

U.S. COMMISSION ON  
OCEAN POLICY



**Washington, D.C.**  
**January 24, 2003**

# Introduction to Policy Options

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# Setting a New Course for Ocean Governance: The Straw Governance Model

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# Outline

- Introduction
- National Ocean Policy Framework
- Phased Approach

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# Introduction

- The Commission will make a number of specific recommendations on many issues. The appropriate institutional underpinnings, however, are needed to start right away and carry the Commission's momentum forward.
- The Governance Working Group recommends the creation of the following National Ocean Policy Framework to begin to achieve the Commission's recommendations and make the needed progress.
- The framework recommendation is made with the recognition that the Commission is still considering various options for integration and potential consolidation of existing agency functions at some point in the future.

**January 24, 2003**

5

# National Ocean Policy Framework

- The President should act immediately to create, by Executive Order, a National Ocean Policy Framework, composed of:
  - Executive Office of Ocean Policy
  - National Ocean Council
  - Advisory Committee

**January 24, 2003**

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# National Ocean Policy Framework

- The Executive Office of Ocean Policy shall be directed by a presidential appointee (Assistant to the President for Ocean Policy) with staff as necessary to support the Executive Office of Ocean Policy and the National Ocean Council.

**January 24, 2003**

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# National Ocean Policy Framework

- The National Ocean Council shall be chaired by the Assistant to the President for Ocean Policy and composed of cabinet secretaries of ocean agencies and directors of independent ocean agencies.

**January 24, 2003**

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# National Ocean Policy Framework

- The Advisory Committee shall be made up of coastal governors, other appropriate state, local, and tribal government representatives, as well as the private sector, research community, non-governmental organizations, and watershed organizations, and shall operate under FACA.

**January 24, 2003**

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# Phased Approach

- Many of the Commission's recommendations can be implemented immediately.
- However, the Commission recognizes that certain recommendations will require additional consultations with the Congress, state and local government, interested institutions, and citizens at the state, local, and tribal levels before legislative action can take place.
- The Commission recommends a three-phased approach to implementing its recommendations.

**January 24, 2003**

10

# Phase I

- Immediate creation, by Executive Order, of a National Ocean Policy Framework, composed of an Executive Office of Ocean Policy, a National Ocean Council, and an Advisory Committee.
- The Executive Office, together with the advisory committee, should oversee and monitor the implementation of the Commission recommendations.

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# Phase I

- In addition, the Executive Office and Council, working closely with state, local, and tribal government representatives, as well as the private sector, research community, non-governmental organizations, and watershed organizations develop and build support for recommendations that require statutory change, such as:
  - A National Ocean Policy Act
  - The second generation of coastal management
  - The creation of regional ocean councils

**January 24, 2003**

# Phase II

- The Assistant to the President for Ocean Policy works with state and local constituencies to shepherd the passage of needed statutory changes.

**January 24, 2003**

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# Phase III

- Implementation of statutory mandates from the National Ocean Policy Act and other Congressional actions.

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# Second Generation Coastal Management

- The Governance Working Group believes that the U.S. should move toward a second generation of coastal management to improve the current coastal management regime's ability to address the issues facing the nation's coastal regions today and in the future.
- The GWG has not completed its deliberations in this area. However, its ongoing discussions would benefit from input by the full Commission.

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# Possible Second Generation Coastal Management Components

- **Establish a new set of measurable national goals to guide coastal management. The goals to be recommended by the Commission should achieve the following:**
  - **Ensure the economic and environmental vitality of coastal communities, waterfronts, tourism, and transportation**
  - **Protect natural areas, and people and property against environmental degradation, harm from natural and manmade hazards, and sea level rise**
  - **Sustain and restore living marine resources, beaches, water quality, coastal habitat and watersheds**

January 24, 2003

16



- **Protect and sustain critical coastal habitat.**
- **Develop and implement a new, ecosystem-based approach.**
- **Establish a deliberate and formal process for developing scientific information in support of decision making.**
- **Establish a more coordinated system of coastal management programs.**
- **Continue incentive-based approaches to coastal management as the focus of federal involvement, but the national goals should be established that can be measured and progress toward those goals should be directly related to the provision of federal funding.**
- **Ensure sustained and stable sources of funding for coastal management.**

**January 24, 2003**

17

# Regional Councils

- The GWG agrees that regional councils should be created. The GWG, however, is still discussing the scope and details of these recommendations. The scope and design of regional councils will be informed and shaped by inputs from the other working groups.
- Possible functions include:
  - Addressing existing problems and improving coordination
  - Systematic assessment of activities and needs in the region
  - Being mindful of the need for flexibility to account for regional variability and the multiple use nature of coastal and ocean activities, regional councils should develop regional ecosystem-based management planning processes for issues that cross political, administrative, structural and geographic boundaries
  - Pilot programs, as appropriate

**January 24, 2003**

# Oceans & Human Health

Federal government should establish an aggressive, fully-funded and coordinated Oceans and Human Health Program that fosters and supports academic-private-sector-government partnerships to:

- Conduct research that leads to understanding of the complex inter-relations, pathways and causal effects of marine pollution, harmful algal blooms, ecosystem degradation and alteration, and human health
- Monitor and assess pollution inputs, ecosystem health and human health impacts

**January 24, 2003**

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# Oceans & Human Health (cont.)

- Establish a marine biotechnology R&D program that fosters private sector investment and sets a clear policy governing biotech activities
- Develop new technologies for measuring human and environmental/ecological health parameters in the marine environment
- Develop models and strategies for predicting and mitigating pollutant loadings, harmful algal blooms and infectious disease potential in the marine environment

**January 24, 2003**

20

# Informal Education

- Federal ocean agencies should coordinate with and provide funding for academia and informal education centers to foster an interlocking and interactive network of educational programs.
- Academic institutions, informal education centers, and federal agencies should implement a common communications strategy and work together to increase timely delivery of information to the public.
- Evaluation and assessment criteria for all informal education programs should be developed and implemented, including specifics on effectiveness of programs in reaching traditionally underrepresented groups.

**January 24, 2003**

21

# Marine Transportation: Preparing for the Future

Develop a national transportation and freight policy that will institutionalize and coordinate a program within U.S. Department of Transportation (USDOT) with appropriate input from other federal departments, state governments and the private sector.

The national program should:

- Crosscut federal stovepipes
- Unify our vital transportation modes into a coherent intermodal freight transportation system
- Ensure broad stakeholder input
- Require coordination with regional and local planning bodies and coastal zone managers
- Promote an environmental stewardship philosophy

**January 24, 2003**

# Marine Transportation: Research & Development

USDOT should establish and fund a research and technology development program that addresses near and long term Marine Transportation System needs.

Specifically, the R & D program should:

- Develop economic models that project trade and traffic growth and determine the impacts of this growth on throughput and capacity at the nation's ports, waterways and on intermodal connections
- Develop system models and guides to identify current bottlenecks and capacity shortfalls

**January 24, 2003**

23

# Marine Transportation: Research & Development (cont.)

- Develop consistent and nationally accepted definitions and protocols for measuring capacity and other applicable phenomena
- Improve trade and transportation data collection efforts by creating and instituting innovative data collection technology and research and develop methods to fill critical data gaps
- Foster the development of new technologies that enhance system performance while advancing environmentally responsible outcomes
- Integrate with other applicable federally-supported research and development programs in the coastal zone and watershed regions

**January 24, 2003**

24



# Satellite Remote Sensing for Earth Observations

- The Nation requires a coherent strategy for linked research and operational earth observation programs
- A single agency should be responsible for coordinating research and science, and design and implementation of operational missions, including collection and distribution of products on an operational basis

**January 24, 2003**

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# Satellite Remote Sensing for Earth Observations (cont.)

- Develop a coastal observing program that satisfies the requirements of an integrated coastal zone management program and which fully incorporates satellite observations and mission design with the Integrated and Sustained Coastal and Ocean Observing and Prediction System (ISCOOPS) planning and implementation process
- Address the growing problem of lack of science and operational personnel trained in the use and design of satellite systems with a robust educational strategy

**January 24, 2003**

26

# Watershed Management

- Sound watershed management is critical to sound coastal/ocean management. Same ecosystem.

## **Recommendations:**

- The National Coordinating Body (NCB), Regional Coordinating Body, and existing Watershed Councils should be informed by each other
- NCB develop broad national goals and strategies, and periodically review
  - Ensure Federal agencies are coordinated within each region
  - Provide for technical/management/education support to the region
  - Establish Best Management Practice center

**January 24, 2003**

27

# Watershed Management (cont.)

*Note: The text on this slide was edited following the meeting to clear up minor inconsistencies in the text.*

- Regionally:
  - Federal agencies align themselves to common regional boundaries
  - Encourage state, local, tribal or other regional councils to work with Federal agencies at the regional level
  - Federal programs, projects, and grants would incentivize participation within the region
- Funding:
  - Develop funding stream from fees; use for regional grants and technical support
  - Existing Federal funds for regions should be coordinated by the regional Federal agencies

**January 24, 2003**

28

# A National Watershed Monitoring Strategy

- Must be comprehensive
- Is integral to and partnered with the integrated coastal and ocean observing system

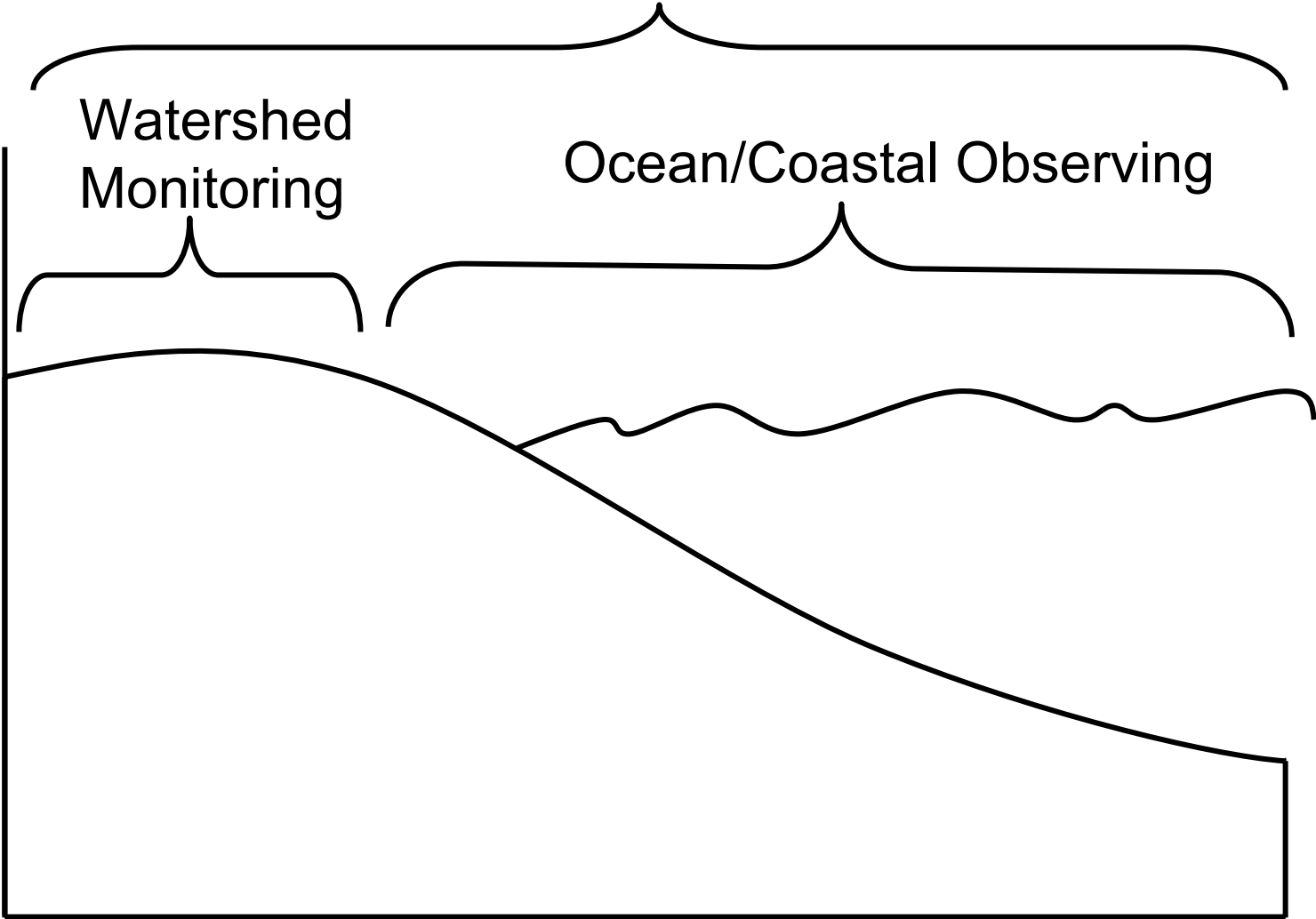
## **Recommendations:**

- NCB to oversee Federal efforts
- Lead Federal agency with overall operational responsibility
- Core national measurements with regional ecosystem needs overlay
- Establish an operational clearinghouse function
  - In concert with ocean observing
  - Distribute data and useful information

**January 24, 2003**

29

# Integrated, Sustained, Ecosystem-Based Observing System



**January 24, 2003**

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# Marine Mammal Protection

- Need to improve the science basis for and permit processes pertaining to marine mammals to ensure effective protection

## **Recommendations:**

- Increase education/awareness to promote stewardship
- Use U.S. relatively strong research investment and low “take” record to assert international leadership
- Increase research on understanding marine mammal harassment issues. Not just Minerals Management Service and Navy
  - National Oceanographic Partnership Program to recommend research priorities

**January 24, 2003**

31

# Marine Mammal Protection (cont.)

- Current harassment definition is neither objective nor predictable
  - Improvement based on good science needed ... continually
  - Follow National Research Council advice: “... meaningful disruption of biologically significant activities....”
- Improve the permitting process
  - Programmatic, versus project, permits ... whenever possible
  - Clearly defined scope
  - Use adaptive management techniques
  - Collect data when exercising a permit
  - Review program permits regularly (years)

January 24, 2003

32



# Essential Fish Habitat (EFH)

- EFH is not working well; a serious definition of EFH is elusive

## **Recommendations:**

- Eliminate existing approach to designating EFH's
- Use a clear, science-based approach when proposing restrictions to protect habitats
- Habitat protection measures should occur at the ecosystem level
- Designation of protected habitat should come from recommendations of the Regional Ecosystem Body and should be established, as are other Marine Protected Area or restricted fishing areas, at the Federal level

**January 24, 2003**

33

# Coral Reef Ecosystem Protection

- Recognize serious decline by direct (e.g. ship strikes; ornamental fish trade) or indirect (e.g. pollution; sediment runoff) human action

## **Recommendations:**

- Retain Coral Reef Task Force (CRTF) and develop coral reef strategies for NCB
  - Include Department of Energy in CRTF
  - Gain a “seat” at Integrated Ocean Observing System design table

**January 24, 2003**

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# Coral Reef Ecosystem Protection (cont.)

- Complete a comprehensive map of U.S. coral reefs
- Expand marine sanctuary “damage recovery” provision to designated coral reefs
- Continue active international leadership
  - Offer “debt forgiveness” to foreign nations which demonstrate good stewardship
  - Strive for international standards to limit ornamental capture
  - Use U.S. research strength to gain leadership

January 24, 2003

35