 100 years, develop ~~a "best" storyline~~ scenarios [need multiple "storylines" to anticipate range of potential changes in technology and human behavior, not to mention model uncertainties. E.g., the IPCC scenarios. Or do a single, worst case, BAU scenario as a potential upper bound to the problem?] for how the future will likely vary from historical/present conditions through projected impacts to:

• Physical/chemical oceanography (e.g. temperature, salinity, and pH change, changes to currents and circulation patterns, wave climate, tidal range).

• Geomorphology (e.g., shoreline erosion/progradation, tidal wetlands).

- Hydroclimatology (e.g., variations in the timing of precipitation and freshwater input, storm frequency).
- Biology and ecology (e.g. ocean and coastal biological resources, species composition, habitat shifts, potential for invasions).
- Human and social systems (e.g. food supplies, hazards, jobs, infrastructure, communities, cultural and recreational resources).
- ~~Coupled natural and human systems.~~ [obvious from preceding?]
- Projected regional changes in relative sea-level and Great Lakes water levels.

4. Milestones
- Synthesize literature and compile existing data and models to provide the initial set of projections.
- Coordinate modeling and projections with the National Climate Assessment.
- Continue development of the Earth System Prediction Capability (NEON, IOOS, GEOSS, etc.) with respect to development of a fully coupled ocean observation, data assimilation, and modeling capability for the ocean, our coasts, and the Great Lakes.

5. Gaps and Needs in Science and Technology
- Better, more integrated scientific data and information to support the development of forecasts and projections.
- Federal capacity for maintaining, updating, disseminating and archiving model code and results to support management and decision making.

Action 3 – Strengthen and integrate observations from the Nation's existing array of protected areas, research sites and observing systems into a coordinated framework of "sentinel sites and systems" to provide information critical for improved forecasts, vulnerability assessments, and ~~adaptation~~ management strategies.

Strengthening and integrating observational and monitoring networks from the Nation's existing array of protected areas (e.g., National Marine Sanctuaries, National Estuarine Research Reserves, National Estuary Program, coastal National Wildlife Refuges, coastal National Parks), research sites (e.g., coastal NEON, Long-Term Ecological Research sites, OceanSITES) and observing systems (e.g., IOOS, HAB and pathogen warning systems, NOAA fisheries and protected species stock assessments, NOAA Coral Reef Monitoring Network) into a coordinated set of "sentinel sites and systems" is a highly efficient and effective way to provide managers and communities with the information they need about how coastal and ocean conditions and resources are changing over time.

1. Why Do This
- To effectively prepare for and respond to increasing risks and impacts, managers and stakeholders need credible and consistent information on how ecosystems are being impacted now and are likely to be in the future in order to develop, implement, evaluate, and adjust management efforts over time.
- Linking and enhancing existing observations at protected areas and other key locations are efficient and effective ways to meet these needs.
- This action will advance a coordinated set of "sentinel sites and systems" that deliver information on past and current conditions, early warnings of changes to come, and improved forecasting and ability to track changes in coastal and ocean ecosystems in a changing climate.

2. Timeframe – Long-term

3. Outcomes

- A coordinated set of observations and monitoring in existing protected areas, research sites, and observation systems that allows for more comprehensive understanding of climate change and ocean acidification processes, impacts, and trends.
- A system of "sentinel sites" that provide the management community with the information needed to develop and implement adaptation actions.

4. Milestones

- Complete inventory and assessment of existing observations and monitoring capabilities in networks/systems of coastal and ocean protected areas, research sites, and observing systems.
- Based on the inventory (above), determine critical gaps in information/coverage and solutions for addressing these gaps.
- In collaboration with the National Climate Assessment, integrate existing observational and monitoring efforts into a suite of indicators of community and ecosystem impacts (physical, biological, chemical, cultural, social, economic) to track changes in vulnerability and resiliency through time.
- Create and implement an interagency plan for standardized monitoring of the impacts of climate change and ocean acidification through existing networks of protected areas using standardized and/or interoperable techniques, databases, and indicators (see above) when and wherever possible, to maximize integration of information across networks and agencies.
- Integrate relevant socioeconomic monitoring information (e.g., U.S. Census and Bureau of Labor Statistics data) with ecosystem monitoring information within regions to understand changes in coupled human-natural systems through time.
- Identify existing observations on changes in species phenology (i.e., the annual timing of major life cycle events such as migration, reproduction, flowering) in coastal and ocean ecosystems, and develop a plan to provide for incorporating and accessing this information as part of the National Phenology Network. Deploy chemical sensors at existing coastal/ocean observing systems to monitor the variability and change at local to regional levels in biogeochemistry, particularly with regard to carbon system parameters (pH, DIC, TA, pCO2), temperature, oxygen dynamics, and nutrients.
- Deploy chemical sensors at existing coastal/ocean observing systems to monitor the variability and change at local to regional levels in biogeochemistry, particularly with regard to carbon system parameters (pH, DIC, TA, pCO2), temperature, oxygen dynamics, and nutrients. Deploy biological sensors at existing coastal/ocean observing systems to monitor the seasonal measurements of calcification rates and other CO2-sensitive processes not currently measured at time-series sites in order to assess the long-term response of ecosystems to ocean acidification.
- Disseminate and implement best practices, including guidance for relevant parameters that should be measured at each observing system, standardized chemical and biological monitoring protocols, and quality assurance and quality control procedures. This milestone should be coupled with appropriate training opportunities.

5. Gaps and Needs in Science and Technology

- Comprehensive monitoring in protected areas with appropriate instrumentation, methods, and quality control to provide an integrated, geographically-distributed database that can be used to estimate poorly understood spatial and temporal patterns of ocean acidification

and sea level rise in estuaries and coastal zones.

- Advancements in the design of chemical and biological sensors that will allow for ready and accurate *in situ* measurements of multiple carbon system parameters (pH, DIC, TA, pCO2) and biological responses, and automatic collection of metadata, where feasible.
- Strategies to eliminate or minimize biofouling of sensors so that they can be used in marine environments for extended periods.
- Incorporation of instrumentation for monitoring the impacts of climate change and ocean acidification into existing coastal and ocean observational and monitoring networks. Integration and coordination between existing social, behavioral, and economic monitoring efforts and ecosystem monitoring efforts.
- Management and delivery (access) of data and information.

D. Action 4 – information, tools, guidance, and services to support decision making at all scales.

1. Why Do This

- Federal agencies must work together to provide decision makers at all levels with pertinent, comprehensive, accessible, and timely information for understanding, planning for, and responding to the impacts of climate change and ocean acidification.
- This action will support efforts to ~~build resilience across~~ conserve and protect ocean, coastal, and Great Lakes ecosystems and communities.

2. Timeframe – Mid-Term

3. Outcomes

- Enhanced ability of individuals, communities, and governments at all scales to identify their needs, and ultimately, to implement forward-looking, ~~adaptive~~ actions that ~~build~~ protect and conserve ~~ecosystem~~natural, societal, and economic ~~resilience~~systems.

4. Milestones

- Make geospatial data, especially information on relative locations of water and land surfaces, shallow bathymetry, and cardinal habitat and ecological characteristics, available to ocean, coastal, and Great Lakes communities as a basis for ~~adaptation~~ management planning.
- Develop an interagency plan for LiDAR mapping, to acquire and maintain more precise shallow bathymetry and terrestrial elevation data in order to ensure comprehensive and accurate topographic information for coastlines, enabling response to and planning for changing landforms, water levels, and other effects of coastal inundation.
- Provide accessible, standardized guidance for incorporating climate change and ocean acidification information into ecosystem management and coastal and marine spatial planning activities.
- Support economic and non-economic valuation of ecosystem services.
- Integrate information, tools, and services on coasts and oceans into the emerging online interagency climate information clearinghouse/portal, which will include:
    - Best-available scientific data and information.
    - User-friendly projections.
    - Transferable decision-support tools.
    - Best practices.
    - Relevant contacts from adaptation activities across the Nation.

- An active support mechanism to facilitate dialogue among users.
- Foster a "community of practice" by bringing together ~~coastal climate change adaptation practitioners~~scientists and managers to share strategies and lessons learned.
- Coordinate Federal climate services (e.g. data, guidance, tools, etc.) to maximize utility of information for decision-makers at all scales.
- Develop a strategic plan for continuously identifying information needs of decision makers and addressing them through a use-inspired, integrated research agenda.
- Provide a standard suite of regional and decadal climate projections at the scale appropriate for decision-making.
- Provide guidance on the effective use of best-available regional and decadal climate projections, including associated uncertainties.
- Propose and evaluate specific ecosystem management practices that could mitigate, avoid, or ameliorate climate and acidficiation impacts.

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5. Gaps and Needs in Science and Technology Geopositioning (LiDAR, shallow bathymetry, etc.) products, data and derived elevation products to support a wide range of operational needs and to establish a consistent baseline for planning assumptions, regulatory decision making, ~~and~~ scientific research, and management practice development~~.~~
- Expanded availability of geopositioning information and a unified portal for access to the data to support work to conduct robust national assessments of natural resource and landform response to sea-level change and of the vulnerability of infrastructure and human communities.

E. Action 5 – Assess vulnerability of the built and natural environments and their interactions in a changing climate.

1. Why Do This
- Addressing the inherent links between the impacts of climate change on the natural environment and the consequences for human communities and infrastructure is fundamental to improving the of ecosystems, communities, and economies.
- This action will support decision-makers with information they need to develop actions that reduce vulnerability and ~~strengthen resiliency and adaptation of~~promote conservation of ocean and coastal
ecosystems and communities in a changing climate.

2. Timeframe – Mid-Term

3. Outcomes
- Strategically assessing the ~~vulnerability~~ vulnerabilities of ocean and coastal ecosystems and coastal
communities ~~in a~~to changing climate and water chemistry.

4. Milestones
- Establish methods, best practices, and standards for vulnerability assessments, including the consequences of unmitigated climate change and ocean acidification for economic, ecological, cultural, and social systems, infrastructure, and technology.
- Conduct coupled vulnerability assessments that address the interactions of the built and natural environments in the face of a changing climate.
- Complete comprehensive climate change vulnerability assessments for federally funded and/or managed coastal facilities, infrastructure, cultural resources, and ecosystems.

- Identify the most vulnerable areas~~, as well as areas most likely to be resistant/resilient to climate change impacts,~~ to help decision-makers focus, design, and implement effective ~~adaptation~~ management plans.
- Assist decision makers in conceiving of and evaluating management practices that may reduce impacts to vulnerable areas.
- Develop partnerships, guidance, tools, and best practices to help support vulnerability assessments and ecosystem conservation at local, state, tribal, and regional scales (See Action 4).

5. Gaps and Needs in Science and Technology Pathways for incorporating improved knowledge about sensitivity, exposure, and adaptive capacity, as well as future environmental changes and impacts, into vulnerability assessments (See Actions 1, 2 and 3).

F. Action 6 – Design, implement and evaluate ~~adaptation~~ mitigation and management strategies in order to reduce vulnerabilities and promote ~~risk-wise decisions~~protection and conservation of the natural and built environment~~.~~

1. Why Do This
- The Nation's coastal and ocean resources are already being impacted by climate change and ocean acidification, and these impacts are expected to increase in the future.
- Coordinated action is needed at all levels to reduce vulnerability and impacts to the built and natural environments.
- There is an opportunity to make significant progress in this area through ~~building on~~linking with current ~~efforts~~ related activities at local, state, tribal, and regional levels. [??]
- There is an urgent need for immediate and prolonged investment now in mitigation and adaptation plans and actions for protection, repair, replacement or expansion of existing critical infrastructure (e.g., water and waste water treatment plants, hospitals, coastal highways, etc.) ~~to address current and future impacts as well as reduce future losses.~~and for the protection and conservation of the natural environment.
- This action will help to reduce current and future vulnerabilities and impacts to climate change and ocean acidification by enhancing and increasing the design, implementation, and evaluation of ~~adaptation~~ management plans for built and natural environments.
- Accomplishing this action will directly advance the nation's ability ~~to be "climate ready."~~to avoid, mitigate, or adapt to climate change and acidification.

2. Timeframe – Long-term

3. Outcomes
- Reduced vulnerability and ~~improved resilience of~~ protect communities, ecosystems, and infrastructure through actions that lead to "climate smart" [jargony?] siting and design, ~~restoration~~ conservation and protection of ecosystem services, improved public health and safety, reductions in the loss of life and property, and decreased costs of responding to disasters.

4. Milestones
- Promote~~, build on~~ and incentivize design, evaluation, and implementation~~, and~~

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~~evaluation~~ of mitigation and management ~~adaptation~~
strategies in local, state, regional, tribal, and federal decision making.

- Develop tools, capacity, and best practices for ~~adaptation~~ mitigtion and management planning at local, state, tribal,
regional, and national scales.
- Identify, protect, connect, and restore key areas needed to ~~promote resilience,~~ sustain biodiversity, ecosystem function and ecosystem services, and maintain plant, fish, and wildlife corridors along coasts and lakeshores.
- Incorporate species migration patterns and ecosystem protection measures into all publicly funded infrastructure projects.
- Promote regional frameworks (e.g., Interagency Climate Change Adaptation Task Force regional adaptation consortia, Landscape Conservation Cooperatives, CMSP Regional Planning Bodies) for coordinated adaptation planning, implementation, and evaluation across geographic scales and organizations.
- Develop and ~~Promote~~ promote ecosystem-based approaches to ~~adaptation to use the~~mitigation and management adaptive services of natural systems to help reduce vulnerabilities and risks to people and the built environment. [what? unclear]
- Achieve a no-net increase in the amount of property and infrastructure in high-hazard areas.
- Mitigate vulnerability of coastal communities to the effects of climate change and ocean acidification.
- Develop plans for fortification, retreat, or other strategies that ensure continuity of critical services and reduced exposure to hazards. Consider ecosystem- based approaches (as opposed to gray infrastructure) when feasible.
- Implement pre-disaster mitigation planning and recovery to prepare for climate change.
- Revise Federal guidelines and programs to encourage more resilient and sustainable forms of rebuilding or retreat. Reduce the impacts of stressors over which we have more direct control (e.g., pollution, habitat destruction and resource extraction) to enhance the resiliency of coastal, ocean, and Great Lakes ecosystems to climate change and ocean acidification.
- Modify policies, practices, programs or projects that ~~promote maladaption~~that prove to be ineffective or deleterious in -mitigating or avoiding impacts ~~(that increase vulnerability and risks~~ to communities ~~or~~and the natural environments~~)~~. ~~(increased vulnerability and risks to communities or natural environments).~~
- Expand the interpretation, and where necessary, issue proposals to strengthen the Coastal Zone Management Act and the Stafford Act to include and better support climate change impact management and adaptation efforts.
- Develop strategies to address the unique needs for adaptation of cultural resources on shores and under water, including consultation with tribes and State Historic Preservation Offices.
- Ensure that coastal and ocean ecosystems and coastal communities are included, where relevant, in Federal agency ~~adaptation~~ mitigation and management planning efforts under Executive Order 13514.
- Complete development of the National Fish Wildlife and Plant Climate Adaptation Strategy to safeguard the nation's valuable natural resources and the communities that depend on them in a changing climate.
- Include consideration of climate change and ocean acidification impacts and costs in all federal financing (grants, loans) programs that support the maintenance or construction of public infrastructure in coastal areas.

5. Gaps and Needs in Science and Technology

- Feasible alternative scenarios for the future operations, maintenance, and relocation of built infrastructure (e.g., coastal roads, port facilities, dam operation) to mitigate the effects of climate change on ecosystems.
- Evaluation and prediction of new coastal migration corridors and potential new habitat for ecosystems.
- Methods and standards for evaluation of ~~resilience and adaptation~~impacts that include economic, ecological, cultural, and technological consequences of climate change and ocean acidification.

Index: Attachments to Comments

Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of National Estuarine Research Reserve Association

(7 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 5 – Adaptation to Climate Change

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 5 – Adaptation to Climate Change Action Plan.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 5.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

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- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 5 – Adaptation to Climate Change</u>

NERRA applauds the cohesiveness of this SAP and underscores the need to have sites like the reserves serve as "sentinel sites," places where early indicators of change are scientifically measured to provide up-to-date information to coastal managers.

NERRA recommends the following:

1. Employ existing federal programs by using their capacity and ability to monitor the full suite of climate change indicators in the future.

2. Ensure economic modeling include both consumptive and non-consumptive uses.

3. Assess vulnerability of special populations to the impacts of climate change/sea level rise.

4. Align federal funding and technical resources to provide incentives to programs and projects that address climate change in operations and development.

NERRA strongly supports the NOC in its work to finalize and implement the Adaptation to Climate Change objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

Index: Attachments to Comments

Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of The Nature Conservancy

(7 pages)

June 30, 2011

The Nature Conservancy's Comments on the National Ocean Council's Full Content Outline of the Strategic Action Plan for Resiliency and Adaptation to Climate Change and Ocean Acidification

The Nature Conservancy commends the National Ocean Council on its work to protect our oceans and marine and coastal resources, to ensure they are healthy, safe and productive. We welcome the opportunity to provide comments on the Full Content Outline for a Strategic Action Plan for priority objective 5: *Resiliency and Adaptation to Climate Change and Ocean Acidification.*

The Nature Conservancy is an international nonprofit organization dedicated to the conservation of biological diversity. Our mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. Our on-the-ground conservation work is carried out in all 50 states and in more than 30 foreign countries and is supported by approximately one million individual members. The Nature Conservancy has protected more than 117 million acres of land and 5,000 miles of river around the world. Our work also includes more than 100 marine conservation projects in 21 countries and 22 U.S. states.

We are pleased to see that the National Ocean Council has recognized that climate change is a clear and present threat to the lives and livelihoods of the millions of people that live and work in the coastal zone, as well as to coastal ecosystems and the benefits they provide to people. We are already seeing the effects, from rising sea levels, increasing erosion, salt water intrusion, increasing sea surface temperatures, possible increased severe storm events and coastal hazards, and ocean acidification. Our coasts are changing at an accelerated rate that will increase more rapidly this century.

We fully endorse the NOC's goal of strengthening resilience of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and acidification, as part of an overall adaptation strategy for the nation, and complementing national efforts to mitigate green house gas emissions to reduce the impacts of climate change. We suggest that in the full strategic plan document, the NOC clearly define "resilience" in this context. We recommend that this definition be focused on the ability of a system or a community to undergo, respond to and recover from change and disturbance, while maintaining its main functions and character.

We particularly welcome the Council's focus on integrating ecosystem and ecosystem services considerations into all aspects of the plan. As is recognized in the outline, existing methods and models of coastal development and fortification – already expensive today – will become even more expensive, and may not be effective in the face of increased sea levels and storm surges. In addition, traditional responses – e.g. shoreline hardening and other built infrastructure - if not carried out with sufficient information and understanding of changing conditions, could in themselves be maladaptive, and pose a significant risk to both human and ecological coastal communities if their potential impacts on ecosystems and the benefits they provide to people are not fully taken into account. Standard land use policy and coastal growth strategies are no longer sustainable or prudent given the information on sea level rise and storm surge now available. We welcome the fact that the Council's SAP outline emphasizes the need for understanding and accounting for these factors. We believe this can help set the stage for more progressive coastal development or realignment that builds in opportunities for both community and natural resource protection/persistence.

We believe the NOC's outline clearly reflects the Council on Environmental Quality's recommendation that applying ecosystem based approaches to adaptation be a guiding principle for national action[1]. In order to make its recommendations more clear, we encourage the NOC, in the full report, to clearly define ecosystem based adaptation (EBA) as the protection, restoration and sustainable use of ecosystems to support societal adaptation[2] - essentially using our natural resources to reduce human vulnerability to the negative impacts of climate change and benefit nature.

ADDITIONAL RECOMMENDED ACTIONS

In addition to the actions put forward in the outline, the Conservancy suggests the Council include several additional actions:

The NOC should echo the CEQ recommendation encouraging federal agencies to incorporate adaptation, and particularly EBA, into their own actions, as well as provide mechanisms to incentivize adaptation and EBA by regional, state and local actors. In particular, **Federal agencies should consistently and systematically factor climate change analyses into their decision making, including for decisions on land and infrastructure investments and programs that fund land acquisition and restoration.** A possible model for this type of action is the Army Corps of Engineers' circular on "Water resource policies and authorities incorporating sea-level change considerations in civil works projects"[3]. This requires project planners and designers to consider how sensitive people and ecosystems are to climate change and other disturbances, and develop alternatives for the entire range of possible future rates of sea level change that minimize adverse impacts and maximize benefits. This guidance, which expires on July 1, 2011, should be renewed, as well as considered as a model for other federal agencies.

In addition, **all maps and other analytical tools and decision support systems used by federal agencies such as FEMA, DOI, USACOE, NOAA, DOA, etc… should include climate change and other future conditions** for the purposes of assessing future risk and conditions. In particular, FEMA's nationally recognized "high hazard" areas should be reconsidered/corrected based on currently available and credible sea level rise and surge information, and this information incorporated into criteria used to direct federal funding for coastal realignment, restoration, and protection. Agencies that do not have their own projections for impacts of climate change and sea-level rise should adopt these updated and corrected maps for use in their own planning processes. Where agencies do have their own projections, these should be consistent with each other.

More specifically, **ecosystem-based adaptation should be "mainstreamed" into agency planning and decision making** such that there are EBA options available in decisions on issues such as coastal development, coastal protection, disaster preparedness, post-storm recovery planning and others. Agency regulations and procedures should emphasize enhancing and sustaining ecosystems first, as "no regrets" ecosystem based adaptation actions – i.e. those that provide benefits even if climate change impacts are less than expected - that protect and/or restore natural resources while addressing human adaptation challenges. In cases where "grey" infrastructure is the best adaptation option, provisions must be made to determine what ecosystems may be impacted, and how that could in turn affect the vulnerability/resilience of coastal communities. Efforts should be made to protect as much as possible of these systems, and mitigate for any unavoidable impacts. We

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[1] White House Council on Environmental Quality. Progress Report on the Interagency Climate Change Adaptation Task Force: Recommended Actions in Support of a National Climate Change Adaptation Strategy. October 5, 2010.

[2] For full definition see: Convention on Biological Diversity, second ad hoc technical expert group on biodiversity and climate change, second meeting, Helsinki 18-22 April 2009; Document: UNEP/CBD/AHTEG/BD-CC-2/2/6, 27 May 2009

[3] Department of the Army, U.S. Army Corps of Engineers. "Water resource policies and authorities incorporating sea-level change considerations in civil works programs". Circular no. 1165-2-211. 1 July 2009.

support clear and strong language requiring mitigation to be included with each alternative under consideration and the explicit sequence of "avoid, minimize and mitigate" as fundamental to the planning process and consideration of alternatives. We also support the requirement that compensatory mitigation be implemented in advance or concurrent with project activities to the extent practicable. "Hybrid" solutions that bring together green and grey infrastructure should also be considered as a means of minimizing impacts on ecosystems.

In addition, **climate adaptation criteria/climate change analyses should be built into all federal programs that fund land acquisition/restoration, e.g. CELCP, the Flood Mitigation Assistance Program, the Pre-Disaster Mitigation Program, and the Hazard Mitigation Grant Program.** Investments should be prioritized in lands and programs that are resilient, are less vulnerable to climate change, provide or are projected to provide critical ecosystem services that contribute the resilience of human communities, and could continue to function sustainably even in the face of climate change. These determinations should be made using consistent national projections, as noted previously. Furthermore, agencies such as FEMA that invest in the recovery and rebuilding of areas impacted by natural disasters or pre-disaster preparedness in high risk areas, should factor vulnerability to climate impacts into their insurance and investment decisions, and develop incentives for realignment[4] in areas where rebuilding is not possible or sustainable.

Agencies should also make every effort to **encourage state and local agencies to follow the above recommendations in their own activities, particularly integrating climate change analyses into their decision making and mainstreaming ecosystem based adaptation options into their actions**. Federal legislation, regulations, policies and programs should provide incentives to state and local entities to follow the above recommendations when developing, revising and implementing their relevant plans (including Coastal Zone management plans, Natural Hazard Mitigation Plans, etc...) and include consideration of climate change related hazards and impacts as well as ecosystem based adaptation solutions. Incentives could be either positive or negative, such as giving priority to states that consider such elements for Federal funding programs such as CELCP or declaring states that fail to do so ineligible for non-emergency Stafford Act assistance and Federal Emergency Management Agency mitigation grants.

Finally, while the Conservancy fully understands and supports the need for additional research, modeling and observations to allow us to better understand the impacts of climate change and ocean acidification, as well as to reduce vulnerability and increase resilience of human and natural communities, many of the decisions that will have long term implications for how our coasts are developed, and whether or not they are resilient in the fact of climate change, are being made now, with whatever information is available or accessible. We encourage the Council to **include "fast start" actions in its strategy, such as consolidating existing information on climate change projections, impacts of climate change and ocean acidification, and vulnerable people and places, and making this accessible as soon as possible** to agencies and communities that have to make immediate decisions about land use planning and disaster risk reduction. In addition, **producing initial guidance and examples of how local, state, federal, tribal, and other decision makers can implement adaption actions, and particularly ecosystem-based adaptation actions, should be an early action under the SAP**. To that end, the Conservancy encourages the NOC to **ensure the federal government leads by example and builds multi-agency partnerships to implement high profile pilot adaptation projects** in around the nation that can provide

[4] Realignment and retreat are often used interchangeably in the literature. The primary alternative to shore protection is commonly known as *retreat* (or *relocation*). Retreat often emphasizes the management of human expectations, so that people do not make investments inconsistent with the eventual retreat. A retreat can either occur as an unplanned response in the aftermath of a severe storm or as a planned response to avoid the costs or other adverse effects of shore protection. In Great Britain, an ongoing planned retreat is known as "managed realignment". From: CCSP, 2009: *Coastal Sensitivity to Sea-Level Rise: A Focus on the Mid-Atlantic Region*. A report by the U.S. Climate Change Science Program and the Subcommittee on Global Change Research. [James G. Titus (Coordinating Lead Author), K. Eric Anderson, Donald R. Cahoon, Dean B. Gesch, Stephen K. Gill, Benjamin T. Gutierrez, E. Robert Thieler, and S. Jeffress Williams (Lead Authors)]. U.S. Environmental Protection Agency, Washington D.C., USA, 320 pp.

information and ultimately guidance on the appropriateness of different adaptation options, including EBA, in different settings. These demonstration sites should:

- build on existing "centers of gravity" where several agencies are working and have resources
- be designed to test and demonstrate the effectiveness of alternate adaptation strategies, including EBA
- cover a diverse set of ecosystems and geographies, such as the Southeast, Mid-Atlantic, Northeast, Pacific Northwest, southern Pacific coast, and islands
- demonstrate diverse settings for sea level rise impacts, including islands with few retreat options, low coastal plains, and steep shorelines.
- contain and compare adaptation options across a diversity of land uses (including urban vs. rural areas, suburbs vs. natural areas, etc…).

Following are more explicit comments on the SAP outline, following that document's structure:

SPECIFIC COMMENTS:

Sections I and II – Overview and context

The Conservancy fully supports the objectives of increasing and improving our scientific knowledge of climate change impacts and related vulnerabilities, and better integrating these with ocean and coastal science into the broader adaptation dialogue. We encourage the NOC to further develop the objectives related to evaluating social and economic costs related to sea-level rise and other impacts of climate change, to ensure that we are fully and accurately accounting for the possibilities of losses in ecosystems and ecosystem services, either directly as a result of these impacts, or indirectly as a result of rapid responses, such as increases in built or "grey" infrastructure. The NOC should encourage federal agencies to develop and test innovative adaptive actions, such as the use of EBA or green infrastructure, as alternatives to more traditional engineered approaches.

In order to really allow decision makers at all levels to operationalize the CEQ and NOC guidance in their own adaptation plans, we recommend in addition to the ecological and physical data and information to be collected and provided under this plan the NOC **make an explicit objective of addressing the economics of adaptation planning, including how alternatives are compared through cost-benefit analyses.** There is increasing evidence that EBA can be a cost effective alternative to built infrastructure, as shown in a recent report by the Economics of Adaptation Working Group – a group comprised of the ClimateWorks Foundation, Global Environment Facility, European Commission, McKinsey & Company, The Rockefeller Foundation, Standard Chartered Bank, and Swiss Re – that measures the cost per unit of benefit, or cost-effectiveness, of various adaptation approaches[5]. However, current methodologies do not account for the value of ecosystem services co-benefits potentially lost or created, including green house gas emissions, where ecosystem services are defined as "the benefits natural systems provide to humans" or "the contributions natural systems make to human well-being". New methodologies and standards must be developed to ensure that agencies and other actors, including local planners, can factor in full cost/benefit analyses of both green and grey options. Recent revisions of the *Principles and Standards for Water and Related Resources Implementation Studies*, as required by Section 2031 of the Water Resources Development Act of 2007 (WRDA 2007), may provide an example of how this can be addressed.

Section III, Action 1: Improve understanding of the impacts of climate change and ocean acidification

[5] Economics of Climate Adaptation Working Group, 2009. Shaping climate-resilient development: a framework for decision-making. ClimateWorks Foundation, Global Environment Facility, European Commission, McKinsey & Company, The Rockefeller Foundation, Standard Chartered Bank, Swiss Re.

The Conservancy believes this is a critically important and appropriate role for federal agencies to play. We encourage the NOC and implementing agencies to ensure that this research agenda is undertaken in a coordinated and strategic way, building on existing investments and focused on practical information needed by planners and other key actors. We also encourage the Council to expand the scope of the economic and social issues they will address to encompass, as noted above, methodologies for cost benefit analyses that incorporate the full value of critical ecosystem services either lost or protected, as well as social vulnerability analyses that factor in communities' dependence on natural resources as well as their likelihood of loss or degradation from climate change or maladaptive responses.

Critical information gaps that would benefit from additional attention by Federal agencies include LIDAR data for all U.S. coastal areas, sediment transfer budgets, and the physical location of critical habitats that can play a role in ecosystem based adaptation approaches and/or be impacted by the development of "hard" infrastructure. These data should be freely and easily accessible to all levels of government and stakeholders.

Section III, Action 2: Forecast the impacts of climate change and ocean acidification at decision-relevant scales.

Again, the Conservancy fully supports this recommended action. We encourage the Council to include forecasts of impacts on relevant ecosystem services in these analyses, and factor this information into their analyses of projected impacts on human and social systems. As noted in the first section under this action, currently there is no single reliable actor meeting these demands. However, as more and more actors at all levels of the public and private sector are involved in adaptation planning, there will need to be a credible source for them to go to for information and tools. In the full SAP, the Council should make explicit not only the types of research that will be undertaken, but how this issue will be resolved. For example, SLR and surge frequency projections should be consistent for all agencies, and linked to states for consistent comparable analyses. This information could be developed/compiled by an agency such as NASA's Goddard Space Center, then disseminated through mechanisms such as NOAA's Coastal Services Center.

As noted in part one of this section, these projections must be maintained and recalibrated. We encourage the NOC to set up a system to reassess coastal climatic data (sea level rise and surge frequency) and reevaluate and downscale global climate models on a 3-5 year cycle to ensure the best available information is directing action. This information should be freely provided in a form that is easily used by state and local entities.

Section III, Action 3: Strengthen and integrate observations from the Nation's existing array of protected areas, research sites and observing systems into a coordinated framework of "sentinel sites and systems" to provide information critical for improved forecasts, vulnerability assessments, and adaptation strategies.

Particularly in this time of tight budgets, the Conservancy supports building on existing federal investments and activities to promote improved understanding and information collection. We believe strengthening and adapting ongoing work in areas such as National Marine Sanctuaries and coastal wildlife refuges and national parks is a very efficient way to develop critical information. Furthermore, in order to protect these investments as well as for the value of these areas in their own right, the NOC should ensure adequate funding and resources for existing federally protected areas on and near the coasts and facilitate the designation and expansion of coastal National Wildlife Refuges, National Parks and Seashores, National Estuary Programs, National Estuarine Research Reserves, National Marine Sanctuaries, and other federal protected and managed areas that have biodiversity conservation as a principal mandate. All relevant federal agencies should improve the management of these areas by integrating likely future climate scenarios into the development and implementation of comprehensive management plans.

Section III, Action 4: Provide accessible, timely and relevant climate change and ocean acidification information, tools, guidance, and services to support decision making at all scales.

The Conservancy agrees that providing information to decision makers is a high priority. The NOC should make adaptation planning accessible to users at all levels through provision of information, development of decision support systems and capacity building. Decision support tools should be built and made accessible to decisionmakers, communities, and all stakeholders in order to allow them to assess risk and vulnerability. These should allow users to visualize the impacts of climate change, including sea level rise and associated storm surges, and should be used for coastal development planning, land use zoning, restoration planning, and hazard management plans. To do this, the NOC should bring together expertise from different agencies to address critical gaps in information and analysis, to break down silos and produce more consistent and relevant information. For example, the NOC could bring together FEMA's methodologies for risk and vulnerability assessment with NOAA's expertise on coastal ecosystems and the benefits they provide to develop a new framework all relevant agencies can use.

Section III, Action 5: Assess vulnerability of the built and natural environments and their interactions in a changing climate.

The Conservancy applauds the NOC for explicitly recognizing the need to conduct vulnerability analyses that address the interactions between the built and natural environments. We hope that in the full SAP, this idea will be fleshed out to **incorporate social and economic factors as well**, and, as noted above, will take into account not only the physical and socio-economic characteristics of a community, but also the level of dependence of the community on ecosystems, how their vulnerability could be affected by possible responses to climate change that impact these ecosystems, and the potential for them to recover after a disaster or other event. In addition, all existing hard coastal infrastructure should be assessed to determine what will need to be fortified, otherwise modified, or abandoned in a way that does not leave behind a legacy of pollution, fragmentation or other stress on natural areas, species or systems.

To ensure and encourage best practices, the NOC should **sponsor the development of a consistent risk management framework for making adaptation decisions that includes comprehensive risk, vulnerability and economic assessments that include social, environmental and ecosystem services factors.** Initially, the NOC and interagency community could work to leverage and reinforce existing resources. For example: bringing together NOAA's national sea level rise viewer and a national social vulnerability index to provide a credible method/source to define federal need for adaptation funding and assistance.

Section III, Action 6: Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions.

The Nature Conservancy fully supports the list of recommendations and milestones presented in this section, particularly the integration of EBA approaches when appropriate, and the acknowledgement of the need for adaptation plans that also sustain biodiversity and ecosystem services and incorporate species migration needs and ecosystem protection measures. In addition, we encourage the NOC to **ensure that we are preparing for the "coast of the future" by integrating adaptation, and particularly ecosystem based adaptation approaches, into coastal and marine spatial planning (CMSP) efforts.** For example, the use of coastal ecosystems that provide shoreline protection services that help reduce the vulnerability of human communities could be integrated into CMSP analyses. Similarly, CMSP could be used to determine location of sensitive or strategic activities that could be relocated as part of adaptation strategy

NEXT STEPS

We again commend the National Ocean Council on its increased attention to climate change and climate adaptation and thank you for this opportunity to comment on the outline for the strategic action plan for priority objective 5: *Resiliency and Adaptation to Climate Change and Ocean Acidification.*

We believe the Administration has a tremendous opportunity to establish realistic, future-oriented, cooperative adaptation programs across the federal government and to help ensure that actions across sectors are innovative, comprehensive and cohesive. We look forward to working with you over the coming months as you develop your draft and final plans.

We will also be providing comments on the national freshwater and fish, wildlife, and plants adaptation strategies, and hope that these three strategies will be integrated to ensure they are mutually reinforcing.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of Quinault Indian Nation, SAP 5

(5 pages)

Quinault Indian Nation
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SAP 5. Resiliency and Adaptation to Climate Change and Ocean Acidification

General Comments

The Quinault Indian Nation (QIN) supports this SAP to better monitor for changes in our ocean environment while preparing and mitigating for that change. Coastal indigenous people like Quinault have inhabited these areas since time immemorial and persisted through previous periods of climate change, whether decadal or longer in duration. We now know that we are experiencing unprecedented rates of climate change that include effects not seen for eons, such as ocean acidification. The U.S. will need to utilize all available resources to ensure the survival of coastal communities. The QIN holds treaty with the U.S. government and has reserved rights to and management responsibilities for resources in a large (over 2,900 square nautical miles) ocean area. Quinault supports and endorses deployment of instrumentation that will monitor trends in ecosystems and physical ocean properties such as pH and temperature. Quinault also supports collecting and using traditional knowledge of historic climate regimes, species diversity and past adaptations to help identify changes as they begin and help coastal cultures such as Quinault to adapt as needed.

Action 1. Improve understanding of climate change and OA impacts.

Quinault and the other coastal treaty tribes of Washington State, the Hoh, Quileute and Makah Tribes, are well-suited to conduct research, monitoring and other data gathering activities that would aid identifying climate change and assessing potential effects. As front-line witnesses to the effects of climate change on our ocean the QIN and other coastal tribes can effectively fill spatial and temporal data gaps on the Washington coast while assisting our federal and state partners we co-manage our ocean with. Quinault

highly recommends that this SAP directly address facilitating tribal research and ability to defend their rights and culture in these vulnerable areas.

Action 2. Forecast impacts of climate change and OA for decision makers.
See previous comments for Action 1. Facilitating tribal ability and participation will build trust in science when presenting data that may suggest potential action. Incorporation of traditional knowledge will offer connections to past changes in tribal cultures that may have occurred.

Action 3. Integrate observations from protected areas, research sites and OOS's to provide information for improved forecasts and strategies.
Quinault generally supports this Action and fully supports funding and strategic placing of IOOS assets in our ocean areas that will create baselines and offer more comprehensive information of physical and biological changes in our coastal waters. The Olympic Coast National Marine Sanctuary (OCNMS) is well-suited to become a "sentinel site" along the Washington coast. The OCNMS is encompassed within the treaty areas of the four coastal treaty tribes and would be a strategic partner with the tribes in this effort. Current monitoring efforts in this area are not at all comprehensive and need further funding to be effective and have any predictive value.

Action 4. Provide accessible, timely, relevant climate change and OA information tools and guidance to support decision making at all scales.
Quinault supports this Action. Accessible data will be essential to many of the priorities of the NOP and is essential to the QIN as an ocean manager and sovereign government.

Action 5. Assess vulnerability of man-made and natural environments to climate change interactions.
Quinault supports this Action. Rising sea-levels in particular may have profound impacts on local infrastructure when combined with storm events that may be increasing in frequency and power. Natural environments can suffer consequences from temperature rise, sea-level rise, ocean acidification and storm events. Vulnerability assessments will aid decision makers when based on sound science and past history.

Action 6. Design, implement and evaluate adaptive strategies to reduce vulnerability and make good decisions.

The NOP and this SAP must incorporate Quinault and other tribes into these adaptive strategies to insure collaboration that will lead to proper and timely decisions to maintain their culture and their treaty reserved rights in the ocean.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of Deanna Spooner, Pacific Islands Climate Change Cooperative

(4 pages)

PACIFIC ISLANDS CLIMATE CHANGE COOPERATIVE
677 ALA MOANA BLVD., SUITE 320, HONOLULU, HI 96813

July 1, 2011

Comment Letter Submitted By The Pacific Islands Climate Change Cooperative To The National Ocean Council On National Ocean Policy Strategic Action Plan On Resiliency And Adaptation To Climate Change And Ocean Acidification (76 FR 4139)

Contact: Deanna Spooner, Coordinator of the Pacific Islands Climate Change Cooperative, 808-687-6148 or deanna.spooner@piccc.net

I. Summary

The Pacific Islands Climate Change Cooperative and its partners are working in a coordinated fashion to provide information, knowledge, and strategies that will inform regional implementation of the National Ocean Policy (NOP) in general and implementation of the *Strategic Action Plan on Resiliency and Adaptation to Climate Change and Ocean Acidification specifically* (Climate SAP). Although climate change and ocean acidification are cross-cutting issues and thus should be integrated into implementation of the NOP as a whole, we restrict our comments to the *Strategic Action Plan on Resiliency and Adaptation to Climate Change and Ocean Acidification* (Climate SAP) and the three issues presented in the Federal Register Notice soliciting public comment (76 FR 4139):

I. Near-term, mid-term, and long-term actions
II. Major obstacles to achieving this objective; are there opportunities this objective can further, including transformative changes in how we address the stewardship of the oceans, coasts, and Great Lakes?
III. What milestones and performance measures would be most useful for measuring progress toward achieving this priority objective?

II. Background Information on Existing Regional Effort to Address Climate Change and Ocean Acidification in the Pacific Islands

We are living in a time of unprecedented global change that poses great challenges to the Pacific Islands. Seas are rising, ambient and ocean temperatures are increasing, weather patterns are shifting, and ocean chemistry is changing. Economic, social, environmental, and cultural impacts associated with climate change and variability threatens the lives and livelihoods of the peoples of the Pacific. This threat is compounded by the geographic isolation of Pacific Islands communities and their lack of fiscal, human, and technical resources. These accelerating and unavoidable changes in the global environmental system are generating an increasing demand for information about the specific local and regional impacts of climate change and variability that is reliable, relevant, timely, and easy to access and use. Meeting this demand requires the understanding, support, and meaningful participation of all responsible agencies, research institutions, non-governmental organizations, and

communities, thus linking scientific and social initiatives directed at understanding and responding to a changing climate.

At the regional level the US Department of Interior (DOI) through the Pacific Islands Climate Change Cooperative (PICCC) and the US Department of Commerce (DOC) through the National Oceanic and Atmospheric Administration (NOAA) and the Pacific Climate Information System (PaCIS) have agreed to establish mechanisms and methods for interagency communication, coordination, and collaboration directed towards the transformation of climate-related information into actionable knowledge. Co-evolution of the DOI and DOC/NOAA efforts through PICCC and PaCIS serves as a means to nurture essential partnerships, conduct shared assessments, align complementary interests and activities, sponsor joint projects, and leverage funding. This will minimize duplication of effort, maximize the use of agency resources in the Pacific, and foster the growth of a regional culture of cooperation that can serve as a national model.

PICCC is a self-directed, non-regulatory conservation alliance whose purpose is to assist those who manage native species, island ecosystems, and key cultural resources in adapting their management to climate change for the continuing benefit of the people of the Pacific Islands. The PICCC steering committee consists of nearly 30 Federal, State, private, indigenous, and non-governmental conservation organizations and academic institutions, forming a cooperative partnership that determines the overall organizational goals, program objectives, and research agenda. The steering committee is supported by a "core team" of staff from sponsoring DOI agencies, experts from within its membership, and external researchers (grantees).

The Pacific Climate Information System (PaCIS) is a programmatic framework to integrate ongoing and future climate observations, operational forecasting services and climate projections, research, assessment, data management, outreach, and education to address the needs of American Flag and U.S.-Affiliated Pacific Islands (USAPI). It includes representatives of institutions and programs working in the fields of climate observations, science, assessment, education, outreach, users, and services in the Pacific as well as selected individuals with expertise in similar regional climate science and service programs in other regions, all working towards the PaCIS vision of "Resilient and sustainable Pacific communities using climate information to manage risks and support practical decision-making in the context of climate variability and change".

PICCC and PaCIS each have capabilities that, taken together, constitute an "end-to-end" system of *climate services* to provide information and assessments about climate variations and trends, their impacts on built, social-human, and natural systems, and climate change adaptation strategies in support of decision making at local, regional, national, and global scales. The many agencies, institutions, and organizations encompassed within PICCC and PaCIS also have capabilities that can be brought to bear in understanding the impacts of a changing climate and facilitating adaptive responses, as do those encompassed within the Pacific Regional Integrated Science and Assessment (Pacific RISA)

and the Pacific Risk Management 'Ohana (PRiMO) who are both working closely with PICCC and PaCIS in this effort.

The mechanisms for regional coordination include formal and informal partnering of PICCC and PaCIS, ranging from reciprocal representation on governing bodies to joint conduct of climate assessments for the Pacific Islands. This coordination enables more strategic policy engagement at the regional and national levels and increases our collective ability to address regional, national, or international issues that cross geographic boundaries and statutory/regulatory authorities.

III. Near-Term, Mid-Term, And Long-Term Actions Would Most Effectively Achieve The Climate SAP Objective

The efforts of the PICCC, PaCIS, and our partners encompass all of the Climate SAP Actions:

Action 1 – Improve understanding of the impacts of climate change and ocean acidification.
Action 2 – Forecast the impacts of climate change and ocean acidification at decision-relevant scales.
Action 3 – Strengthen and integrate observations from the Nation's existing array of protected areas, research sites and observing systems into a coordinated framework of "sentinel sites and systems" to provide information critical for improved forecasts, vulnerability assessments, and adaptation strategies.
Action 4 – Provide accessible, timely, and relevant climate change and ocean acidification information, tools, guidance, and services to support decision making at all scales.
Action 5 – Assess vulnerability of the built and natural environments and their interactions in a changing climate.
Action 6 – Design, implement and evaluate adaptation strategies in order to reduce vulnerabilities and promote risk-wise decisions.

All of these actions are of ***high priority*** and being implemented in the ***near-term*** because we do not have the luxury of time; climate change/variability and ocean acidification are impacting Pacific Islands here and now.

Rather than duplicate the collaboration already successfully at work in the Pacific Islands, the PICCC recommends establishing a dialogue between the NOC and (when formed) the Regional Ocean Council and Regional Coastal and Marine Spatial Planning body to ensure that ongoing research and adaptation efforts are meeting NOP goals and objectives.

IV. Major Obstacles To Achieving This Objective

The primary obstacle to meeting the Climate SAP objective to "[s]trengthen resiliency of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and ocean acidification" is the lack of effective mitigation mechanisms. As long as atmospheric concentrations of CO2 continue to increase, any adaptive measure will provide limited, short-term

reductions of risk and little hope of long-term resiliency. With regard to ocean acidification, current technologies can only ameliorate changes in ocean chemistry at localized scales insufficient to address large-scale changes to marine and coastal ecosystems. Likewise, climate variability and change already are testing our limited adaptation toolbox (e.g., saltwater intrusion due to sea level rise and increased storminess has rendered many Pacific atolls uninhabitable, and there is no 'technological fix' to this problem).

V. Milestones And Performance Measures

The most meaningful milestone for Pacific Islands is the number of communities able to persist over time and maintain the customs and practices unique to their culture and locale. However, this milestone is not achievable across the region due to severity and rapidity of change. For example, if current sea level rise projections of 1-2 meters by the end of this century hold true, atoll island states like the Republic of the Marshall Islands will be forced to relocate their entire population.

An equally important milestone is retaining a functional percentage of current marine biodiversity and ecosystem function in the Pacific. An obstacle to developing meaningful and achievable targets and performance measures for this milestone is a scarcity of baseline information against which to measure success. A greater investment in observing and monitoring physical, chemical, and biological changes over the ***long-term*** is needed to verify model predictions. A ***near-term*** need is funding support of efforts to analyze and normalize existing data needed to make projections about impacts to systems, habitats, and species.

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Regional Ecosystem Protection and Restoration:

Comment of National Marine Sanctuary Foundation

(4 pages)

The Honorable Nancy Sutley
Chair
Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20506

The Honorable John Holdren
Director
Office of Science and Technology Policy
725 17th Street NW
Washington, DC 20502

RE: National Marine Sanctuaries and SAP 6 – Regional Ecosystem Protection and Restoration

Dear Chair Sutley and Director Holdren:

Congratulations on the National Ocean Council's recent completion of its Strategic Action Plan (SAP) outlines, a major milestone in implementation of the National Ocean Policy. We appreciate this opportunity to provide input on the National Ocean Council's SAP for Regional Ecosystem Protection and Restoration and look forward to working with you and the National Ocean Council to ensure that place-based approaches to ocean governance remain a priority.

We strongly support the National Ocean Council's plan to reinvigorate our National Marine Sanctuary System through the SAP for Regional Ecosystem Protection and Restoration.

Although the enduring value of the sanctuary system's 14 existing sites is appreciated each year by tens of thousands of Americans, it has been nearly two decades since the public last had a meaningful opportunity to identify nationally significant ocean areas and formally propose that protections be enacted for them as national marine sanctuaries. Community leaders, academics, elected officials, and interested citizens have been unable to propose new sites for potential designation since the deactivation of the Office of National Marine Sanctuaries' Site Evaluation List (SEL) in 1995, and NOAA itself has not advanced any proposals for new sites since 2000 due to the inclusion of a budget-dependent, *de-facto* moratorium on new sanctuaries in the National Marine Sanctuaries Act. These two, separate barriers present a significant impediment to the use of existing

authorities in implementation of the National Ocean Policy's protection and restoration goals, and they also offer challenges to the advancement of ecosystem-based ocean governance as conceived by the National Ocean Council. Moreover, it should be noted that while the identification of potential national marine sanctuaries is continuously postponed, there has been no parallel delay in the designation of areas for development.

The process of reactivating the SEL, including a formal Federal Register proposal and multiple opportunities for comment, should begin as soon as possible (consistent with the SAP's initial call for consultation and engagement with states, regional planning bodies, and other interested parties).

It is critical that we ensure the greatest possible opportunity for public engagement concerning areas of our ocean that may be worthy targets for conservation. Accelerating the timeline for initiating the SEL process will allow the public sufficient time to comment on the proposed reactivation itself, propose sites for consideration, and comment on proposed criteria by which sites would be evaluated. In addition, we believe that commentary solicited under the SEL will make substantive contributions to achieving milestones under multiple SAPs and should therefore happen early in the overall process, not within the proposed three to five year timeframe.

In addition to reactivating the SEL, we encourage the National Ocean Council to recommend that the *de-facto* moratorium on new national marine sanctuaries, currently part of the National Marine Sanctuaries Act, be lifted.

This targeted statutory change, at 16 USC 1434(f), would address a serious deficiency in law that precludes even the potential use of sanctuaries – the federal government's *only* tool for comprehensive protection of offshore areas, and one that has proven successful at enhancing both marine ecosystems and coastal communities – and we look forward to its consideration as the Council considers ways to better promote ecosystem-based management during its review of environmental statutes.

We hope that our comments concerning the role of national marine sanctuaries are helpful as you and the National Ocean Council begin to refine this SAP and develop final actions that promote regional ecosystem protection and restoration.

Thank you for your support and for all you do to improve the health of our ocean,

National Organizations

Tim Dillingham, Executive Director, American Littoral Society

Steve Olson, Vice President, Federal Relations, Association of Zoos & Aquariums

David Helvarg, Executive Director, Blue Frontier Campaign

Bill Snape, Senior Counsel, Center for Biological Diversity

Richard Charter, Senior Policy Advisor, Marine Programs, Defenders of Wildlife

Marcie Keever, Oceans & Vessels Project Director, Friends of the Earth

William J. Chandler, Vice President for Government Affairs, Marine Conservation Institute

Jason M. Patlis, President & CEO, National Marine Sanctuary Foundation

Karen Garrison, Co-Director, Oceans Program, Natural Resources Defense Council

David Wilmot, Ph.D., President and Co-Founder, Ocean Champions

Vikki Spruill, President and CEO, Ocean Conservancy

Michael Stocker, Executive Director, Ocean Conservation Research

Jean-Michel Cousteau, President, Ocean Futures Society

Jeff Benoit, President and CEO, Restore America's Estuaries

Stephen Coan, Ph.D., President & CEO, Sea Research Foundation, Inc.

Pete Stauffer, Ocean Ecosystem Manager, Surfrider Foundation

Kameran L. Onley, Director, U.S. Marine Policy, The Nature Conservancy

Mark J. Spalding, President, The Ocean Foundation

Linda Krueger, Vice President, Policy, Wildlife Conservation Society

Place-Based Organizations and Local Governments

Carol Georgi, Coordinator, California Central Coast Marine Sanctuary Alliance, San Luis Obispo, CA

Captain Spencer Slate, Captain Slate's Atlantis Dive Center, Key Largo, FL

Carol Shafto, Mayor, City of Alpena, Alpena, MI

Ryan Coonerty, Mayor, City of Santa Cruz, Santa Cruz, CA

Robert Ryan, Mayor, City of Sheboygan, Sheboygan, WI

Tom Lambert, President, Cordell Marine Sanctuary Foundation, Olema, CA

Bob Holston, Owner/Operator, Dive Key West, Key West, FL

Terri Watson, Executive Director, Farallones Marine Sanctuary Association, San Francisco, CA

Manley Fuller, President, Florida Wildlife Federation, Tallahassee, FL

Michael J. Greenberg, PhD, President, Friends of Matanzas, Ponte Vedra Beach, FL

Warren and Gloria Snyder, Friends of the Humpback Whale, Kihei, HI

Ignacio V. Cabrera, Chairman, Friends of the Marianas Trench Marine National Monument, Saipan, MP

Charles N. Wiesen, President, Friends of Thunder Bay National Marine Sanctuary, Alpena, MI

Steve Kroll, Owner/Operator, Great Lakes Divers & Sweetwater Charters, Rogers City, MI

Dr. Quenton R. Dokken, President/CEO, Gulf of Mexico Foundation, Corpus Christi, TX

Bruce Popham, President, Marathon Boat Yard Marine Center, Marathon, FL

Dennis J. Long, Executive Director, Monterey Bay Sanctuary Foundation, Monterey, CA

Dr. Kumar Mahadevan, President & CEO, Mote Marine Laboratory, Sarasota, FL

Jim Muller, Principal, Muller and Associates, Inc., Tallahassee, FL

John Wooley, President, Olympic Coast Alliance, Sequim, WA

Steve Crawford, Environmental Director, Passamaquoddy Tribe, Pleasant Point, ME

Leesa Cobb, Executive Director, Port Orford Ocean Resource Team, Port Orford, OR

Richard F. Delaney, President & CEO, Provincetown Center for Coastal Studies, Provincetown, MA

Michael Cohen, President, Stellwagen Alive!, Boston, MA

John H. Broihahn, State Archaeologist, Historic Preservation-Public History Division, Wisconsin Historical Society, Madison, WI

Individuals

Peter Auster, PhD, Research Professor of Marine Sciences, University of Connecticut, Groton, CT

Mike De Luca, Senior Associate Director, Institute of Marine and Coastal Sciences, Rutgers University, New Brunswick, NJ

Lauren Mullineauax, Senior Scientist, Woods Hole Oceanographic Institution, Woods Hole, MA

Dennis Nixon, Associate Dean for Research and Administration, Graduate School of Oceanography, University of Rhode Island, Narragansett, RI

Rick Steiner, Professor, Oasis Earth, Anchorage, AK

Robert S. Steneck, Ph.D., Professor of Oceanography, Marine Biology and Marine Policy, University of Maine, Walpole, ME

John W. (Wes) Tunnell, Jr., Ph.D., Associate Director, Harte Research Institute for Gulf of Mexico Studies, Texas A&M University, Corpus Christi, TX

Robert B. Whitlatch, Professor, Department of Marine Sciences, University of Connecticut, Groton, CT

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Regional Ecosystem Protection and Restoration:

Comment of Ducks Unlimited

(4 pages)

July 1, 2011

Ducks Unlimited comments concerning:

National Ocean Council's Strategic Action Plan, *Regional Ecosystem Protection and Restoration priority objectives*

Overview: We are focusing on the Regional Ecosystem Protection and Restoration Strategic Action Plan (SAP) outline. Ducks Unlimited's (DU) mission is to conserve, restore and manage wetlands and associated habitat for North America's waterfowl. Many of these wetlands are along the Pacific, Gulf and Atlantic coast as well as on the Great Lakes. They are among the most critical and most threatened habitats on the North American continent. While Ducks Unlimited is focused on the values of these wetlands to migratory waterfowl, we conserve these habitats as part of functioning ecosystems that interact biologically with their component species and physical attributes and produce benefits for waterfowl and other species including humans. There is, literally, a natural nexus between aquatic species and more terrestrial species that is affected by how these ecosystems are conserved, restored and managed. While NOAA and the Action Plans that NOAA produces are concerned primarily with the supportive function of coastal wetlands to open water systems, such as their importance as nursery grounds for fish species, we share concerns for the conservation of their functions and values. Therefore, our work to promote, restore, manage and maintain coastal wetlands is congruent with NOAA's mission in these regards. The same threats and same remedies apply whether the concern is fish or waterfowl. We share a common interest in ensuring long-term functioning coastal wetland ecosystems.

General comments: This "Strategic Action Plan" relies heavily on additional information gathering and additional detailed planning than it does on actual actions, per se. While all actions - restoration project implementation, budgeting for conservation, public information dissemination, etc. - should be supported by valid, appropriate science and planning, that should not be a substitute for actual on-the-ground restoration and enhancement of habitat. We believe that there are sufficient plans in place and sufficient information available to move aggressively with concrete actions that will have direct and long-term biological impact (for example, the Great Lakes Action Plan, All Bird Joint Venture Implementation Plans, etc.) This outline does not define a clear path to the implementation of such actions, and thus fails as an action plan. The National Ocean Policy requires that this SAP address,

among other things, project prioritization, collaboration and coordination, and restoration of populations and essential habitat. Yet, there is little evidence in the outline that the answer to these issues isn't simply more planning and studying.

Specific comments: Under **A. Action 1 - Support shared regional ecosystem protection and restoration priorities**, the focus is on the Great Lakes, the Gulf of Mexico and the Chesapeake Bay, leaving other regions like the Puget Sound, San Francisco Bay and the West Coast region only to be addressed sometime in the future. The justification is that the areas of focus are where Federal agencies are working collaboratively with other entities on ecosystem priorities. We are concerned that this attention to existing priority areas will serve to ignore the needs and opportunities presented along the West Coast. This is an area where there is a large amount of effective work being done by DU and other NGOs in collaboration with an array of public agencies, including NOAA. Fisheries and migratory bird conservation issues are clearly as pressing there as anywhere. There are well-honed plans in place, such as the Implementation Plan of the San Francisco Bay Joint Venture and the Pacific North Coast Joint Ventures that address the conservation needs of coastal wetlands and have identified an organized series of actions needing work. From our standpoint, these wetlands are as significant biologically, economically, socially and politically as any of the others and should be addressed in this SAP.

Under **B. Action-2- Strengthen conservation partnerships**, one of the steps described in increasing partnerships is to increase corporate support for ecosystem projection and restoration through the "Corporate Wetlands Restoration Partnership." This is primarily an initiative that targets corporate sponsors from the East and Gulf coasts. There is no mention or strategy presented which would expand this partnership to the Pacific coast where there is clearly the opportunity to enhance its value. We also would suggest that one locus for gathering support from both the corporate sector and other public and private potential contributors would be in an organized coordinated effort to address the future problems that will be created by rising sea levels. Please see below in the next section for a more complete description of the Sea Level Rise Initiative itself.

Under **C. Action 3- Reduce coastal wetland loss and improve understanding of coastal wetland status and trend**, this could be a primary section of the SAP to call for specific actions, but it is almost exclusively focused on information gathering. Among other things, DU suggests that the plan incorporates an initiative to address sea level rise as it affects coastal wetlands. If this step were taken there would be some possibility of actually reducing coastal wetland loss, as opposed to studying its demise. The following is a description of the Initiative that we believe should be considered for inclusion in this plan:

Issue: Sea level rise will increase land erosion and systematically drown tidal wetlands, and shoreline habitats. In response Ducks Unlimited has proposed to develop a conservation easement program in partnership with NOAA. This partnership addresses a need to conserve and provide resiliency for NOAA trust resources that is not being met through other Federal grant programs.

Rationale:

- Wetlands along the margins of the Pacific, Atlantic, Gulf and Great Lakes are vital to freshwater and estuarine fish and invertebrates, as nursery, rearing and feeding habitats, and for migratory waterfowl and shorebirds, as wintering, breeding and feeding habitats.

- It is imperative to preserve agricultural open space to serve as a buffer to existing estuarine wetlands and to act as replacement land for coastal wetlands that will be drown by sea-level rise.

- Acquisition of conservation easements, purchased from willing sellers, is a proven, effective, pro-active technique for preserving open space and can provide resiliency via living shorelines versus hardened structures.

The Initiative:

- Six priority estuarine watersheds would be selected along the coast of Washington, Oregon and northern California to serve as a pilot for a national program. For example, DU modeling has shown that significant changes will occur in coastal wetland systems in north Puget Sound and the Lower Columbia River estuary with even moderate predictions of sea-level rise. And, there are already opportunities in these areas to implement a coastal easement program.

- DU would enter into an agreement with NOAA for easement acquisition, negotiate and purchase easements, and hold easements in trust for NOAA.

- DU estimates that $30-$40 million annually for two years would be required; funds could be appropriated as a new budget line item, or obtained through interagency agreements from existing federal easement programs.

  DU will legislatively support NOAA to secure funding to purchase conservation easements... NMFS, Office of Habitat Conservation would administer the program and evaluate the results.

A more detailed plan of action is attached. Similar programs could be developed for the Gulf Coast, Atlantic Coast, and Great Lakes.

Under **F. Action 6-Reduce the threat of aquatic nuisance species**, the outline appears to only consider "aquatic species" to be of significant impact to regional ecosystems, or at least there are no actions addressing anything else. Because invasive plant species such as phragmites, perennial pepper weed, cordgrass and others have a profound impact on the functioning of coastal wetlands for both aquatic and terrestrial species, we believe that Action 6 should be broadened to include terrestrial plants, including those mentioned.

Under **G. Action 7-Identify nationally significant marine and Great Lakes aquatic areas in need of protection**, again, the SAP only considers aquatic as the appropriate modifier, while it is clear that terrestrial areas such as coastal wetlands should be included.

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Regional Ecosystem Protection and Restoration:

Comment of West Coast Governors' Agreement on Ocean Health, Regional Ecosystem

(4 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

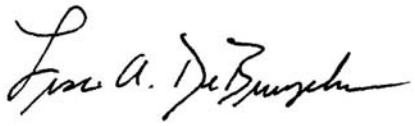
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 6: Regional Ecosystem Protection and Restoration

We appreciate that the NOC's recognizes the importance of ecosystem protection and restoration, as it is a key priority in the 2008 WCGA Action Plan. We have a process recommendation to fall under the context and continuity section as well as specific comments for Actions 1, 2, and 6.

Context and Continuity

WCGA Recommendations:

- **Create common and standardized classifications for marine and coastal habitats.**

We appreciate and support the NOC's effort to address project prioritization, collaboration and coordination, science-based planning, impacts of invasive species, and protection, maintenance, and restoration of populations and essential habitats. However, we feel that this process will greatly benefit from gauging state-by-state progress towards a common and standardized classification scheme for marine and coastal habitat and further develop and refine region-wide metrics for the evaluation of marine, estuarine, and coastal habitat conditions (e.g. National Coastal Condition Report, National Eutrophication Report, National Wetlands Inventory, EMAP/CEMPA etc). Integration of these separate efforts with a unified numerical assessment of the ecological condition of coastal and marine habitats combined with standard classification for habitats will improve and streamline collaboration across states and regions.

Action 1 – Shared regional ecosystem protection and restoration priorities

WCGA Recommendations:

- **Support West Coast restoration efforts.**

Many West Coast restoration projects depend on significant federal funding to accomplish their goals including two particularly large restoration projects. In Washington, Puget Sound a major ecosystem protection and restoration effort in the country and deserves continued federal support and engagement. In California, the South Bay Salt Pond Restoration Project is the largest tidal wetland project on the West Coast, and will require federal funding for completion. This will contribute to meeting the national goals for restoration and protection in the near and mid-term.

Action 2 – Conservation Partnerships

WCGA Recommendations:

- **Examine ways to strengthen other partnerships that will identify and conserve non-wetland ocean and coastal habitats.**

While wetlands are important habitats, this action focuses too heavily on supporting and utilizing the Corporate Wetland Restoration Project. Other groups and partnerships may be better suited toward other types of habitat conservation necessary for our coasts and oceans.

Action 6 – Reduce the threat of aquatic invasive species

WCGA Recommendations:

- **Focus on preventing the introduction of aquatic invasive species**
- **Increase capacity of the Aquatic Nuisance Species Task Force (ANSTF) and encourage partnerships with state and local governments.**
- **Support control or eradication of priority aquatic nuisance species identified in each region.**

While we appreciate the focus on reducing the threat of aquatic invasive species, it is always more costly to control or eradicate a species than to prevent its introduction in the first place. We encourage the NOC to consider efforts to prevent the introduction of aquatic invasive species, such as by supporting ballast water treatment and addressing hull fouling and the trade of live organisms as largely unmanaged vectors.

We support the NOC's recommendation that the Aquatic Nuisance Species Task Force (ANSTF) fulfill a coordinating role amongst federal agencies in implementing fragmented policies for regulating invasive species. While we believe the ANSTF is probably the entity best positioned to take on this role, we are concerned that they do not currently have adequate capacity, particularly if the ANSTF relies upon their regional panels, largely composed of volunteers, to do this work. Our experience has shown that the Western Regional Panel of the ANSTF has focused largely on zebra and quagga mussels, and due to limited capacity, has not been able to address coastal and marine species. We furthermore suggest that the ANSTF reach out to state and local partners to a greater extent.

We recognize that the NOC has cited the Indo-Pacific lionfish in the Caribbean could serve as a model to increase our understanding of how to manage other invasive species throughout the nation. However, the milestones and outcomes of this action list only processes and control plans for lionfish. Equal weight and support need to be given to the priority aquatic nuisance species that are identified by federal and non-federal partners in each region.

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Regional Ecosystem Protection and Restoration:

Comment of National Fish Habitat Board

(2 pages)

National Fish Habitat Action Plan
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Web www.fishhabitat.org

July 1, 2011

Chairwoman Nancy Sutley
Council on Environmental Quality, Executive Office of the President
722 Jackson Place NW
Washington, DC 20506

Director John Holdren
Office of Science and Technology Policy, Executive Office of the President
725 17th Street NW
Washington, DC 20502

Re: Comments on for the Strategic Action Plans

Dear Chairwoman Sutley and Director Holdren:

On behalf of the National Fish Habitat Board (board), I am writing to reiterate our thoughts from our April 29, 2011 letter to you on the nine strategic action plans that will be developed by the National Ocean Council. We appreciate the opportunity to provide this input and look forward to working with you and the National Ocean Council to ensure that conservation and restoration of fish habitat is a key priority.

While we will provide additional specific comments on the strategic action plan outlines shortly, we do want to express our appreciation for the inclusion of the National Fish Habitat Action Plan as a key element in the outline for Regional Ecosystem Protection and Restoration. The National Fish Habitat Action Plan is an important state-federal-private partnership program that is achieving results on the ground. Your recognition of the partnership as a key tool in implementing the National Ocean Policy increases our determination to do the best work we can.

To reiterate some of our earlier thoughts, we hope that the National Ocean Council will:

- work to improve ecosystem-based management and implement regional ecosystem protection and restoration programs through existing programs and partnerships
- take the time and effort to ensure the regional planning bodies understand existing programs and tools that both state and federal agencies bring to the table
- ensure that both the Wildlife Habitat Incentive Program (WHIP) and the Environmental Quality Incentives Program (EQIP), run by the Natural Resources Conservation Service (NRCS) are not overlooked in implementing the National Ocean Policy
- work with the National Fish Habitat Board to build upon the fish habitat assessment work that we have conducted

- work with the 17 Fish Habitat Partnerships to ensure regional ecosystem projects are implemented in accordance with already-established priorities for fish habitat conservation and restoration, and
- support the passage of the National Fish Habitat Conservation Act (NFHCA).

We hope to provide some more specific comments on the individual action plans shortly. In the meantime, if I can provide any additional information, please let me know.

Sincerely,

Kelly Hepler
National Fish Habitat Board Chairman

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Regional Ecosystem Protection and Restoration:

Comment of Restore or Retreat

(2 pages)

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simone.maloz@nicholls.edu · www.restoreorretreat.org

July 1, 2011

Michael Weiss
Deputy Associate Director for Ocean and Coastal Policy
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Comments on Regional Ecosystem Protection and Restoration Strategic Action Plan Outlines

Dear Mr. Weiss:

Restore or Retreat, Inc. is a non-profit coastal advocacy group created by coastal Louisiana residents and stakeholders who recognize the Barataria and Terrebonne basins are the two most rapidly eroding estuaries on earth. Representing over 200 businesses and individuals throughout the region, Restore or Retreat (ROR) would like to respectfully submit the following comments on the *National Ocean Council's Regional Ecosystem Protection and Restoration Strategic Action Plan*.

Objective

Immediately after Hurricanes Katrina and Rita in 2005, the Louisiana Legislature took the bold step of integrating coastal restoration and hurricane protection, and implemented a subsequent Master Plan incorporating both. The State will be providing an update to the Master Plan in 2012, which will also incorporate a prioritization tool for projects. We believe this solid document already establishes and implements an integrated ecosystem protection and restoration strategy that is science-based, has a prioritization tool, and aligns conservation and restoration goals for at the federal, state, and local levels, and because of this, should be considered a guiding document and model for other Gulf Coast States.

Gulf Coast Ecosystem Restoration Task Force

The Gulf Coast Ecosystem Restoration Task Force was created by President Obama through an Executive Order on October 5, 2010, and is the result of a recommendation made in Secretary Mabus' report on long term recovery following the Deepwater Horizon Oil Spill. By October 5, 2011, the Task Force is charged with development of a restoration strategy that proposes a Gulf Coast ecosystem restoration agenda.

With the President's support and Cabinet-level involvement, we believe the Gulf Coast Restoration Task Force seems as the natural entity to help establish continuity in restoration and protection across the Gulf Coast. Louisiana and its residents have long been aware of the overly-complicated political structure handling restoration and protection projects, and this process needs to be streamlined as best as possible to be able to produce the most efficient and effective outcomes possible. We look forward to reviewing the Task Force's regional ecosystem strategy document in October because we

believe this document, in coordination with Louisiana's 2012 updated Master Plan to address region-specific issues, could serve as the basis for a regional ecosystem protection and restoration plan.

Action 1- Beneficial Use

Louisiana has extensive experience dealing with the opportunities and challenges of using dredge material beneficially. In March 2011, Louisiana Department of Natural Resources Secretary Scott Angelle and the DNR Office of Coastal Management (OCM) announced that improved rules on the beneficial use of material dredged in projects requiring a coastal use permit have improved the percentage of qualifying projects that provide material or funding for coastal protection, building upon successfully revised rules adopted and made public in 2009. With the State in line and in tune with the need for better beneficial use practices, we need to ensure the federal policy on beneficial use is also reflective of the importance of beneficial use of dredge material to coastal communities.

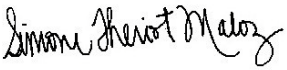
Action 8- Improving the effectiveness of coastal and estuarine habitat restoration projects

We strongly agree it is important planned, funded, and implemented habitat restoration projects be coordinated, evaluated and tracked to ensure restoration implementation is effective and efficient. We are unaware of the involvement of the Estuary Habitat Restoration Council, and have some concerns about how federal agencies involved will score both socio-economic and actual benefits of restoration projects across the unique coastal landscapes. We have seen through the federal Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) process that federal agencies can have conflicting policies not only amongst themselves but also in conflict with the State. We would strongly encourage the State to have a seat on the Council to ensure evaluations are taking into consideration features and benefits unique to coastal Louisiana.

In conclusion, we believe there are multiple efforts to try to coordinate restoration and protection planning and implementation activities along the Gulf of Mexico and coastal Louisiana. While we believe you have several worthy action plan items To ensure coastal Louisiana is protected and secured in the most efficient and effective way possible, we implore you to not further complicate the process in any way, including the duplication of any already-existing efforts or implementing a policy or structure that would conflict with successful policies and infrastructure already in place.

Thank you for your time and for the opportunity to submit these comments. If you have any questions or need more information, please do not hesitate to contact me at (985) 448-4485.

Sincerely,
Restore or Retreat, Inc.



Simone Theriot Maloz
Executive Director

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Regional Ecosystem Protection and Restoration:

Comment of Kara Miller

(2 pages)

Spanning from physical, geological, biological to cultural reasons, the Pacific Island region, specifically the state of Hawai'i, deserves unique attention in our Nation's Ocean Policy framework.

In regards to the sixth SAP, regional ecosystem protection and restoration, it is irresponsible and negligent to exclude Hawai'i from the priority regions that are explicitly outlined. Action 4 of this SAP speaks specifically towards ecosystem services in regards to coastal wetlands, mangroves and sea grass beds, many of which in Hawai'i have already been devastated by irresponsible development causing irreversible damages. Action 5 of this SAP speaks specifically towards mitigation for injuries to coral reef ecosystems. As an island State, Hawai'i is the only State completely surrounded by water and thus responsibly interacting with and sustainably exploiting these areas is of vital and upmost importance to the region and people who depend on them for livelihood and sustenance. The estimated 410,000 acres of coral reef ecosystems throughout the Hawaiian Islands comprise almost 85% of all coral reef ecosystems under US jurisdiction, and yet somehow Hawai'i was left out of this SAP as a region deserving priority attention. Action 6 of this SAP addresses aquatic nuisance and invasive species. Hawaii's coral reefs ecosystems alone have over 5,000 known species of marine plants and animals, many of which are endemic and found no place else on the planet. Besides their vast coverage throughout the state, these coral reef ecosystems are culturally, economically, and biologically critical to Hawaii's future. Areas of intensified land and human uses are ever-expanding and thus increasing adverse impacts to the reefs-- sedimentation, eutrophication, and pollution. The effects of overfishing and extensive invasive algae intrusion into many bays and near-shore areas of the State further compound these adverse impacts. Action 7 clearly identifies "nationally significant marine areas in need of protection," and it is unacceptable and rash that there is no current plan to create and utilize a CMSP regional planning body from this region of the United States. Perhaps because Hawai'i is the third smallest State and has been a State for far less time than all the others, it is somehow overlooked in terms of deserving priority attention and action. However this is inexcusable and dangerous to the future of the State and its People.

In regards to the fifth SAP, resiliency and adaptation to climate change and ocean acidification, it is clear that special considerations are needed for cultural resources and systems, as this is cited throughout the plan. It is therefore inconsistent that nowhere in this entire SAP is there mitigation or adaptation strategies addressed for the U.S. Pacific Island territories. Hawai'i and the territories are at the most immediate risk of devastation from ocean acidification and a rising sea level, yet nowhere in the plan are there remediation efforts or adaptation strategies outlined for these regions. In fact, the territories seem to be left out of the NOP altogether. It is critical the U.S. plans responsibly and comprehensively for adaptation to climate change, and including the territories in this framework is essential.

And lastly, in regards to the fourth SAP which addresses coordination and support, many references are given to international engagement, as well as preventing and resolving conflicts across jurisdictions and disagreements concerning jointly managed ocean and coastal resources. Currently some of the biggest divergences occurring across the Hawaiian Islands are conflicting claims to coastal areas and resources and multiple user conflict issues. Although

the percent of native Hawaiians has dropped to somewhere around 10%, we must keep in mind the history of acquiring these islands as a U.S. State, and the intense, sometimes violent, conflicts that arise from ownership disagreements must be addressed. The NOP must take into account the never-ending battle by native Hawaiians and others across the region for acknowledgement and legitimacy of Hawaiian ancestral claims to coastal lands and resources and the many injustices and legal barriers this creates in our systems of governance. There should be an extremely robust overview of all active existing authorities already present and acting in the region so as to avoid even more discrepancy and overlap of authorities. This is especially crucial for the State of Hawai'i as the governance system is already deeply complicated in a mix of Hawaiian customary and cultural law and general principles of law that are often conflicting with State and National law.

Thank you very much for providing the opportunity to comment on our NOP.

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Dividing the waters: The case for hydrologic separation of the North American Great Lakes and Mississippi River Basins

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ABSTRACT

Legislation has been introduced this year in the U.S. Congress, but not yet enacted, that would direct the U.S. Army Corps of Engineers to complete a study of the options that would prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins. Hydrologic separation is the only option which closes the aquatic connection between the two basins and does not require continuous operation and maintenance of various technologies that have some risk of failure. The one-time, capital cost to separate the two basins is widely acknowledged to be high, and the outstanding question is whether the costs are justified given the significant risk of future ecological damages and long-term economic losses. Interests opposing separation have mounted a public campaign that the news media have picked up to deny that hydrologic separation should be considered or that a problem even exists. The campaign rests on four assertions: (1) existing electric barriers in the Chicago canals are effective; (2) it is too late–the carps are already in the Great Lakes or soon will be; (3) Asian carps will not thrive in the Great Lakes due to inadequate food and spawning habitat; and (4) Asian carps are unlikely to cause serious harm. Our review of these assertions and the ecological and socio-economic threats to both basins supports our recommendation that the pending legislation be passed and that it include analysis of hydrologic separation of the two basins.

Introduction

Responding to a public health risk more than 100 years ago, engineers reversed the Chicago River and built the Chicago Sanitary and Ship Canal to carry sewage away from Lake Michigan, the city's source of drinking water (Hill, 2000). The canal breached the low natural divide between two of North America's iconic watersheds, the Great Lakes and the Mississippi River, thereby opening a shipping route for recreational boats and commercial barges, but also providing an invasion route for harmful aquatic species; two of which are currently of major concern, bighead (*Hypophthalmichthys nobilis*) and silver (*H. molitrix*) carp. The imminent threat of these invasive Asian carp swimming through the canal system and colonizing the Great Lakes has elicited legislation from the U. S. Congress (Water Resources Development Act, 2007) authorizing the U.S. Army Corps of Engineers (USACE) to conduct "a feasibility study of the range of options and technologies available to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins through the Chicago Sanitary and Ship Canal and other aquatic pathways." However, more than three years passed before the USACE issued the study's first Draft Project Management Plan, and the completion date for the study has slipped to 2015 (USACE, 2010c). Additional legislation which has been introduced, but not yet enacted (U.S. House, 2011; U.S. Senate, 2011), would direct the USACE to complete its separation study within 18 months. Political support for this legislation threatens to be undermined by a media campaign based on the following four assertions:

1. Existing electric barriers (constructed in the Chicago Sanitary and Ship Canal to prevent migration of harmful aquatic species) have proven effective in blocking Asian carp; Asian carp recently captured on the Lake Michigan side of the barrier arrived by other means (Frede, 2010).
2. Asian carp have already found their way into the Great Lakes, or soon will, through various means such as the dumping of bait buckets by anglers or intentional transfers — therefore it is too late to prevent the invasion (Frede, 2010; McCloud, 2010; Stanek, 2010).
3. Asian carp will not thrive in the Great Lakes due to a lack of adequate food and spawning habitat (Flesher, 2010; Golowenski, 2010).
4. Asian carp are not likely to cause serious damage to the Great Lakes ecosystem (Smith and Vandermeer, 2010).

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Our critical review of these assertions and the ecological and socio-economic threats to both basins supports our recommendations that the pending legislation needs to be passed and that it should include serious consideration of re-separation of the basins.

Are existing barriers effective?

The existing electric barriers in the Chicago Sanitary and Ship Canal are designed to repel, not kill fish. The voltages required to kill fish would also be dangerous to humans who might fall into the water. Electric barriers are subject to shut down due to power interruptions, accumulation of debris, and periodic maintenance (USACE, 2010b). The electric field near steel-hulled barges can be reduced, possibly inducing fish to remain close to the hulls to avoid shock as they transit the electric field (Dettmers et al., 2005). During flood events, temporary water connections can allow fish to bypass the existing electrical barriers (USACE, 2010a,b). On the upstream (lakeward) side of the electrical barriers, only narrow strips of land separate the Sanitary and Ship Canal from the Des Plaines River and the old Illinois and Michigan Canal, which are connected to the Illinois River, a tributary of the Mississippi River. In September 2008, floodwaters connected the Sanitary and Ship Canal with the Des Plaines River (USACE, 2010a). To reduce the risk of fish by-passing the electric barriers, the Corps of Engineers recommended construction of 34,600 ft (10,546 m) of concrete barricades and 33,400 ft (10,180 m) of Chain Link Fence with ¼-inch (6.35 mm) openings to separate the Des Plaines River floodplain from the Sanitary and Ship Canal at an estimated cost of $13,174,000. To date, a portion of the barricade and fence system has been completed in the area most likely to flood and two culverts that connect the old, unused Illinois and Michigan Canal to the Sanitary and Ship Canal have been blocked (USACE, 2010a).The frequency and size of flood events that may provide direct access for adults, eggs, or larvae of Asian carp to Lake Michigan around the electrical barrier are still under analysis (USACE, 2010a). Most experts agree that permanent solutions to block Asian carp and other harmful aquatic species from invading the Great Lakes must look beyond electrical barrier systems.

In addition to by-passes and other potential failures to prevent upstream movements, one of the greatest deficiencies of electrical barriers or other permeable devices that allow the free flow of water and boats are their inability to block *downstream* movements. Electric fields cannot prevent downstream migration and drifting of invertebrates, fish eggs and larvae, and potentially harmful plants, parasites and disease organisms. Pulsed DC electric fields generally are not strong enough to kill drifting organisms and propagules (Jerde et al., 2010a). Risks of harmful species transfers downstream from the lakes to the Mississippi River Basin must be taken as seriously as the threats to the Great Lakes. Recent assessments indicate that there are more than 156 nonnative aquatic species restricted to either the Great Lakes or Mississippi River Basin (Jerde et al., 2010a). Of these, 10 species present in the Great Lakes could damage the Mississippi River Basin and 17 species present in the Mississippi River Basin could damage the Great Lakes (Jerde et al., 2010a).

Are Asian carps already in the Great Lakes?

Traditional electrofishing and netting methods have been used in attempts to detect the presence of Asian carp beyond the electric barriers. Far more sensitive methods are needed for accurate monitoring, especially near the leading edge of the invasion front, where the population will be initially low (Jerde et al., 2010a).

One such method, detection of bighead and silver carp DNA in water samples (environmental DNA, eDNA), was employed in parallel with conventional techniques, but the efforts were not integrated into a scientifically-based framework designed to validate this new methodology (Jerde et al., 2010b; Jerde et al., 2011). Due to its novelty in this application, the eDNA methodology has been viewed by some as an unproven, experimental method of detecting the presence of Asian carp. However, the eDNA methodology has been used, documented, and accepted in other applications in aquatic environments (Ficetola et al., 2008).

An EPA audit report concluded: "When eDNA results are positive, the public can have a high degree of confidence that Asian carp DNA is present" (Blume et al., 2010). The eDNA results do not indicate how many fish were present, only that at least one live carp was in the vicinity or upstream of the sample location within a few days of the time the sample was taken (Jerde et al., 2010b). While it is possible that eDNA could be present in the absence of a live fish, it is highly unlikely that the overall temporal and spatial patterns of Asian carp eDNA detected over two years above the electrical barrier can be attributed to any source other than live Asian carp. Jerde et al. (2010b) report 32 positive detections of eDNA from bighead carp and 26 detections of silver carp eDNA upstream of the electric barriers, including one silver carp eDNA detection in Calumet Harbor on Lake Michigan. Silver carp eDNA was also detected in the Chicago River in downtown Chicago and in the river's North Shore Channel, both less than 1 km from Lake Michigan (Fig. 1).

To date, there is no evidence of reproducing populations of Asian carps in the canals upstream of the electric barriers or in Lake Michigan. To reproduce, males and females must mature, produce eggs and sperm, and find each other in sufficient numbers that many eggs are fertilized. Then the eggs, larvae and young fish must survive and grow to maturity. There are many obstacles to successful reproduction and recruitment that often cause invasions to fail many times before they succeed (Drake and Lodge, 2006). However, given enough time, even low probability events will ultimately occur.

Intentional releases also pose risks that need to be addressed, primarily through education and regulations that are carefully targeted and strictly enforced. To minimize the risks of overland transfers, public education programs have been undertaken and legal prohibitions on the sale, transport and possession of live Asian carp have been enacted at the city, state and federal levels (Finster, 2007).

In summary, it is likely that only very small numbers of Asian carps have accessed the Chicago waterways upstream of the electric barriers, but to date probably have not successfully reproduced.

Will Asian carps thrive in the Great Lakes?

Food sources and potential spawning areas in the Great Lakes and tributary rivers are available to support bighead and silver carp, despite assertions to the contrary that were based on misrepresentation of one bioenergetics paper (Cooke and Hill, 2010) and inadequate knowledge of the physical complexity of the Great Lakes. That paper carefully acknowledged the existence of other food sources omitted from the bioenergetics model due to lack of data on the various forms of organic carbon floating on the surface, suspended in the water column, or resting on the bottom. The paper also acknowledged the existence of locally favorable plankton conditions in productive embayments around the Great Lakes (e.g., Green Bay, Saginaw Bay, Lake St. Clair, Western Basin Lake Erie, etc.) and major tributary rivers. Silver carp have recently been reported to consume *Cladophora*, a genus of filamentous alga comprising several species that are found in abundance around the margins of the Great Lakes (personal communication, Leon Carl, USGS Midwest Area Regional Executive, to the 28 April 2011 meeting of the Asian Carp Regional Coordinating Council). Food availability was one of many factors considered in a Canadian government risk assessment that concluded it is reasonably certain that bighead and silver carp will reproduce and spread in the Great Lakes if they are provided access (Mandrak and Cudmore, 2004).

The Great Lakes and tributary rivers are neither too cold nor too stagnant to support Asian carp spawning. In Asia, bighead carp thrive

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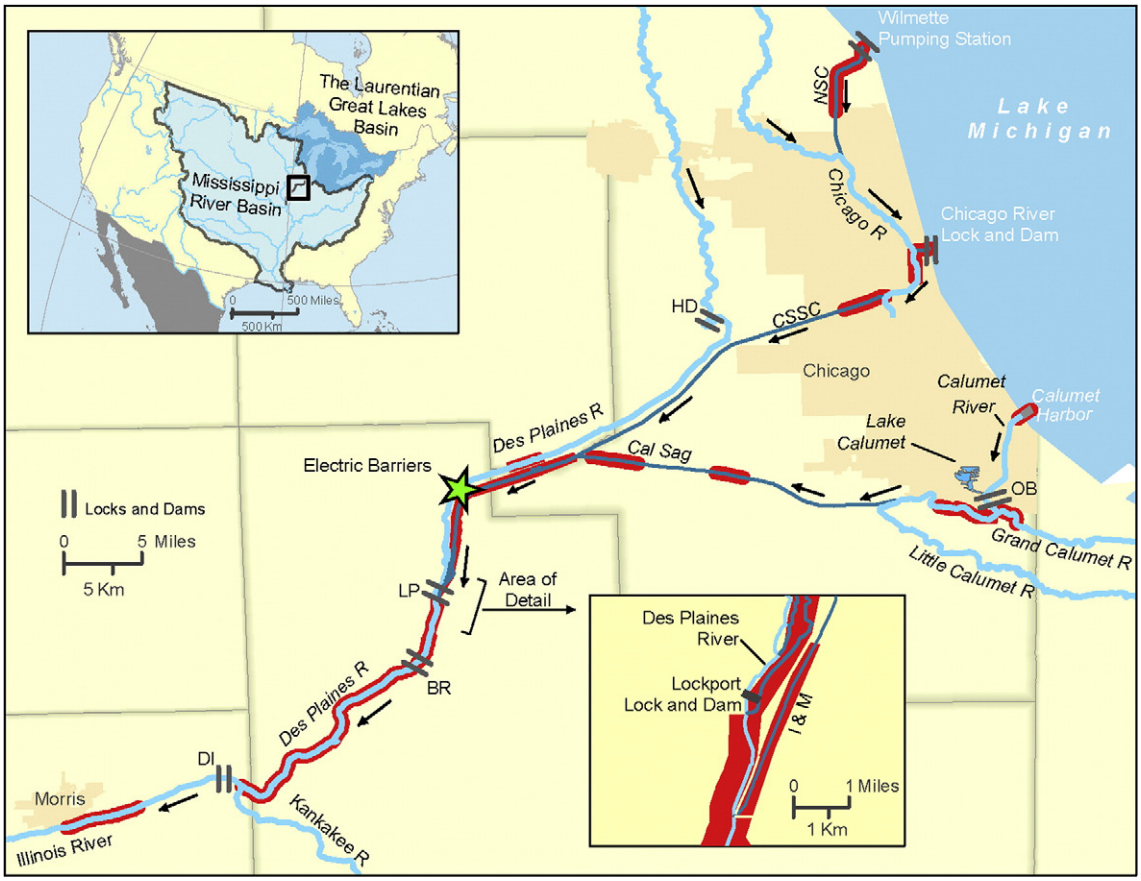

Fig. 1. Asian carp DNA detections (red) in the Chicago waterways upstream and downstream of the electric fish barriers in 2009 and 2010. Jerde et al. (2011) report 32 positive detections of eDNA from bighead carp and 26 detections of silver carp eDNA upstream of the electric barriers, including one silver carp eDNA detection in Calumet Harbor on Lake Michigan. Silver carp eDNA was also detected in the Chicago River in downtown Chicago and in the river's North Shore Channel, both less than 1 km from Lake Michigan. The waterways in Chicago connect downstream to the Des Plaines River which joins the Illinois River, a major tributary of the Mississippi River. There are locks and dams at Dresden Island (DI), Brandon Roads (BR), Lockport (LP), O'Brien (OB), Chicago River, Wilmette Pumping Station, and a low, notched dam, Hoffman Dam (HD), on the Des Plaines River. In Asia, bighead carp range north to 47° latitude, silver carp to 54° north. Map by S.R. Mysorekar, The Nature Conservancy, with DNA data from Jerde et al. (2010 and 2011).

in rivers as far north as 47° latitude, which equates in North America to the latitude of Lake Superior, or about 100 miles north of Lake Huron and almost 300 miles north of Lake Ontario. The native range of silver carp extends to 54° north, which cuts across the southern basin of Hudson Bay (Kolar et al., 2010). Twenty-two tributaries on the United States side of four Great Lakes are at least 100 km long and may have sufficient current velocity to keep Asian carp eggs in suspension long enough to hatch (Kolar et al., 2010). Water velocities and other factors in the tributaries are currently being assessed by the same group of researchers. Reports also exist of bighead and silver carp spawning in stagnant backwater environs, and fry being found in 50–55 °F (10–12 °C) water (personal communication, Mark Pegg, Illinois Natural History Survey, cited in Mandrak and Cudmore (2004)). Therefore, successful Asian carp reproduction may be possible in many smaller, shorter tributaries to the Great Lakes where oxygenated sand and gravel substrates occur.

Will Asian carps harm the Great Lakes?

Those who believe that too much is being made of an Asian carp invasion of the Great Lakes downplay the risk, claiming Asian carp will simply join the many species that are now accommodated by the Great Lakes ecosystem. For half a century fisheries biologists have struggled to minimize the damage wrought by a series of biological invasions [e.g., the sea lamprey, *Petromyzon marinus*; alewife, *Alosa pseudoharengus*; zebra and quagga mussels, *Dreissena polymorpha* and *D. rostriformis bugensis*; and most recently, fish diseases (e.g., viral hemorrhagic septicemia, *Ichthyophonus hoferi*)] (Fahnenstiel et al., 2010; Mills and Leach, 1993). These invaders have seriously damaged recreational and commercial fisheries, increased costs for natural resource management, severely impacted businesses dependent on recreation, clogged water intake systems, and fundamentally altered the food webs in most of the Great Lakes. Ship-borne invasive species (e.g., zebra mussels) alone are estimated to have cost raw water users, sport and commercial fisheries, and wildlife watchers on the U.S. portion of the Great Lakes over $200 million annually through 2006 (Lodge and Finnoff, 2008).

There are only two examples of successful management of harmful invasive aquatic species in the Great Lakes, and both have had significant economic and ecological costs. Sea lamprey abundance in the Great Lakes is controlled by barriers, traps, periodic applications of a toxicant in their spawning areas, and release of sterile males, at a cost of $22.8 million in 2008 and a projected cost of $29.7 million in 2010 (Great Lakes Fishery Commission, 2008). The barriers and toxicants have some negative effects on non-target species, but the effects are considered acceptable by fishery managers in return for protecting highly valued fishes. Populations of alewife have been substantially reduced in the upper Great Lakes, first through predation by intentionally introduced salmon and now by competition from unintentionally introduced mussels that have reduced zooplankton populations. Unfortunately, zooplankton is essential not only to alewives but also to early life stages of highly-valued commercial and sport fishes (Fahnenstiel et al., 2010; Shuter and Mason, 2001).

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Introduction of Asian carps, which are efficient plankton feeders throughout their life spans, would further deplete the base of the already-stressed food webs in the Great Lakes. After Asian carp populations exploded in the Illinois River, the condition factor of two native planktivores, the bigmouth buffalo (*Ictiobus cyprinellus*) and gizzard shad (*Dorosoma cepedianum)*, declined, presumably as a result of competition for food (Irons et al., 2007). There is no species-specific approach yet available to control the Asian carps, and previous experience with lampreys demonstrates that control measures are likely to be costly and have some unavoidable side effects. It is better to prevent invasions than attempt to manage a harmful species after invasion.

Potential harm to biodiversity in the Mississippi River Basin

Recent media reports have focused on the threat to the Great Lakes posed by the Asian carps, and little attention has been paid to species in the Great Lakes that are potential invaders of the Mississippi Basin, including the 10 species mentioned by Jerde et al. (2010a). The 10 include two fishes, five plants, and three crustaceans. The fish-hook waterflea (*Cercopagis pengoi*), is a planktonic crustacean that preys on other zooplankton, thereby competing with larval and small fishes, while avoiding predation itself because of its long tail spine. The Eurasian ruffe (*Gymnocephalus cernuus*) is a 4–6-inch (10–15 cm), spiny fish that is likely to compete with native fishes for food. In terms of sheer number of endemic species, there is actually more to lose in the Mississippi than in the Great Lakes.

The Mississippi River Basin has the highest diversity of freshwater fishes (260 species) known for any region at comparable latitudes (Fremling et al., 1989; Smith, 1981). The diversity is especially high in tributaries of the Tennessee, particularly among shiners and minnows (Family Cyprinidae) and darters (Family Percidae). European gobies and other small invasive fishes that are already in the Great Lakes can move downstream and then upstream into very small tributaries. For instance, the round goby (*Apollonia melanostomus*) already moved through the Chicago canals into the upper Illinois River. Since gobies seek the same habitats and food sources as many darters, they are very likely to compete with the native species.

North America is the world center of biodiversity for freshwater mussels with 297 recorded species, most of which occur in the Mississippi River and its tributaries (Pennak, 1989). Unfortunately, 72% of the North American mussels are currently listed as endangered, threatened, or of special concern (Master, 1990; Williams et al., 1992). The introduction and spread of invasive mollusks (such as the zebra and quagga mussels, which probably entered the Mississippi through the Chicago waterways) have contributed to the decline of native mussels (Master, 1990). The local extirpations of native mussels in the western basin of Lake Erie and in Lake St. Clair bodes ill for the native mussels that are endemic to the Mississippi Basin (Nalepa et al., 1996; Ricciardi et al., 1998).

Conclusions and recommendations

The electric barriers have not been fully effective on Asian carp and will not work on organisms or propagules that drift downstream; eDNA evidence suggests silver and bighead carp are in the Chicago waterways well upstream of the electric barriers (Jerde et al., 2010b). Based on our current understanding of Asian carp dietary and habitat requirements it is unlikely they would be limited by food or habitat in the entire Great Lakes basin. The addition of two more species of plankton feeders to the Great Lakes would adversely affect an already stressed food base. There are more invasive species besides the Asian carps that could cause species extinctions, declines of valuable fisheries, and other economic losses if they pass between the Great Lakes and Mississippi basins via the Chicago connection. It is imperative to stop the exchange of invasive species as quickly as possible.

In response to the delays in the authorized study by the USACE, state elected and appointed officials on the Great Lakes Commission and mayors of Great Lakes cities have secured funding from foundations to begin evaluating the engineering feasibility and estimated cost of alternatives for separating the two basins, with final recommendations to be presented in January 2012 (Great Lakes Commission, 2011). These evaluations do not obviate the need for a feasibility study by the USACE that includes separation, because the USACE is the only agency with the Congressional authority to implement whichever alternative is finally selected.

Hydrologic separation is the only option which closes the aquatic connection between the two basins and does not require continuous operation and maintenance of various technologies that have some risk of failure. The one-time, capital cost to separate the two basins is widely acknowledged to be high, and the outstanding question is whether the costs are justified given the significant risk of future ecological damages and long-term economic losses to the region. The pending legislation needs to be passed, so the public and their elected officials can evaluate the costs and relative risks based upon the best scientific information and engineering technology available.

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Regional Ecosystem Protection and Restoration:

Comment of National Estuarine Research Reserve Association, SAP 6

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 6 – Regional Ecosystem Protection and Restoration

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 6 – Regional Ecosystem Protection and Restoration Action Plan.

NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 6.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

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- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 6 – Regional Ecosystem Protection and Restoration</u>

NERRA is encouraged by the focus of this objective to integrate conservation efforts at all levels, taking advantage of ongoing science-based initiatives.

NERRA recommends the following:

1. Utilize regional ocean governance initiatives to unify state and local conservation and restoration efforts.

2. Consider strategies to modify marine protected area boundaries to connect with adjacent inland areas as a way to account for potential future impacts from sea level rise.

3. Modify federal restoration and land acquisition program criteria and priorities, incorporating science-based information on sea level rise impacts to ecological communities into program guidance.

NERRA strongly supports the NOC in its work to finalize and implement the Regional Ecosystem Protection and Restoration objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Regional Ecosystem Protection and Restoration:

Comment of Quinault Indian Nation, SAP 6

(3 pages)

Quinault Indian Nation
POST OFFICE BOX 189 ◻ TAHOLAH, WASHINGTON 98587 ◻ TELEPHONE (360) 276-8211

SAP 6. Regional Ecosystem Protection and Restoration

General Comments

The Quinault Indian Nation (QIN) generally supports this SAP. Habitat restoration is a priority for the QIN in marine waters, estuaries, fish bearing streams and watersheds that feed them. Much of the landscape surrounding the Quinault reservation and within the treaty reserved area of the QIN has been impacted by logging and land management practices from previous decades when non-tribal developers and harvesters took advantage of poor regulatory oversight. Habitat restoration by Quinault is being conducted from the snow caps to the white caps to restore fish runs and the lands that support them. Quinault people have lived at the ocean's edge since time immemorial and it is ingrained into our culture and well-being. Targeted efforts to restore habitat and responsibly protect important areas are welcomed as long as such projects and actions are well informed by the best science and traditional knowledge. Partnerships and interagency collaborations that may propose restorations of treaty reserved lands and waters must include tribal participation from the outset. Restoration efforts on tribal lands and within treaty areas are best led by tribes and this SAP should identify ways in which tribes can be enabled to do so. In any case, Quinault reserves the right to government to government consultation per Executive Order 13175 on any proposed action that may affect treaty resources or access to them.

Action 1. Support shared regional ecosystem protection and restoration priorities.

Quinault supports this Action because of the regional focus for establishing priorities. We are disappointed that the Washington coast is not included in the lists of regions that have active organizations supporting ecosystem priorities. Quinault and the fellow coastal treaty tribes of Washington, the

Hoh, Quileute and Makah Tribes, along with the State of Washington established the Intergovernmental Policy Council (IPC) to interact and guide the management of the Olympic Coast National Marine Sanctuary (OCNMS). The IPC is actively involved with habitat issues, climate change effects and coastal and marine monitoring and research. The coastal treaty tribes and the State of Washington have developed a marine Ecosystem Initiative that points to the need for comprehensive data from our coastal ocean areas to make informed decisions and sustain those important resources for present and future generations. The IPC can be an identified group of resource managers for the central and north Washington coast, an area that contains the most unique ocean governance structure in the U.S. with treaty rights extending into the EEZ and one of the largest single MPA's, the OCNMS.

Action 2. Strengthen conservation partnerships.
Quinault insists that any conservation partnerships identified by this SAP be inclusive of the QIN if planning is inclusive of any QIN treaty reserved lands and waters.

Action 3. Reduce coastal wetland loss and improve understanding of status and trends.
Quinault generally agrees with this Action.

Action 4. Create carbon-based incentives for coastal habitat restoration.
Quinault generally agrees with this Action. This strategy will offer incentives in areas that are able to sequester large amounts of carbon but other areas may have more pressing needs and should be approached from a conservation and restoration framework.

Action 5. Ensure full mitigation for injuries to coral reef ecosystems.
Quinault generally agrees with this Action as it pertains to tropical reefs. The QIN will not approve of such an Action for deep-sea coral areas without further information and consultation.

Action 6. Reduce the threat of aquatic nuisance species.
Quinault agrees with this Action.

Action 7. Identify nationally significant marine and Great Lakes aquatic areas in need of protection.

Quinault agrees that any such proposals should be identified in the CMSP process. Quinault would need to be represented on the RPB in order to discuss such protections within our treaty marine area.

Action 8. Improving effectiveness of coastal and estuarine habitat restoration.

Quinault generally agrees with this Action. Effectiveness and wise-use of funding is imperative but layering more oversight and reporting requirements on projects may gain little when compared to funding additional projects with those funds.

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Regional Ecosystem Protection and Restoration:

Comment of MARINe

(3 pages)

Dr. Jack Engle
MARINe Coordinator
Multi-Agency Rocky Intertidal Network
www.MARINe.gov

June 30th, 2011

Re: **SAP #6 "Regional Ecosystem Protection and Restoration"**
SAP #3 "Inform Decisions and Improve Understanding"

Dear National Ocean Council:

We suggest the following addition to SAP #6 and #3**:**

- Incorporate policy and funding for long-term monitoring programs for coastal ecosystems.

We suggest the following addition to SAP #6:

- Evaluate the relationship between public access policy and ecosystem protection strategies in order to develop a balanced coast-wide management, enforcement and education program.

MARINe is a diverse partnership of over 30 Federal, State, local, tribal government representatives, Universities, and private organizations concerned with the health of the rocky intertidal habitat along the shoreline. Established in 1997, this partnership has initiated joint long-term monitoring of sites across the Pacific coast and northern Atlantic coast. We target key assemblages of rocky intertidal species including mussels, barnacles, seastars, black abalone, owl limpets, sea anemones and many varieties of algae including rockweed, turf algae, and kelps.

MARINe's mission is to determine the health of the rocky intertidal ecosystem and make that information available to the public. To that end we have adopted standardized protocols, employ a shared database and jointly publish our information in peer-reviewed literature, technical papers and government reports. We will be publishing a comprehensive report later this summer which compiles and analyses all our data from Alaska to mainland Mexico. Two long-term protocols provide this comprehensive look at the habitat. The fixed plot/transect protocol targeting key assemblages has been conducted at least annually at nearly 130 established sites from British Columbia to Cabrillo National Monument as early as 1982. The complimentary biodiversity protocol provides detailed coverage, picks out rare species and maps the species at the site and has been conducted at over 120 sites from Alaska to mainland Mexico on a periodic basis since 2001. The report we will be releasing online is unprecedented in scope.

Further, we are in the process of developing bioindices of health which can be used to predictably quantify the health of the habitat along the coast. This is a difficult task in a dynamic habitat such as the rocky intertidal but we have assembled a distinguished group of experts to accomplish the task. We hope to complete bioindices of health and a

“Condition of the Rocky Shore” report which provides “report card” style ranking of sites by early 2013.

We have two key comments that we would like to bring to your attention.
First, long-term monitoring of the rocky intertidal and other coastal ecosystems must be a part of any program which strives to have a scientific basis for decisionmaking. We firmly believe in the need for continuous long-term monitoring data. We have managed to fund our data collection through the individual contributions of agencies, universities and organizations. Monitoring was not only overlooked, but was frowned upon by the scientific community for many years due to the lack of experimentation. However, we know now that without the consistent year-to-year, site-by-site collection of these data, we would be completely unable to detect trends, differentiate between anthropogenic and natural changes in the system, pick up on climate change effects or understand changes from pollution events.

For example, MARINe monitoring data provided the supporting data to list the black abalone, alerted managers to declines in mussel populations, and documented damage from tanker spills. We expect the monitoring data will help document climate change effects and we are working on new protocols which will provide even better information resulting from sea level changes.

Funding for these types of efforts should be encouraged at every level and supported as a critical need in understanding our ocean and habitats that depend on it. This needs to be more than lip service; there need to be funds set aside to support it. Our MARINe partnership would like to work with NOC on this goal.

Secondly, there needs to be a planned system across the coast which considers a range of management strategies designed to balance public visitation and resource protection. More needs to be done to educate the public and change public policy for the protection of coastal habitats. Specifically, there is a problem with the way public access has been interpreted by the public and a lack of planning and lack of enforcement of existing regulation has exacerbated the problem. We believe this issue needs to be specifically addressed in the Resource Protection SAP.

The concept of public access to the beach has been confused by the public to mean their “right” to take, use or change the habitat. The public, left on their own, is not kind to the resource. In California, much of the rocky shoreline habitat has been intentionally made accessible to the public—this is on an increasing trend in the northern part of the state where areas long privately owned (and hence protected from public use) are being given to the state. We know that public trampling, collection and use of the intertidal has altered the intertidal in Southern California in the recent past. We see regular patterns of poaching/collecting in our sites throughout the state. We find dramatic losses overnight at sites released into public use from a protected status. Many sites are in reserves or have some protected status, but even where that exists, there is essentially no enforcement of existing requirements, and our data do not reflect a protected status.

Unchecked public access will degrade the health of the shoreline. We need to address two problems to make a change—lack of public awareness, and lack of enforcement. Public visitation is not inherently incompatible with resource protection—it just requires planning and rigorous oversight. In our paper "Ecological impacts on the limpet *Lottia gigantea* populations: human pressure over a broad scale on island and mainland intertidal zones," by Sagarin et al in *Marine Biology* 150:399-413, 2007, we found that owl limpets at a high impact publically-visited site fared nearly as well as a completely inaccessible remote island location, when proper access and oversight are provided. Setting up limited zones of protection is not enough; the public simply goes to another area and depletes that location. Ability to enjoy or see the ocean should not be equated with the right to take or damage the resource. Access should include highly accessible areas with oversight, limited access areas (such as boardwalks to allow enjoyment but limit collection and trampling) and no access set asides.

This planned system needs to provide the funding for thoughtful scientific planning, evaluation of public access policies, evaluation of appropriate resource management strategies, institution of education in our schools and at the beach and a well-planned, funded enforcement program. We believe NOC can provide leadership to change the public perception of the ocean as being "theirs" to being "ours". We should view our coastlines as we do National Parks—places to enjoy but not at the expense of future generations.

MARINe looks forward to partnering with NOC in their efforts to bring about new awareness and provide for a healthier shoreline. We appreciate this opportunity to comment.

Dr. Jack Engle
Coordinator, MARINe

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Water Quality and Sustainable Practices on Land:

Comment of California Coastkeeper Alliance, SAP 7

(7 pages)

CALIFORNIA COASTKEEPER. ALLIANCE

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Humboldt Baykeeper
Inland Empire Waterkeeper
Klamath Riverkeeper
Monterey Coastkeeper
Orange County Coastkeeper
Russian Riverkeeper
San Diego Coastkeeper
San Francisco Baykeeper
San Luis Obispo Coastkeeper
Santa Barbara Channelkeeper
Santa Monica Baykeeper
Ventura Coastkeeper

July 2, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Comments submitted electronically to WhiteHouse.gov/administration/eop/oceans/comment

Re: National Ocean Council Strategic Action Plan for Water Quality (Objective 7)

Dear Chairs Sutley and Holdren and National Ocean Council Members:

California Coastkeeper Alliance (CCKA) represents 12 Waterkeeper groups spanning the coast from the Oregon border to San Diego. The Alliance and its member Waterkeepers work daily to protect and enhance clean, abundant water flows throughout the state. On behalf of the Alliance, I am pleased to submit these comments on the "National Ocean Council Strategic Action Plan Outline for Objective 7: Water Quality and Sustainable Practices on Land" (SAP Outline).

The stated purpose of the SAP Outline is to "enhance water quality in the ocean, along our coasts, and in the Great Lakes by promoting and implementing sustainable practices on land." In order to achieve this goal, the SAP Outline must identify more measurable, near-term actions, rather than "planning to plan."

A recent International Programme on the State of the Ocean (IPSO) report found that "[e]coystem collapse is occurring as a result of …[stressors including] chemical pollutants, agriculture runoff, [and] sediment loads," as well as "nutrient run-off," "pathogens," "endocrine-disrupting chemicals," and "increased uptake of plastics by fauna." [1] Now is the time for immediate action and implementation. As described below, the SAP Outline should include legal changes, new research and funding increases in the areas of urban stormwater runoff, agricultural runoff, trash/marine debris, sanitary sewer overflows (SSOs), and beach monitoring.

[1] Rodgers, A.D. & Laffoley, D.d'A. International Earth System expert workshop on ocean stresses and impacts: Summary Report, 6-7 (2011).

I. THE SAP OUTLINE SHOULD INCLUDE ACTIONS THAT IMPLEMENT AND REVISE REGULATIONS, CODES, AND BEST MANAGEMENT PRACTICES TO ENSURE MEASUREABLE, REDUCTIONS IN URBAN RUNOFF, AGRICULTURAL RUNOFF, SANITARY SEWER OVERFLOWS, AND PLASTIC POLLUTION.

Polluted runoff (both urban stormwater and non-stormwater runoff such as agricultural runoff) is the most significant and widespread source of contamination of coastal waters. The Commission on Ocean Policy (COP) found that "[n]inety percent of impaired water bodies do not meet water quality standards at least in part because of nonpoint source pollution."[2] Additionally, "millions of dollars are spent on treating the symptoms of stormwater pollution but much less is spent on efforts to control its causes."[3] The COP has found that "substantial enhancement of coastal water quality will require significant reductions in nonpoint source pollution."[4] The SAP Outline should include concrete, near-term actions that address these threats to coastal waters.

A. Update local codes and ordinances to promote LID projects.

Action Two of the SAP Outline calls for reducing "urban sources of excessive nutrients and sediments."[5] The Action clarifies that the desired outcome is to increase "adoption, through coordinated Federal and regional partner efforts, of low-impact development, green infrastructure, smart growth strategies, and other innovations."[6] While low impact development (LID) and smart growth strategies are pivotal in reducing stormwater runoff, simply coordinating efforts does not provide any *near-term measurable goals*. Action Two, Milestone Four should be revised to outline a process that would ensure that state governments update their codes and ordinances to enhance the use of LID to reduce pollution, increase water supplies, reduce flooding risks, and ensure stormwater permit compliance. For example, states that accept funding for model projects should be required to make associated regulatory updates uncovered by the projects' results.

B. Market-based trading is not an effective tool against agricultural runoff.

Action One, Milestone Four recommends that federal and regional partners "[e]xplore … **incentive-based ecosystem market programs** for nutrient and sediment reduction, and implement pilot projects"[7] and "[e]ngage communities in developing innovative market-based mechanisms to provide cost-effective nutrient reduction strategies."[8] While we support the Council's focus on agricultural runoff, we respectfully oppose market-based trading in theory and in practice. Incentive-based market programs are at odds with the spirit and purpose of the Clean Water Act (CWA), which is to eliminate pollutants from watersheds. A cap-and-trade approach that acknowledges some "acceptable" level of pollution is incompatible with that goal. From a practical perspective, non-point source monitoring does not exist, making it impossible and unwise to allocate pollution credits.

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[2] U.S. Commission on Ocean Policy, *An Ocean Blueprint for the 21st Century: Final Report*, p. 213, *available at* http://oceancommission.gov/documents/full_color_rpt/14_chapter14.pdf (COP Report).
[3] *Id*. at 217.
[4] *Id*. at 204.
[5] National Ocean Council, Water Quality and Sustainable Practices on Land, Strategic Action Plan, Full Content Outline, 3 (June 2011) (hereinafter "SAP Outline").
[6] *Id*.
[7] *Id*. at 2.
[8] *Id*. at 4.

Instead, the Council should direct federal agencies to establish regulatory programs to reduce nonpoint sources of pollution. The COP found that "[i]mprovements to the [nonpoint] programs should . . . require *enforceable best management practices* and other management measures throughout the United States . . ."[9] and recommended that "[t]o ensure protection of coastal resources nationwide, Congress should provide authority under the Clean Water Act and other applicable laws for federal agencies to establish enforceable management measures for nonpoint sources of pollution . . . ."[10] The Council should work with federal agencies to assign discharge limits and mandate enforceable best management practices (BMPs).

C. Best management practices.

A "primary objective" of the SAP Outline is to address opportunities for "[b]est management practices, use of conservation programs, and other approaches for controlling the most significant land- and ocean-based sources" of pollutants.[11] Supporting and implementing BMPs is an important tool to improve water quality. Action One, Outcome One utilizes this tool by focusing on BMPs to improve nutrient and sediment management in agriculture.[12] However, the SAP Outline contains weak language on this point. Action Five, Milestone 5 only *reviews* "existing best management and sustainable land practices to *highlight* successful remediation strategies."[13] The SAP Outline needs to go further than simply reviewing BMPs and highlighting success stories.

California's waterbodies are severely polluted, largely from non-point source runoff such as agriculture. California surface water monitoring data collected on agriculture-related polluted runoff discharges revealed that toxicity to aquatic life was present at 63% of the sites monitored for toxicity, with over half toxic to more than one species.[14] Additionally, pesticide water quality standards were exceeded in over half of the sites, many for multiple pesticides and human health standards for bacteria were violated at 87% of monitored sites.[15] In order to effectively control non-point source pollution, the Council must incorporate stronger language on implementing BMPs into the SAP Outline. The SAP Outline should support the COP's call for "enforceable best management practices," both in state law and in the CWA for *all* sources of polluted runoff, and adopt specific tasks to implement the COP Report in each coastal state.[16] Additionally, the SAP Outline should ensure the implementation of enforceable BMPs on all sources of polluted runoff – including irrigated agriculture – nationwide.

D. NPDES permits should contain a zero trash discharge.

One theme of the SAP Outline is to "[r]educe trash and marine debris in ocean, coastal, and Great Lakes waters to minimize impacts on natural and human environments."[17] Action 4, Milestone 3 aims to "[i]dentify the types of marine debris producing significant negative effects on the marine environment, and quantify these impacts to focus targeted prevention, removal, and mitigation efforts."[18] The SAP

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[9] COP Report at 218 (emphasis added).
[10] *Id*. at 220 (emphasis added).
[11] SAP Outline, at 1.
[12] *Id*. at 2.
[13] *Id*. at 8.
[14] Central Valley Regional Water Quality Control Board, "2007 Review of Monitoring Data: Irrigated Lands Conditional Waiver Program" (13 July 2007), available at http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/monitoring/index.shtml (covering monitoring conducted May 2004 - Oct. 2006).
[15] *Id.*
[16] COP Report at 218 (emphasis added).
[17] SAP Outline, at 1.
[18] *Id*.

Outline should also call on the U.S. EPA to create a "Zero Trash Discharge" objective and compliance strategy to be incorporated into stormwater NPDES permits. This zero discharge compliance strategy should require full capture systems, which should be defined as any device or series of devices that traps all particles retained by a 2 mm mesh screen and has a design treatment capacity of not less than the peak flow rate (Q) resulting from a one-year, one-hour, storm in the sub-drainage area.

E. Regulate sanitary sewer overflows with Clean Water Act permits.

CCKA supports Council action to "[i]mprove use of and expand existing regulatory tools (e.g., Total Maximum Daily Loads (TMDLs), Combined Sewer Overflow (CSO) controls, waste and recycling management, stormwater management, Superfund) to reduce land-based sources of marine debris and trash."[19] However, the Council should provide further detail in the SAP Outline regarding the regulation of SSOs. The Council should support enhanced federal funding for upgrades to state's coastal sewage treatment plants and collection systems, with a focus on retrofitting aging and overcapacity bay- and ocean-side systems and those systems that may be impacted by sea level rise. The Council should also aim to fill in gaps on research related to the impacts of septic systems on coastal waters, and work with states to apply that information to the development and adoption of regulations for septic systems. Finally, the Council should seek and apply funding to control beach contamination from coastal septic systems where its research indicates that such projects are a priority.

Whenever a sewage system operator spills raw sewage from sewer lines, manholes, pump stations or other sewage infrastructure into a waterway, it has discharged pollution from a point source into a water United States within the meaning of the CWA.[20] CWA regulations provide that "[a]ny person who discharges pollutants ... and does not have an effective permit . . . must submit a complete application" for an NPDES permit.[21] Under this regulation, all Public Owned Treatment Works (POTWs) have a mandatory duty to apply for and obtain an NPDES permit regulating the discharge of pollutants to waters of the United States, including but not limited to SSOs from their collection systems. In order to meet the obligations imposed by the CWA and EPA regulations, the Council should outline a process for sewage collection system operators that discharge raw sewage to apply for and obtain NPDES permits.

II. THE SAP OUTLINE SHOULD FACILITATE THE COLLECTION OF NECESSARY INFORMATION TO EMPLOY AN INTEGRATED APPROACH TO NON-POINT SOURCE POLLUTION MANAGEMENT.

A. Low- energy, localized water.

If our water sources are not sustainable from an energy and climate change perspective, they will increasingly harm, rather than benefit, the ocean environment. The SAP Outline on "Water Quality and Sustainable Practices on Land"[22] does not include actions that create low-energy, localized water supplies.

The Council should capitalize on the energy and environmental benefits of increasing stormwater capture and storage through low-impact development, by ensuring that the SAP Outline discourages energy-intensive and environmentally destructive water sources such as ocean desalination. In an August

[19] SAP Outline, at 6.
[20] *See* 33 U.S.C. § 1362(14).
[21] 40 C.F.R. section 122.21(a)
[22] SAP Outline, at 1 (emphasis added).

2008 report,[23] the Los Angeles County Economic Development Corporation (LAEDC) ranked conservation and "local stormwater capture" as the area's most cost-effective, energy efficient, relatively immediate water sources. By contrast, ocean desalination using current technology, which devastates sensitive near-shore ecosystems, ranked *lowest* on the list of water supply strategies in terms of greenhouse gas emission impacts.[24] The Scoping Plan for California's landmark "AB 32" greenhouse gas emission reduction law promotes stormwater capture/reuse, conservation and recycling as energy-efficient alternatives that can create millions of acre-feet of "new," local water supplies.

The SAP Outline should provide for the development of a thorough report on the coastal water-energy carbon nexus, including ocean desalination, with follow-up recommendations of tasks that will simultaneously: (a) reduce polluted runoff, (b) reduce demands on water supply, and (c) mitigate climate change by encouraging low-energy (and discouraging high-energy) sources of fresh water.

B. Impervious surfaces.

There is no Milestone in Action Two that identifies an action for addressing impervious surfaces. The SAP Outline should add a Milestone to conduct a federal survey of coastal land use and make recommendations as to how policies and programs, such as the U.S. Fish and Wildlife Service Coastal Program and National Coastal Wetlands Conservation Grant Program can be used to facilitate a measureable increase in acres of wetlands and coastal habitats restored and protected, *and* a measureable decrease in the amount of impervious surface area through conversion or retrofit.

C. Scientific research on synergistic effects of pesticides and other pollutants.

Since the 2004 release of the COP Report, significant new scientific research has been unveiled demonstrating that polluted runoff-caused contamination harms and kills fish even at low *and legal* concentrations. Most recently, a study by NOAA and Washington State University found that five of the most common pesticides used in California and the Pacific Northwest – diazinon, malathion, chlorpyrifos, carbaryl and carbofuran – act in "deadly synergy" by suppressing an enzyme that affects the nervous system of salmon.[25] Moreover, scientists noticed effects at lower pesticide levels when chemicals were applied in combinations. The scientists concluded that "[s]ingle-chemical risk assessments are likely to underestimate the impacts of these insecticides on salmon in river systems where mixtures occur." This means that even if our existing water quality laws are implemented fully, they will fail to protect fish, because the standards on which they are based are too low.

Additional detail is needed in order to ensure the implementation of Action One, Milestone Three to "[d]evelop a focused research strategy to strengthen science and management tools to support water quality improvement decision-making."[26] The SAP Outline should direct U.S. EPA and U.S. Fish and Wildlife Service to compile and augment scientific research on synergistic impacts of pesticides and other

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[23] LAEDC, *Where Will We Get the Water? Assessing Southern California's Future Water Strategies* (rev'd Aug. 14, 2008); *available at* http://www.laedc.org/sclc/studies/SCLC_SoCalWaterStrategies.pdf.

[24] Though these comments do not specifically address the Climate Change section, we urge the Governors to include in the Climate Change Work Plan a specific process for discouraging ocean desalination as a water supply source, at a minimum until all other conservation, stormwater capture, recycling and other energy-efficient and sustainable water sources have been exhausted.

[25] Laetz, Cathy, *et al*, "The Synergistic Toxicity of Pesticide Mixtures: Implications for Risk Assessment and the Conservation of Endangered Pacific Salmon," *Environmental Health Perspectives*, Vol, 117, No. 3 (March 2009), *available at* http://www.eenews.net/public/25/9960/features/documents/2009/03/03/document_gw_01.pdf. *See also* Goodman, Sara, "Mix of common farm pesticides deadly to salmon – study," *New York Times* (March 3, 2009).

[26] SAP Outline, at 2.

key pollutants on coastal habitats, fish and wildlife (particularly salmon). Once agencies have collected and analyzed the scientific information, they should make recommendations for new standards as needed.

III. THE SAP OUTLINE SHOULD IDENTIFY ADEQUATE FUNDING TO PROMOTE BMPS IN STORMWATER MANAGEMENT, LID, AND STORMWATER CAPTURE AND REUSE.

A. Identification of LID funding.

U.S. EPA found that using LID methods, rather than traditional stormwater management controls, results in cost savings of between 15% and 80%. Despite 39 federal funding sources for watershed protection along coastal waters, there is no single funding source dedicated to the implementation of LID.[27] Thus, despite the number of resources, tools, and manuals that EPA has created and disseminated on the benefits of LID,[28] coastal states do not have the funding necessary to implement LID techniques.

The SAP Outline could be improved by specifying how agencies should promote "cost-effective stormwater controls, long-term control plans for combined sewers, and water quality-based effluent limits for other point sources" in Action Two, Outcome Two. The SAP Outline should direct U.S. EPA and other members of the Council to develop specific guidance on how coastal states can finance LID techniques to reduce coastal stormwater pollution, through existing funding sources, such as the Clean Water State Revolving Fund, and carve out a new pot of funding dedicated specifically for LID in coastal areas, with preference given to designated national marine sanctuaries and other marine protected and managed areas.

B. Real-time, affordable beach monitoring kits.

Action Five, Milestone Four aims to "enhance existing activities, including disease surveillance, environmental monitoring, organism and toxin detection, pollutant source tracking, watershed/waterbody modeling, and assessment of health risks related to environmental pollution."[29] Action Five should also call for the development of *rapid indicator tests* to alert the public to beach contamination issues. The SAP Outline should ensure the development and release of increasingly fast – and affordable – tests during the planning period that will allow county environmental health officials, NGOs and citizen groups to monitor their beaches, alert the public immediately to problems, and quickly identify pollution sources. The Council should also work with the U.S. EPA, State and Regional Water Boards, Department of Public Health, local environmental health officers and others to identify and implement a sustainable funding stream to ensure regular monitoring, posting, and rapid electronic updates of beach pollution information.

C. More detailed strategies by the National Water Quality Monitoring Council

The SAP Outline sets a priority objective for "implementation of a comprehensive monitoring framework and integration with state monitoring programs based on the strategy developed by the National Water Quality Monitoring Council."[30] CCKA applauds the Council for endeavoring to expand the scope of federal monitoring programs. Specifically, Action Seven, Milestone Five states "[e]xpand the scope of the National Water Quality Monitoring Network for U.S. Coastal Waters and their

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[27] *See* U.S. Environmental Protection Agency, Catalog of Funding Sources for Watershed Protection, *available at* http://cfpub.epa.gov/fedfund/search1.cfm.
[28] U.S. Environmental Protection Agency, Low Impact Development, *available at* http://www.epa.gov/owow/NPS/lid/.
[29] SAP Outline, at 8.
[30] *Id*. at 1.

Tributaries to address the physical, chemical, and biological integrity of rivers and streams by leveraging the State/EPA National Aquatic Resource Surveys."[31] The SAP Outline should include additional detail by directing the National Water Quality Monitoring Council to: (a) clearly define goals that fulfill user needs and provide measures of management success, (b) find a core set of variables to be measured at all sites, (c) develop regional flexibility to measure additional variables where needed, (d) establish standard procedures and techniques.

***

CCKA respectfully requests that the SAP Outline include the above-described actions to protect water quality, in order to effectively ensure the good health of coastal and marine waters and affected habitat and life.

Thank you for your continued strong support and action for a vibrant coast and ocean.

Respectfully,

Sean BothwellPolicy Analyst
sbothwell@cacoastkeeper.org

[31] *Id*. at 11.

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Water Quality and Sustainable Practices on Land:

Comment of West Coast Governors' Agreement on Ocean Health, SAP 7

(6 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

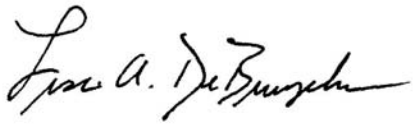
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



Lisa A. DeBruyckere
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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 7: Water Quality and Sustainable Practices on Land

We thank the NOC for thoroughly covering the complexity of ensuring clean water quality through the many goals, milestones, and outcomes listed in this SAP. Coastal water quality programs that reduce polluted runoff, enhance monitoring and enforcement of water quality regulations, combat nonpoint source pollution, better predict harmful algal blooms and hypoxia, reduce marine debris, provide for adequate oil spill prevention, preparedness and response, and set stringent emission standards for oceangoing vessels are key objectives in the 2008 WCGA Action Plan.

Overview

WCGA recommendations:

- **Identify and publish grants, funding and subsidies to incentivize coastal communities, both rural and urban, to plan and implement green infrastructure (GI) and low impact development (LID)**
- **Re-asses nationwide water quality standards to align with the outcomes of GI and LID**

In addition to the recommendations specific to a particular Action further below, the WCGA would like to recommend that the USEPA, working closely with the states, (1) identify and publish grants, funding, subsidies and other incentives available to coastal communities for planning and implementation of green infrastructure (GI) and low impact development (LID) and (2) re-asses nationwide water quality standards (specifically objectives, criteria and metrics) related to the expected outcomes of GI and LID - e.g., reduced hydromodification impacts, increased biological health, etc.

Action 1-Reduce rural sources of excessive nutrients and sediments

WCGA recommendations:

- **Ensure accountability and reductions from rural sources of polluted runoff similar to industrial sources to reduce impacts**

For agricultural runoff sources measures of accountability and reductions for their impacts similar to industrial pollution sources should be considered and enforced using existing authorities.

Action 2-Reduce urban sources of excessive nutrients and sediments

WCGA recommendations:

- **Compile and communicate case studies and best management practices to demonstrate successful integration of land and aquatic planning**
- **Provide incentives and funding to local communities for implementation of GI and LID**
- **Streamline and refine permitting, regulation, and interagency coordination to improve navigation of the permitting process and ensure development is consistent with GI and LID**

The WCGA would like to ensure that areas in need of technical assistance have access to the information such as case studies and best management practices that demonstrate the successes of integrating land and aquatic planning. Similarly, incentives and funding should encourage communities to implement integrated planning for storm and wastewater treatment, mass transit systems, green infrastructure (GI), low impact development (LID), and protection or restoration of habitat. Additionally, we need to identify opportunities for streamlining permitting and refining complex regulatory pathways, aligning GI and LID requirements in permits to follow the prioritized principle of "avoidance, minimization, and mitigation", and increasing interagency coordination and permitting processing.

Action 3 - Assess hypoxia status, trends, and impacts nationwide.

WCGA recommendations:

- **Ensure adequate monitoring and research for all hypoxic areas, including those not associated with nutrient enrichment from land.**

The West Coast (off of Oregon and Washington) has had repeated seasonal hypoxic events that may be related to climate changes. Unlike many areas, nutrient enrichment from land is not likely a factor, but resource managers and stakeholders still need improved information on the extent, causes and forecasting for hypoxic events for the West Coast. In particular, this requires more robust monitoring for this vicinity.

Action 4-Reduce trash and marine debris through pollution prevention and removal

WCGA recommendations:

- **Focus on marine debris pollution in the "near-term" rather than "long-term" timeframe**
- **Prioritize derelict gear removal efforts along with land-based marine debris**
- **Work with states, tribes, and stakeholders to create a marine debris strategy with target reductions over time and a long-term zero discharge goal based, in part, on local feedback from regional workshops that we recommend the federal government sponsor**

- **Establish regional alliances to implement the region's marine debris strategy**

Marine debris prevention and removal should be "near-term" rather than "long-term" as a federal priority. This issue could be a successful national effort capitalizing on the current momentum and existing framework within regions. Action 4 addresses land-based debris and should also prioritize derelict gear removal efforts that impact key habitat areas and where there are known entanglement issues.

To strengthen partnerships in affected communities among local, state, and regional levels, the WCGA recommends hosting a series of regional workshops that bring together key players in prevention, reduction, and removal to assess existing issues and efforts. Such workshops can provide the foundation for establishing and supporting a marine debris strategy to provide a clear implementation plan that includes direct actions for measurable target reductions and a long-term goal of zero trash discharge, timelines, available and needed resources, ways to leverage resources for priority projects, and tools such as Extended Producer Responsibility (EPR), bans, fees, alternatives, and expanding waste and recycling collection at waterways, including sewage, gray water and bilge water from boats.

To monitor implementation of the strategy, regional alliances such as the proposed West Coast Marine Debris Alliance can be established with membership composed of state, federal, local, and tribal governments, NGOs, and industry representatives. The alliance should identify appropriate state contacts and authorities, exchange information and lessons learned to maximize cooperation and identify best use of resources for addressing marine debris issues.

Action 5-Assess health risks of coastal waters

WCGA recommendations:

- **Identify areas most vulnerable to health risks that may require assistance to cope with significant water quality threats**

Efficiently utilizing our finite resources to maximize protection of the public from health risks will require that we identify priority areas in need of assistance and provide the resources (financial and technical expertise) to these key areas so they can build their capacity and decrease their vulnerability to significant water quality threats.

Action 7-Identify and protect high quality coastal waters

WCGA recommendations:

- **Continue to improve federal coordination on prevention, preparedness, and response to coastal and offshore oil/chemical pollution from spills and industrial/shipping operations**
- **Use case studies, best management practices, and mapping products to educate stakeholders about the importance of sustainable land use practices and policies**

Looking back on the devastating impacts of the *Cosco Busan* spill in San Francisco Bay or the Deep Horizon oil spill in the Gulf of Mexico last spring, we commend the NOC for its goal of improving federal coordination on prevention, preparedness, and response to coastal and offshore oil/chemical pollution from spills and industrial/shipping operations and want to emphasize the importance of this outcome for protection of the high quality offshore and coastal waters of the West Coast.

Highly functioning areas can be used to educate and incentivize stakeholders to take more proactive steps in protecting coastal waters by sharing best practices and diverse strategies for watershed approaches to management, regulatory approaches to define sustainable development practices, and incentives for sustainable land use development using GIS and other products to map protection and restoration efforts, as well as land use policy changes and their impacts.

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Water Quality and Sustainable Practices on Land:

Comment of Save our Shores

(1 page)

Save Our Shores
Awareness
Advocacy
Action

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831.462.5660
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www.saveourshores.org

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Strategic Action Plan Comment Letter

Dear Chairs Sutley and Holdren and National Ocean Council Members:

On behalf of Save Our Shores, we offer the following recommendations to the National Ocean Council (NOC) for use in developing the Strategic Action Plans (SAPs) on the nine National Priority Objectives (Objectives):

1. The federal government work closely with local partners such as non-profits to learn what work they are doing to prevent and remove marine debris so that more collaboration to solve this problem can happen.
2. The federal government find a funding source for on-going funding for marine education to replace the recently cut B-WET funding.
3. The federal government help reduce the amount of disposable plastics by working with local and state agencies to ban plastic bags and polystyrene.

Save Our Shores focuses on how to reduce plastic pollution and believes this should replace the term, “marine debris”.

Thank you for considering our comments.

Sincerely,

Laura Jean Kasa
Executive Director, Save Our Shores

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Water Quality and Sustainable Practices on Land:

Comment of Sierra Club Marine Action Team, SAP 7

(1 page)

We strongly support the initiatives proposed in this SAP as needed to:

- Enhance water quality through sustainable practices that reduce upstream sources of excessive nitrogen, phosphorus, and sediment, helping to reduce hypoxic zones and restore degraded ecosystems.
- Reduce trash and marine debris in ocean, coastal, and Great Lakes waters to minimize impacts on natural and human environments.
- Reduce harmful health impacts from water quality impairments in the ocean, our coasts, and the Great Lakes, and
- Identify, protect, and conserve high quality ocean, coastal, and Great Lakes waters.

- We recommend identification of the need to reduce airborne sources of pollution, NOx in particular, as a necessary action for improving water quality. According to studies of the water quality of Chesapeake Bay:

> **"Scientists estimate that approximately one-third of the nitrogen that reaches the Chesapeake Bay comes from air deposition.**
>
> **Nitrogen oxides (NOx), ammonia and organic nitrogen are three specific nitrogen compounds that are released into the air and can harm the Bay.**
>
> **Nitrogen oxides (NOx) are primarily released into the air as a by-product of combustion (the burning of fossil fuels like oil, gas and coal). NOx accounts for approximately 60 percent of the inorganic airborne nitrogen that winds up in the Bay."**
>
> Source: http://www.chesapeakebay.net/airpollution.aspx?menuitem=14693

The Outcomes listed on Page 3 include the following:

> **"• Focused water quality assessments, <u>including air deposition</u>, in areas with the greatest water quality degradation and/or disproportionate impacts on disadvantaged communities." (Emphasis added).**

Although air deposition is mentioned as part of water quality <u>assessments</u>, there should be explicit recognition of the need for <u>actions</u> to reduce airborne emissions at their sources. Otherwise, the impression is left that treating waterborne sources of pollution is sufficient.

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Water Quality and Sustainable Practices on Land:

Comment of National Estuarine Research Reserve Association, SAP 7

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 7 – Water Quality

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 7 – Water Quality Action Plan.
.
NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 7.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

342 Laudholm Farm Rd. • Wells, ME 04090
phone 202-236-4819 • www.nerra.org

- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 7 – Water Quality</u>

The Coastal Nonpoint Source Pollution Program provides a mechanism for coordination and pollution prevention, building partnerships and networks that facilitate the implementation of appropriate methods to limit polluted runoff before problems occur. Water Quality is a priority for the NERRS and each of the 28 sites conduct monitoring as part of a broader System-wide Monitoring Program.

NERRA recommends the following:

1. High frequency and long-term data collection should be included as a necessary objective.
   - Databases such as water and weather should be linked in order to identify the primary drivers involved in water quality issues, the value of high frequency data collection, and the need for long-term data sets which is required to conduct adequate water quality assessments and track progress in waterbodies. Programs such as the NERRS that can implement Strategic Action Plan objectives should be employed.

2. Primary contaminant delivery sources, atmosphere deposition and groundwater (both direct and baseflow loadings) should be included within Action 1 because they are important relative to nitrogen loading and mercury.

3. Include derelict fishing gear as an action item, distinguishing it from marine debris and trash.

4. Use the Existing Framework to Improve Federal Coordination.
   - The Coastal Zone Management Act sets the framework to reduce coastal nonpoint pollution and the NERRS have been consistently monitoring water quality and educating their communities and decision makers across the country. In many regions, key efforts are underway to implement best management practices at the watershed scale to mitigate nonpoint impacts. Programs such as these should be expanded upon.

NERRA strongly supports the NOC in its work to finalize and implement the Water Quality objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Changing Conditions in the Arctic:

Comment of Ocean Conservancy, Oceana, and Pew Environment Group

(40 pages)

Ocean Conservancy • Oceana • Pew Environment Group

July 1, 2011

Co-Chair Nancy Sutley
Co-Chair John Holdren
Members of the National Ocean Council
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Comments on the National Ocean Council's strategic action plan content outline regarding changing conditions in the Arctic.

Dear Co-Chair Sutley, Co-Chair Holdren, and Members of the National Ocean Council:

Thank you for the opportunity to submit comments on the National Ocean Council's (NOC) strategic action plan content outline regarding the changing conditions in the Arctic. We appreciate the work that the Council has invested in developing a content outline for the Arctic strategic action plan ("Arctic SAP").

Our organizations, together with a broad array of other conservation groups, submitted comprehensive scoping comments on the Arctic SAP on April 28 of this year. It appears that the NOC's content outline for the Arctic SAP was completed before the NOC had an opportunity to consider fully our suggestions and recommendations. As a result, we respectfully resubmit our April 28 scoping comments, and urge the NOC to incorporate our recommendations into the full draft Arctic SAP scheduled to be released later this year.

We look forward to working with you as the full draft Arctic SAP is developed and implemented.

Sincerely,

Andrew Hartsig
Director, Arctic Program
Ocean Conservancy

Susan Murray
Senior Director, Pacific
Oceana

Marilyn Heiman
Director, U.S. Arctic Program
Pew Environment Group

Attachment

Coalition scoping comments on the National Ocean Council's development of a strategic action plan to address changing conditions in the Arctic (April 28, 2011)

April 28, 2011

Co-Chair Nancy Sutley
Co-Chair John Holdren
Members of the National Ocean Council
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Re: Scoping comments on the National Ocean Council's development of a strategic action plan to address changing conditions in the Arctic.

Dear Co-Chair Sutley, Co-Chair Holdren, and Members of the National Ocean Council:

Thank you for the opportunity to submit comments on the National Ocean Council's (NOC) development of a strategic action plan to address changing conditions in the Arctic. 76 Fed. Reg. 4139, 4139–41 (Jan. 24, 2011). The following comments are submitted on behalf of Alaska Wilderness League, Center for Biological Diversity, Clean Air–Cool Planet, Defenders of Wildlife, Earthjustice, National Audubon Society, Natural Resources Defense Council, Northern Alaska Environmental Center, Ocean Conservancy, Oceana, Pacific Environment, Pew Environment Group, Sierra Club, The Wilderness Society, and World Wildlife Fund.

* * * * *

On July 19, 2010, President Obama signed Executive Order 13547, which established a National Policy for the Stewardship of the Ocean, our Coasts, and the Great Lakes.[1] Among other things, the executive order established the NOC and adopted the Final Recommendations of the Interagency Ocean Policy Task Force.[2] Those recommendations identified "Changing Conditions in the Arctic" as one of nine national priority objectives, or "categories for action." More specifically, the recommendations called on the NOC to develop a strategic action plan to "[a]ddress environmental stewardship needs in the Arctic Ocean and adjacent coastal areas in the face of climate-induced and other environmental changes" ("Arctic SAP" or "the SAP").[3]

We urge the NOC to develop an Arctic SAP that will implement the National Ocean Policy in a way that will ensure healthy, resilient marine ecosystems and continued opportunities for the subsistence way of life in the rapidly changing Arctic. To do so, the Arctic SAP should:

- Help shape future federal actions and activities in the Arctic by establishing an overarching strategy. At its core, this strategy should prioritize the stewardship principles contained in the National Ocean Policy, including science- and ecosystem-based management. The SAP can also help ensure that activities in the region at all levels are well-coordinated, and that future planning efforts have a strong foundation upon which to build.

- Strengthen and improve communication and coordination with local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations. By establishing

[1] *See* 75 Fed. Reg. 43023, 43023, (July 22, 2011).
[2] Council on Environmental Quality, Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010) [hereinafter "*Final Recommendations*"].
[3] *Id.* at 6.

clear guidance for agencies that work in the Arctic, and by coordinating the numerous agency processes that affect Arctic communities, the SAP can help members of local communities understand, participate in, and shape the decisions that will affect them.

• Fill knowledge gaps by shaping a comprehensive Arctic research and monitoring program. This program should be designed to provide and synthesize valuable baseline information—both ecological and socio-economic—that can help managers and planners make more informed decisions. As an integral part of that process, the Arctic SAP can also help to promote and integrate the use of local and traditional knowledge.

• Address specific management issues at the domestic level by recommending specific short-, mid-, and long-term actions that will conform to the National Ocean Policy and help protect opportunities for the subsistence way of life. These recommendations should include management actions designed to: ensure better preparation and more informed analyses before additional decisions about whether and under what conditions to authorize offshore oil and gas activities; prevent and prepare effective responses to shipping accidents, oil spills, and other disasters in the region; address potential impacts of commercial fishing; and identify and protect important ecological areas.

• Facilitate international cooperation and help establish the United States' leadership position on Arctic issues. The SAP should call for U.S. leadership on the international level with respect to: identifying and reducing emissions of black carbon and similar short-lived climate forcers; developing international Arctic fisheries agreements as called for in P.L. 110-243; demonstrating a precautionary approach to oil and gas development including developing the highest standards for oil spill prevention, containment, and response protocols; implementing the recommendations of the Arctic Marine Shipping Assessment; and committing to cooperative and protective management of the Arctic under an Arctic-wide ecosystem-based management plan developed through the Arctic Council. In addition, the United States should ratify the U.N Convention on the Law of the Sea and should at all times set a high standard for inclusion of indigenous peoples and Arctic communities in decisions affecting the Arctic.

More broadly, the NOC's Arctic SAP should establish a path forward with respect to management of major marine subregions of the U.S. Arctic. We urge the NOC to produce a plan that clearly addresses critical issues in: (1) the Beaufort and Chukchi seas; (2) the northern Bering Sea and Bering Strait area north of 60º north latitude; and (3) the southern Bering Sea south of 60º north latitude, the Aleutian Islands, and Bristol Bay.

• In the Beaufort and Chukchi seas, efforts should focus on design and implementation of a long-term research and monitoring plan; identification and protection of important ecological areas; significant reduction in the size of Arctic lease sales; and development and implementation of effective oil spill prevention, containment, and response systems sufficient to meet the unique demands of Arctic conditions. These actions will help ensure that decision-makers have the information necessary to make wise choices about whether, where, and under what conditions industrial activities should be allowed to proceed.

• In the northern Bering Sea and Bering Strait, efforts should focus on research and monitoring related to the potential impacts associated with fishing and shipping activities; development and implementation of more rigorous vessel safety requirements and disaster planning to prevent and prepare for accidents; potential designation of a northern Bering Sea research reserve; identification and protection of important ecological areas. This will help decision-makers prepare for potential increases in vessel traffic and fishing pressure associated with the northward migration of fish stocks.

• In the southern Bering Sea, Aleutian Islands, and Bristol Bay, efforts should focus on permanent protection of Bristol Bay from offshore oil and gas development; implementation of the Aleutian Islands Fishery Ecosystem Plan; identification, management, and protection of the network of important ecological areas in the Aleutian Islands as a cohesive ecological unit; identification and protection of other important ecological areas; and implementation of the recommendations contained in the Aleutian Islands Risk Assessment. Work in this subregion should support the North Pacific Fishery Management Council's shift toward ecosystem-based management of fisheries. Actions should be designed to minimize the adverse impacts of ongoing—and future—industrial activities in southern Arctic waters.

The comments attached to this letter provide additional detail. We look forward to working with you as the Arctic SAP is developed and implemented, and we welcome your thoughts on the recommendations presented in this document.

Sincerely,

Cindy Shogan
Executive Director
Alaska Wilderness League

Rebecca Noblin
Alaska Director
Center for Biological Diversity

Brooks B. Yeager
Executive Vice President
Clean Air–Cool Planet

Sierra B. Weaver
Senior Staff Attorney
Defenders of Wildlife

Erik Grafe
Attorney
Earthjustice

Mike Daulton
Vice President of Government Relations
National Audubon Society

Charles M. Clusen
Director, Arctic Project
Natural Resources Defense Council

Pamela A. Miller
Arctic Program Director
Northern Alaska Environmental Center

Andrew Hartsig
Director, Arctic Program
Ocean Conservancy

Susan Murray
Senior Director, Pacific
Oceana

Carole A. Holley
Alaska Program Co-Director
Pacific Environment

Marilyn Heiman
Director, U.S. Arctic Program
Pew Environment Group

Dan Ritzman
Alaska Program Director
Sierra Club

Lois N. Epstein, P.E.
Engineer & Arctic Program Director
The Wilderness Society

William M. Eichbaum
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SCOPING COMMENTS ON THE NATIONAL OCEAN COUNCIL'S ARCTIC STRATEGIC ACTION PLAN

The comments that follow reflect our vision for the National Ocean Council's (NOC) strategic action plan for the Arctic ("Arctic SAP" or "the SAP"). In Section I, we offer a brief description of the U.S. Arctic and an overview of some of the challenges the region faces. Section II recommends a path forward for major marine subregions of the U.S. Arctic, as well as principles and standards that the Arctic SAP should incorporate to implement the National Ocean Policy and promote better conservation, protection, and sustainable management of the Arctic's ocean and coastal resources. Section III addresses how the SAP can help ensure that Arctic communities, tribes, local governments, co-management organizations, and similar entities are involved in management decisions at all levels. In Section IV, we recommend ways that the SAP can advance our scientific understanding of rapidly changing Arctic ecosystems, including by integrating local and traditional knowledge. Section V addresses specific management issues and recommends short-, mid-, and long-term domestic management actions that should be included in the Arctic SAP. Finally, in Section VI, we address ways in which the SAP should address Arctic issues and partnerships on an international level.

SECTION I
THE ARCTIC ENVIRONMENT: CHALLENGES AND OPPORTUNITIES

A. The U.S. Arctic

The Arctic has sustained human communities for thousands of years. Many indigenous Arctic residents in Alaska (Alaska Natives) have depended, and continue to depend, on intact ecosystems to provide resources—such as fish, whales, walrus, seals, and seabirds—to support their subsistence way of life. For many residents of the Arctic, there is a direct connection between the continued health of the marine environment and the health of their food supply, their culture, and themselves. The Arctic is critical even for those who live in lower latitudes; it exerts a powerful influence over the earth's climate and acts as an air conditioner for the planet. In addition to its importance to humans, Arctic marine waters are home to some of the world's most iconic wildlife species.

America's Arctic includes all U.S. territory "north of the Arctic Circle and . . . north and west of the boundary formed by the Porcupine, Yukon, and Kuskokwim Rivers; all contiguous seas, including the Arctic Ocean and the Beaufort, Bering and Chukchi Seas; and the Aleutian chain."[1] Arctic marine waters are diverse; it may be useful to consider them as a series of ecologically interconnected subregions.[2]

In the north, the Chukchi and Beaufort seas support marine mammals such as bowhead and beluga whales, Pacific walrus, polar bears and spotted, bearded, ribbon, and ringed seals. Migratory species from around the globe—including gray, humpback, minke, and killer whales, and millions of seabirds, shorebirds, and waterfowl—take advantage of the burst of summer productivity in the Arctic for breeding, feeding, and rearing of their young. Coastal peoples in the Arctic use marine plants and animals for food, clothing, and other necessities. Many villages along the Beaufort and Chukchi coasts hunt bowhead whales, and view the whale hunt as a centerpiece of their culture. These communities prepare for the hunt year-round, celebrate successful hunts, and share food widely.

South of the Chukchi Sea is the Bering Strait, the gateway to the Arctic Ocean. Each year, all marine mammals that migrate in and out of the western Arctic Ocean travel through this narrow passage. Numerous seabirds also make the journey. Bering Strait waters feed a rich seafloor ecosystem that supports bottom-feeding species such as walrus, gray whales, bearded seals, and spectacled eiders.

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[1] 15 U.S.C. § 4111.
[2] *See, e.g.*, Attachment 1 (map showing subregions of U.S. Arctic).

South of the Bering Strait lies the Bering Sea. Upwelling of nutrient-rich waters occurs along the continental shelf and is concentrated at the deep-sea canyons that connect the shelf to the deep abyss of the central Bering Sea. This upwelling helps fuel the productivity of the region and supports the incredible biological richness of St. Lawrence Island and the Pribilof Islands, home of world-renowned fur seal and seabird breeding colonies. The eastern Bering Sea contains one of the largest and most productive continental shelf regions on the planet. It is home to many of the nation's largest fisheries; pollock caught in this region are used across the globe. The eastern Bering Sea is also home to Bristol and Kuskokwim Bays—a region of global ecological importance for its fish, seabirds, waterfowl, and marine mammals. Salmon, halibut, herring, and marine mammals are irreplaceable mainstays of Alaska Native tradition and culture in this region, and communities rely on these resources for village economies and subsistence way of life. Bristol Bay is also home to the world's largest wild run of sockeye salmon. Together, the waters in Bristol Bay and the Bering Sea support globally important commercial fisheries valued at more than $2 billion dollars annually.

The Aleutian Islands form the southern boundary of U.S. Arctic waters. The longest archipelago in the world, the Aleutians stretch from the United States to Siberia. The Aleutian chain rises abruptly from the deep Aleutian Trench to form a steep, rocky shelf. Here, rich nutrients, strong currents, and a complex seafloor combine to create an incredibly rich and diverse marine ecosystem. This region supports over 450 species of fish, tens of millions of seabirds hailing from every continent and representing more than fifty species, twenty-five species of marine mammals, and coral gardens that rival those found in the tropics.

B. The Arctic Is Experiencing Rapid and Profound Changes

(1) Climate Change

Climate change is warming the Arctic roughly twice as fast as the rest of the world. That warming is forcing pronounced alterations of the environment that affect Arctic ecosystems and have worldwide implications. The most dramatic change in the Arctic has been the rapid loss of sea ice. In 2007, the seasonal minimum sea ice extent in the Arctic reached a record low—23% lower than it had ever been since satellite measurements began in 1979. In the years following 2007, seasonal ice minima have covered a somewhat larger area, but sea ice coverage in these years has still been among the lowest recorded since 1979. Overall, the rate at which sea ice cover is declining exceeds even the most dramatic predictions from just a few years ago, and scientists now predict the Arctic could be seasonally ice-free by 2030.

Climate-related change, such as loss of sea ice cover, has profound effects on Arctic peoples, opportunities for the subsistence way of life, and Arctic marine ecosystems. Reduced ice cover makes fishing, hunting, and travel more difficult and unpredictable for Arctic peoples. Loss of sea ice also will have dramatic effects on many Arctic species. In more northerly latitudes, a fundamental restructuring of the Arctic marine food web may already be underway, shifting the flow of productivity from primarily benthic and ice-associated food webs to pelagic food webs. The reduction of sea ice also eliminates habitat for ice-dependent species. Loss of sea ice cover, the potential for seasonally ice-free conditions across the Arctic, and other climate-related changes are—and will continue to be—major stressors for many species in the Arctic. These changes may lead to local loss or extinction of species that cannot adapt to the rapidly changing conditions.

(2) Ocean Acidification

The Arctic Ocean is projected to be one of the first regions to be affected significantly by increased ocean acidification.[3] Roughly one-third of the carbon dioxide that is added to the atmosphere from the combustion of fossil fuels will dissolve into seawater. There, it reacts to form carbonic acid, which increases the acidity of the water. The solubility of carbon dioxide gas in seawater increases as water temperature decreases. In addition, low-salinity waters have less capacity to buffer acidification than do high-salinity waters. The Arctic Ocean has relatively low water temperatures and—because it receives large volumes of freshwater from increased ice melt and the Mackenzie and other rivers—relatively low salinity. As a result, it is particularly susceptible to acidification. The Arctic's ice cover has acted as a barrier to carbon dioxide absorption and has slowed acidification of the polar sea. But as sea ice disappears, the surface waters of the Arctic Ocean will likely absorb carbon dioxide from the atmosphere at higher rates.

Acidification will introduce a fundamental shift in the biogeochemical cycling of the Arctic Ocean. Among the most immediate impacts will be carbonate ion depletion and its related effects, which may have substantial effects on shellfish and other marine organisms that create their shells and other hard parts from calcium carbonate. Among other effects, increasing acidity may also change the growth rates of photosynthetic phytoplankton, the toxicity of marine toxins, the availability of ammonia for uptake by marine plants, and the efficiency of respiration in fish and other marine organisms.[4] The diversity of the anticipated effects and the inherent complexity of ecosystem interactions make it difficult to predict with certainty how Arctic ecosystems will respond to increased ocean acidification. However, changes brought about by ocean acidification could outstrip the adaptive capacity of many Arctic marine species.

(3) Ongoing and Expanding Commercial and Industrial Activity

Portions of the U.S. Arctic already experience significant levels of commercial and industrial activity. The southern Bering Sea, for example, is subject to substantial commercial fishing activity, and the Aleutian Islands see high volumes of commercial shipping traffic. In the Beaufort Sea, there are limited offshore oil and gas operations near shore, on islands.

Other portions of the Arctic could soon experience increased levels of industrial activity. The Alaska Department of Environmental Conservation has already documented an increase in ship traffic in the Bering and Chukchi seas and as more ice melts, additional ships will seek to transit through the Aleutian Islands and Bering Sea to the Arctic Ocean. Similarly, oil and gas companies are pushing to expand offshore exploration and development in the Chukchi and Beaufort seas, leading to increased seismic testing, drilling, and vessel traffic in Arctic waters. Finally, as sea ice retreats and stocks migrate north, expansion of commercial fishing into Arctic waters may be possible.

Unless managed carefully, the expansion of industrial activities will exacerbate pressure on Arctic ecosystems already under stress from climate change and ocean acidification. Growth of commercial shipping and offshore drilling in the Arctic will result in increased noise, air, and water pollution. Greater emissions of nitrogen oxides and carbon monoxide could triple ozone levels in the Arctic, and increased black carbon emissions would result in reduced ice reflectivity that could exacerbate the decline of sea ice. Increased shipping also increases the chance of introducing invasive species to Arctic ecosystems. Shipping and oil and gas activities in the Arctic Ocean also increase the chance of a catastrophic oil spill. In the Arctic, the relative risk from such spills is high due to the harsh and difficult-to-predict conditions, lack of infrastructure to support response activity, and lack of proven technology to clean up oil in broken

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[3] *See generally* M. Steinacher et al., *Imminent ocean acidification in the Arctic projected with the NCAR global coupled carbon cycle-climate model*, Biogeosciences, 6: 515–33 (2009).
[4] *See generally*, V.J. Fabry et al., *Impacts of ocean acidification on marine fauna and ecosystem processes*, ICES Journal of Marine Science, 65: 414–32 (2008).

ice conditions.[5] In addition, seismic activity, drilling, and vessel traffic from oil and gas operations would introduce significant noise to the marine environment, which can adversely affect fish, whales, and other marine animals. In the future, the introduction of commercial fishing to the Arctic could alter food webs, impact seafloor habitat, cause noise disturbance, and impair opportunities for the subsistence way of life.

(4) International Challenges

Many of the challenges confronting the Arctic are international in scope, both in cause and effect. Three of the most fundamental drivers of change in the Arctic—global warming, ocean acidification, and loss of sea ice—result from activities that are taking place around the world, and their impacts are being felt globally. A particular challenge for the United States and other Arctic countries is the need to reduce short-lived climate forcers, including black carbon, methane, and tropospheric ozone. Black carbon has been estimated to cause up to thirty percent of the human-caused warming in the Arctic,[6] but this and other short-lived forcers persist in the atmosphere for only a fraction of the time carbon dioxide does. The United States has joined the other seven members of the Arctic Council in committing to reduce these climate pollutants (Tromsoe Ministerial Declaration, 2009), but has yet to take significant domestic action to follow-up the commitment.

Other international challenges abound. Arctic marine mammals, birds, and fish stocks migrate without regard to national boundaries and should be protected throughout their ranges. Many of the large marine ecosystems identified by experts working under the Arctic Council transcend national boundaries and must be managed by two or more nations implementing consistent management plans and standards. The impacts of shipping between countries and continents across the top of North America and Eurasia will not be confined to either the country of origin or the country of destination; all Arctic nations will have to cooperate in designating consistent shipping routes that protect biodiversity and ecological values. Those routes will also require international standards governing fuel use, cargo, invasive species, discharges and noise pollution, safety, onshore support, search and rescue, and a host of other considerations—all adequate to protect the unique, fragile and daunting Arctic environment. The United States will have an especially important role due to the amount of shipping traffic that will flow through the narrow and ecologically important[7] Bering Strait. Increasing Arctic tourism and cruises present similar issues.

Mining and on- and offshore oil and gas development are also on the rise in the circumpolar Arctic. Although subject to national regulation, the cumulative impact of these activities may not be confined to one country, nor may be the immediate impacts of a disaster such as an oil spill from a tanker grounding or collision, pipeline rupture, or blowout. Fishing is another extractive industry that is international in its range and effects, and must be regulated at the international as well as national level. Accelerated melting of permanent ice could allow unregulated exploratory fishing in the international waters of the central Arctic Ocean in the next few years.

Not all international challenges are confined to the commercial sector. The Arctic marine environment remains one of the least studied oceans on the planet. Scientific research and information about the Arctic pose their own set of international challenges. Accessing information relevant to baselines and research is an international Arctic problem; the United States shares all three of its Arctic seas with other

[5] A recent spill in icy waters in Norway illustrated the difficulties of cleaning oil in ice. *See, e.g.,* Is og kulde gjør oljeoppsamling vanskelig (Ice and cold makes oil collection difficult), Teknisk Ukeblad (Tech Magazine) (Feb. 21, 2011), *available at* http://www.tu.no/miljo/article280133.ece (Norwegian to English translation via Google Translate).

[6] *See, e.g.*, David Sims, *Picking the "Low Hanging Fruit" of Arctic Climate Change*, EOS Spheres Newsletter, Institute for the Study of Earth, Oceans, and Space, Univ. of New Hampshire (Summer 2009) at 1, 3.

[7] Numerous species of marine mammals and birds migrate through the Bering Strait each year.

countries and should lead efforts to make scientific data more easily accessed across national boundaries.

The high seas of the central Arctic Ocean pose their own unique challenges related to the potential activities of non-Arctic States. Extractive and polluting activities conducted by non-Arctic States could have substantial effects within the zones of the five Arctic coastal States, including the United States. Regional cooperation to protect the high seas of the central Arctic Ocean could represent an important step toward establishing customary international law regarding all States' activities.

While Arctic challenges have international dimensions, that cannot become an excuse for failing to address them domestically to the full extent possible. At the same time, however, the Arctic SAP must call for the close cooperation of the State Department as well as other departments and agencies and prescribe specific goals for advancing the protection of the Arctic at the international level through the Arctic Council, the International Maritime Organization, and other international agencies, existing or to be created.

SECTION II
IMPLEMENTING THE NATIONAL OCEAN POLICY THROUGH THE ARCTIC SAP

The Arctic SAP should be more than a collection of goals and action items; it should live up to its name by providing an overarching *strategy* that will guide future policy and management decisions. At the heart of this strategy must be the stewardship principles contained in the National Ocean Policy. To ensure that these stewardship principles are implemented effectively, the SAP should facilitate cooperation among entities that work in the Arctic and identify a framework for coordinated management and decision-making. Finally, the Arctic SAP should lay a strong foundation for future planning efforts, including coastal and marine spatial planning. Specifically, the Arctic SAP should help ensure that sufficient baseline scientific information, appropriate monitoring programs, and adequate environmental protections are in place before decision-makers approve actions that may affect the health and resilience of Arctic marine ecosystems. The sections that follow address all these opportunities in greater detail.

A. A path forward for the Arctic

Climate change, ocean acidification, the expansion of industrial activities, and international Arctic issues are all substantial challenges. However, there are also significant opportunities for positive action in the region. The Arctic SAP should capitalize on these opportunities and provide meaningful direction to decision-makers.

The Arctic SAP can help shape future federal actions and activities in the Arctic by establishing an overarching strategy for the region. It can do much to strengthen and improve communication and coordination with local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations. It can also help fill knowledge gaps by shaping a comprehensive Arctic research and monitoring program designed to provide and synthesize valuable baseline information that can help managers and planners make more informed decisions. The Arctic SAP can also address specific management issues at the domestic level by recommending specific short-, mid-, and long-term actions that will conform to the National Ocean Policy and help protect opportunities for the subsistence way of life. Finally, the Arctic SAP is an opportunity to facilitate international cooperation and help establish the United States' leadership position on Arctic issues.

The NOC's Arctic SAP should establish a path forward with respect to management of major marine subregions of the U.S. Arctic. We urge the NOC to produce a plan that clearly addresses critical issues in: (1) the Beaufort and Chukchi seas; (2) the northern Bering Sea and Bering Strait area north of 60º north latitude; and (3) the southern Bering Sea south of 60º north latitude, the Aleutian Islands, and Bristol Bay.

• In the Beaufort and Chukchi seas, efforts should focus on the design and implementation of a long-term research and monitoring plan; identification and protection of important ecological areas (IEAs);[8] significant reduction in the size of Arctic lease sales; and development and implementation of effective oil spill prevention, containment, and response systems sufficient to meet the unique demands of Arctic conditions. These actions will help ensure that decision-makers have the information necessary to make wise choices about whether, where, and under what conditions industrial activities should be allowed to proceed.

• In the northern Bering Sea and Bering Strait, efforts should focus on research and monitoring related to the potential impacts associated with fishing and shipping activities; development and implementation more rigorous vessel safety requirements and disaster planning to prevent and prepare for accidents; potential designation of a northern Bering Sea research reserve; identification and protection of IEAs. This will help decision-makers prepare for potential increases in vessel traffic and fishing pressure associated with the northward migration of fish stocks.

• In the southern Bering Sea, Aleutian Islands, and Bristol Bay, efforts should focus on permanent protection of Bristol Bay from offshore oil and gas development; implementation of the Aleutian Islands Fishery Ecosystem Plan; identification, management, and protection of the network of IEAs in the Aleutian Islands as a cohesive ecological unit; identification and protection of other IEAs; and implementation of the recommendations contained in the Aleutian Islands Risk Assessment. Work in this subregion should support the North Pacific Fishery Management Council's shift toward ecosystem-based management of fisheries. Actions should be designed to minimize the adverse impacts of ongoing—and future—industrial activities in southern Arctic waters.

B. The Arctic SAP should establish Arctic stewardship standards to guide future policy and management decisions.

One of the key objectives of the Arctic SAP must be the establishment of overarching standards to guide federal agencies as they make policy and management decisions about the region. The National Ocean Policy sets forth a series of stewardship principles that should form the core of these standards. Section 6 of Executive Order 13547 instructs executive departments, agencies, and offices ("agencies") to implement the National Ocean Policy and its stewardship principles "to the fullest extent consistent with applicable law."[9] The Arctic SAP should reinforce this requirement by reiterating and refining key principles as "Arctic stewardship standards." It should ensure that agencies use these standards to guide future decisions and actions. In other words, agencies should use these standards as criteria to determine whether and under what conditions decisions and actions may be appropriate.

The Arctic stewardship standards articulated in the SAP should apply to all agencies whose decisions or actions—including transboundary decisions or actions—may affect the Arctic. To ensure conformity with the National Ocean Policy, agencies must comply with the stewardship standards "to the fullest extent consistent with applicable law."[10] We recommend that the Arctic SAP set forth the following Arctic-specific stewardship standards, which are based on the National Ocean Policy articulated in Executive

[8] IEAs may include areas of the ocean that are used for subsistence purposes; have distinguishing ecological characteristics; are important for maintaining habitat heterogeneity or the viability of a species; or contribute disproportionately to an ecosystem's health, including its productivity, biodiversity, functioning, structure, or resilience. IEAs are discussed in more detail below at Part V.D.
[9] Executive Order 13547 of July 19, 2010: Stewardship of the Ocean, Our Coasts, and the Great Lakes, 75 Fed. Reg. 43,023, 43,026 (July 22, 2011).
[10] *Id.*

Order 13547 and the *Final Recommendations of the Interagency Ocean Policy Task Force* (hereinafter *Final Recommendations*):[11]

> (1) Agency decisions or actions must protect, maintain, or restore the health and biological diversity of the Arctic's ocean and coastal ecosystems and resources. When that is not possible, agency decisions must, to the greatest extent possible, minimize adverse impacts—including cumulative impacts—to the health and biological diversity of the Arctic's ocean and coastal ecosystems.
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> (2) Agency decisions or actions must improve the resiliency of the Arctic's ocean and coastal ecosystems, communities, and economies, and support the ability to adapt to ongoing and future impacts of climate change and ocean acidification. Agency decisions must, to the greatest extent possible, minimize adverse impacts to the resiliency of the Arctic's ocean and coastal ecosystems, communities, and economies, and to the ability to adapt to climate change and ocean acidification.
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> (3) Agencies should use an ecosystem-based approach when making decisions or undertaking actions that may affect the Arctic. Agency decisions and actions should account for the interdependence of land, air, water, and ice, as well as the interconnectedness between human populations and these environments.
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> (4) Agency decisions or actions must use the best available science and knowledge, including local and traditional knowledge, to inform decisions affecting the Arctic's ocean and coastal ecosystems. Agency decisions and actions must also be guided by a precautionary approach. Under such an approach, agencies must ensure they have sufficient information before deciding whether to proceed with actions that may have adverse impacts.[12] In addition, "where there are threats of serious or irreversible damage" to the Arctic's ocean and coastal ecosystems, "lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."[13]
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> (5) Agencies should seek to increase scientific understanding of the Arctic's ocean and coastal ecosystems, and improve understanding and awareness of changing environmental conditions, trends, and their causes, and of human activities taking place in the Arctic's ocean and coastal waters.
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> (6) Agencies should take an open, transparent, and coordinated approach to decision-making, which encourages broad public participation, minimizes confusion, is efficient, and is respectful of the timing of subsistence activities in which many Alaska Native people engage.
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> (7) Agencies should strive to promote the foregoing stewardship standards as they cooperate with other Arctic nations and exercise leadership at the international level.

The Arctic SAP should recommend that agencies develop and issue regulations—or at a minimum, policy guidance—to ensure that they effectively integrate the National Ocean Policy and Arctic stewardship standards into their existing processes, practices, and mandates. As a practical matter, this means that

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[11] *See id.* at 43,023–24; Council on Environmental Quality, *Final Recommendations of the Interagency Ocean Policy Task Force* (July 19, 2010) at 14–18 [hereinafter "*Final Recommendations*"].
[12] Agencies must assess what information is essential to their decisions and to obtain that information before proceeding with actions. *See* 40 C.F.R. § 1502.22.
[13] *Final Recommendations* at 16 (quoting Rio Declaration of 1992).

agencies should take steps to ensure that sufficient baseline scientific information,[14] appropriate monitoring programs, and adequate environmental protections are in place before decision-makers approve actions that may affect the health and resilience of Arctic marine ecosystems. Interim management decisions must not be allowed to foreclose future or pending conservation, protection, and management options.

C. The Arctic SAP should facilitate coordination among entities that work in the Arctic, and identify a framework for coordinated management and decision-making.

A wide variety of federal, state, local, tribal, and co-management agencies and organizations have research, policy, and/or management roles relating to Arctic marine and coastal resources. The Arctic SAP should establish a framework to facilitate coordination among these entities.

A number of federal agencies are engaged in decision-making with respect to Arctic management and policy. Some of these agencies have recently completed, or will soon complete, Arctic-specific studies or processes. For example, NOAA recently announced its "Arctic Vision and Strategy,"[15] the U.S. Fish and Wildlife Service is coordinating an "Arctic Landscape Conservation Cooperative" project,[16] the Coast Guard has engaged in a "High Latitude Study," the U.S. Geological Survey is completing a review of certain scientific information on the Beaufort and Chukchi seas,[17] and the Navy has an "Arctic Roadmap." The State of Alaska—including its executive branch agencies and the legislature's "Northern Waters Task Force"—plays a critical role, as well. In addition to the federal and state governments, local governments, tribal governments, Alaska Native corporations, co-management organizations, and other Alaska Native organizations all have a stake in decisions that affect the Arctic. Finally, a number of interagency or "extra-agency" entities are also active in the Arctic, including the North Slope Science Initiative, the Arctic Policy Group, Interagency Arctic Research Policy Committee, and U.S. Arctic Research Commission. The recently announced "cross-agency" Alaska energy team will also play a role.[18]

At present, it is not clear how these and other Arctic-related entities and processes relate to and interact with one another. The Arctic SAP should consider all the existing entities that operate in the Arctic, evaluate existing policy, management, and research processes, and clarify "who is responsible for what."[19] Where possible, the Arctic SAP should identify opportunities to use existing entities and processes to facilitate coordination among different entities. Based on this review, the SAP should recommend a coordinated management structure designed to facilitate cooperation, maximize efficiencies, and identify joint priorities and opportunities for coordinated action. This structure could take the form of a regional planning body as described in the *Final Recommendations*,[20] or it could take some other shape. Regardless of the details, it should allow for effective communication and coordination regarding decisions whose impacts may cross jurisdictional boundaries; provide meaningful ways for Arctic communities, tribes, local governments, co-management organizations, and similar entities to

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[14] Baseline information should include ecological and socio-economic information and, where appropriate, should be spatially and temporally explicit.
[15] NOAA, *NOAA's Arctic Vision and Strategy* (Feb. 2011) *available at* http://www.arctic.noaa.gov/docs/NOAAArctic_V_S_2011.pdf.
[16] *See* U.S. Fish and Wildlife Serv., *Arctic Landscape Conservation Cooperative* (April 2010) *available at* http://alaska.fws.gov/lcc/pdf/arctic_factsheet.pdf.
[17] *See* Press Release, Dep't of the Interior, *Secretary Salazar Unveils Arctic Studies Initiative that will Inform Oil and Gas Decisions for Beaufort and Chukchi Seas* (Apr. 13, 2010).
[18] *See* The White House, *Blueprint for a Secure Energy Future* (March 30, 2011) at 12–13.
[19] As part of this review, the Arctic SAP should highlight opportunities to use existing entities or processes to ensure conformance with Arctic stewardship standards and to carry out proposed short-, mid-, or long-term actions, such as developing and implementing an Arctic research and monitoring program or identifying IEAs.
[20] *See, e.g., Final Recommendations* at 52–54.

participate in and shape decision-making at all levels; and ensure that decision-makers incorporate the best available science and local and traditional knowledge.

D. The Arctic SAP should lay a strong foundation for future and ongoing planning efforts.

The Arctic SAP should lay the groundwork for future and ongoing planning efforts. These include, among others, NOAA and other agencies' plans for Arctic science, observation, and forecasting; the Department of the Interior's five-year Outer Continental Shelf (OCS) oil and gas leasing programs;[21] Coast Guard and Navy plans for domain awareness and other operations; planning for ports and shipping routes; and future coastal and marine spatial planning.

The immediate need for improved synthesis of existing scientific information, as well as improved scientific research and monitoring in the Arctic—particularly in the region above 60º north latitude—will be important to virtually all future planning efforts. For that reason, we urge that the Arctic SAP recommend implementation of a long-term scientific research and monitoring program, described in detail in Section IV, below. Similarly, the need to include diverse perspectives and use open and transparent processes is critical to all planning efforts. The Arctic SAP should recommend guidelines to ensure improved involvement of local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations in planning processes, as described in Section III, below.

To lay a strong foundation for coastal and marine spatial planning in particular, the Arctic SAP should address the need to establish appropriately scaled sub-regional planning areas in Alaska. It should also consider issues surrounding regional planning body membership, including member roles and responsibilities, balanced representation, potential *ex officio* representatives and observers, and consultation, stakeholder, and public participation mechanisms.[22]

Finally, the SAP should highlight the need for future and ongoing planning efforts to consider reasonably foreseeable cumulative impacts, including impacts associated with the ongoing and expected climate change and ocean acidification.

SECTION III
ENSURING THAT LOCAL COMMUNITIES HAVE A MEANINGFUL VOICE IN DECISION-MAKING

Indigenous residents of the U.S. Arctic depend on resources from the ocean to maintain a subsistence way of life. In addition, they have valuable knowledge about their environment and its resources that can help inform planning and decision-making. And in the end, residents of the Arctic must live with the consequences of Arctic policy and management decisions. For all these reasons, the Arctic SAP must ensure meaningful opportunities for participation by local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations.[23]

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[21] The National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling concluded that "[i]ntegrating five-year [OCS] leasing plans and associated leasing decisions with the coastal and marine spatial planning process will be an important step toward assuring the sustainable use of ocean and coastal ecosystems." National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, *Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling* (Jan. 2011) at 263.

[22] For example, the Arctic SAP should consider: how to ensure adequate representation from local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations; mechanisms for formal consultation with the North Pacific Regional Fishery Management Council; and ways to include relevant international or transboundary entities.

[23] A recent report of the Aspen Institute noted the need for nations to improve the ability of Arctic indigenous people to participate in management and policy decision-making processes. *See* The Aspen Institute Energy and Environment Program, *The Shared Future: A Report of the Aspen Institute Commission on Arctic Climate Change* (2011) at 27.

Alaska Natives are represented by multiple and overlapping entities. Local government institutions, such as city and borough governments, are one such entity. Alaska Natives may also be members of one of the 229 federally recognized tribes in Alaska, or members of one of the state's regional or multiple village Alaska Native corporations. In addition, marine mammal commissions and co-management organizations have unique responsibilities and expertise. Finally, local community and nonprofit groups may provide valuable insight.

The Arctic SAP should acknowledge the diversity of Alaska Native organizations and establish practical guidelines to ensure that agencies take adequate measures to obtain advice and counsel from local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations. In addition, the SAP guidelines should ensure that federal agencies meet government-to-government consultation requirements established in Executive Order 13175[24] and President Obama's Memorandum of November 5, 2009.[25] Simply holding a hearing in a Native community does not satisfy an agency's obligation to engage in government-to-government consultation.

The Arctic SAP should make clear that local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations must have meaningful opportunities to give direct input into proposed decisions, actions, and planning processes that may affect the Arctic. Agencies must improve on existing outreach and consultation processes, and should consider modifying standard National Environmental Policy Act (NEPA) procedures to better conform to the needs of Arctic communities. For example, when calendaring comment periods and public hearings that may affect Arctic communities, agencies should consider the timing of subsistence activities or other events and adjust comment and hearing schedules to allow full participation by local residents. They should also coordinate with sister agencies to minimize the confusion and burden associated with overlapping or conflicting public comment periods. Finally, agencies should strive to hold meetings and hearings in local Arctic villages, not just Anchorage or other hub communities. If meeting in local villages is not possible, agencies should explore alternative outreach tools, such as video- or teleconference systems. These alternative outreach tools should not be the preferred or default method, and to the extent that agencies must rely on such tools, they must make every effort to give communities ample notification, encourage broad participation, and ensure that the selected communication technology functions as intended.

As the Arctic SAP is developed, the NOC should help coordinate government agencies and assist them in engaging in a dialogue with those people most directly affected by Arctic policy and management decisions. This process will help identify potential conflicts and promote smarter, better-coordinated use of the ocean. Meetings should include local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations, and should provide a forum to openly discuss issues and find answers to questions regarding policy and management decisions that impact Arctic lands and waters.

As discussed in more detail below in Part C of Section IV, representatives from local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations should be given meaningful opportunity to provide and review information associated with scientific or ecological research, monitoring, synthesis, and mapping. Just as important, agencies must ensure that they incorporate information and recommendations from these local and Native organizations into their decision-making and planning. The Arctic SAP should consider partnerships with Arctic school districts, the North Slope Borough Department of Wildlife Management, Ilisagvik College, and other appropriate

[24] Executive Order of November 6, 2000, Consultation and Coordination with Indian Tribal Governments, 65 Fed. Reg. 67249, 67249–52 (Nov. 9, 2000).
[25] Office of the White House, *Memorandum for the Heads of Executive Departments and Agencies re: Tribal Consultation* (Nov. 5, 2009) *available at* http://www.justice.gov/otj/pdf/obama-executive-memo110509.pdf.

entities to help teach students about Arctic environmental management issues and to employ their skills in ongoing collection of environmental, human use, and impacts monitoring data.

Outreach to local communities, governments, tribes, co-management organizations, and other Alaska Native organizations is one way of incorporating not just knowledge, but the holders of that knowledge into the decision-making process. Greater involvement by Arctic indigenous peoples in the governance of their regions and communities will benefit everyone. British Columbia, for example, engaged in a coastal planning process that included joint marine use planning with First Nations and Canadian agencies; this process followed principles of ecosystem-based management and included meaningful participation of Canadian First Nations.[26] Such approaches can help develop long-term solutions to economic and environmental challenges in the Arctic.

SECTION IV
IMPROVING SCIENTIFIC UNDERSTANDING OF RAPIDLY CHANGING ARCTIC ECOSYSTEMS

A. State of Arctic Marine Science.

As noted above, Arctic waters vary significantly—physically, ecologically, and in our use and study of them—from the Aleutian Islands to the Beaufort Sea. Any plan to increase our understanding of the region must account for these differences. A natural divide exists around 60° N. latitude. North of that line, seasonal sea ice is a dominant ecological feature and productivity is channeled primarily through the benthic food web. In addition, there is higher freshwater input, weaker tidal strength, and lower solar radiation in the area north of 60° N. latitude. South of 60°, there is little to no seasonal sea ice, and productivity is channeled primarily through the pelagic food web.

Management and research efforts are similarly divided. There is substantial information about the marine ecosystem south of the 60° line from annual trawl surveys over the past thirty years and other research. This information has been used to manage some of the world's largest fisheries. In addition, there is substantial shipping activity along the Great Circle Trade Route through the Aleutian Islands. In contrast, north of the 60° line, there has been relatively little research—with the exception of a recent ramping up of science associated with oil and gas leases in the Chukchi and Beaufort seas—and there is limited industrial activity in this region at this time.

Arctic ecosystems above 60° north latitude are different from other areas of the ocean because we know less about them. Scientists lack information about the abundance, distribution, migration, and role of almost all marine species in Arctic marine ecosystems.[27] Even basic information, such as knowledge of the species that inhabit the U.S. Arctic Ocean, either permanently or seasonally, is substantially incomplete. Even where basic information about Arctic marine ecosystem interactions and functions exists, much of it is outdated, collected by scientific methodology that is not directly comparable, or focused on just a small portion of the larger ecosystem. As a result, scientists have a limited understanding of marine ecosystem structure and functioning in the Arctic.

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[26] *See* Coastal First Nations-Turning Point Initiative, *Into the Deep Blue: Marine Ecosystem-based Management* (undated) *available at* http://coastalfirstnations.ca/files/PDF/intothedeepblue.pdf.

[27] The Arctic Climate Impact Assessment, an international project of the Arctic Council and the International Arctic Science Committee, highlighted basic surveys and monitoring as well as ecosystem-based research as some of the highest priority research actions needed for Arctic marine waters. *See* Arctic Climate Impact Assessment, ARCTIC CLIMATE IMPACT ASSESSMENT 522 (2005). Further, the North Slope Borough has called for better baseline science to guide decisions, and Senator Begich introduced legislation in the 111th Congress that called for additional Arctic research and coordination. *See* S. 1562, 111th Cong. (2010).

To make matters worse, water temperatures and sea ice cover—which play important roles in Arctic marine ecology—are changing at a startling pace, limiting the application of older data. For example, studies designed to provide baseline information and understanding of the health, biodiversity, and functioning of Arctic marine ecosystems and the potential impacts of industrial activities were conducted thirty years ago pursuant to the Outer Continental Shelf Environmental Assessment Program (OCSEAP). But because the Arctic ecosystem has experienced significant changes, the data collected under the OCSEAP program may not describe current conditions accurately.

Researchers in recent years have increased collection of scientific data on Arctic resources in conjunction with proposed oil and gas operations. However, these more recent research efforts have significant limitations. Since the conclusion of the OCSEAP program, research efforts have focused on topical studies in smaller areas to answer specific questions and fill identified information needs. While these studies provide valuable information about the physical and biological aspects of a relatively small geographic area, they do not provide adequate information about the broader ecosystem or changes over time. Furthermore, although this research generates potentially informative data, those data are rarely analyzed and synthesized in a way that facilitates their application to management decisions. In short, recent Arctic studies are not generating the synoptic data necessary to inform policy and management decisions, and synthesis of existing data across disciplines is sorely needed.

The recent NOAA Arctic Vision and Strategy calls for increased science, including better foundational science and improved sea ice forecasting. That research is critical to filling a number of known research gaps. However, without an overarching purpose and strategic plan to guide and tie the research together, individual studies will not provide a comprehensive understanding of Arctic marine ecosystems. For this reason, it is unlikely that the NOAA studies will provide a synoptic understanding of the ecosystem. What is needed in the Arctic is a long-term, comprehensive, interdisciplinary research and monitoring program.

President Obama and Secretary of the Interior Salazar have directed the U.S. Geological Survey (USGS) to assess "resources, risks, and environmental sensitivities in Arctic areas."[28] The USGS will complete an initial review of Arctic science and issue a report that will "examine the effects of exploration activities on marine mammals; determine what research is needed for an effective and reliable oil spill response in ice-covered regions; evaluate what is known about the cumulative effects of energy extraction on ecosystems and other resources of interest; and review how future changes in climate conditions may either mitigate or compound the impacts from Arctic energy development."[29] The USGS study could be an important initial assessment that can help guide future decisions about and investment in Arctic science. The Arctic SAP should consider the USGS study when it becomes available this spring.

B. An Interdisciplinary, Integrated Research and Monitoring Program for the U.S. Arctic Ocean

The National Ocean Council—working with local communities, governments, tribes, co-management organizations, the State of Alaska, industry, environmental organizations, and other stakeholders—should establish a path forward that provides the basic information required to protect the resources of the Arctic, including the subsistence way of life. The most efficient way to accomplish these goals is through implementation of a new OCSEAP-type program for the Arctic region above 60° N. latitude.

To provide the basic information required to make informed decisions about the resources of the Arctic, and to guide decisions about oil and gas and other industrial activities, a new comprehensive research and monitoring program should:

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[28] *See* Dep't of the Interior, *Secretary Salazar Unveils Arctic Studies Initiative that will Inform Oil and Gas Decisions for Beaufort and Chukchi Seas*, *available at* http://www.doi.gov/news/pressreleases/2010_04_13_releaseA.cfm.

[29] *Id.*

(1) Integrate existing information to give a more holistic picture of what is known and conduct an analysis of the gaps in information to determine the most pressing research and monitoring needs;

(2) Gain a more comprehensive catalogue of identified species, populations, and habitats, including seasonal migrations;

(3) Track the physical forcing factors that modulate biological productivity, habitat occupancy and migration pathways;

(4) Secure a better understanding of trophic linkages, physical and biological processes affecting productivity and other facets of ecosystem structure and functioning, and effects of anthropogenic perturbations;

(5) Study potential ecological and sociological impacts of climate change, ocean acidification, and industrial activities; and

(6) Integrate these scientific data to identify IEAs as well as processes and habitats that are sensitive and vulnerable to perturbation, and furnish a basis for marine spatial planning.

A research and monitoring program could be conducted in three phases over the next five to seven years: (1) gap analysis and planning (2011–2012); (2) research and monitoring (2013–2016, with monitoring continuing into the future); and (3) integrating new and old information to provide decision-makers with the basic understanding needed to make effective decisions (2016–2017). As explained in more detail below, each of these phases must be informed by local and traditional knowledge, including planning and peer-review.

(1) Phase I: Gap Analysis and Planning

New research and monitoring should build on what has been learned about the Arctic Ocean already. Thus, the first step in this process is to reconcile the large information gaps with the important research that has occurred. Existing information should be compiled and integrated, and then an analysis of the remaining gaps should be conducted. This gap analysis would then drive creation of an integrated research and monitoring program. The USGS Arctic study is an important step in this direction. However that study is limited in scope, and should be followed by a more comprehensive analysis.[30]

Scientists should define a research and monitoring plan to fill information gaps based on a comprehensive gap analysis and public input. Following the *Exxon Valdez* oil spill, scientists conducted an analysis and developed a research plan to address knowledge gaps in Prince William Sound and the Gulf of Alaska. This plan—the Gulf of Alaska Ecosystem Monitoring and Research (GEM) plan—should serve as a model that can help guide research and monitoring in the Arctic. The research and monitoring plan developed for northern U.S. Arctic waters should be developed with input from the public and evaluated by an independent panel of experts.[31]

(2) Phase II: Research and Monitoring

Once the information gaps are identified and a research plan devised, the research and monitoring must be executed. As the known gaps in knowledge outlined above show, scientific research and monitoring should include:

(1) Marine life assessment to provide a year-round picture of the species in each marine habitat and their population trends for key species;

[30] For example, Senator Begich called for a more comprehensive analysis in his proposed Arctic Ocean Research and Science Policy Review Act of 2009. *See* S. 1562, 111th Cong. (2010).
[31] An outline for such a plan for the Arctic Ocean is included as Attachment 2.

(2) Environmental monitoring to measure atmospheric and physical ocean conditions, such as salinity and temperature, and biological factors, such as productivity and community richness and diversity;

(3) Scientific process studies to understand the way in which the ecosystem functions and is likely to respond to stresses;

(4) Studies designed to identify patterns of subsistence use and changes in well-being as well as potential impacts from industrial activities; and

(5) Documentation and incorporation of local and traditional knowledge.

This research and monitoring should be interdisciplinary, spanning from climate sciences to social impact studies. To the greatest extent possible, it should be conducted in an integrated fashion to better elucidate the processes that underlie the way in which the ecosystem functions.[32] This research should build and fill out the current expansion of Arctic marine science that is occurring, including current research associated with Arctic oil and gas lease areas as well as research and monitoring called for in NOAA's Arctic Strategic Plan. Studies should be coordinated and integrated to measure multiple aspects of the ecosystem simultaneously.[33] This type of research and monitoring will give decision-makers the level of information that is necessary to make informed decisions and to ensure the protection of Arctic ecosystems and the subsistence way of life.

(3) Phase III: Data Integration

Once sufficient information is available from the research and monitoring outlined above, that information should be synthesized to demonstrate an understanding of ecosystem structure and functioning, including quantitative models of the food web and a determination of the IEAs of the region. Those models and information provide the basis from which to understand likely impacts of industrial activities and, accordingly, whether and how to allow them. Managers will be able to move from qualitative assertions (i.e., educated guesses) to making quantitative assessments of potential impacts and allow decision-makers to weigh the costs and benefits of industrial activities and to find alternatives that could allow for development while protecting ecosystems and subsistence way of life. It will also provide important information for evaluating impacts from climate change.

A comprehensive research and monitoring program, rather than *ad hoc* research, will build the foundation of Arctic knowledge most efficiently. Comprehensive, integrated research and monitoring will lead to a more complete understanding of the ecosystem, and can help drive response and restoration activities should an industrial accident occur.

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[32] Integrated research seeks to provide information about multiple characteristics of the ecosystem and the ways in which they interact. Earlier recommendations from the conservation community to the Interagency Ocean Policy Task Force may be a useful resource when considering the design of an integrated research program. *See* Comments from Conservation Organizations to Interagency Ocean Policy Task Force, *Recommendations for a Framework for Marine Spatial Planning: a Tool to Implement Ecosystem-based Management to Achieve the Goal of Ecosystem Health* (2009) at 11–12.

[33] In an April 19, 2011 "webinar" on the Arctic SAP, representatives from the Arctic SAP writing team indicated that the team has already recognized the need for improved understanding of physical science in the Arctic (such as improved sea ice forecasts). While we are encouraged by this, we urge the drafters of the Arctic SAP to also emphasize the need for ecological studies. A comprehensive planning approach will need to consider ecological linkages and include gaining a better understanding of ecosystem functioning in the Arctic. This knowledge will help with policy decisions in the Arctic as physical and biological changes due to climate change will impact ecosystem functioning. Ecological linkages are important as the highly productive and short food chains could impact species such as marine mammals, which are important to a subsistence way of life.

C. Incorporation of Local and Traditional Knowledge

The Arctic SAP should ensure that local and traditional knowledge is incorporated into any Arctic research and monitoring plan. Arctic peoples have a wealth of local and traditional knowledge. However, mechanisms to make local and traditional knowledge accessible to managers are generally lacking.

Local and traditional knowledge is a different, but equally valid knowledge system whose application can provide essential information, and contribute to scientific inquiry and understanding in a variety of ways.[34] In the Arctic, indigenous peoples who have lived in the region for millennia have developed a wealth of knowledge about the environment. They depend on local plants and animals for food, clothing, and shelter, and know a great deal about the species they use and see. Local and traditional knowledge is not a set of unchanging principles and facts. It is a living body of knowledge, tested and refined each time someone goes out on the ice, sea, or land. Documenting this knowledge in its entirety is impossible; however, documenting parts of it is feasible. Local and traditional knowledge is critical to understanding Arctic marine ecosystems.

Comparisons of local and traditional knowledge and scientific knowledge can fill gaps in our understanding of Arctic ecosystems, provide corroboration for results, or point the way to areas where further study is needed.[35] It can also provide guidance for the design and implementation of scientific studies, leading to more robust results. For example, local and traditional knowledge helped guide current scientific methods for monitoring bowhead whale surveys.[36] Furthermore, local and traditional knowledge covers a long time period, providing information that may not be available in scientific records.[37] It can also provide year-round observations, often absent in the Arctic, where most research occurs during the summer months.[38] Local and traditional knowledge can offer insight into ecological relationships and interactions that may not be apparent otherwise. For instance, local and traditional knowledge shed light on the relationship between increasing beaver populations, higher numbers of beaver dams that affect spawning habitat for anadramous fishes, and impacts on beluga whales, which prey on those fishes near river mouths.[39]

Local and traditional knowledge and scientific results may not always agree. Divergence may suggest that further study is necessary, or may indicate that one source of information is in error. Effort should be

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[34] *See, e.g.,* Johannes, R.E. 1981. Words of the lagoon: fishing and marine lore in the Palau District of Micronesia. Berkeley: University of California Press.; Ford, J., and D. Martinez, eds. 2000. Traditional ecological knowledge, ecosystem science, and environmental management. Invited Feature. Ecological Applications 10(5):1249-1340.; Murray, G., B. Neis, C.T. Palmer, and D.C. Schneider. 2008. Mapping cod: fisheries science, fish harvesters' ecological knowledge and cod migrations in the Northern Gulf of St. Lawrence. Human Ecology 36:581-598.

[35] Huntington, H.P., T. Callaghan, S. Fox, and I. Krupnik. 2004. Matching traditional and scientific observations to detect environmental change: a discussion on Arctic terrestrial ecosystems. Ambio Special Report 13: 18-23.

[36] Albert, T.F. 2001. The influence of Harry Brower, Sr., an Iñupiaq Eskimo hunter, on the bowhead whale research program conducted at the UIC-NARL facility by the North Slope Borough. In: D.W. Norton, ed. Fifty more years below zero. Calgary, Alberta: The Arctic Institute of North America. p. 265-278.

[37] Salomon, A.K., N.M. Tanape Sr., and H.P. Huntington. 2007. Serial depletion of marine invertebrates leads to the decline of a strongly interacting grazer. Ecological Applications 17(6):1752-1770.

[38] Noongwook, G., the Native Village of Savoonga, the Native Village of Gambell, H.P. Huntington, and J.C. George. 2007. Traditional knowledge of the bowhead whale (Balaena mysticetus) around St. Lawrence Island, Alaska. Arctic 60(1):47-54.

[39] Huntington, H.P., and the Communities of Buckland, Elim, Koyuk, Point Lay, and Shaktoolik. 1999. Traditional knowledge of the ecology of beluga whales (Delpinapterus leucas) in the eastern Chukchi and northern Bering seas, Alaska. Arctic 52(1): 49-61.

made to consider both scientific information and local and traditional knowledge, subject in both cases to appropriate steps of peer review and scrutiny.[40]

In recent years, an increasing amount of research has included local and traditional knowledge in the Arctic. Major projects, such as the Arctic Council's Arctic Climate Impact Assessment,[41] have incorporated traditional knowledge in efforts to understand what is taking place in the region. The Environmental Protection Agency (EPA) is currently working to incorporate local and traditional knowledge from Arctic communities in its water quality permitting process for the Beaufort and Chukchi seas. Although it remains to be seen how EPA will use or apply this knowledge, EPA's example could be a model for other agencies working in the Arctic. Notwithstanding EPA's efforts, there is much more to be done to make the knowledge of Arctic peoples more widely available, and to ensure that it is incorporated into the management processes that directly affect Arctic people.

There are various methods of obtaining local and traditional knowledge, ranging from intensive documentation of personal histories and activities to more rapid gathering of information at workshops.[42] Documenting local and traditional knowledge may involve the collection of traditional stories, the cooperative analysis of quantitative scientific measurements, the identification of subsistence use areas, and the recording of observations and understanding of various environmental phenomena. Importantly, researchers must be clear about the goals and intent of a specific effort to engage local and traditional knowledge and those who hold it. There is great value in including the holders of local and traditional knowledge in the process of applying that knowledge to a specific purpose. We are willing to work with the NOC to help develop clear, detailed standards and procedures for reviewing local and traditional knowledge for use by agencies in the U.S. Arctic. Such standards would help increase confidence by the agencies in the local and traditional knowledge it uses, and would provide the holders of local and traditional knowledge a clear target to aim for when providing information relevant to management decisions that affect them.

D. Recommended Actions to Improve Scientific Understanding of the Arctic

(1) Short-term Actions:

• The NOC should receive the report and recommendations of the USGS study on Arctic science in spring 2011, and should incorporate it into the Arctic SAP.

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[40] To the extent that local and traditional knowledge is best reviewed by persons familiar with the settings in which local and traditional knowledge was obtained, peer review of local and traditional knowledge may include other fishermen and hunters as well as researchers from other disciplines who can evaluate the reliability of the sources, the rigor of the documentation method, and other aspects of local and traditional knowledge and the recording thereof.

[41] Arctic Climate Impact Assessment, Impacts of a warming Arctic: Arctic Climate Impact Assessment. Arctic Council and the International Arctic Science Committee (IASC) (2004). http://www.acia.uaf.edu.

[42] *See, e.g.,* Huntington, H.P. 1998. Observations on the utility of the semi-directive interview for documenting traditional ecological knowledge. Arctic 51(3): 237-242.; Huntington, H.P. 2000. Using traditional ecological knowledge in science: methods and applications. Ecological Applications 10(5):1270-1274.Huntington, H.P., and the Communities of Buckland, Elim, Koyuk, Point Lay, and Shaktoolik. 1999. Traditional knowledge of the ecology of beluga whales (Delpinapterus leucas) in the eastern Chukchi and northern Bering seas, Alaska. Arctic 52(1): 49-61.; Tobias, T. 2009. Living proof: the essential data-collection guide for indigenous use-and-occupancy map surveys. Vancouver, British Columbia: Ecotrust Canada and University of British Columbia Press.; NPRB (North Pacific Research Board). 2005. Science plan. Anchorage: North Pacific Research Board. xi +198p.; Huntington, H.P., P.K. Brown-Schwalenberg, M.E. Fernandez-Gimenez, K.J. Frost, D.W. Norton, and D.H. Rosenberg. 2002. Observations on the workshop as a means of improving communication between holders of traditional and scientific knowledge. Environmental Management 30(6): 778-792.

• The NOC should work with Alaska's U.S. Senators,[43] the U.S. Arctic Research Commission, Office of Science and Technology Policy, Interagency Arctic Research Policy Committee and others to commission the National Research Council to conduct a gap analysis of scientific information concerning U.S. Arctic waters, including an evaluation and documentation of local and traditional knowledge and recommendations on how to most effectively and efficiently fill information gaps.

• The NOC should work with the Office of Management and Budget and Congress to establish a funding source to carry out necessary and sustained Arctic research and monitoring. Changes to the Oil Spill Liability Trust Fund could provide an appropriate funding source.

• Scientific research and monitoring that is already taking place and filling important information gaps should be continued. Where information gaps exist, agencies must identify information essential to their decisions, and obtain that information before moving forward.[44]

• Where existing information already indicates that particular regions of the ocean possess significant ecological or subsistence values, those areas should be identified as IEAs.

(2) Mid-term Actions:

• The Arctic science coordination structure under the U.S. Arctic Science Research Policy Act of 1984 should be used to establish an Arctic marine science program that coordinates and conducts research and monitoring under a prioritized comprehensive plan. Specifically:

- The U.S. Arctic Research Commission—in coordination with the NOC, Office of Science and Technology and Policy, and Interagency Arctic Research Policy Committee—should develop (and periodically update) a comprehensive research and monitoring plan based upon the National Research Council's U.S. Arctic waters scientific information gap analysis. Development of the plan should include ample opportunities for public participation and comment, and the plan itself should evaluate and justify appropriate levels of funding.

- The Interagency Arctic Research Policy Committee—in coordination with the NOC, U.S. Arctic Research Commission, and the Office of Science and Technology Policy—should direct the implementation of the comprehensive U.S. Arctic waters research and monitoring plan by identifying and coordinating appropriate lead agencies to conduct specific aspects of the integrated research carried out under the plan.

• Dedicated funding for synthesis activities, including drawing together existing information from various disciplines, as well as addressing the nature and likely direction of cumulative impacts, to better understand the holistic nature of the Arctic marine ecosystem and the effectiveness of various environmental protection measures.

[43] For example, in the 111th Congress, Senator Begich introduced legislation calling for a study and report on research on the U.S. Arctic Ocean. *See* S. 1562, 111th Cong. (2010).
[44] *See* 40 C.F.R. § 1502.22.

• The NOC should facilitate the establishment of a yearly Arctic waters ecosystem forum for scientists, decision-makers, local communities, and other members of the public to discuss the latest research and understanding of the state of Arctic marine ecosystems.[45]

• As more data are collected and synthesized, additional IEAs should be identified.

(3) Long-term Actions:

• Arctic research and monitoring carried out under a periodically updated comprehensive plan should continue.

• The Interagency Arctic Research Policy Committee, in coordination with the U.S. Arctic Research Commission, should integrate data to produce regular ecosystem assessments of our understanding of Arctic ecosystems to provide decision-makers and the public a clear basis of information upon which to make management decisions.

• The yearly Arctic waters ecosystem forum described above should continue.

• Identification of IEAs should continue.

SECTION V
THE ARCTIC SAP SHOULD RECOMMEND SPECIFIC DOMESTIC MANAGEMENT ACTIONS

Agencies whose decisions and actions may affect the Arctic should already be implementing the stewardship principles contained in the National Ocean Policy and the *Final Recommendations* as they carry out their existing responsibilities.[46] In addition to the specific actions recommended above with respect to better understanding the Arctic environment, the Arctic SAP should recommend short-, mid-, and long-term management actions to address specific issues and ensure adequate protection of Arctic ecosystems. These should include management actions designed to: prevent and prepare effective responses to shipping accidents, oil spills, and other disasters in the region; ensure better preparation and more informed analyses before determining whether and under what conditions to authorize oil and gas activities; address potential impacts of commercial fishing; and identify and protect IEAs.

A. The Arctic SAP should recommend specific guidance to ensure availability of effective disaster prevention and response, including vessel tracking, search and rescue, and oil spill preparedness and response.

As summer sea ice retreats and access to the Arctic becomes easier, the region will be exposed to greater levels of industrial activity, including increased commercial vessel traffic and potential increases in oil and gas activity. As these activities ramp up, so does the potential for a significant accident. The Arctic SAP should recognize the need for improved disaster response capability in the Arctic, and should recommend specific actions to address this need.

[45] This could be a central part of meetings that already occur on an annual basis, such as the Alaska Marine Science Symposium, Alaska Forum on the Environment, or NOAA's open water meeting.
[46] *See* Executive Order 13547 of July 19, 2010: Stewardship of the Ocean, Our Coasts, and the Great Lakes, 75 Fed. Reg. 43,023, 43,026 (July 22, 2011) (requiring executive departments, agencies and offices to implement the National Ocean Policy and its stewardship principles "to the fullest extent consistent with applicable law.").

(1) Vessel Traffic

Currently, shipping traffic in America's Arctic is concentrated in the Aleutian Islands, part of the larger North Pacific Great Circle Route that provides the shortest shipping distance between Asia and North America. An estimated 3,100 vessels transit through the Aleutian Islands each year on trans-Pacific voyages.[47] Most of these vessels do not have oil spill contingency plans or certificates of financial obligation and carry persistent fuel oil that presents a significant threat to the marine ecosystem. Given the region's turbulent weather and remoteness, there has been a history of accidents and spills. The Arctic SAP should address accident prevention and response in the Aleutian Islands region, and should recommend a model for a proactive shipping management regime in the northern region of America's Arctic, especially Bering Strait, as well as the larger circumpolar Arctic.

In addition to existing vessel traffic in the Aleutian Islands, an unprecedented wave of new ship traffic is headed into the increasingly ice-free waters of the northern Bering Sea and beyond. This increased vessel traffic includes cruise ships, oil, gas and mining vessels, and commercial, research and fishing boats. The Arctic Marine Shipping Assessment predicts an increase in regional shipping and resource extraction through the Bering Strait over the next twenty years. Plans for oil, gas, coal, and other mineral extraction in both the Russian and U.S. Arctic support this prediction. In 2007—the year of the lowest minimum sea ice extent on record to date—Canada's Northwest Passage was passable for the first time. In 2008 alone, sixty-two ships used the Northwest Passage for regional shipping; a few even traveled the entire distance through the passage. Increases in vessel traffic also mean increases in noise, air and water pollution, as well as increased risk of accidents and oil spills.

Mandatory tracking and reporting systems—made possible by advancements in communication and tracking technologies—could minimize the risks of vessel accidents, support faster response (safety and environmental), and could, if desired, assist with compliance and enforcement. Satellite Automatic Identification Systems (S-AIS) enables global coverage of vessel activity. Use of S-AIS would help establish "a common Arctic ship reporting and data sharing system" as well as "a common approach to marine traffic awareness and monitoring."[48] In potential bottleneck zones, such as the Bering Strait and similar areas that pose an elevated risk of vessel collisions, S-AIS coupled with a local Vessel Traffic Service (VTS) can help avert accidents. In addition to S-AIS, the Long Range Information and Tracking System (LRIT)[49]—adopted via IMO Resolution in 2006—can improve safety and environmental protection. LRIT provides for global identification and tracking of ships, making available to a data center information on ship identity and current location. LRIT could provide accurate information on ships in distress and ships that could lend assistance; it could be an invaluable tool to save lives and minimize pollution of the Arctic marine environment. These systems are simple but effective ways of monitoring ship movements and are already used to some extent in polar waters. Given the sensitive and hazardous nature of the Arctic, the remoteness and limited possibilities for search and rescue, and the paramount importance of preventing accidents, vessel traffic monitoring and information systems should be mandatory in Arctic waters.

The Aleutian Islands Risk Assessment, undertaken in response to the *Selendang Ayu* oil spill, recommended a series of actions to help reduce risk throughout the Aleutian Island region. These include bolstering area contingency planning, enhancing U.S. Coast Guard cutters' towing capabilities, increasing rescue tug capabilities for the North Pacific Great Circle Route, increasing salvage and spill response capability in the Aleutian Islands, and enhancing vessel monitoring and reporting programs.

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[47] Aleutians Island Risk Assessment, Vessel Traffic Overview: http://www.aleutiansriskassessment.com/summary.htm (Accessed, 4/8/11)
[48] *Id.*
[49] *See* http://www.imo.org/OurWork/Safety/Navigation/Pages/LRIT.aspx and https://extranet.emsa.europa.eu/index.php?option=com_content&view=article&id=52:long-range-identification-and-tracking-system&catid=65&Itemid=91 5/1/11.

The Risk Assessment also recommended establishing restricted areas such as Particularly Sensitive Sea Areas (PSSAs) and implementing associated protective measures. These recommendations, which should be implemented immediately, will be useful for protecting the Aleutian Islands and may provide a model for necessary emergency preparedness, prevention, and response management measures to protect the Bering Sea, Bering Strait, and circumpolar Arctic from potential impacts from increased industrial activities.

(2) Oil Spills

Greater levels of vessel traffic in Arctic waters, along with the potential for more oil and gas activity, heighten the risk of oil spills. Difficult to contain and clean up under the best of circumstances, there is no proven method to clean up an oil spill in the presence of sea ice. A recent tanker spill in the icy waters off Norway's coast affirmed the inadequacy of existing response technologies and capabilities in icy waters.[50]

Oil and gas activities in the Arctic Ocean pose significant risks. As demonstrated by last summer's tragic *Deepwater Horizon* disaster, just a single exploration well can cause a massive oil spill. A very large oil spill could be catastrophic for Arctic wildlife and the people who depend on healthy marine ecosystems to support their subsistence way of life. Based on the geological characteristics of the leased areas in the Chukchi Sea, the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) has acknowledged that a very large oil spill with an initial release rate of 61,000 barrels per day is a possibility at some locations and depths within the leased area.[51] This is comparable to the flow rate from the *Deepwater Horizon* spill, which the government has estimated to range between about 53,000 and 62,000 barrels a day.

Moreover, the Arctic's weather, sea ice, potential short daylight hours, remoteness, and lack of infrastructure may impair—or make impossible—effective spill response.[52] Severe environmental conditions, such as fog, hurricane-force winds, high seas, seasonal darkness and sub-freezing temperatures, can prevent oil spill response operations in the Arctic from ever getting off the ground, or can bring them to a grinding halt. Unfavorable conditions can persist for days or weeks at a time.

The Arctic's remote location and lack of infrastructure are also significant issues. In the event of a major spill, the U.S. Coast Guard has a responsibility to oversee spill response and protect the marine ecosystem and human safety. However, along much of the Arctic coast, there is a critical lack of infrastructure to support the U.S. Coast Guard in the event of a large or catastrophic spill. Ports and docks to store or launch vessels are far away, with the nearest Coast Guard port 1,300 miles away in Dutch Harbor. Two of the three U.S. icebreakers are out of commission, and most boats in the region are small and not ice-capable. There are no roads between communities or connecting the remote Arctic coastal communities to larger population centers, insufficient communication technology, and no storage for equipment or personnel.

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[50] *See, e.g.*, Is og kulde gjør oljeoppsamling vanskelig (Ice and cold makes oil collection difficult), Teknisk Ukeblad (Tech Magazine) (Feb. 21, 2011), available at http://www.tu.no/miljo/article280133.ece (Norwegian to English translation via Google Translate).

[51] Bureau of Ocean Energy Management, Regulation and Enforcement, Report to the United States District Court re: *Native Village of Point Hope, et al. v. Salazar, et al.*, No. 1:08-cv-00004-RRB (April 17, 2011).

[52] The National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling observed that the Arctic presents special obstacles for oil spill preparedness and response. *See, e.g.* National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, *Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling*, at 303-04 (noting that "successful oil spill response methods from the Gulf of Mexico, or anywhere else, cannot simply be transferred to the Arctic.").

Further, conventional spill response techniques—inadequate even in more moderate climates—may be wholly unusable under conditions commonly found in the Arctic. The *Deepwater Horizon* disaster showed that in the face of a large spill, both preparedness and current response techniques were lacking. The Arctic is a high-risk frontier where the response gap—when environmental conditions exceed the operating limits of spill response equipment—will almost certainly make operations and any potential oil spill clean-up much more complicated.

Recommended actions related to disaster response

(1) Short-term Actions:

• The NOC should recommend a response gap analysis for high risk areas such as the Aleutian Islands, Bering Strait and Chukchi and Beaufort seas to better inform disaster preparedness and response plans.

• The U.S. Coast Guard and NOAA should review industry and Sub-Area contingency plans to ensure adequacy of response equipment, trained personnel and shoreline and nearshore protection strategies.

• Interim and final recommendations of the Aleutian Island Risk Assessment should be implemented by appropriate federal and state entities.

• The U.S. Coast Guard should complete the Port Access Route Study for the Bering Strait and should consider supporting the designation of Traffic Separation Schemes and “Areas to be Avoided” at IMO.

(2) Mid-term Actions:

• NOAA should survey and map Arctic waters and shoreline for more accurate coastal maps and nautical charts to benefit safe navigation and national security as well as help locate and prioritize sensitive coastal areas.

• NOAA and other agencies should improve oil spill trajectories and modeling oil in ice; this information should be made available to the public, decision-makers, and responders to better inform spill response plans.

• NOAA and other agencies should invest in hydrographic, meteorological and oceanographic data in support of safe navigation and operations. This includes increased support for hydrographic surveys to improve navigation charts and systems and analysis and transfer of meteorological, oceanographic, sea ice and iceberg information.

• Automatic Identification System stations for monitoring commercial traffic in the Arctic should be augmented, and a comprehensive Arctic Marine Traffic Awareness System should be implemented to improve monitoring and tracking of marine activity, to enhance data sharing in near real-time, and to augment vessel management service to reduce the risk of incidents, facilitate response, and provide awareness of potential user conflict.

• Appropriate agencies should ensure periodic full field deployment exercises to practice and test offshore and shoreline response strategies.

• A zero pollution policy for Arctic waters should be implemented.

• Actions to reduce air emissions in the Arctic from shipping should be implemented, such as supporting the development of improved practices and innovative technologies for ships in port and at sea to help reduce current and future emissions of greenhouse gases, nitrogen oxides (NOx), sulfur oxides (SOx) and particulate matter (PM), taking into account the relevant IMO regulations.

(3) Long-term Actions:

• Continue to carry out improvements to infrastructure including communications systems, port services, salvage capabilities, and adequate and effective response equipment and facilities, particularly with respect to oil spill response.

• U.S. Arctic icebreaker capacity should be increased.

• Continue to build out U.S. Coast Guard oil spill and emergency response capabilities in the region.

B. The Arctic SAP should ensure that agencies engage in better preparation and more informed analyses before determining whether and under what conditions to authorize oil and gas in the Arctic.

In the past, there has been relatively little oil and gas activity in the Arctic OCS. However, decreasing summer sea ice and increasing economic incentives have caused the oil and gas industry to target Arctic waters, especially the Beaufort and Chukchi seas. In recent years, leasing in the Arctic has increased dramatically, seismic exploration has expanded, and there have been proposals to drill exploration wells in the Beaufort and Chukchi seas. To satisfy the National Ocean Policy's stewardship principles, decision-makers in the Arctic must engage in more comprehensive preparation before deciding whether or under what conditions to permit offshore oil and gas activity in the U.S. Arctic.

As noted above, the Arctic presents many hurdles and unique challenges to oil spill response. Beyond the threat of a major oil spill, seismic exploration, drilling, and vessel traffic from oil and gas operations would introduce significant noise to the marine environment, which can adversely affect fish, whales, and other marine animals. Exploration and production activities also discharge oil, toxic muds, and other fluids into the water, and emit potentially harmful pollutants into the air.

Before deciding whether or how to allow oil and gas activities to proceed in Arctic waters, Arctic managers and decision-makers must do a better job of laying the groundwork. First, as noted above, knowledge of the Arctic ecosystem is limited in significant ways, making it difficult to assess accurately the potential impacts of offshore oil and gas exploration and development. Lack of information could also hamper the efficacy of response efforts in the event of a large oil spill. As a result, decision-makers need access to improved information about Arctic ecosystems. Second, under the current leasing system, industry can buy oil and gas leases almost anywhere in open OCS planning areas, regardless of the ecological value of the lease tract. This puts the cart before the horse. More complete information about the region is needed to make informed decisions about whether and under what circumstances oil and gas activities may proceed. Agencies must obtain this information, including identifying IEAs, *before* leasing and other oil and gas operations take place. If—after obtaining essential information—agencies decide to authorize additional oil and gas lease sales in the Arctic, they should narrowly delimit areas available for leasing. This will allow for a more meaningful assessment of resources and potential impacts. At a minimum, agencies should exclude IEAs from planning areas or lease sale areas, as well as any surrounding acreage necessary to protect the functioning of those IEAs. Finally, there is no proven way to effectively clean up spilled oil in broken ice conditions. It is of utmost importance to develop and implement effective, efficient spill containment, and response systems sufficient to meet the unique demands of Arctic conditions. Going forward, decisions about whether and how to authorize oil

and gas activities in the Arctic must be based on sound scientific information, thoughtful planning, and a demonstrably effective response and rescue capability.

Recommended actions related to the oil and gas activities in the Arctic

(1) Short-term Actions:

• BOEMRE should schedule no new lease sales in Arctic waters in its upcoming 2012–2017 OCS leasing program.

• BOEMRE and other agencies should ensure that they obtain information essential to inform ongoing decisions about oil and gas activities in Arctic waters.

• As described above, the NOC should work with other agencies and entities to commission and implement a gap analysis of scientific information on Arctic waters.

(2) Mid-term Actions:

• A comprehensive, integrated research and monitoring program—as described above—should be implemented and three to five years of data should be collected and evaluated as a basis for policy decisions on whether, when, where and how to proceed.

• IEAs should be identified using existing knowledge and an inclusive process. These IEAs should be protected from the adverse effects industrial activities, including impacts from leasing and oil and gas activities if federal agencies authorize such activities.

• Safety and oil spill prevention, containment, and response infrastructure, plans, and technology should be developed, tested, and proven effective in the Arctic Ocean.

• Congress and administrative agencies should implement reforms to the framework of laws, regulations, and policies that govern OCS oil and gas operations, including developing Arctic-specific regulations and policies.

(3) Long-term Actions:

• Safety and oil spill prevention, containment, and response infrastructure, plans, and technology should be continually tested, reviewed, and improved to ensure that that the Arctic has the highest level of preparedness.

• As described above, IEAs and associated protective measures should be subject to periodic review to ensure that they change or expand in response to environmental changes.

C. The Arctic SAP should support the North Pacific Fishery Management Council's efforts to move toward ecosystem based fisheries management.

As discussed at the outset, portions of U.S. Arctic waters—predominantly the Aleutian Islands and southern Bering Sea—support large and important commercial fisheries. These include the pollock fishery (the largest fishery by volume in the U.S.), the Bristol Bay salmon fisheries, and the king crab fisheries of the Bering Sea, which have been popularized in the *Deadliest Catch* television series. In contrast, industrial commercial fishing in the northern Bering Sea is relatively limited, and there is no commercial fishing in federal waters of the U.S. Chukchi and Beaufort seas.

The North Pacific Fishery Management Council ("NPFMC" or "the Council"), which manages federal groundfish fisheries in U.S. Arctic waters, is one of the longest-standing management bodies governing industrial activities in Arctic waters. Over the last decade, the Council has implemented several ecosystem measures. For example, the Council has an ecosystem committee that meets regularly, and it has developed a Fishery Ecosystem Plan for the Aleutian Islands. The NPFMC has capped eastern Bering Sea groundfish removals at 2 million metric tons to help safeguard ecosystem functioning. Large swaths of seafloor habitat are protected from bottom trawling, and some smaller Aleutian Island coral gardens are protected from all bottom contact gear. The Arctic SAP should support and encourage the NPFMC's movement toward ecosystem-based fisheries management.

The Council has also implemented a proactive management approach to the northward expansion of commercial fishing. For waters north of the Bering Strait, the NPFMC established a precautionary, science-based approach to the northward expansion of commercial fisheries under the Arctic Fisheries Management Plan (Arctic FMP). Pursuant to that plan, no commercial fisheries in the region can occur until it can be determined that such fisheries could be conducted sustainably, including evaluating potential impacts to subsistence activities. The NOC should work with the Council to review the NPFMC's Arctic FMP to evaluate that approach as a management model for the expansion of all industrial activities in Arctic waters.

In addition to the ecosystem-based measures noted above, the Council has closed the northern Bering Sea to bottom trawling to allow research on the potential impacts of bottom trawling in the region before deciding whether to allow trawling to expand northward. As the transition zone between the Chukchi Sea and southeast Bering Sea, the northern Bering Sea is a distinct biological system driven by the seasonal formation and retreat of winter sea ice. It is the center of significant climate change research, including a $50 million program operated by the National Science Foundation and North Pacific Research Board, designed to understand the ecosystem and how changing climate conditions and physical forces may affect marine mammals and seabirds and adjacent commercial fisheries to the south. The northern Bering Sea offers ideal conditions to study the changing climate and its influence on U.S. Arctic marine ecosystems and subsistence resources used by coastal tribes. The NOC should build upon the work of the NPFMC by working with local communities, the NPFMC, State of Alaska and others to designate the northern Bering Sea, along with the Bering Strait and southern Chukchi Sea, as a dedicated research region. Further focus on the region and continued protection would be a long-term investment in sound science-based resource management.

Recommended actions related to fisheries management:

(1) Short-term Actions:

• Work with the NPFMC to review the Arctic FMP as an approach to the expansion of industrial activities in Arctic waters and evaluate that approach as a model for the Arctic SAP to build upon.

• Ask the NPFMC to review the National Ocean Policy and report on how the Council will implement the policy. This review and report should address ecosystem measures that the NPFMC has implemented as well as how NPFMC ensures protection of ecosystem health and the subsistence way of life when setting catch levels.

• Consider building on the Council's Northern Bering Sea Research Area by working with local communities, the NPFMC, State of Alaska and others to designate the northern Bering Sea, Bering Strait, and southern Chukchi Sea as a research reserve.

• Evaluate potential measures to help enable the NPFMC to continue its move towards ecosystem-based fisheries management and implement its precautionary, science-based Arctic FMP.

(2) Mid- and long-term Actions:

• Review the NPFMC's report on implementing the National Ocean Policy and initiate measures designed to support the Council's move toward ecosystem-based fisheries management. These measures should be designed to help the NPFMC ensure that fisheries catch levels maintain ecosystem health.

• Continue to work with the NPFMC to support implementation of the Council's precautionary, science-based approach to expansion of commercial fishing in the Chukchi and Beaufort seas.

D. The Arctic SAP should recommend identification and protection of IEAs.

One significant way to carry out the stewardship principles in the National Ocean Policy is to identify and protect IEAs. As described above, identification of IEAs should be an ongoing part of an integrated, long-term scientific research and monitoring program for the Arctic.

Areas within an ecosystem are not equal in ecological terms; some areas contribute disproportionately to ecosystem structure and functioning, including use by human populations. IEAs may include areas of the ocean that are used for subsistence purposes; have distinguishing ecological characteristics; are important for maintaining habitat heterogeneity or the viability of a species; or contribute disproportionately to an ecosystem's health, including its productivity, biodiversity, functioning, structure, or resilience. Identification and protection of IEAs will help conserve critical wildlife habitats and traditional-use areas, preserve ecosystem resilience, and ensure continued ecosystem functioning.

IEAs should be mapped and identified as part of the comprehensive Arctic science plan described above. Once identified, IEAs should be incorporated into agency decision-making processes and planning efforts, including marine spatial planning and decisions about whether and under what circumstances industrial activities can occur. IEAs in Arctic waters should be protected from industrial activities. Protective designations may vary based on each area's ecological role and the particular threats it faces. The underlying goal, however, should remain constant: to protect the important ecological functions of the IEA. Protecting these areas will help preserve the health, biodiversity and resiliency of Arctic marine ecosystems, which in turn help support vibrant Arctic coastal communities. Protection of subsistence resources and practices will require sound environmental management of any industrial activity in offshore waters of northern Alaska. Identification and protection of IEAs should occur in conjunction with precautionary, science-based management of the region as a whole.

The concept of protecting the most ecologically important regions of the ocean is not new. Norway, for example, has undertaken a thorough planning process that includes the identification of areas that are important to the ecological functioning of the Barents Sea ecosystem. Norway's forthcoming update of the 2006 integrated management plan for the Barents Sea – Lofoten Area provides an example of how to protect important areas of the offshore environment. The updated plan will protect ecologically sensitive areas like the important fish spawning areas in the Lofotens, and the marginal ice zone and the polar front, which is an oceanographic feature important to the healthy functioning of the Barents Sea.[53] Furthermore, the new plan will also call for additional scientific study to address unknown environmental

[53] Anon, St.meld.nr. 8 (2005–2006) Helhetlig forvaltning av det marine miljø i Barentshavet og havomra°dene utenfor Lofoten (forvaltningsplan). Ministry of Environment, Oslo (2006) (available in English from the Norwegian Ministry of Environment).

processes and effects. One of these is the need to understand the cumulative effects on the marine environment of both environmental stresses—such as climate change and ocean acidification—as well as anthropogenic activities like fisheries, vessel traffic, and oil and gas activities.

Recommended actions related to the identification of IEAs

(1) Short-term Actions:

• The Arctic SAP should consider threats and establish or recommend appropriate protection measures for known IEAs, such as Unimak pass, Near Islands, Buldir Island, Bristol Bay, Pribilof Islands, St. Lawrence Island, Bering Strait, Barrow Canyon and the corresponding sea ice lead system along the Chukchi Sea coast, Hanna Shoal, and the eastern Beaufort Sea whaling deferral area.

• The Arctic SAP should initiate or recommend an initial year-long effort to identify additional IEAs. This effort should use the existing knowledge of Arctic waters and should bring together information from local communities, tribes, marine mammal co-management organizations, scientists, and other experts.

(2) Mid-term Actions:

• As more data are collected and synthesized, additional IEAs should be identified.

• Threats to identified IEAs should be evaluated and appropriate protection measures put in place, including monitoring of identified IEAs.

(3) Long-term Actions:

• To account for rapidly changing conditions in the Arctic and to incorporate additional scientific information as it becomes available, periodic evaluations (e.g., every five years) should be conducted to assess existing IEAs and identify additional IEAs. These periodic assessments should determine if existing IEAs are maintaining their important roles, assess emerging threats, and determine if current management measures are adequate or still needed. Management measures should be adjusted to maintain the important roles of IEAs, while allowing ecologically sustainable industrial activities to occur.

• The Arctic SAP should explore the need for internationally designated marine areas in the Arctic. This could be done through the use of appropriate tools, such as "Special Areas" or PSSA designations.

SECTION VI
THE ARCTIC SAP SHOULD RECOMMEND SPECIFIC INTERNATIONAL ACTIONS

The Arctic SAP should identify and recommend priority actions on the international level that will help position the United States as a leader on circumpolar Arctic issues. Support of international efforts that bear on the Arctic is critical to the long-term success of the Arctic SAP, and to protection of the U.S. and circumpolar Arctic.

The Arctic SAP should support important international efforts that are already underway. For example, the SAP should call on the United States to support and participate in the Arctic Council's international agreement on aeronautical and maritime Arctic search and rescue. The SAP should also support efforts by the Arctic Council to develop additional agreements, such as regional oil spill response cooperation, and to strengthen the Arctic Council Secretariat. The Arctic SAP should advocate implementation of the

recommendations of the Arctic Council's 2009 Arctic Marine Shipping Assessment (AMSA), which identified a number of actions designed to improve safety and protect the marine environment of the circumpolar Arctic. For example, the SAP should call for the development of "Special Area" designations related to oil, noxious liquids, garbage, and other wastes. It should also support appropriate vessel restrictions and routing tools, such as "Areas To Be Avoided," speed restrictions, traffic separation schemes, monitoring, and reporting measures designed to reduce the risk of whale strikes.

The International Maritime Organization (IMO) is working to develop an effective and protective International Code of Safety for Ships Operating in Polar Waters (the Polar Code). The Code, as currently being formulated, envisions a number of prescriptions. These include vessel standards that provide for safe operations in ice and low temperatures; the ability to render assistance, including icebreaking assistance; the availability of effective life-saving appliances capable to perform their functions at the minimum anticipated service temperature; and the avoidance of negative environmental effects from normal operations. The Arctic SAP should recommend that the United States take a leadership role in the development of the Polar Code. The Arctic SAP should also advocate for IMO designation of PSSAs or other areas designated for the purpose of environmental protection in Arctic Ocean regions.

The IMO also has the authority to create Emission Control Areas (ECA). The United States has petitioned the IMO for a North American ECA, which was subsequently adopted by the IMO in March 2010. However, the North American ECA currently omits Western Alaska, the Aleutian Islands, and the rest of the U.S. Arctic. The Arctic SAP should recommend that U.S. Arctic waters be included in an amendment to the North American ECA to protect the health of vulnerable Alaskan populations and reduce emissions of the precursors of tropospheric ozone (NOx) and black carbon, two potent climate-forcing agents.

In 2008, the United States adopted a specific policy goal to address the potential of commercial fishing beginning in the international waters of the central Arctic Ocean. This area, beyond the exclusive economic zones (EEZs) of the five Arctic coastal states, has been frozen for at least 800,000 years. However, rapid warming has replaced permanent ice with seasonal ice, creating large ice-free areas in summer for the first time in recent years. The primary ice-free area is directly adjacent to the U.S. and Russian EEZs north of the Bering Strait and includes continental shelf and slope areas at fishable depths. This area is well within reach of distant water fishing vessels. Already, the U.S. Coast Guard has documented the research activities of a Chinese research icebreaker in this region. As prescribed in PL 110-243, the Arctic SAP should support efforts by the State Department to negotiate a new international Arctic fisheries agreement that would close the international waters of the central Arctic Ocean to commercial fishing unless and until scientific research and management measures can be put in place to ensure sustainability and ecosystem health.

Many other international actions are necessary to improve our understanding of, and provide adequate protection for, the circumpolar Arctic. The Arctic SAP should recognize the need to strengthen, improve, or create international efforts to: respond to disasters such as shipping accidents or oil spills; designate an international network of protected areas; engage in cooperative mapping efforts with other Arctic Nations; reduce ocean noise from vessels and other sound sources; develop standards and mandatory measures to reduce black carbon emissions from ships operating in Arctic waters; and coordinate with Arctic indigenous groups. The SAP should also recommend that the United States exercise leadership on climate change through international treaties such as the United Nations Framework Convention on Climate Change (UNFCCC). Finally, the Arctic SAP should recommend that the United States join the United Nations Convention on the Law of the Sea.

Recommended actions related to international Arctic issues:

(1) Short-Term Actions

• The Coast Guard, the Department of State (through the Bureau of Oceans and International Environmental and Scientific Affairs) and NOAA should ensure that members of the U.S. delegation to PAME familiar with the AMSA report are part of the U.S. delegations to all meetings of the IMO working on the Polar Code.

• The Coast Guard should lead an effort within the IMO to prioritize the development of environmental protection measures to be included within a mandatory Polar Code, including restrictions on black carbon emissions.

• The United States should encourage the Arctic nations to cooperate in utilizing ecosystem-based management approaches in the Arctic, and, through the Arctic Council, establish frameworks and institutions to share information, develop standards and methodologies, assess progress, and encourage the participation of civil society in planning and management decisions. The large marine ecosystems which the Council has delimited on the basis of ecological considerations should be utilized as a basis for this effort.

• Support pan-Arctic efforts towards surveying Arctic indigenous marine use including work being undertaken by Arctic indigenous groups.

• Take steps to ensure that scientific data and documented traditional knowledge of the Arctic held by U.S. agencies is accessible to the agencies of other Arctic countries and cooperate in efforts to build a more comprehensive and open method of sharing Arctic data among countries and interested groups and individuals.

(2) Mid-Term Actions

• Working with Native and other communities as well as the other appropriate federal and state agencies, EPA should lead an effort to inventory sources of black carbon emissions in Alaska and assess their impacts on the health of Arctic communities and on Arctic climate. If appropriate, begin developing a proposal to the IMO for a regional or circumpolar ECA to facilitate regional reductions of black carbon emissions and to lay the groundwork for reductions of black carbon emissions from ships.

• Develop and implement an agreement and protocol governing international circumpolar response to an oil spill, nuclear accident or other disaster based on realistic assessments of their actual effectiveness in reducing and eliminating the impacts of an accident.

• Support the State Department's negotiation of new international Arctic fisheries agreements, as described in P.L. 110-243, to close the international waters of the central Arctic Ocean until scientific knowledge and management measures are in place to show it can be conducted without harming the health of the ecosystem. Help coordinate the supporting expertise available at NOAA, the U.S. Coast Guard, and other agencies in support of this objective.

• Explore the use of the Convention on Long-Range Transboundary Air Pollutants and other existing international and regional agreements, as well as the potential for new agreements, to reduce emissions of short-lived climate forcers contributing to Arctic warming.

• Work with other Arctic countries to identify areas in need of special environmental and cultural protection from Arctic shipping and resource extraction, whether in international or national waters, and explore existing and new mechanisms for doing so within the context of the IMO, the Convention on Biological Diversity, UNCLOS, the 1995 Fish Stocks Agreement, and elsewhere.

• Assess and explore means of reducing the release of methane and other greenhouse gases due to the melting of permafrost.

• Periodically update the Arctic SAP to take account of current work and recommendations of the Arctic Council.

(3) Long-Term

• Follow up on items listed under Short- and Mid-Term Actions, above.

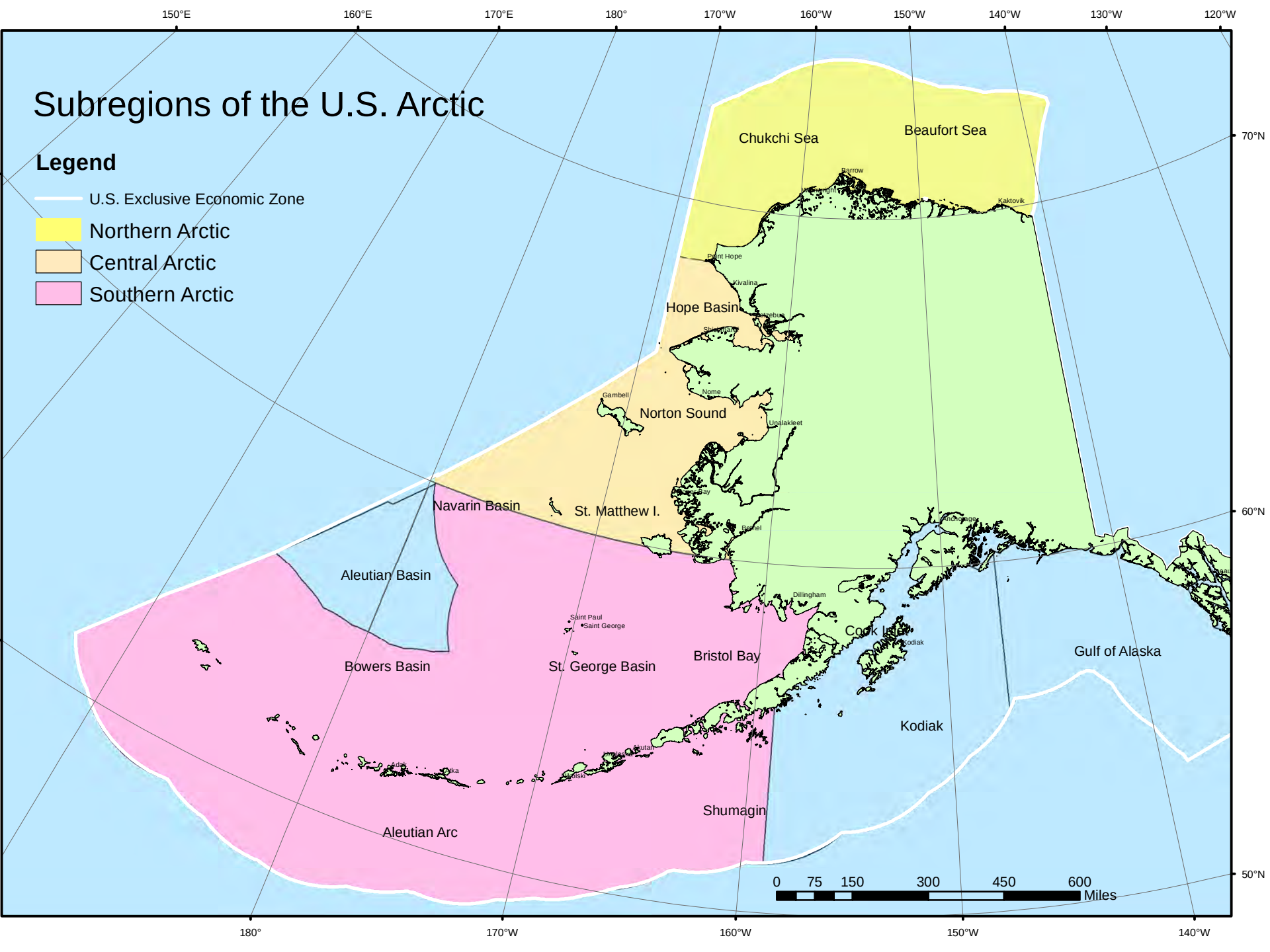
• Effect a comprehensive set of international agreements and practices, with provisions for monitoring and compliance, the primary object of which is to protect the resilience of Arctic ecosystems and which protects the rights of Arctic peoples and is based on the best scientific information available.

CONCLUSION

The Arctic faces serious challenges, including rapid climate change, ocean acidification, and the expansion of industrial activities. A strong Arctic SAP can help the United States address these issues effectively, on both the domestic and international level. To do so, it should establish an overarching strategy based on the stewardship principles contained in the National Ocean Policy, including science- and ecosystem-based management. It should help ensure that local communities, governments, tribes, co-management organizations, and similar Alaska Native organizations understand, participate in, and shape the decisions that will affect them. Moreover, it should help improve our understanding of Arctic ecosystems by advocating a comprehensive Arctic research and monitoring program that promotes and integrates the use of local and traditional knowledge. Finally, it should recommend specific short-, mid-, and long-term management actions—domestic and international—designed to preserve the resilience of Arctic ecosystems and protect opportunities for the subsistence way of life.

The recommendations contained in this comment letter are consistent with the National Ocean Policy, the *Final Recommendations*, and U.S. Arctic policy, National Security Presidential Directive 66 and Homeland Security Presidential Directive 25. We urge the NOC to consider them carefully, and incorporate them into the forthcoming outline and draft versions of the Arctic SAP. We look forward to working with you as you continue to develop the SAP.

Attachment 1


Subregions of the U.S. Arctic
Legend
U.S. Exclusive Economic Zone
Northern Arctic
Central Arctic
Southern Arctic
Chukchi Sea
Beaufort Sea
Hope Basin
Norton Sound
Navarin Basin
St. Matthew I.
Aleutian Basin
Bowers Basin
St. George Basin
Bristol Bay
Cook Inlet
Gulf of Alaska
Kodiak
Shumagin
Aleutian Arc
Barrow
Kaktovik
Point Hope
Kivalina
Nome
Gambell
Unalakleet
Bethel
Dillingham
Anchorage
Kodiak
Saint Paul
Saint George
Akutan
Adak
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170°W
160°W
150°W
140°W
130°W
120°W
70°N
60°N
50°N
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75
150
300
450
600
Miles

Attachment 2

DRAFT DRAFT DRAFT
October 2010

Attachment 2
A Scientific Research and Monitoring Plan for the U.S. Arctic Ocean

Compared with other marine ecosystems, very little is known about the living marine resources in the U.S. Arctic Ocean. We recognize that the recent losses of sea ice during summer are fundamentally changing the ways these ecosystems function, but we still know little about how these food webs work. Even our knowledge of what species inhabit the U.S. Arctic Ocean, either permanently or seasonally, is substantially incomplete. Permitting large-scale industrial activities in the absence of even basic knowledge of the composition and functioning of the marine ecosystem sets the stage for inadvertent environmental degradation at best, and catastrophic interactions at worst. The risks of adverse interactions are exacerbated by the rapid rate of environmental change in the Arctic, and our limited knowledge of existing resources and conditions makes it difficult even to detect ecosystem responses to change. The following science plan is intended as a guide toward systematically improving our knowledge of Arctic marine ecosystem structure and function.

The geographic scope of this science plan includes the exclusive economic zone (EEZ) of the U.S. Arctic Ocean, extending from the northern Alaskan coastline to the continental shelf break to the north, from the Bering Strait in the west to the Canadian border to the east. Most of the plan should be completed within four years. In recognition of the great scientific value of long-term data sets, however, the monitoring should be continued indefinitely, with at least a multi-decade planning horizon.

The essential elements of the plan are grouped into six categories: gap analysis, resource assessment, environmental monitoring, scientific process studies and synthesis. These elements are intended to (1) define existing information and research needs; (2) gain a more comprehensive catalogue of identified species, populations and habitats, including seasonal migrations, (3) track the physical forcing factors that modulate biological productivity, habitat occupancy and migration pathways; (4) secure a better understanding of trophic linkages, physical and biological processes affecting productivity and other facets of ecosystem functioning, and effects of anthropogenic perturbations; (5) study sociological impacts, and (6) integrate these scientific data to identify processes and habitats that are sensitive and vulnerable to perturbation and furnish a basis for marine spatial planning. Each of these constituent efforts must be informed by local and traditional knowledge (LTK) at all stages, including planning and peer-review.

I. Gap Analysis

A. Conduct a comprehensive gap analysis to determine what scientific research is currently being done and what additional information is needed.

II. Marine Life Assessment

A. Conduct a comprehensive survey of species occupying each marine habitat, including communities in the benthic, pelagic and littoral zones, and ice-associated communities. Whenever feasible these surveys should be conducted seasonally to identify migrations and patterns of periodic habitat use.

B. Conduct periodic population assessments for exploited and selected important species. These assessments should be spatially explicit, and include migratory species (birds, marine mammals and some fish). These assessments will provide crucial baselines for evaluating impacts of industrial development and ecosystem change.

III. Environmental Monitoring

A. Establish a network of fixed monitoring stations to track physical forcings and local biological responses. This station network should be patterned along the lines of the National Science Foundation's Long Term Ecological Research Network (LTER) and NOAA's oceanographic buoys adapted to the US Arctic Ocean, with sampling stations allocated to both the Chukchi and Beaufort seas. These stations will measure physical factors in the ocean including temperature and salinity, acidity, alkalinity and nutrients as functions of seawater depth, along with current profilers at strategically chosen locations; atmospheric factors including surface temperature, wind speed and direction, insolation, gas composition, and particulate density and composition; and biological factors such as primary and secondary productivity, zooplankton abundance and composition, benthic species presence, community richness and diversity, and community assemblages associated with sea ice.

B. Support remote monitoring by satellite and aircraft to track sea ice extent, surface albedo and ocean color in collaboration with NOAA, NASA and NSIDC.

C. Establish a systematic process for incorporating LTK for early detection of unanticipated ecosystem change, and for review by LTK experts for accuracy and completeness.

D. Periodically update the resource assessments identified in "II" above to track ecosystem responses to climate change and industrialization.

E. Monitor detection of invasive species, including species displaced by warming seawater temperatures to the south, and exotic species introduced by industrial activities.

IV. Scientific Process Studies

A. Identify processes strongly coupled with biological production, species' distribution and abundance, and support research that will improve understanding of them aimed at improving prediction of community responses to short- and long-term environmental stressors. This research should include identification of the species interactions that structure the biological community, which includes studies of the food web to determine linkages and energy flow through the ecosystem, as well investigations to determine the processes responsible for nutrient cycling.

B. Prioritize research to initially emphasize known proximate sources of ecosystem stress, including processes strongly affected by transition from light limitation to nutrient limitation resulting from continued sea ice loss, effects of warmer water temperatures on growth and provisioning requirements of selected target species (especially young-of-the-year and juveniles), and sensitivity to acidification from increases in atmospheric carbon dioxide.

V. Sociological and Ecosystem Impact Studies

A. Identify historical and current patterns of land and subsistence use, and conduct a survey of social and psychological well-being in North Slope communities to document current conditions in these communities.

B. Monitor changes in patterns of land and subsistence use, and in measures of social and psychological well-being in North Slope communities affected by oil development.

C. Conduct studies to determine potential impacts from industrial activities in the Arctic Ocean, such as research on the effects of noise on Bowhead whales, as well as the potential effects from produced waters, drilling muds, routine discharges, and other emissions on the ecosystem.

VI. Data Integration and Marine Spatial Planning

A. Construct ecosystem models including a quantitative nutrient-phytoplankton-zooplankton (NPZ) model and an Ecopath model to evaluate how predicted ecosystem responses compare with data observed from the monitoring programs. Identified inadequacies will highlight areas requiring further research.

B. Archive monitoring data in a publicly accessible database that is continuously maintained. Also, monitoring results should be periodically included in GIS maps to facilitate identification of Important Ecological Areas (IEAs) and important subsistence areas in the US Arctic Ocean and how they may change through time. Important Ecological Areas are geographically delineated areas with distinguishing characteristics that contribute disproportionately to an ecosystem's health or are particularly vulnerable to disturbance.

C. Integrate the results of the monitoring and research described above with a marine spatial planning effort that identifies IEAs as well as all potential energy sources and their availability to markets to help minimize the likelihood of adverse consequences associated with industrialization.

Index: Attachments to Comments

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of West Coast Governors' Agreement on Ocean Health, SAP 9

(4 pages)

WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011

The Honorable Nancy Sutley
Co-Chair, National Ocean Council
Chair, White House Council on Environmental Quality
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

The Honorable John Holdren
Co-Chair, National Ocean Council
Director, White House Office of Science and Technology Policy
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

RE: Comments on the National Ocean Council's Strategic Action Plan outlines

Dear Chairs Sutley and Holdren:

Thank you for the opportunity for the Executive Committee of the West Coast Governors' Agreement on Ocean Health (WCGA) to provide comments on the National Ocean Council's (NOC) nine strategic action plan (SAP) outlines for the National Ocean Policy (NOP) for the Stewardship of the Ocean, Our Coasts, and the Great Lakes. This interim step in the strategic planning process reinforces the efforts to date on the West Coast (2008 WCGA Action Plan) to articulate key regional priorities and objectives that can help advance the National Ocean Policy.

Our West Coast regional ocean partnership was established to protect and manage the shared ocean and coastal resources and the economies they support along the entire West Coast. Our priorities include clean coastal waters and beaches, healthy ocean and coastal habitats, effective ecosystem-based management, reduced impacts of offshore development, increased ocean awareness and literacy among the region's citizens, expanded ocean and coastal scientific information, research, and monitoring, and sustainable economic development of coastal communities. All of these West Coast priorities help advance and achieve NOP priorities.

The WCGA believes it will be critical to the success of NOP implementation to achieve significant actions in the short term to demonstrate the relevance and importance of a national ocean policy to our nation's economy, natural resources, and coastal communities that benefit from healthy coastal and marine environments. Early successes and achievements will help demonstrate the value of these efforts to the US Congress which will be critical to future efforts to fund and sustain them in the long term. Doing so is critical to achieving and implementing

some of the longer term objectives of the NOP, such as the creation of coastal and marine spatial plans in the regions.
The WCGA recognizes the challenges the federal government faces as it attempts to implement a new national ocean policy with limited resources. Our region is poised to leverage resources and collaborate with all entities to achieve NOP objectives with limited resources. However, we also believe it is important for the federal government to clearly articulate its role and commitment to advance each of the nine NOP priorities so that the regions can position themselves to be as efficient and effective as possible.

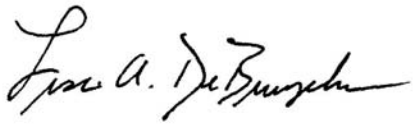
The WCGA would like to offer comments on eight of the SAP outlines. Please find our specific comments on each of these SAP outlines attached and submitted individually via the NOC web site.

Chairs Sutley and Holdren, the WCGA is ready to work with the federal government to finalize the NOP priorities and to implement them. Building upon existing and established state and regional partnerships, such as the WCGA, and ensuring funding to the states and ROPs, will allow the regions to advance their action plans to take the necessary steps toward NOP implementation.

The WCGA appreciates the opportunity to comment on this interim step in the strategic planning process and looks forward to future involvement and participation achieving NOP goals.

I appreciate the opportunity to submit these comments on behalf of the West Coast Governors' Agreement on Ocean Health.

Sincerely,



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WEST COAST GOVERNORS' AGREEMENT on OCEAN HEALTH
CALIFORNIA OREGON WASHINGTON

July 1, 2011
Comments on National Ocean Council draft Strategic Action Plan outlines released June 3, 2011

Objective 9: Ocean, Coastal, and Great Lakes observations, mapping, and infrastructure

Priority Area 6 in the 2008 WCGA Action Plan, Expand Ocean and Coastal Scientific Information, Research, and Monitoring, emphasizes the development of a regional research agenda, supporting long-term maintenance of ocean observing systems and monitoring assets on the West Coast, and completing a seafloor map of the bathymetry, benthic substrate, relief, geology, and habitats of all state tidelands and submerged lands out to three miles.

Action 4-Implement the Integrated Ocean Observation System (IOOS)

WCGA recommendations:

- **Adequately fund the operation and maintenance of Integrated Ocean Observation System (IOOS)**
- **Add milestones related to IOOS data dissemination and use by managers and stakeholders**

The West Coast is heavily invested in ocean observations, monitoring, and mapping efforts within state waters. We have established comprehensive ocean observation systems (NANOOS, CeNCOOS, and SCCOOS) for the entire coast as part of the US Integrated Ocean Observing System (IOOS) in partnership with federal agencies and academic institutions utilizing various technologies such as high-frequency radar. With adequate support, ocean observing systems can continue to deliver state and national benefits and further improve conversion and integration of data into information to support management. For example to support CMSP, the IOOS system could work with regional planning bodies and regional ocean partnerships to produce mapping products derived from ocean observation data for spill response, search and rescue, and water quality management.

Taking on new projects should not come at the expense of such an important initiative as our Integrated Ocean Observing System which underpins the other 8 objectives of the NOP and can be used to make our efforts more streamlined, cost-effective and efficient. As recognized in the plan, moving forward, federal funding will be crucial to continuously improve and maintain this system and infrastructure.

Action 5-Coordinate and leverage ocean and coastal mapping efforts

WCGA recommendations:

- **Engage in a joint federal and non-federal commitment for comprehensive seafloor and habitat mapping of state waters (short-term) and federal waters from shore to 12 nautical miles offshore (long-term)**.

To better coordinate mapping efforts, the WCGA envisions plans for a joint federal-non federal commitment for comprehensive seafloor and habitat mapping of state waters from shore to 3 nautical miles (nm) (short-term) and federal waters from 3nm-12nm (mid-term) to achieve the longer term goal of mapping waters from shore to 12nm. And, eventually, we could map out to the upper limit of Exclusive Economic Zone. This joint commitment in this boundary zone between state and federal jurisdictions will improve communication and coordination across all levels of government.

Action 6-Develop an integrated observation data management system

WCGA recommendations:

- **Improve public access to data and information, transparency, and availability of useful data products.**

The WCGA agrees that the information gathered through all the observation and monitoring systems mentioned provides the foundation for our decisions and that understanding and communicating this vast amount of information is equally important. The proposed data system will provide valuable information to ultimately lead to the desired outcome of improved public access to data and information, transparency, and availability of usable, comprehensible seafloor and habitat mapping products.

Index: Attachments to Comments

Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of SECOORA, SAP 9

(2 pages)

Southeast Coastal Ocean Observing Regional Association

SECOORA

July 1, 2011

Nancy Sutley and John Holdren
National Ocean Council Co-Chairs
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

Dear Chairs Sutley and Holdren,

SECOORA is an incorporated 501(c)(3) not-for-profit, membership organization. Our members include academic institutions, state agencies, other non-profits, business and industry, and individuals with coastal and ocean interests. We currently have over 45 organizations as members. SECOORA coordinates coastal and ocean observing activities in the Southeast (SE) and facilitates dialogue among stakeholders so that the benefits from the sustained operation of a coastal and ocean observing system are realized.

SECOORA is one of 11 Regional Associations established nationwide through the NOAA Integrated Ocean Observing System (IOOS®). SECOORA's goals include tracking, predicting, managing, and adapting to changes in the SE U.S. marine environment. Out members deliver the data and information needed to increase our understanding of our coastal waters so decision makers can take action to improve safety, enhance our economy, and protect our environment.

We appreciate the opportunity to submit these comments in response to the National Ocean Policy (NOP) Strategic Action Plans (SAP) based on our areas of expertise as outlined above.

Overall:

1. Build on Existing Infrastructure

The SAPs identify existing programs that can assist with implementation. NOAA has several extramural programs, such as the IOOS Regional Associations, Coastal Zone Management, Sea Grant, National Estuarine Research Reserves and others, that are well situated to assist with many of the goals and should be highlighted in the SAP. These programs provide NOAA and other federal agencies with local, state and regional partnerships that will be essential to the fulfillment of the National Ocean Policy, and should be identified as key assets for achieving many of the policy objectives. SECOORA is one of these programs with the experience, expertise, network, and capability to contribute significantly to implementation of the NOP.

2. Focus on Quality Information

Good information (not just data) is the foundation of all the 9 Priority Objectives. SECOORA and the other 10 RAs of U.S. IOOS are currently undertaking a build out analysis that will articulate the initial design requirements for the nation's coastal and ocean observing system based on user needs and societal goals at Federal request. This is the third time we have done so. This effort is informed by the work of the regional governor's alliances, as well as input from other regional stakeholders, including federal agency representatives. The results will provide clear guidance for an information system that will meet the needs of regional decision-makers.

Specific Comments on Priority 9: Ocean, Coastal, & Great Lakes Observations, Mapping and Infrastructure
Note: This Priority is our specific area of interest and expertise.

We strongly endorse first bullet in Section II: "*Observations, mapping, and infrastructure provide the means to gather information necessary to make progress in all areas of the policy's implementation.*" Coastal and ocean observing should not just be considered in the context of Priority 9, rather it supports all priorities. It is critical to remember that IOOS is not just data, rather its focus is on products developed through stakeholder engagement.

SECOORA is conducting activities in support of *Actions 1 & 2*. We have developed an inventory tool for observing assets in the SE, which will include ships, buoys, gliders, radars, satellite remote sensing systems, etc. This work should be utilized, and not duplicated, by NOP agencies.

Regarding *Action 4: Implement IOOS,* we urge that this be made a near-term priority. There is a Federal mandate for the IOOS RAs to become operational yet the current funding is inadequate to realize this mandate. The current infrastructure was installed utilizing multiple funding sources and is highly leveraged. This infrastructure is also aging. The leveraging we have done in the past is now unrealistic as our other sources of funding are drying up rapidly. As noted, this action is critical as information provided by observing systems provides the foundation for progress in other priorities. There have been a host of reports, studies, endorsements, etc., calling for implementation of IOOS for two decades. We are currently losing some of our very limited infrastructure that is in place off our coasts and in our estuaries and what we have is not nearly adequate to meet societal needs for coastal and ocean data.

We recommend that you add an Action to develop a National Plan for In-Situ observations, similar to the National Weather Service "North American Observing System" document of 2009.

Specific Comments on Priority 1: Ecosystem Based Management (EBM)

SECOORA wants to participate as a collaborator, and can provide a network of researchers and other experts to contribute to monitoring, observing, modeling, and developing decision support tools and other products that enable EBM at the regional scale.

We appreciate the recognition that continued development of ocean observing systems is a need that must be addressed to implement the actions in this priority. Any ecosystem model for the physical state coastal ocean is severely underdetermined, so ecosystem based management is not yet a reality (See Action 2: EBM Science Framework).

Specific Comments on Priority 2: Coastal and Marine Spatial Planning (CMSP)

We partnered with the South Atlantic Alliance in responding to NOAA's request for CMSP proposals last year. We understand that funding is limited to support regional governor's alliances and related CMSP efforts. However, our region critically needs support to begin the data collection and stakeholder engagement processes that will enable CMSP in the SE.

The National Information Management System (NIMS) discussion and planning should be specifically inclusive of both IOOS and RA data and information portals. Currently more than 50% of NDBC data is non-Federal. Users need integrated data, from both federal and non-federal sources. The NIMS should include this and can be built on the existing regional data portals being developed and implemented by IOOS.

We hope that you will take these comments into consideration. We look forward to the outcomes of this important work. Please feel free to contact me for further information or clarification.

Sincerely,

Debra Hernandez
Executive Director, SECOORA
debra@secoora.org
ph: 843.906.8686

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Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of NFRA, SAP 9

(4 pages)

July 1, 2011

Nancy Sutley and John Holdren
National Ocean Council Co-Chairs
Executive Office of the President
722 Jackson Place NW
Washington, DC 20503

Dear Chairs Sutley and Holdren,

I am submitting these comments on behalf of the 11 IOOS Regional Associations and the Board of Directors for the National Federation of Regional Associations for Coastal and Ocean Observing. We thank you for engaging the broader community on the development of Strategic Action Plans for implementing the National Ocean Policy. Implementation of the National Ocean Policy will take coordinated efforts of both federal and non-federal participants and we appreciate the opportunity to provide comments.

Overall Comment

#1 Cohesive Strategy

In their current form, the 9 Strategic Action Plans (SAPs) are written as individual plans and are not well integrated with one another. The final version should reflect a coordinated strategy that links similar needs and processes under the 9 SAPs into a coherent, integrated plan of action.

#2 Build on Existing Programs

The SAPs identify existing programs that can assist with implementation. NOAA has several extramural programs, such as the IOOS Regional Associations, Coastal Zone Management, Sea Grant, National Estuarine Research Reserves and others, that are well situated to assist with many of the goals and should be highlighted in the SAP. These programs provide NOAA and other federal agencies with local, state and regional partnerships that will be essential to the fulfillment of the National Ocean Policy. These programs, and others similar programs, should be identified as key assets for achieving many of the policy objectives.

#3 Outcomes

The outcomes listed under each SAP need to identify tangible and understandable results. Many of the outcomes listed are too high level to provide guidance or focus to the implementation efforts.

SAP # 9 " Ocean Coastal and Great Lakes Observations, Mapping and Infrastructure"

Action #4. Implement the Integrated Ocean Observing System

We applaud Action #4 "Implement the Integrated Ocean Observing System(IOOS)" and support full funding of the IOOS program. IOOS is well positioned to assist with fulfilling the objectives of SAP # 9 and many of the other SAPs as well. Timely and reliable information on our oceans, coasts and Great Lakes provide the foundation for sound ocean policy.

The nation's observing system depends not only on improved data management but also filling the gaps in our observing infrastructure. However, the actions listed under this section lack a clear vision or strategy for fulfilling this need.

The 11 IOOS Regional Associations are currently preparing build out plans for the next 10 years that identify tangible outcomes in addressing the national priorities of safe and efficient marine operations, changing climate, ecosystems, fisheries and water quality and coastal hazards. The observing and modeling needs are designed specifically to meet these outcomes. These regional plans will be synthesized into a national plan that reflects how national priorities can be met in the varied and complex ecosystems around our country. The final report will be released in March 2012. We urge the National Ocean Council to cite this as milestone.

1. Action statement . The action statement "implement IOOS to sufficient functional capability to provide standardized data discovery and access to a minimum set of ocean data from federal set of ocean observing data from federal and non-federal sources" should be restated. It is more of goal than an action statement. The statement should focus on the initial outcomes that IOOS will achieve. The build out plans and gaps analysis mentioned above will identify critical priorities for this.

2. Why Do This

Please add maritime commerce to the list of reasons for ocean observing. The US maritime industry accounts for nearly 8.4 million jobs and contributes over $2 trillion to the US economy. The maritime industry benefits from IOOS by improved access to critical sea state and weather conditions, as well as information used by the Coast Guard for search and rescue.

3. Timeframe - Please reconsider changing the timeframe from the midterm to the near-term. Information and data are critical to all of the 9 SAPs. IOOS has now been in existence for 10 years and it is time that the program start showing benefits and products. The structure is there, it's time that the components come together to form a program that matters.

4. Outcomes

Outcome #1 - We endorse this outcome.

Outcome #2 - Coordinated development is not an outcome but a process. The outcome of the coordinated process should be a system that expands our existing

capabilities to address identified key parameters. The end result should include input from the non-federal entities.

Outcome #3 - Improved data access is a cornerstone of IOOS. Our concern is the wording "standardized data". The efforts of the IOOS data management program has been to adopt standards and protocols that allow for the integration of all types of data into the system. Through the standards and protocols, users will have access to the data and information that explains that data so they can make informed decisions. "Standardized data" implies the creation of a process that would limit IOOS data to a narrow set of data parameters.

We would offer the following outcomes be considered:

- Develop a national plan that is outcome based , incorporates the diverse needs of the country and identifies critical gaps.
    - The 11 IOOS Regional Associations are developing plans for addressing the important national priorities of safe and efficient marine operations, climate variability, fisheries, ecosystems and water quality and coastal hazards. The Regional Associations are working with users to understand their needs and identify specific product to fulfill those needs. These outcomes drive the design of the system - the need for measurements and models to develop specific decision support tools and products. A national synthesis of these plans will be completed by March 2012 and will provide specific information on a national program and critical gaps.
- Develop a national observation plan that includes priorities for fixed and mobile platforms to fulfill the nation's needs.
- A data management system that integrates federal and non-federal data so that relevant information is available. It is unclear what the term "standardized data" means and seems to contradict the focus of the IOOS data management systems on the development of standards and protocols for the management of data that allows for access to many forms of data.

4. Milestones

The milestone listed do not match with the outcomes above. The first two, "release of the IOOS certification standards" and "provide a cost estimate" are implementation of the ICOOS Act. These actions are already underway.

We are supportive of the implementation of the National Water Quality Monitoring Network but wonder why it is being highlighted as a milestone.

5. Gaps

We support the need for improved socio-economic data. This should be done in conjunction with the specific products and services that will be delivered by IOOS. This will allow for the in-depth understanding of the tradeoffs between the benefits and opportunities of the system and the costs.

Models are a key component of the IOOS as they provide the predictive capacity that users are looking for. There are many gaps in the nation's modeling capacity. It is unclear why "synthesize model output" was selected as a gap.

We would encourage the NOC to consider other documented gaps such as the identified gaps in surface current monitoring and waves, the need for measurements at depth (as realized by the Gulf of Mexico Oil Spill), the need for reliable, operational biological sensors, and for coupled models at a scale that address the need for ecosystem and fisheries management.

Action 6: Develop an integrated observation data management system.
We support Action 6 . Please consider adding improve efficiency, reduce redundancy, improve cost savings as reasons for the development of an integrated data management system. The data management system will also enhance the science and the delivery of services by enhancing access to data.

Comment [DH1]: The science of what?

The term "authoritative" data should be defined. There will be a range of data needed to support the National Ocean Policy, some of which may not be "authoritative" but will be relevant and important nonetheless. We urge a broad definition that includes legally defensible data as well as other data.

We would encourage the listing of development of 11 regional data portals as a milestone. These data portals, such as the one that was recently launched in the Northeast, link federal and non-federal data at the regional scale where they can be responsive to the needs of users.

This section should be coordinated with Objective 2 under the SAP #2, Coastal and Marine Spatial Planning.

SAP #2 Coastal and Marine Spatial Planning

We encourage the NOC to develop specific and identifiable outcomes associated with the CMSP process. One of the initial steps should be the creation of these regional data portals that can provide access to critical data to inform policy discussions. The IOOS RAs should be directed to assist in this process.

Sincerely,

Molly McCammon, Chair
NFRA Board of Directors

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Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of ASFPM, SAP 9

(6 pages)

ASFPM Comments to National Ocean Council – Strategic Action Plan Outlines
July 1, 2011

Summary

ASFPM appreciates this opportunity to help chart the course for sustainable decisions on the future of America's coastal areas. The work of the National Ocean Council is groundbreaking, and we commend you on the progress to date on the Strategic Action Plan Outlines. The nine priority objectives will help address some of the most pressing challenges facing the ocean, our coasts, and the Great Lakes. Our comments focus on the importance of integrating local, regional, state, and national efforts, and encourage strategic planning that incorporates both the risks flooding poses to the built environment and benefits to ecosystems of natural flood processes and regimes. Natural and functioning floodplains and coastal ecosystems protect human systems. Where these valuable resources can be restored and protected, plans should encourage and incentivize those choices. Where existing development provides fewer options or areas for retreat in the short-term, planning should incorporate to the fullest extent softer, greener, infrastructure choices and provide for longer-term strategic withdrawal from areas of greatest risk. We encourage SAPs that reflect the opportunities and tools available through federal mapping efforts, including FEMA and the National Flood Insurance Program. Ultimately, sustainable coastal and marine planning and management will be implemented in large part through the local adoption and enforcement of development standards that incorporate reasonably foreseeable impacts of a changing climate.

As the federal government's partners in efforts to reduce flood risk and improve coastal resource management, we look forward to the work ahead and the imperative relationships we will build together.

1. **Ecosystem-Based Management**: ***Adopt ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes.***

If the desired outcome includes incorporation of EBM principles in nonfederal planning frameworks (p.10), ASFPM encourages inclusion of the potential benefits to ecosystems of preserving and restoring natural flood processes, and risks of not doing so.

Outcomes need to explicitly include integration of EBM in nonfederal planning and regulatory frameworks for coastal development. This will require participation of a broad array of stakeholders, including the development community (community and regional planners, developers, real estate professionals) and facilitate consensus among some traditional adversaries. EBM outcomes need to encourage public-private partnership and incentivize private-sector cooperation and investment. Lastly, goals and objectives need to be specific and well-defined, and provide for realistic expectations and achievable outcomes.

2. **Coastal and Marine Spatial Planning**: ***Implement comprehensive, integrated, ecosystem-based coastal and marine spatial planning and management in the United States.***

Is the purpose of this objective to address only impacts to environmental resources, or to also consider impacts to the built environment and public safety? ASFPM encourages the latter, and inclusion of considerations of the roles of local development planning/permitting, CWA 404, NFIP Letters of Map Change (LOMC), and aligned state development planning and permitting processes to achieve strategic

planners' vision of "regulatory efficiency, consistency, and transparency as well as improved coordination across Federal agencies." (p.5)

Planning and management frameworks need to provide economic and other incentives for public and private entities that choose to sustainably develop and who manage their coastal zone resources wisely. Planning is the key. Identify not only existing conditions, issues, challenges, and impacts, but also those that can be reasonably foreseen.

3. **Inform Decisions and Improve Understanding**: ***Increase knowledge to continually inform and improve management and policy decisions and the capacity to respond to change and challenges. Better educate the public through formal and informal programs about the ocean, our coasts, and the Great Lakes.***

ASFPM encourages the strategic plans to explicitly clarify whether the goal is to improve understanding of coastal resources, flood risk, vulnerable ecosystems, human populations, natural processes such as coastal erosion, a combination, or all of the above. Additionally, Action 3 to provide science support for managers and policy-makers needs to assure that the Federal Emergency Management Agency participates in the interagency team, and that FEMA training and outreach are included in the training curricula, decision-support tools, and information services that are developed and provided to coastal/Great Lakes decision makers.

Informed decision makers are more knowledgeable decision makers. Increase the public's knowledge by every mechanism possible – including via the social media networks. Educating the public about the pressing issues facing our oceans is vital. Develop and provide a more comprehensive awareness of environmental conditions and trends, as well as human impacts and activities that affect the coastal zones and our oceans. Develop specific messages for specific audiences. Continue delivery of the climate adaptation message.

4. **Coordinate and Support:** ***Better coordinate and support Federal, State, tribal, local, and regional management of the ocean, our coasts, and the Great Lakes. Improve coordination and integration across the Federal Government and, as appropriate, engage with the international community.***

One of the greatest challenges for resource managers and planners is the existing patchwork quilt of planning and regulatory processes, many of which conflict or serve as barriers to effective and sustainable resource management. Planning frameworks need to be national (providing for both horizontal integration across agencies, and vertical integration across levels of government), adaptable to regional variations, and allow for Short-, Mid-, and Long-Range planning horizons. Work Groups need to be formed to work on priorities, as well as for coastal and marine spatial planning. Information, data, and data collection responsibilities need to be shared. Watershed associations, regional planning organizations, and river authorities may provide models for marine and coastal collaboration on such needs as planning, funding, technical assistance, regulatory frameworks, and data.

5. **Resiliency and Adaptation to Climate Change and Ocean Acidification**: ***Strengthen resiliency of coastal communities and marine and Great Lakes environments and their abilities to adapt to climate change impacts and ocean acidification.***

The outcomes/outputs associated with Action 1 (p.2) and Action 2 (p.3) need to yield actionable data and other planning products for community development and adaptation planning purposes. Under

section 1 (pg 2, Why Do This), first bullet: Managers require improved understanding of not only scale, scope, and intensity of impacts but also timing. Recommend adding this here, and in section 3 (Outcomes).

Under Action 2, section 1 (Why Do This, pg 3), fourth bullet: As part of the information that the Federal government can provide, include some characterization of the uncertainty associated with these "best projections." Managers do need to know our best guess of projected changes at different spatial scales, but they also need to know how certain we are (or are not) about those changes. This is noted within the Milestones section, but it's worth including the point here and anywhere else projections or predictions are noted as outputs.

The greatest challenge facing communities working to adapt to anticipated effects of climate change is the need not just for data, but for actionable, legally-defensible data in which to ground development standards and plans. Ranges of data based on uncertainties yield little for a community working to adopt land use, zoning, and hazard mitigation plans that will prepare them for changes to come. It would be most helpful for federal government to guide, and incentivize, those communities who adopt standards based on reasonably foreseeable changes. For example, those coastal communities that adopt substantive and defensible adaptation plans should "go to the front of the line" for federal infrastructure investment in resilient areas of their jurisdiction. Those who do not plan properly, and request federal funding to continue to build in harm's way, should not continue to be rewarded.

Under section 4 (Milestones), first bullet on pg 3: Are human responses (either adaptive or maladaptive) to be considered as part of the "coupled natural and human system" in the integrated research projects? As written, the projects would evaluate ecosystem responses to an array of climate drivers, but it will certainly be important to factor in some assumptions about human response to those drivers that can impact ecosystems (e.g., shoreline armoring, reduction in freshwater inflow or timing due to increased human consumptive uses). Additionally, some of the most vulnerable coastal communities (built environments) should be identified and closely monitored along with the natural "'sentinel sites and systems' to provide information critical for improved forecasts, vulnerability assessments, and adaptation strategies." (p. 4) Lastly, sentinel sites provide critical information on landscape and ecosystem responses to climate forcings, especially sea-level rise (SLR). Even if every protected area were so instrumented, would we have the information we need to understand spatial and temporal patterns well enough to interpolate or extrapolate (as applicable) trends or projections to developed areas? If not, what can be done to develop the data needed for developed coastal regions?

Under section 3 (Outcomes, pg 4), first bullet: Reconsider the appropriateness of trying to provide a "best" or single storyline for each of the selected timeframes. What is the "best" storyline? The most probable? The most consequential? If, instead, you provide a scientifically supported range of values for each parameter at each timeframe, you then are giving people information that would permit scenario development and planning. This approach allows end users to explore plausible futures based on their most critical (impactful) climate uncertainties, and to identify robust management options in light of these uncertainties. Giving a "best" or single future means end-users have no choice but to plan and manage to a single future – the one you've predetermined to be the "best."

Under Action 3, are the Milestones (section 4) and Gaps (section 5) related to observations and monitoring, including related instrumentation and data management and delivery, linked with SAP 9? If not, such a connection should be called out.

Actions 4, 5 & 6 may present the greatest opportunities to meet adaptation needs on timeframes that reduce national exposure. Actions need to encourage interim measures that can be taken to reduce vulnerability while assessments are in development. Planning needs to provide for the active solicitation and support of research on methods to identify areas for protection and restoration, and selection of those areas most suited for new development and redevelopment. From a flood perspective, we need to map for current and future sea level rise, provide the public with awareness about their risk (both current and future), and work toward mitigating that risk. Vulnerability assessments and risk analysis of at-risk communities must be initiated and then publicized to those at-risk communities. Communities must consider those impacts and develop/strengthen mitigation plans. Again, planning is the key.

It is squarely in the federal interest to continue monitoring efforts, and to enhance those efforts with expanded stream gage and shoreline data gathering. Planning needs to include incentivizing innovative partnerships for the gathering and analysis of coastal and near-shore data, and for rewarding those communities that plan and implement plans for adaptation.

Action 4, under section 5 (Gaps), second bullet: While it's certainly possible to invest resources to conduct robust assessments of landform and ecosystem response and vulnerability of human development/infrastructure to sea-level change alone, a more meaningful product would look at the combined impacts associated with sea-level change and an increase in coastal storm intensity. The latter is also expected to be influenced by climate change. Coastal landforms and ecosystems respond to both SLR and storms in some similar, but also some distinct ways, and both climate drivers have an important impact on the vulnerability of the built environment. In the end, managers are likely to be concerned more with the cumulative impacts rather than just those associated with SLR.

Action 6, under section 3 (Outcomes): Is there really such a thing as "climate smart" siting and design? "Climate-informed" may be a more realistic term. Also, consider modifying the end of this bullet to read (substantive additions underlined), "…reductions in the loss of life, property damage, and <u>human misery</u>, and decreased costs of responding to <u>and recovering from</u> disasters." Also, under section 4 (Milestones): Many of these milestones begin with the verb, "promote." In these cases, when will you know when you've achieved the milestone? These appear to be actions that bring you to an end (an outcome), rather than being ends or milestones on their own. There is also some redundancy among a few of the milestones on pg 10 (e.g., bullets 1 and 3 concerning reducing vulnerability via natural systems, bullets 4 and 7 concerning changes to Federal disaster programs to consider climate change).

6. **<u>Regional Ecosystem Protection and Restoration</u>**: ***Establish and implement an integrated ecosystem protection and restoration strategy that is science-based and aligns conservation and restoration goals at the Federal, State, tribal, local, and regional levels.***

ASFPM encourages strategic planning that incorporates both the risks to the built environment and benefits to ecosystems of natural flood cycles and regimes. Natural and functioning floodplains and coastal ecosystems protect human systems far more effectively than any seawall. Where they can be restored and protected, plans should encourage and incentivize those choices. Where existing development provides fewer options or areas for retreat in the short-term, planning should incorporate to the fullest extent softer, greener, infrastructure choices and provide for longer-term strategic withdrawal from areas of greatest risk.

Invasive aquatic plants have been demonstrated to reduce valley storage and conveyance, and damage structures during lock and flood gate operations. Strategic frameworks need to include this issue, and prioritize actions to address invasive aquatic species that pose public safety threats. (p.4 & p.11) Additionally, FEMA needs explicitly to be included in the agencies tasked with considering coastal wetland loss and impacts, since the relationship between CWA 404 and NFIP Letters of Map Change (LOMC) are often part of local and regional development review and permitting processes. (p.7) Planning needs to provide for the investigation (and appropriate implementation) of opportunities to ensure that the various federal permitting processes are well-coordinated, grounded in standards that provide for changing conditions, and assure protection of the natural and built environments.

Lastly, planning needs to provide explicit opportunities for input and engagement of local and regional planners and officials. Planning needs to encourage and incentivize regional cooperation and adoption of regional management standards, to allow for variation across regions and to reward those who collaborate across a region. Critical to the success of this planning effort, those adopted standards for a given region must be binding and provide for monitoring and enforcement; local governments are in a good position to achieve this, but may need political "cover" and incentives to join regional efforts.

7. **Water Quality and Sustainable Practices on Land**: ***Enhance water quality in the ocean, along our coasts, and in the Great Lakes by promoting and implementing sustainable practices on land.***

This planning priority needs to be significantly reworked to incorporate the relationship between stormwater management and flood risk management, and the multiple advantages of integrated resource management approaches that are already operating at local and regional levels with tremendous success. One need look no further than Metro Atlanta, North Carolina and North Central Texas, to name just a few areas, to find interjurisdictional programs integrating flood risk, stormwater management, and water quality.

This planning priority needs to support improved assessment and regulation of the causes of degradation of waterways, enhance water quality monitoring, and incentivize adoption of local and regional programs that integrate resource and risk management. It will be important to quantify the economic benefits of naturally functioning waterfronts, coasts, beaches, shorelines, wetlands, and near-shore riparian corridors.

As emphasized in the previous planning priorities, sustainable land practices cannot be achieved without the local and regional adoption and enforcement of development standards that incorporate reasonably foreseeable impacts of sea-level rise and other hydrologic changes. Again, the importance of FEMA coastal mapping and the National Flood Insurance Program cannot be overlooked here. As newer coastal flood risk maps become available, they are anticipated to show many communities a lens on their risk to flood and coastal inundation. Some public resistance needs to be anticipated, and incentives put in place to educate and engage the public, and to encourage coastal adaptation measures.

Federal planning and investment need to incentivize local adaptation and reward robust planning and discourage the failure to plan for adaptation. This will require federal planning to include education and outreach to state and local officials so that they make informed decisions in the adoption of coastal land use plans. This needs to include planning and other staff, as well as elected officials, volunteer boards, and commissions. The federal government need not go it alone here – numerous state NGOs stand ready to be the federal government's partners in such outreach.

Finally, planning needs to incentivize innovative funding mechanisms in any economic climate, but particularly, under current public funding constraints. Public-private partnerships, low-interest loans, loan guarantees, and other funding means will be necessary where funding is needed for acquisition of the most vulnerable lands, protection of sensitive ecosystems, and education on the value to the public.

8. **Changing Conditions in the Arctic**: ***Address environmental stewardship needs in the Arctic Ocean and adjacent coastal areas in the face of climate-induced and other environmental changes.***

As noted in other comments, the planning horizon needs to be adjusted to allow for nearer-term actions while assessments are in progress. We also recommend that an additional action be included to help communities in Alaska develop and implement plans to relocate infrastructure, housing, and employment centers from vulnerable areas. This action needs to include education and engagement of the public and of public officials. Lastly, we encourage a greater emphasis on international cooperation in the development of assessments, acquisition of data, hazard mapping, monitoring, and reporting.

9. **Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure**: ***Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system and integrate that system into international observation efforts.***

Key questions include the following:

- How does NFIP coastal mapping of flood risk figure into this strategic plan framework? (p.6)
- How can mapping of coastal resources, erosion, and surge hazards better inform these objectives?
- What roles do downstream and near-coast components of the USGS stream gage network play in understanding coastal dynamics and hazards?

Public and private efforts at observation, sensing, data collection, data management, and mapping need to be combined into a cohesive whole. Cooperating technical partners / cooperating technical international partners must be established – they will be the ones sharing and receiving this information. Data gaps need to be assessed and filled. More data collection sources must be funded – buoys, satellites, data collection vessels /sampling vessels and monitoring vessels. More laboratories must be funded and existing laboratories upgraded.

Use of new technologies and techniques, such as unmanned autonomous vehicles and remote sensing satellites, and use of sophisticated data collection formats, must always be at the forefront. The information from this observation, sensing, and data collection must be passed on to the public in easy, understandable terms and language. Lawmakers and stakeholders must be educated on the environmental and economic impacts of the data. Trends, changes, health risks, and disaster risks must be passed on to the public in easy, understandable terms and language. Education should be provided about the connection between ocean health and human health.

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Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of National Estuarine Research Reserve Association, SAP 9

(3 pages)

July 1, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place NW
Washington, DC 20503

Re: NERRA Recommendations on National Ocean Council Strategic Action Plans and Objective 9 – Ocean, Coastal and Great Lakes Observation, Mapping and Infrastructure

On behalf of the National Estuarine Research Reserve Association (NERRA), we offer the following recommendations to the National Ocean Council (NOC) for use in completing Objective 9 – Ocean, Coastal and Great Lakes Observation, Mapping and Infrastructure Action Plan.

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NERRA is a not-for-profit scientific and educational organization that was established in 1987. Our members are the 28 reserves that make up the National Estuarine Research Reserve System (NERRS). NERRA applauds the Final Recommendations of the Interagency National Ocean Policy Task Force and the Strategic Action Plans as they lead the nation's management of ocean and coastal resources in a balanced approach. NERRA offers the following general comments, as well as specific recommendations relative to Objective 9.

General Comments

1. **Continue to strengthen the vital role of NOAA's Programs in the Communities to advance the National Ocean Policy.**

    - Reserves are a great example of a program that connects NOAA to local communities where around the country these reserves manage protected land, monitor water quality, restore habitat by promoting ecosystem based management, serve as sentinel sites that are indicators of environmental change, conduct research in response to information needs of the coastal management community, provide decision makers with science-based information, technology

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and best management practices, enrich K-12 education, and engage the public in stewardship of their estuaries.

- The NERRS program is implemented by the states at the local level where all levels of government are brought together in these living laboratories and the NOC should capitalize on the strengths and capacity of existing programs such as the NERRS to advance its goals.

- Reserves have regional partnerships that can be used by the NOC to help implement its action plans. The NERRS work with partners within their communities to implement research, education, and stewardship programs.

2. **Use NOAA's Coast and Ocean Programs to Inform and Improve Federal Actions and Policies.**

    - NERRA supports the creation of the Governance Coordinating Committee and encourages the National Ocean Council to use this body to strengthen the connection between federal policy and on-the-ground implementation at the state and local levels.

    - Implementation of the Strategic Action Plans should employ and expand upon the successes from existing federal and regional programmatic frameworks within states.

    - The reserves are valuable, experienced and trusted infrastructures that provide a ready mechanism to help achieve the priority objectives of the National Ocean Policy.

3. **Align federal funding and technical resources to support resource priorities in state and federal programs.**

    - The Strategic Action Plans should consider use of financial incentives and subsidies to assist federal agency programs and management activities that further advance the National Ocean Policy.

    - The Strategic Plans should encourage federal agency discretionary funding be made available as small grants to existing programs that pilot and/or implement an outcome outlined in a Strategic Action Plan.

    - The Strategic Action Plans should expand the suite of technical resources for federal, state, and local programs engaged in priority objective activities.

Objective-Specific Comments

<u>Objective 9 – Ocean, Coastal and Great Lakes Observation, Mapping and Infrastructure</u>

NERRA recommends the following:

1. Improve Data Acquisition and Availability.
   Coastal states and territories cite the following as continuing research and information needs:
   - High Resolution Topography and Bathymetry;
   - Inundation Mapping as well as Shoreline Change Modeling;
   - Impacts of Accelerated Sea Level Rise; and
   - Other Climate Change Impacts.

2. Integrate existing monitoring programs such as the NERRS System-Wide Monitoring Program with IOOS infrastructure.

3. Create a Mechanism to Provide Consistent Funding.

4. Develop efficient, low-cost technology to assess environmental change across a broad range of spatial and temporal scales.

NERRA strongly supports the NOC in its work to finalize and implement the Ocean, Coastal and Great Lakes Observation, Mapping and Infrastructure objective. NERRA stands ready to further support the NOC as a partner in protecting and managing our nation's coasts, oceans, and estuaries.

Sincerely,

Rebecca Ellin
President
NERRA

Rebecca K, Roth
Executive Director
NERRA

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Ocean, Coastal, and Great Lakes Observations, Mapping, and Infrastructure:

Comment of Quinault Indian Nation, SAP 9

(3 pages)

Quinault Indian Nation
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SAP 9. Ocean, Coastal and Great Lakes Observations, Mapping and Infrastructure

General Comments

The Quinault Indian Nation (QIN) is one of four coastal treaty tribes on the coast of Washington State that have treaty rights to ocean areas well into the EEZ and beyond state waters. Quinault takes its management responsibilities very seriously and has long held that better data is needed to fully characterize our large ocean area (over 2,900 square nautical miles). In order to make informed decisions in our area it will be necessary to fully map, ground-truth and characterize seafloor habitats including their biota. Quinault also supports comprehensive monitoring of the seafloor, water column and sea surface to collect baseline data, monitor ecosystem health and improve ability to detect changing conditions. The Actions within this SAP are critical to beginning CMSP, EBM and other SAPs within the NOP and will be excellent collaborative efforts with Quinault and other tribes. This SAP is lacking in Actions that include collaborative outreach to leverage the abilities of tribes, fishing communities and local and state governments. Federal dollars can be well spent by utilizing the abilities and platforms offered by tribes and others to conduct mapping, monitoring and to deploy and maintain moorings and gliders.

Action1. Examine the status of the National Oceanographic Fleet.

Quinault supports this Action but refers to comments above that NOAA and other agencies should consider using other platforms if larger, more expensive ones are overtaxed or unavailable. If funds are not there, consider other options to produce products as needed to complete the other SAPs within the NOP.

Action 2. Examine the status of unmanned and satellite remote sensing systems.
Quinault supports this Action.

Action 3. Use advanced observation and sampling technologies to observe and study global processes at all scales to develop capabilities.
Quinault supports testing innovative observation platforms that better measure and monitor biologic and physical changes in the ocean. Specifically Quinault supports moored platforms that can identify harmful algal species and quantify them in ocean waters. Other innovative moorings might include fish and mammal tracking devices that can better map migration patterns and fish aggregations.

Action 4. Implement the Integrated Ocean Observing System (IOOS)
Quinault strongly supports this Action. IOOS is a cost-effective method of better covering large ocean areas while gathering continuous datasets. The regional IOOS entity on the coast of Washington and Oregon is the Northwest Association of Networked Ocean Observing Systems (NANOOS). Quinault is a member of NANOOS and has collaborated with it and other members to better characterize our coastal waters including utilizing a Quinault vessel for deploying and retrieving a Slocum sea-glider to monitor physical and biologic parameters in the water column off the Quinault coastline. Specifically this collaboration is to better characterize hypoxia events that seem to be increasing in frequency along the Washington coast.
The Washington coast is largely unmonitored and needs much more comprehensive coverage to better characterize the area for decision makers to conduct CMSP and EBM. IOOS, through NANOOS can significantly add to this needed data.

Action 5. Coordinate and leverage ocean and coastal mapping efforts.
Quinault supports this Action. See General Comments above. Though this Action considers non-federal partnerships it does not go far enough in supporting collaboration with tribes and fishing communities. Large vessels can be used for many purposes and the west coast of the U.S. has a large number of such vessels, many not currently occupied, that could be leveraged at low cost to complete mapping activities, deploy moorings, service moorings, etc.

Action 6. Develop an integrated observation data management system.

Quinault agrees with this Action. A Data Portal and Information Management System are called for in the CMSP and EBM SAPs and will be necessary for optimum management of our oceans. Data availability and dissemination of it is critical to Quinault to better manage its treaty ocean area. We encourage the NOC to make this a high priority to continue implementation of the NOP.

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Resiliency and Adaptation to Climate Change and Ocean Acidification:

Comment of Liane Guild, NASA, Ames Research Center, Ecosystem Science

(1 page)

Comment from **Liane Guild, PhD**
Biospheric Science Branch, NASA Ames Research Center
Member of the US Coral Reef Task Force, Climate Change Working Group
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Priority Objective: Resiliency and Adaptation to Climate Change and Ocean Acidification

I commend the working groups on the great effort on a short fuse for the NOC SAP preliminary document for this critically important effort. I have excluded citations so that I could submit this in time, however, I can provide citations if needed.

This is a strong document and I support this preliminary document. I would like to suggest adding some points to strengthen and clarify sections of the document.

1) **In a changing climate, marine ecosystems are vulnerable to warming seas, rising seas, rougher waters, and acidification.** Higher than "normal" sea temperatures, associated with climate change, impact marine ecosystems and it would be relevant to add this along side ocean acidification (Overview of the Priority Objective, bullet 3, and in document). Evidence of impacts has been seen in the Atlantic and Caribbean in 2005 when high sea temperatures caused the worst coral reef bleaching event recorded in the region. Following the bleaching event, corals were susceptible to disease and massive diebacks of corals occurred from bleaching and disease. This had economic impact for tourism and fisheries as fish nursery grounds (coral reefs) were degraded.
2) In terms of coastal, marine, and lakes ecosystems, it is understood that the focus of this document cannot develop recommendations for all ecosystems, however, **it is relevant to highlight ecosystems that are already impacted and/or threatened and one of several cases are coral reefs.** These critical ecosystems provide protection for coastlines, nursery grounds for marine fisheries, can have high biodiversity and structure, and have shown some resiliency to climate change. It is relevant to utilize the wealth of observations of reef ecosystems and the impacts of climate change that are already occurring. Coral reefs are an ideal testbed for study adaption strategies and to reduce vulnerabilities.
3) Highlighting the need to **"Modify policies, practices, programs, or projects that promote maladaptations…"** is critical to include in the document. Please include this in Action 5 as well.
4) In Action 2, under 3. Outcomes, the suggestion to "…develop a best storyline for how the future will likely vary from historical/present conditions…", I would strengthen this statement by using "**develop climate scenario planning for how the future will likely vary**…". The "best storyline" is extremely shortsighted and needs to be strengthened.
5) Please include our wealth of **National Marine Monuments** as example of research sites in Action 3.

Thank you for this opportunity to comment and especially for your efforts to preserve and protect our Nation's Oceans.