



THEODORE R. KULONGOSKI
Governor

June 2, 2004

REVISED COMMENTS ATTACHED

Admiral James D. Watkins
Chair, U.S. Commission on Ocean Policy
1120 20th St. NW Suite 200 North
Washington DC 20036

Dear Admiral Watkins:

On behalf of the State of Oregon, I am pleased to respond to the report of the U.S. Commission on Ocean Policy. I commend the Commission for a most impressive report. The dedication, commitment, and hard work of all Commission members and the staff are evident in the scope, depth, and vision of this report.

Long-term conservation of coastal and ocean resources is a priority for Oregon. The guiding principles articulated by the Commission provide a careful and ambitious context within which to develop policies and programs to promote vibrant coastal communities, healthy and resilient ecosystems, sustainable fisheries, clean and safe shorelines, and enjoyable and inspirational recreational opportunities. Oregonians share these are visions for our coast and ocean.

Oregon has worked for many years to conserve and protect coastal and ocean resources while accommodating growth and development. Oregon's beaches were declared public in 1967 in response to citizen concerns. Oregon's Coastal and Ocean Management Program was approved in 1977. A state ocean management program was created by law in 1991. Our experience confirms that coastal states can--and must--be partners in governing the nation's ocean and coastal environment. I welcome the Commission's recommendations that strengthen and expand state ocean and coastal governance capacity. I offer my strong support to the Commission in working with the Congress, the Executive Branch, and Oregon state agencies to enact the recommendations.

Admiral James D. Watkins
Chair, U.S. Commission on Ocean Policy
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My comments are confined to topics of particular interest to Oregon. I have attached more detailed comments from state agencies and university experts who have assisted me in my review. In addition, Oregon has worked closely with the Coastal States Organization (CSO) throughout the Commission process and I urge you to carefully consider its comments as well.

Sincerely,

A handwritten signature in black ink that reads "Theodore R. Kulongoski". The signature is written in a cursive style with a large initial 'T'.

THEODORE R. KULONGOSKI
Governor

TRK/jeb/sm

Attachments

c: Oregon Congressional Delegation
Lane Shetterly, Director, DLCDC

**COMMENTS FROM OREGON GOVERNOR TED KULONGOSKI
On the Report and Recommendations of the US Commission on Ocean Policy**

June 2, 2004

(Revised June 21, 2004)

Comments are arranged by theme rather than by chapter order. Comments that are underlined indicate support for a specific Commission recommendation. Comments that are *in italics* request or suggest a modification or addition to a recommendation.

1. Reauthorize and strengthen the federal Coastal Zone Management Act (CZMA):

I strongly support reauthorization of the Coastal Zone Management Act (Recommendation 9-1).

No recommendation is more fundamental to Oregon than this. This Act provides the legal, administrative, technical, and financial framework by which Oregon has successfully balanced the conservation and development of coastal and ocean resources at the state and local level for 27 years. It is a logical, integrative, and existing framework by which states, local governments, and federal agencies can cooperate to address an array of critical, crosscutting issues identified by the Commission that link watersheds, the coast, and offshore management.

As the Commission rightly points out, growth and development pressures at the local government level can have the most impact on coastal resources. Thus, it is at the local level where the need is greatest for planning, management, and technical assistance to address these issues. Oregon has focused significant state and federal CZM resources to assist local government in managing growth and development. This assistance should be increased in a systematic way to meet increasing challenges.

I urge the Commission to adopt the recommendation of the Coastal States Organization that the CZMA reauthorization include a Coastal Communities Program focused on assisting local communities to address development activities at a local level through community assessments, planning, and demonstration projects.

Many issues discussed in the Commission's report can be most effectively addressed through strengthened state coastal management programs. These issues include managing urban growth along the coast, protecting and restoring coastal habitats, reducing pollution from watershed land uses and practices into coastal waters, avoiding or reducing natural hazards in coastal shorelands and floodplains, planning and managing ocean resources, reinvesting in port and harbor facilities, providing public access, education, and information, and protecting special coastal and ocean areas. Thus it makes sense to strengthen the CZMA and the state's role within it.

Historically, the CZMA has provided Oregon and other states with the flexibility to meet national goals and objectives through programs tailored to fit the unique legal, geographic, political, and ecological conditions at the state and local level. This flexibility has worked well and should be continued.

I support the need for performance goals and measurable standards at all levels of government but urge caution that these performance standards be balanced against the flexibility required by states to meet unique needs.

And, because solutions work best when developed and applied locally, *I urge the Commission to recommend performance incentives and technical assistance to help coastal states and local communities meet national standards rather than apply disincentives and penalties to achieve compliance.*

2. Funding for Coastal and Ocean Programs:

• Ocean Trust Fund:

The Commission's recommendations form an ambitious agenda that will require a significant increase in federal investment in technical and financial support for programs at all levels. To meet these added funding needs, I support establishment of a National Ocean Policy Trust Fund (Recommendation 30-1) from unallocated revenues from energy leasing and extraction on the Outer Continental Shelf, on the principle that reinvestment in renewable resources and conservation and assistance to states meets significant national interests. These funds should be dedicated and would be separate from the annual appropriations process for the CZMA, below.

However the Ocean Trust Fund must be structured so that it does not create incentives for inappropriate offshore development (e.g., development of energy, aquaculture, or other facilities that conflict with state or regional ocean goals and policies, or that will trigger activities likely to jeopardize the marine and coastal ecosystem) and must not conflict with or jeopardize the existing Land and Water Conservation Fund, which has been very successful.

Among other purposes, these funds will enable states and local governments to build the program and technical capacity to meet the increasing challenges of coastal and ocean management.

• Coastal Zone Management Act Funding

I urge the Commission to recommend that federal Coastal Zone Management Act funding to coastal states be increased through the Appropriations process.

Federal CZMA funding has been crucial to Oregon in enabling state agencies and local governments to carry out a range of coastal planning and management programs that meet national objectives. In addition, special CZMA grants have enabled local governments to complete many small-scale public access projects, including docks, piers, boat ramps, picnic facilities, and trails. The CZMA is the logical vehicle for future funding to local governments through the Coastal and Estuarine Lands Conservation Program (CELCP, Recommendation 11-1) and other related programs to achieve state and local program objectives and priority needs for coastal conservation and restoration projects.

Many of the comments below address the need for funding for specific programs or Commission recommendations, such as the Integrated Ocean Observing System, Coastal Water Quality Monitoring, fisheries research, and Pre-Disaster Mitigation Planning.

3. Watershed and Ecosystem Approaches to Coastal and Ocean Management

I strongly support the Commission's emphasis on watershed and ecosystem approaches to protect, manage, and restore coastal and ocean resources (e.g. Recommendations 9-1, 9-4, 4-3, 11-4). Oregon has long recognized the critical importance of organizing coastal resource management programs to match natural systems. For instance, the Oregon Coastal Management

Program applies to a coastal zone that extends from the crest of the Coast Range Mountains to the seaward extent of the territorial sea and thereby encompasses almost all coastal watersheds, estuaries, and the nearshore marine environment. Our coastal salmon conservation efforts through the Oregon Plan are proving successful because they are based on working with citizens, landowners, and agencies within a watershed framework. Oregon manages its estuaries as a critical link between coastal watersheds and the nearshore ocean. The Oregon Territorial Sea Plan and Statewide Planning Goal 19, Ocean Resources, are based on understanding and conserving marine ecosystems. I believe that a similar approach by federal programs, integrated with state and local programs, is critical to achieving success in conserving our coastal and marine resources. I support embedding the concept of matching ecosystems to governance at the highest levels through the National Ocean Council (Recommendation 4-3).

The Commission should consider expanding the concept of collaboration at the watershed scale (Recommendation 14-13). I believe that better collaboration among programs at the watershed scale will allow more flexibility to address water quality concerns. All too often, limited resources are spent on programmatic activity (e.g., revising codes or improving regulatory aspects of programs in general) that may not provide the technical, institutional, or financial resources that would otherwise address the real problems that are affecting water quality. A watershed approach (e.g. built on a 5-10 year cycle with adaptive management) may be a cost effective way to address water pollution concerns.

4. A National Framework for Ocean Governance:

- **A National Ocean Council, chaired by an Assistant to the President, and a Presidential Council of Advisors on Ocean Policy in the Executive Office of the President.**

I strongly support the Commission's recommendation to create a National Ocean Council (NOC), a Presidential Council of Advisors on Ocean Policy (Recommendation 4-1), and other organizational entities to ensure that ocean issues receive the highest level of Executive Branch support and that ocean programs are coordinated across all federal agencies and missions.

I also urge the Commission to recommend that a coastal state governor be included in the membership of the Council. I believe that this would underscore the role of states in the national coastal and ocean governance framework and strengthen the Council's function in its relations with the Congress and the states.

I support the recommendation that governors and other representatives from coastal states and territories be members of Presidential Council of Advisors on Ocean Policy. I also agree with the Commission that an Executive Order is appropriate to implement these governance entities pending Congressional action. This would ensure that many of the Commission's recommendations would be implemented in the near-term to meet existing and growing needs for action.

I encourage the Commission to recommend a National Ocean Policy Act to provide a vision for how the nation can balance the use and conservation of finite natural resources within a national governance framework composed of goals and policies based on the recommendations and Guiding Principles of the Commission's report. Such an act is missing from the Commission's recommendations but I believe this is key to coherent implementation of the governance changes, including the regional councils and other changes in federal structure that the Commission has recommended.

- **Strengthen NOAA and improve the federal agency structure.**

I support the passage of an “organic act” for NOAA that would codify the establishment and missions of NOAA (Recommendation 7-1). From our experience, the National Oceanic and Atmospheric Administration (NOAA) has tremendous capacity for, and is best positioned to provide, federal leadership in ocean and coastal management, research, and outreach. Such an organic act would help to bring the various missions of NOAA together, particularly through an emphasis on ecosystem-based management and other guiding principles articulated in the Commission’s report and also in the attached comments from the Oregon Marine Science Advisory Panel. Although other federal agencies, such as the Department of the Interior Minerals Management Service and the U.S. Environmental Protection Agency, have important statutory responsibilities in the marine environment, it is essential that NOAA be designated as the principal ocean agency for the United States.

5. Regional Ocean Governance

I am especially pleased that the Commission has recognized the fundamental need for a regional approach to governance, research, and information systems for coastal and ocean issues in order to account for the varying sizes and functions of large marine ecosystems. However, I suggest that the Commission revise the concepts for regional programs to reconcile what appear to be several approaches and uncertainties among the various recommendations (e.g., Recommendations 4-11, 5-1, 5-2, 5-3, 5-5, etc.).

- **Regional Ocean Councils**

In so doing, I urge the Commission to recommend that the Regional Ocean Councils be formally established with affected state governors for the primary purpose of serving as a “big table” to enhance communication among local, tribal, state, and federal interests on an on-going basis, and to maintain oversight of regional research, ocean observations, and information programs to ensure that these programs serve management needs.

Regional Ocean Councils should have no new regulatory authority but should have responsibilities for planning, coordinating, and facilitating state and federal ocean programs within a region, with an emphasis on proactively addressing emerging issues before a crisis is reached. Existing regional organizations (e.g. the Gulf of Maine) should be eligible to be formally established to avoid duplication of effort and take advantage of existing mechanisms. I believe that formal agreements are essential to ensure that all partners maintain a high level of participation and commitment to the regional effort. As noted in my comments on Living Marine Resources, Regional Ocean Councils are the appropriate forums for developing regional guidance for federal and state designation of special management areas.

The Commission should make clear the relationship between such Regional Ocean Councils and the existing regional Fishery Management Councils. I do not support Regional Ocean Councils assuming the duties or responsibilities of the regional Fishery Management Councils.

- **Sub-regional needs**

I suggest that the Commission enable Regional Ocean Councils to form sub-regional efforts as needed to account for sub-regional differences, particularly in a large region such as the Pacific Coast. For instance, as envisioned by the Commission, the Pacific Regional Council would include the three states of Oregon, Washington, and California to match the scale of the

California Current Large Marine Ecosystem. However, Oregon and Washington share a number of mutual coastal management issues, such as the need for regional sediment management at the mouth of the Columbia River that may require extensive sub-regional efforts.

- **Regional Pilot Project**

I believe that existing bi-state efforts around the mouth of the Columbia River and its estuary regarding beneficial uses of sediments, regional sediment management, navigational and fisheries issues, lend themselves to a regional pilot project as outlined in the Commission's report. An existing collaborative process is in place facilitated by the National Policy Consensus Center at Portland State University, supported by intergovernmental agreements at all levels of government in the states of Washington and Oregon and by scientific and technical expertise from the Institute for Natural Resources at Oregon State University. The Columbia River is a superhighway for commerce between the interior of the United States and countries around the Pacific Rim and is of national significance.

I urge the Commission to support a Regional Ocean Council pilot project for the Columbia River region that will help ensure that critical navigational improvements are made and sediment is retained for beneficial uses while protecting essential ecosystem and economic conditions in the local area.

- **Regional Information**

It is essential that regional ocean governance structures be supported by and integrated with regional research and regional information programs, including regional ocean observing systems. Oversight of these systems is an appropriate role for Regional Ocean Councils. I strongly support Recommendation 5-2 to establish regional information programs. Oregon is participating in the formation of the Northwest Area Networked Ocean Observing System (NANOOS), a regional ocean observing system that is aligned with the vision of the Commission for ocean observing systems. See additional comments under Marine Research.

- **Regional Sediment Management**

I fully support Commission Recommendation 12-1 that managing sediment be done on a regional basis. Over the past decade Oregon has developed a grass-roots, stakeholder-driven process for assessing, planning, and managing sediment movement and geologic hazards on a littoral cell basis, which is an essential concept for regional sediment management. I also support Recommendation 12-2 that the U.S. Army Corps of Engineers should broaden its criteria for determining least-cost options to encompass the outcomes of regional sediment planning and management.

I urge the Commission to consider adding a discussion of the "Role of Coastal States and Local Governments in Sediment Management" because it is local communities and state agencies that bear the brunt of federal program decisions regarding dredging and sediment management. For these reasons, *I ask the Commission to include state and local governments in Recommendation 12-4, developing a strategy for improved assessment, monitoring, research, and technology development.*

6. Living Marine Resources

• Fisheries Management

Marine fisheries management is a complex bundle of issues with few easy solutions. The Commission is to be commended for proposing enhancements and reforms that do not require wholesale dismantling of the nation's marine fisheries management structure or to the regional fishery management councils while turning this nation toward sustainable fisheries management. I support recommendations that will, among other outcomes, result in more balanced representation on regional fishery management councils. I believe that this is essential to gain public confidence and to provide a broader range of views in the decision-making process. Oregon has had some experience with non-industry appointments to the Pacific Fishery Management Council and has found this to be beneficial in widening the scope of discussions.

However, I ask the Commission to consider amending Recommendations 9-12 and 9-13 to require Governors to prioritize candidates and to clearly identify the sector for each nominee that the Governor would like to be added to the Council.

This would assist in Department of Commerce review. I also urge the Commission to consider that the categories recommended for gubernatorial nominations (e.g., commercial (2), recreational (2) and general public (2)) may restrict candidate options if there is one sector that is under-represented.

The Commission should consider recommending language to provide governors with more flexibility to submit additional candidates within a needed or desired sector.

Funding support to states should not be driven by the value of the regulated fisheries, as it is now, but by the workload, which is high in any event and far more daunting in attempting to manage declining or recovering fisheries.

I urge the Commission to recommend increased funding to coastal states to enable them to shoulder the immense, complex, and continuous workload generated by the federal regional fishery management councils.

I also believe that these recommendations, when taken together, will strengthen the link between scientific information and fisheries management, make the regulatory process more transparent, address fleet overcapacity, and help transition away from single-species management to an ecosystems approach.

While the Commission may have found it appropriate to recommend new statutory authority for interstate fishery management commissions to develop interstate fishery management plans (Recommendation 19-10), *I want to strongly suggest that the Commission consider either revising the recommendation to make such authority elective by each of the commissions to fit regional needs, or perhaps deleting the recommendation altogether.* The Pacific States Marine Fisheries Commission has played an extremely valuable and effective role in fisheries management in Oregon and along the Pacific Coast precisely because it has no regulatory authority. In this role it has become a trusted broker of fisheries data and facilitator of fisheries enhancement programs among the states and federal agencies. This role is likely to be compromised with the addition of statutory authority for interstate fishery management plans.

I support the Commission's emphasis on cooperative research (Recommendation 19-9) *but ask that the Commission broaden the concept of such an approach to take advantage of many opportunities for collaborative research beyond merely chartering industry vessels.*

I would point out that Oregon has already begun several programs through the NOAA Northwest Fisheries Science Center, Oregon Extension Sea Grant, and the Oregon Cooperative Institute for Marine Resources Studies. Cooperative research is being tested at ports as small as Port Orford where a community-based fisheries organization is helping NOAA and fishermen to work together to better understand fisheries harvest, habitat, and economic value.

- **Ocean Aquaculture**

I commend the Commission for recommending a national strategy (Recommendations 22-1 to 22.4) for marine aquaculture where none exists today.

I have serious concerns about potentially significant negative effects from marine aquaculture on Oregon's marine resources, ocean fisheries, and coastal communities.

This is an issue not to be taken lightly. Oregon's coastal communities have a long history of harvesting wild salmon, groundfish, Dungeness crab and other species in a diversified fishery. Oregon's Native Fish Conservation Policy promotes the conservation and recovery of native fish. In addition, state rules on wildlife integrity, fish management, and hatchery operation take into account the potentially serious adverse impacts of offshore aquaculture on native species and ecosystems, including water quality degradation, invasive species, disease, genetic and chemical contamination, pollution from fish waste and antibiotics, and physical interference with fisheries, research, and shipping.

I urge the Commission to recommend a strong precautionary approach toward marine aquaculture to avoid premature incentives and investments that could result in serious environmental and economic consequences in communities that have traditionally relied on native stocks.

- **Marine Mammals**

As noted in the attached comments from the Oregon Department of Fish and Wildlife, marine mammals are often accorded a legal status that is not aligned with the need to balance their protection with other important marine resources in an ecosystem context. This has led to ongoing problems for local, state, and federal resource managers. I support Commission recommendations 20-1 through 20-8 to make needed improvements in the management of marine mammals, including the marine mammal permitting system which today often impedes important and needed research, changes in the definition of harassment, and increased research and education.

I would point out that the current elevated legal status of marine mammals creates a chronic source of contention in attempting to establish management programs for fisheries and other resources.

I ask the Commission to consider new recommendations to address three specific issues:

- 1.) *Managing marine mammals in the context of managing other important marine species, such as endangered salmonids;*

- 2.) *Negative interactions of marine mammals with humans, fisheries, and the nearshore environment; and*
- 3.) *Management options to resolve specific problems created by individual animals.*

- **Invasive Species**

Oregon, as other coastal states, is vulnerable to introduction and spread of new species through multiple pathways. I support Commission Recommendations 17-1 to 17-8 that will strengthen the nation's ability to limit the introduction and spread of invasive, non-native species.

Although prevention should indeed be the first line of defense against invasive species, I do not believe that the report adequately communicates that prevention is often the only defense against the introduction and subsequent impacts of aquatic invaders. Once established, marine species have almost never been successfully eradicated. To strengthen this first line of defense,

I ask that the Commission recommend better enforcement of U.S. Coast Guard ballast water management rules within the Department of Homeland Security or transfer of the program to another Department that can.

In addition to introduction of invasive organisms from abroad, transfer of such species between domestic ports requires additional emphasis.

Therefore, I urge the Commission to recommend that the U.S. Coast Guard develop regulations to prevent spread of invasive species between domestic ports.

I have attached detailed comments from experts at Portland State University on the prevention and control of marine invasive species.

- **Marine Protected Areas and Marine Reserves**

The Commission uses the term “marine protected areas” (MPA) in the broad sense to mean areas in the ocean that are “protected” for many different reasons. We have long considered Oregon’s state Territorial Sea to be a marine protected area because it is “protected” by coordinated management within a state legal framework to conserve marine resources while allowing for uses. The Commission’s focus on marine protected areas tends to obscure the need to more directly address “marine reserves,” which are more highly or fully protected marine areas. I am keenly aware that marine reserves are of intense interest to many stakeholder groups.

The Oregon Ocean Policy Advisory Council (OPAC) in 2002 advised my predecessor that a limited system of marine reserves should be established along the Oregon coast through a public process to test and evaluate the effectiveness of reserves in meeting state ecological and conservation objectives. The OPAC determined that marine reserves for fisheries management were not warranted at that time. However, the OPAC learned that even if Oregon was to designate such reserves in state waters through a public process, no similar public process, designation criteria, or agency authorities appear to exist for marine reserves in federal waters. It is not clear at all which, if any, federal agency has authority to designate, manage, and enforce marine reserves in federal waters except within a previously designated National Marine Sanctuary.

I ask that the Commission consider recommending that authority to designate, manage, and enforce marine reserves be granted to NOAA through the organic act called for in Recommendation 7-1 but that any such designations be made only through a public process that involves affected coastal states and stakeholders.

I also ask the Commission to consider amending Recommendation 6-4 to focus on marine reserves, rather than marine protected areas, and require that Regional Ocean Councils be charged with developing guidance for federal agencies and coastal states on the location, design, and implementation of marine reserves within the underlying large marine ecosystem, and that this guidance be based on sound science, economic impact analysis, and a public process with stakeholder involvement. I further ask that any federal guidance include consideration of ocean areas already closed to fishing through regulations of regional Fishery Management Councils.

In this way, any reserves that Oregon may designate in state waters would contribute to a broader network of reserves designed to meet conservation objectives across the larger ecosystem, and that coastal states and stake holders would be involved in designation of any marine reserves in federal waters.

7. Coastal and Marine Recreation

I am surprised that although the Executive Summary mentions the economic importance of coastal recreation and tourism, the report does not address the role of tourism and recreation as they relate to the ocean and the coast. Tourism and recreation are key components of Oregon's coastal economy and way of life. These two activities are driving forces in our efforts to manage growth and development while protecting coastal resources. Nationally, coastal recreation is an immense economic engine, and there are significant federal resources spent managing this activity. Oregon's beaches are publicly owned, as are the rocky tidepools. We take seriously our responsibility to conserve these rocky shoreline resources for the benefit of all, whether the visitor is from Oregon, Colorado, Maine, or Germany. Increased visitation and enjoyment of these vulnerable sites could prove damaging to the resources. States could benefit from increased federal assistance in developing and implementing programs to use information, education, and public outreach to increase visitor appreciation of coastal resources and to promote personal stewardship.

8. Marine Water Quality

I appreciate the Commission's emphasis on addressing coastal water pollution and I particularly support the call for developing a prioritized, comprehensive plan for long-term funding of the nation's current aging and inadequate wastewater, drinking water, and on-site treatment infrastructure. The Commission should not only consider funding the State Revolving Fund programs but also construction grants to small jurisdictions and homeowners based on ability to pay. I previously noted the potential for reducing non-point pollution into coastal water bodies by increasing collaboration among programs at the watershed scale.

- **National Water Quality Monitoring Network**

I support the Commission's recommendation that a National Water Quality Monitoring Network be created and that this network be structured with a federally funded backbone of critical stations and measurements to assess long-term water quality trends and conditions

(Recommendation 15-1).

I also ask the Commission to emphasize that coastal states should be active, knowledgeable partners in this effort through a coordinated monitoring strategy that builds on and takes advantage of work already completed by states and federal agencies.

Over the past six years the Oregon Department of Environmental Quality has been a partner in the EPA's Ecosystem Monitoring and Assessment Program (EMAP), which has acquired substantial data and has helped to build much-needed capacity for coastal assessment. This EMAP effort could serve as a model for developing such a monitoring network. In order to make the most effective use of the limited resources, *I would support efforts to integrate the monitoring work of NOAA, EPA and the states through a monitoring network that would address coastal watershed, estuarine, and offshore data needs.*

- **Oceans and Human Health:**

The Commission is to be commended for this important set of recommendations.

I urge the Commission to consider including states among the essential program partners in research, monitoring, and addressing the human health aspects of the marine environment.

As the Commission discussed in Chapter 14 (Coastal Water Pollution), land use practices and patterns in coastal watersheds can significantly affect marine water quality and promote conditions that increase the occurrence of human health risks. Oregon has for many years monitored water quality in estuaries for pathogens that could affect commercial shellfish harvesting. The state has begun water quality monitoring on ocean beaches under the federal BEACH program. I support the recommendations to enhance research and development in the areas of monitoring, methodology, indicators of health and strategies for predicting and addressing pollutant loads and algal blooms.

9. Lifelong Education

I am particularly pleased by the thoughtful and extensive recommendations in Chapter 8 promoting formal and lifelong education related to the ocean. Topics of serious societal issues prompted by science research have received great attention in education such as health issues of smoking, drugs, socially transmitted disease, and diet. Environmental science has long addressed recycling and stewardship of the land; space technology and exploration is now an everyday part of educational curriculum. It is now time to focus education on the oceans.

Although Oregon has outstanding marine education programs at all levels, including Oregon Sea Grant, much more could be done, as the Commission recommends. I support the Commission's recommendation for a national initiative to support ocean education (Recommendation 8-1). Experience in Oregon schools such as those in Seaside, Coos Bay, and Gold Beach, demonstrates the ability of ocean education to capture the imagination of youth, help retain interest in science, and enhance learning in many areas. Teachers statewide are eager to take on the challenge of ocean education with their students. For these reasons I strongly support promoting ocean literacy in the K-12 classroom environment (Recommendation 8-6). In addition to developing and enriching an appreciation of the marine environment, we have learned that educated and informed citizens practice personal stewardship, which is essential to the voluntary conservation of these resources and which, in turn, reduces or avoids the need for governmental regulation.

Oregon has several centers for public outreach and education in marine and coastal science and research. One is the South Slough National Estuarine Research Reserve on Coos Bay and another is at the Hatfield Marine Science Center on Yaquina Bay. Programs at both these institutions are very popular and demand remains strong.

I encourage the Commission to recommend enhanced funding for education and outreach through the National Estuarine Research Reserve System and through the National Sea Grant Program.

I support the emphasis on training at the undergraduate and graduate level for future leaders and managers of our ocean and coastal resources (Recommendation 8-9). The graduate program in Marine Resource Management at Oregon State University, for instance, has contributed immeasurably to the ability of many state and local agencies in Oregon to develop and carry out coastal conservation programs.

10. Increasing Scientific Knowledge and Information

• Scientific Underpinnings of the Report

Many of my comments are based on an expert analysis of the scientific and technical underpinnings of the Commission's report that was conducted by a Marine Science Advisory Panel convened at my request by the Institute for Natural Resources at Oregon State University. Experts in a number of marine scientific and research disciplines in Oregon's University System provided, on tight deadline, a comprehensive evaluation that is attached to my letter and which contains additional comments that I urge you to consider carefully.

• Increasing Support for Marine Research

The Commission is to be commended for clearly recognizing that information about the ocean and coast is essential to informing the policy and management process and helping citizens understand the importance of these resources in their lives. I strongly support Recommendation 25-1, which would double the federal ocean and coastal research budget over the next five years. I especially support the Commission's recommendation to significantly enlarge the capacity of Sea Grant programs nationwide. Oregon Sea Grant plays a particularly vital role in Oregon for marine research, outreach, and education. This investment in funding is fundamental to ensuring that the research priorities identified throughout the report are met.

I ask the Commission to ensure that increases in research funding include enhanced opportunities for coastal states to participate in planning for and conducting research, as well as building scientific and technical capacity, to ensure that research meets pressing state and local management needs (such as in Recommendation 5-2).

In addition, *I ask the Commission to make sure that research funding is increased for a wide range of federal ocean related research programs, such as the Saltonstall-Kennedy program, whose budgets have dwindled or vanished in recent years.* These programs have proven extremely valuable in targeting needed research at particular management issues, such as reduction in fisheries by-catch. Please also review the attached extensive comments from the Marine Science Advisory Panel of Oregon State University's Institute for Natural Resources.

I support the development of a national ocean research strategy coordinated through the National Ocean Council (Recommendation 25-2) for which I would suggest a strong commitment to incorporate and integrate research plans developed at the regional level. I firmly believe that coastal and marine management must be supported by sound scientific information and that the nation has not previously supported management with sufficient scientific research. Scientific research in the marine environment must operate at a different pace and time scale than the time scales required for information to meet management needs.

I ask the Commission to recommend that the strategy incorporate practical, flexible guidance on grant periods to accommodate the practicalities and uncertainties of marine research, especially cooperative or applied research, in a dynamic and unpredictable environment.

I also suggest that the Commission consider adding a component to this strategy that would support the needs of coastal state managers for small scale and relatively short-term research to acquire information to address management needs.

I support an increased emphasis and support for social science research, especially economic research and data collection (Recommendation 25-3). It is clear from the introduction to the report that the coasts and ocean are enormous economic engines for this nation, yet the research and data about economic contributions lag well behind other sectors. Economic research should include understanding the economic contribution of non-market, non-consumptive resource values in the coastal and ocean environment.

- **Marine and Coastal Information Systems**

Policy and management programs for natural resources must be supported with accurate, timely information based on sound science. It is clear that increases in the level and quality of information about the marine and coastal environment, economy, and resources will require concurrent increases in the capacity to deliver this information in ways that are useful and meaningful to decision-makers and the public. Oregon has already begun this work by devoting significant effort to developing an on-line Digital Coastal Atlas to provide maps, aerial photos, monitoring data, marine and coastal scientific information, and other information easily available to the public. This Atlas has proven both popular and very useful.

While I support the mapping and information management concepts in Recommendation 25-5, *I ask the Commission to recommend that states be included in developing national programs and be eligible for technical and financial support to develop robust information management and delivery systems to support manager and decision-makers at the state and local level.*

Regarding making data and information available for coastal and ocean management, *I ask the Commission to add to Recommendation 28-2 to make declassification of existing Navy data and maps a priority, especially to support fisheries management and research where detailed bathymetry and other data do not otherwise exist.*

- **Ocean Observing Systems**

The report makes clear that our oceans and coasts are likely to experience even more stresses from development over time and that government agencies at all levels will be called on to keep pace to protect resources while allowing use. To accomplish this, I believe that society must have two fundamental capabilities to make scientifically sound decisions: one is to comprehensively

monitor ocean and coastal ecosystems and conditions; the other is to predict what will happen to these ecosystems if certain steps are, or are not, taken. For these reasons I support development and deployment of an Integrated Ocean Observing System (IOOS) (recommendations in Chapter 26) to improve real-time and long-term information to support a variety of applications for navigation, coastal hazards planning, emergency response, fisheries, human health, sediment management, watershed planning and management, and other issues.

Oregon has participated closely in the development of the system to date and will benefit enormously from deployment and operation. The attached memo from the Marine Science Advisory Panel provides detailed comments with regard to the IOOS, including the need for and potential costs of significantly increasing the nation's technical capacity and human capacity to develop, deploy, and maintain this critical instrumentation. Oregon's Coastal and Ocean Management Programs will benefit from the implementation of a regional IOOS.

11. Guarding Against Natural Hazards

Over the past decade, the Oregon has focused on obtaining better information and assessments about the potential for a variety of coastal hazards and on providing local governments, where land use decisions are made, with improved standards and information to guide land use decisions. The Department of Geology and Mineral Industries has made significant progress in understanding the dimensions of a variety of hazards in the coastal zone, such as tsunamis, steep slope landslides, ocean shore erosion, dune accretion, and riverine flooding. The state Coastal Management Program has helped local communities to use the results of the geologic investigations to prepare maps and adopt policies and standards in land use plans and ordinances. to ensure that development avoids the likelihood of hazards and disasters.

Yet more must be done. Oregon and the Pacific Northwest face the near-certainty of subduction-zone earthquakes that can result in overwhelming disaster to communities, especially along the coast where tsunamis can send ocean surge miles deep into coastal river valleys. Storms and flooding in river valleys require a strong continued commitment to good land use planning to prevent loss of life and property. Public infrastructure is constantly vulnerable to the forces of a geologically dynamic environment.

I support a task force to improve collection and usability of hazards-related data (Recommendation 10-2) and suggest that state coastal programs be represented on the task force. States are well equipped to assess local coastal hazards and educate the public through coastal management programs.

I also agree with the very common-sense idea that the National Flood Insurance Program should be amended to reduce incentives for development in high-hazard areas (Recommendation 10-3). These steps would support many aspects of Oregon's Coastal Management Program.

Finally, I urge the Commission to add a statement to Recommendation 10-4 encouraging Congress to continue funding the FEMA Pre-Disaster Mitigation Program for mitigation planning and project development. This has been a very beneficial program for Oregon.

12. Offshore Energy and Minerals

Two of the driving issues leading to creation of Oregon's Ocean Resources Management Program in the 1980s were oil and gas leasing and marine minerals development, both of which

were proposed by the Reagan Administration. Oregonians applied the “precautionary approach” to these two activities because of the enormous potential to degrade, if not destroy, the coastal environment and coastal economy. They demand assurance that these activities can be conducted safely and protect living marine resources.

The Oregon Ocean Plan, 1991, and Statewide Planning Goal 19, Ocean Resources, contain basic policies that will guide state response to any proposed leasing or development. Oregon will continue to demand a very high level of information and analysis to demonstrate that these activities can be conducted in a way that protects the marine environment and meets Oregon’s marine conservation objectives.

I urge the Commission to recommend that any proposals for offshore oil and gas leasing or minerals development in areas that do not have existing development must be approved by a Regional Ocean Council as part of a regional ocean management plan.

I am also concerned that any rush to explore or develop methane hydrates must be tempered with extreme caution because these minerals may have not only enormous energy potential, but the potential for catastrophic impacts on the earth’s atmosphere.

Additional Comments

Additional comments are attached



Attachments to Letter of Comment

**From Oregon Governor Theodore Kulongoski
To U.S. Commission on Ocean Policy
June 2, 2004 (revised 21, 2004)**

Oregon Department of Environmental Quality

Oregon Department of Fish and Wildlife

Oregon Department of Geology and Mineral Industries

Oregon Department of Land Conservation and Development

Oregon Parks and Recreation Department

Oregon Department of State Lands

Oregon State University, Institute for Natural Resources, Marine Science Advisory Panel

University of Oregon Ocean and Coastal Law Center (Legal Review)

Portland State University (Invasive Species)

