



NATIONAL  
OCEAN  
POLICY  
COALITION

## **National Ocean Policy: What It Could Mean For the Nation and Alaska**

**2011 Meet Alaska Energy Conference  
January 21, 2011**

# BACKGROUND

- June 12, 2009 Memorandum Outlining New National Ocean Policy
- CEQ Administration Task Force
- Public Comments on Interim Report and Interim Framework CMSP
- July 19, 2010 Final Recommendations and Executive Order

THE WHITE HOUSE  
Office of the Press Secretary  
June 12, 2009  
For Immediate Release

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES  
SUBJECT: NATIONAL POLICY FOR THE OCEANS, OUR COASTS, AND THE GREAT LAKES

The oceans, our coasts, and the Great Lakes provide jobs, food, energy resources, ecological services, recreation, and tourism opportunities, and play critical roles in our Nation's transportation, economy, and trade, as well as the global mobility of our Armed Forces and the maintenance of international peace and security. We have a stewardship responsibility to maintain healthy, resilient, and sustainable oceans, coasts, and Great Lakes resources for the benefit of this and future generations.

Yet, the oceans, coasts, and Great Lakes are subject to substantial pressures and face significant environmental challenges. Challenges include water pollution and degraded coastal water quality caused by industrial and commercial activities such as offshore oil and gas drilling, fishing, and shipping, invasive species, disease, rising sea levels, and impacts from climate change. They not only affect climate processes but they are also under stress from the impacts of climate change. Resilient energy, shipping, and agriculture are also dependent on the growing demands on oceans and Great Lakes resources. These resources therefore require protection through the cooperative efforts of Federal, State, and local authorities with responsibility and jurisdiction over the oceans, coasts, and Great Lakes, the United States needs to act within a unifying framework under a clear national policy, including a comprehensive, ecosystem-based framework for the long-term conservation and use of our resources.

In order to better meet our Nation's stewardship responsibilities for the oceans, coasts, and Great Lakes, there is established an Interagency Ocean Policy Task Force (Task Force), to be led by the Chair of the Council on Environmental Quality. The Task Force shall be composed of senior policy-level officials from the executive departments, agencies, and offices represented on the Committee on Ocean Policy established by section 3 of Executive Order 13565 of December 17, 2004. This Task Force is not meant to duplicate that structure, but rather is intended to be a temporary entity with the following responsibilities:

None (over)

the WHITE HOUSE PRESIDENT BARACK OBAMA

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**INITIATIVES**

- Interagency Ocean Policy Task Force
  - Public Meetings
  - View Comments
  - Expert Briefings
- Interagency Ocean Policy Task Force: Interim Report
- Interagency Ocean Policy Task Force: Interim Framework for Effective Coastal and Marine Spatial Planning
- Recovery Through Retrofit

## The Interagency Ocean Policy Task Force

On June 12, 2009, President Obama sent a [memorandum](#) to the heads of executive departments and federal agencies establishing an Interagency Ocean Policy Task Force, led by the White House Council on Environmental Quality. The Task Force is charged with developing a recommendation for a national policy that ensures protection, maintenance, and restoration of oceans, our coasts and the Great Lakes. It will also recommend a framework for improved stewardship, and effective coastal and marine spatial planning.

The oceans, our coasts, and the Great Lakes provide jobs, food, energy resources, ecological services, recreation, and tourism opportunities, and play critical roles in our Nation's transportation, economy, and trade, as well as the global mobility of our Armed Forces and the maintenance of international

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# Executive Order 13547

- **Establishes the National Ocean Policy**
- **Adopts Task Force's Final Recommendations, including an ocean zoning scheme known as coastal and marine spatial planning (CMSP)**
- **Establishes new bureaucracy, including a 27-member National Ocean Council (NOC) to oversee policy implementation**
- **Makes the NOC--and the President when necessary--ultimate arbiters of regional and national disputes**
- **Directs federal entities to implement the national policy, principles, and priority objectives, including participation in the CMSP process and compliance with NOC-certified CMS Plans**



# National Priority Objectives

- **Ecosystem-Based Management**
- **Coastal and Marine Spatial Planning (Ocean Zoning)**
- **Water Quality & Sustainable Practices On Land**
- **Regional Ecosystem Protection & Restoration**
- **Changing Conditions In the Arctic**
- **Resiliency and Adaptation To Climate Change and Ocean Acidification**



# COASTAL & MARINE SPATIAL PLANNING=OCEAN ZONING

***“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. Rather, the framework for CMSP describes a process for developing and implementing coastal and marine spatial planning in the United States.”***

Source: National Ocean Council, <http://www.whitehouse.gov/administration/eop/oceans/faq>

***“...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.”***

Source: Tundi Agardy, Internationally Renowned Marine Conservation Expert, “Ocean Zoning: Making Marine Management More Effective,” Pages 161-162



# POTENTIAL ISSUES

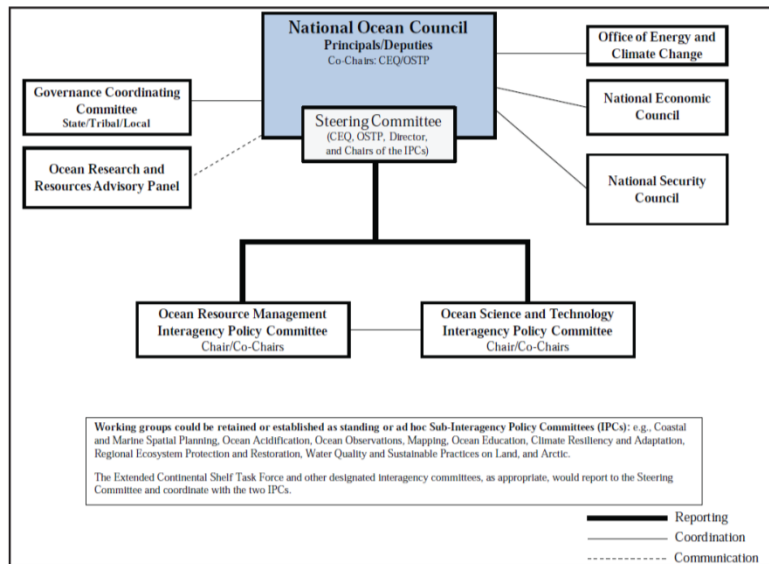
- **Limitation of discretionary authority of executive department/agency heads without a clear basis in statutory authority**
- **State's rights/sovereignty issues**
- **Lack of input from commercial/recreational interests & Administrative Procedure Act concerns going forward regarding public input in policy development & implementation**
- **Need to preserve multiple use management policy**
- **Application of precautionary approach**
- **Confusion/cost resulting from adding new layer of bureaucracy (Clean Water/Air Acts, CZMA, Magnuson-Stevens Act, OCSLA)**
- **Likely impacts on commercial/recreational activities**
- **Establishment of highly political regional planning bodies that result in rules that vary by region, are inconsistent with international standards, and impact areas that are not represented (i.e. effects on Alaska from decisions by West Coast Regional Planning Body (CA, OR, WA), of which Alaska is not a member)**



# Streamlined Processes

*“Through increased communication, coordination, and integration across all levels of government, we can streamline processes, reduce duplicative efforts, leverage resources, resolve disparities, and enhance synergy.”*

Final Recommendations, Page 35



Source: Final Recommendations, Pages 19 and 53

## Nine Proposed Regional Planning Areas and Corresponding Minimum State Representation

1. **Alaska /Arctic Region:** Alaska
2. **Caribbean Region:** Puerto Rico and U.S Virgin Islands
3. **Great Lakes Region:** Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin
4. **Gulf of Mexico Region:** Alabama, Florida, Louisiana, Mississippi, and Texas
5. **Mid-Atlantic Region:** Delaware, Maryland, New Jersey, New York, Pennsylvania, and Virginia
6. **Northeast Region:** Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont
7. **Pacific Islands Region:** Hawaii, Commonwealth of the Northern Mariana Islands, American Samoa, and Guam
8. **South Atlantic Region:** Florida, Georgia, North Carolina, and South Carolina
9. **West Coast Region:** California, Oregon, and Washington



# Concerns Over Transparency

*“The Task Force is mindful that these recommendations may create a level of uncertainty and anxiety...Meaningful and frequent opportunities for stakeholder and public engagement...will be an essential component of cooperatively addressing these uncertainties head-on...”*

Source: Final Recommendations, Page 9

- **Nov. 12, Anchorage, AK: National Ocean Policy Stakeholder Town Hall**

- Notice given via listserv e-distribution list less than two weeks before event
- Webinar option but no questions taken from call-in's

- **Dec. 9, Boston, MA: Town Hall Forum For Stakeholders In New England**

- Notice given via listserv e-distribution list less than two weeks before event
- No remote access option

- **Reports of other meetings in Virginia and New Jersey in early November but no public record or notice**





# Every State Is a Coastal State

***“...the threat of critical habitat loss and degradation of ecosystem services is still apparent in the Gulf Coast, the Chesapeake Bay, Puget Sound, South Florida, San Francisco Bay, and the Great Lakes. By addressing coastal and ocean challenges...on a regional and ecosystem scale, we can more effectively manage these resources.”***

Source: Final Recommendations, Regional Ecosystem Protection and Restoration Priority Objective, Page 37

***“The Plan Should Address...the major impacts of urban and suburban development and agriculture...on ocean, coastal, and Great Lakes waters...[t]he relative contributions of significant land-based sources of pollutants, sediments, and nutrients to receiving coastal waters...and...approaches for controlling the most significant land-based sources of nutrients, sediments, pathogens, toxic chemicals, solid waste, marine debris, and invasive species...”***

Source: Final Recommendations, Water Quality and Sustainable Practices On Land Priority Objective, Page 39

***“The geographic scope [of CMSP] would include inland bays and estuaries...Additional inland areas may be included...as the regional planning bodies...deem appropriate.”***

Source: Final Recommendations, Page 49

MISSISSIPPI RIVER BASIN



CHESEPEAKE BAY WATERSHED



# What's Next

- **Development of Strategic Action Plans that will implement the nine national priority objectives to be open for public comment “soon” (plans to be finalized by November)**
- **National CMSP workshop expected to take place in Washington, DC in the spring**
- **Governance Coordinating Committee to be announced in coming weeks**
- **Regional Planning Bodies to be established**



# WHY WE NEED A COALITION

- **National Ocean Policy development and implementation is on a fast track**
- **Inadequate input from industry and recreational users thus far**
- **Need a united voice to weigh in, avoid unintended consequences**



# WHO ARE WE?

- Agriculture
- Chemicals
- Coal
- Commercial Fishing
- Construction
- Energy
- Forest and Paper
- Manufacturing
- Mining
- Ports
- Power Generation/Transmission
- Recreational Boating
- Recreational Fishing
- Tourism
- Transportation





# NOPC MEMBERS





# QUESTIONS?



Jack Belcher  
Managing Director  
National Ocean Policy Coalition  
832-248-2914  
[jack.belcher@oceanpolicy.com](mailto:jack.belcher@oceanpolicy.com)  
[www.oceanpolicy.com](http://www.oceanpolicy.com)

