

**2-23-10**

**Overview:**

**Federal**

**Ocean**

**Policy**

<target><bill></bill><subject>2-23-10 Overview Federal Ocean Policy</subject><comm>HFSH26</comm></target>

# Alaska State Legislature

## House Special Committee on Fisheries

Representative Bryce Edgmon, Chair

Rep. Craig Johnson  
Rep. Wes Keller  
Rep. Charisse Millett  
Rep. Cathy Munoz  
Rep. Bob Buch  
Rep. Scott Kawasaki



Room 416  
State Capitol  
Juneau, AK 99801

### Memorandum

**Date:** February 18<sup>th</sup>, 2010  
**To:** Suzi Lowell, Chief Clerk  
**From:** Representative Bryce Edgmon, Chairman  
House Fisheries Committee  
**RE:** House Fisheries Committee Schedule

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Unless otherwise noted, all meetings will be held in Room 124 of the Capitol.

**Tuesday February 23<sup>rd</sup>                      10:15 a.m. – 12:15 p.m.                      Capitol 124**

**+HB 344—Salmon Product Development Tax Credit**

**+Presentation:**

Remarks on the "Interim Report of the Interagency Ocean Policy Task Force"  
With Focus on the "Interim Framework for Effective Coastal and Marine Spatial  
Planning"

**Arne Fuglvog**, Legislative Assistant to Senator Lisa Murkowski

**Doug DeMaster**, National Oceanographic & Atmospheric Administration

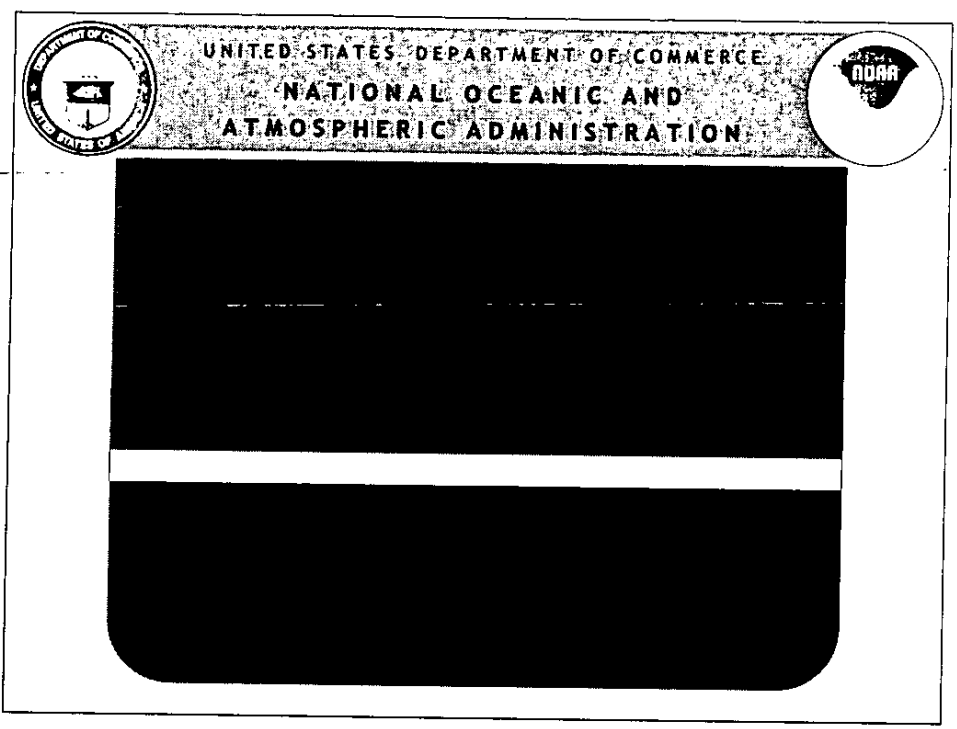
<Invited Testimony Only>

*Amy Holman of NOAA WEATHERED OUT.*



+Bills Previously Heard

**Thursday February 25<sup>th</sup>                      10:15 a.m. – 12:15 p.m.                      Capitol 124**

**No meeting scheduled**




NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



*"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."*

*"To succeed in protecting the oceans, coasts and Great Lakes, the U.S. 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."*



OPTF

June 12, 2009

Memo Established an Interagency Ocean Policy Task Force (OPTF)


Chaired by the White House Council on Environmental Quality

Members are Senior Policy-Level Officials from across the Federal Government  
– 24 Agencies and Departments


Terminates once Duties Completed

NEED FOR A NATIONAL OCEAN POLICY:

Pew and USCOP Recommendations



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



### Ocean Policy Task Force (OPTF) Responsibilities

- **Within 90 Days Develop Recommendations For:**
  - A National Policy
  - A United States Framework for Policy Coordination
  - An Implementation Strategy
- **Within 180 Days Develop:**
  - A Recommended Framework for Effective Coastal and Marine Spatial Planning (CMSP)

OPTF

The President's Memo outlined 4 tasks for the OPTF

Within 90 Days:

National Policy

- Ensure protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources
- Enhance sustainability of ocean and coastal economies
- Preserve maritime heritage
- Provide for adaptive management (linked to climate change)
- Coordinated with national security and foreign policy

United States Framework for Policy Coordination

- Ensure integration and coordination across jurisdictional lines in meeting objectives of the national policy

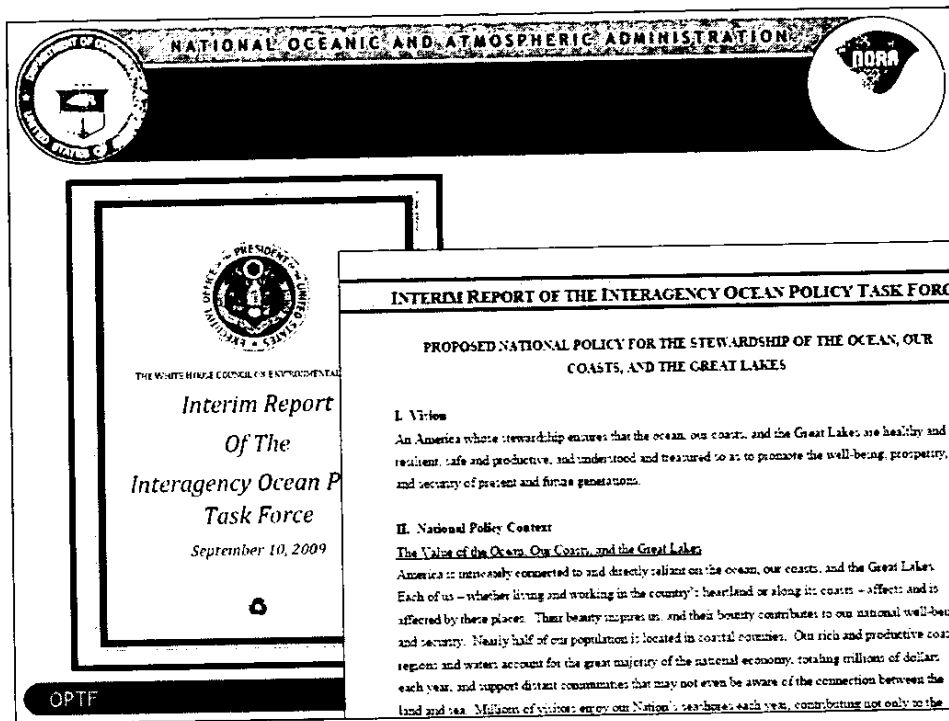
Implementation Strategy

- Identify and prioritize a set of objectives to meet the objectives of the national policy

Within 180 Days:

Framework for Effective Coastal and Marine Spatial Planning

- Comprehensive
- Integrated
- Ecosystem-Based
- Addresses: Conservation, Economic Activity, User Conflict, and Sustainable use of Ocean, Coastal, and Great Lakes Resources




The Vision Statement sets the tone of the Proposed National Ocean Policy – what we would like to see in the future:

The Policies for USG action follow the Vision statement and are made in "categories" of :


- Healthy and Resilient
- Safe and Productive
- Understood and Treasured

9 Principles for USG management decisions and actions affecting the oceans, coasts and GL's  
Principles of the National Policy

- Guided by Stewardship
- Ecosystem-based Management
- Manages and Balances Current and Future Uses
- Supports Disciplinary/Interdisciplinary Science, Research, Monitoring, Modeling, Forecasting, Exploration, and Assessment for Continual Improvement of Understanding
- Develops Improved Awareness of Changing Environmental Conditions
- Enhances Formal and Informal Education
- Demonstrates International Leadership
- Includes Measureable Benchmarks Supporting Stewardship
- Policies, Programs, and Activities Assessed and Conducted within Integrated and Comprehensive Interagency Planning Framework



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



- CEQ and OSTP would lead an interagency National Ocean Council to coordinate ocean-related issues across the Federal Government and to implement the National Ocean Policy
- Creation of a Governance Advisory Committee of the National Ocean Council to improve coordination and collaboration with State, tribal, and local authorities, and regional governance structures

OPTF

The Task Force reviewed the existing coordination framework. Numerous parties from both within and outside the structure strongly suggested that the existing Committee on Ocean Policy (COP) design could be improved.

Key themes for improvement included:

The need for a strong, clear, overarching policy mandate and the setting of national ocean priorities;

The need for high-level direction and policy guidance from a clearly designated and identifiable authority;



The need for more consistent and sustained senior-level participation and attention on ocean-related issues from all member agencies and departments;

The advantages of stronger linkages between management and science;

The need for an improved, clear structure for ongoing and active engagement with State, tribal, and local authorities, and regional governance structures to address relevant issues; and

The need for improved coordination with other Executive branch policy committees.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

**How we do business:**

1. *Ecosystem-Based Management \**
2. *Coastal and Marine Spatial Planning \**
3. *Inform Decisions and Improve Understanding*
4. *Coordinate and Support*

**Areas of Special Emphasis:**

1. *Resiliency and Adaptation to Climate Change and Ocean Acidification \**
2. *Regional Ecosystem Protection and Restoration \**
3. *Water Quality and Sustainable Practices on Land*
4. *Changing Conditions in the Arctic*
5. *Ocean, Coastal, and Great Lakes Observations and Infrastructure \**

[ ]

CPTF

For each priority objective, the National Ocean Council would be responsible for, and oversee development of, a strategic action plan within six to twelve months from its establishment.

Each plan would:

- Identify specific and measurable near-term, mid-term, and long-term actions, with appropriate milestones, performance measures, and outcomes to fulfill each objective;
- 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;
- Explicitly identify key lead and participating agencies;
- Identify gaps and needs in science and technology; and
- Identify potential resource requirements and efficiencies; and steps for integrating or coordinating current and out-year budgets.

**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 through formal and informal programs the public 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.

**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.

**4. 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.

**5. Ocean, Coastal, and Great Lakes Observations and Infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, and data collection platforms into a national system and integrate that system into international observation efforts.



THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY

*Interim Framework for  
Effective Coastal and Marine  
Spatial Planning*

*Interagency Ocean Policy Task  
Force*

*December 9, 2009*

OPTF



**Definition of CMSP:**

*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.*

**The CMSP Process:**

*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.*

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**Outlines 7 national goals for CMSP that link back to the National Ocean Policy goals with a focus on:**

- Promoting compatibility among uses and reducing user conflicts
- Streamlining and improving the rigor and consistency of decision-making and regulatory processes
- Increasing certainty and predictability in planning

**Lists 12 Guiding Principles for CMSP that include:**

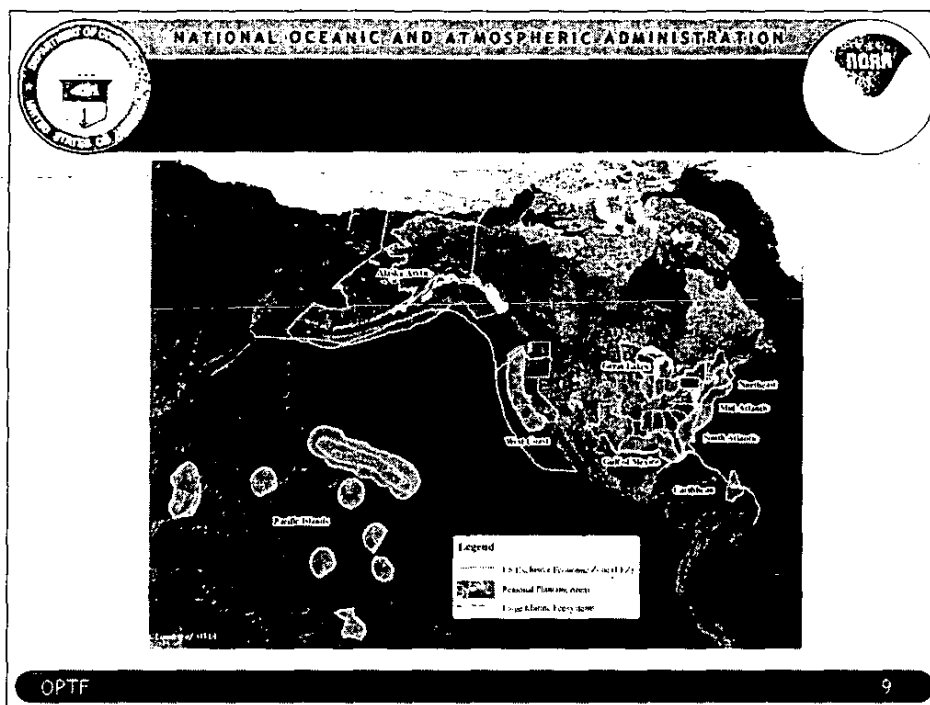
- Ecosystem-based management
- Stakeholder and public engagement
- Informed by best available science
- Precautionary approach
- Flexibility to accommodate changing conditions (environment, science, policy, technology)

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This is the abridged version of the report – I have highlighted a few key things here but please refer to the Framework for all 7 goals and 12 principles.

You will see that this links back to the National Ocean Policy goals and Principles. I have highlighted a few key concepts here that weren't in that document because they are specific to CMSP– compatibility, streamlining, certainty and predictability

Of the 12 CMSP principles, those that are not seen specifically in the National Ocean Policy are, public engagement, and flexibility



The Framework establishes 9 regional planning bodies (RPBs)  
 Ak/Arctic, Caribbean, Great Lakes, Gulf of Mexico, Mid-Atlantic, North East  
 Pacific Islands, S. Atlantic, West Coast

As this map demonstrates, the planning areas sync up with not only with the Large Marine Ecosystems but with the existing regional governance organizations (where they exist).

NOTE: needed coordination between NROC and MARCO as share LME, as well as involvement of Canada as opportunity to learn from their CMSP work and coordinate efforts within shared GOM ecosystem.

RPBs would be overseen by the NOC. – flexibility for coordination and participation of states outside of RPBs.

**Geographic Scope of the Planning Area:**

Includes the territorial sea, EEZ, and the Continental Shelf and would extend landward to the mean high-water line (with the exception of states that have private ownership to Mean Low Water).

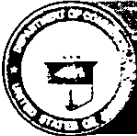
Includes inland bays and estuaries in both coastal and Great Lakes settings.

Does not expressly include upland areas unless a planning body determines to include them.


Land-based watershed planning efforts should inform and influence CMSP.

Upland areas would not be included in the plans, however successful implementation of CMSP would depend upon a better integration of coastal planning that considers influences from, and activities within, coastal watersheds and other contributing land areas.

Mean High water to the extent of the EEZ – with the exception of states that have private ownership to Mean Low Water.



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



**Authority for Coastal and Marine Spatial Planning:**

- Existing federal and state statutes authorize agency planning efforts and provide a legal basis to implement CMS plans within these authorities.

**Development Agreement:**

- An express commitment signed by agencies to work cooperatively to engage in CMSP and develop CMS plans.

**Adherence and Compliance:**

- Signatories would be expected to adhere to CMS plans within the limits of their statutory and regulatory authorities. If an agency deviates from the plan, it would need to provide advance notice and justification.

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The Legal Subgroup made the determination that we do have authority to plan and implement within our existing authorities

NOTE discussions on CZMA - using it as a foundation to build off of and to strengthen it.

NOTE: NOC will be looking to regions to assist with identifying regionally specific authorities and plans that need to be considered in development of CMS Plan.

Agencies must commit to the process and sign a development agreement – they are expected to execute the CMS plans within their existing statutory authorities.

NOTE: Specific role of important constituencies like FMCs still needs to be determined, although agreement that non-government groups like this need to be fully engaged.




### Essential Elements of the CMSP Process:


- Identify Regional Objectives
- Identify Existing Efforts that Should Help Shape the Plan throughout the Process
- Engage Stakeholders and the Public at Key Points throughout Process
- Consult Scientists and Other Experts
- Analyze Data, Uses, Services, and Impacts
- Develop and Evaluate Alternative Future Use Scenarios and Tradeoffs
- Prepare and Release a Draft CMS Plan with Supporting Environmental Impact Analysis Documentation for Public Comment
- Create a Final CMS Plan and Submit for National Ocean Council (NOC) Review
- Implement, Monitor, Evaluate, and Modify the NOC-certified CMS Plan

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NOTE: Will be critical role for partners in identifying efforts that should help shape plan, and in analyzing data, uses, services and impacts.



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**Scientific Knowledge & Data Integration, Research, Management and Access:**

- Acknowledges that CMSP is fundamentally science-based and that existing scientific data and knowledge must be supplemented by additional research.
- Calls for mechanisms to identify priority research needs.
- Directs development of a national information management system with a central or regional portals to connect CMSP information.
- Nationally consistent derived data products to be developed to provide a consistent framework for regional assessments.

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Key Point from NOAA's perspective - The underpinning of the Policy and the Framework is science.

We have data and information , but not all of it is accessible or in a useable format for CMSP and additional research is needed

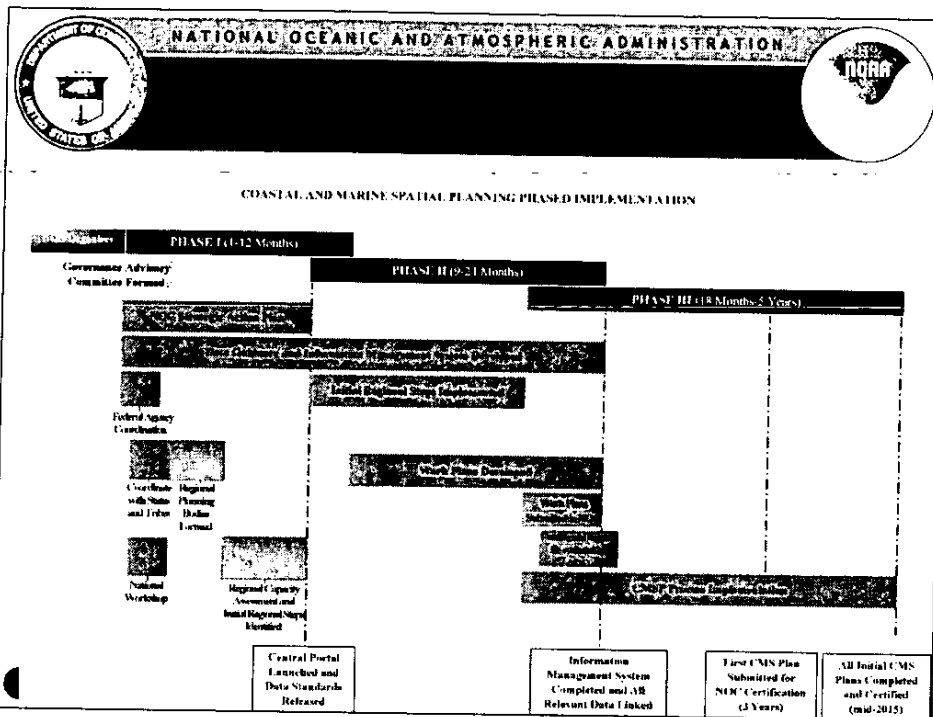
Need to work with our partners in government, academia and NGOs

Need to identify priorities for research

Includes development of a national and regional information systems and data portals to assist with CMSP.

Ensures nationally consistent derived data products.

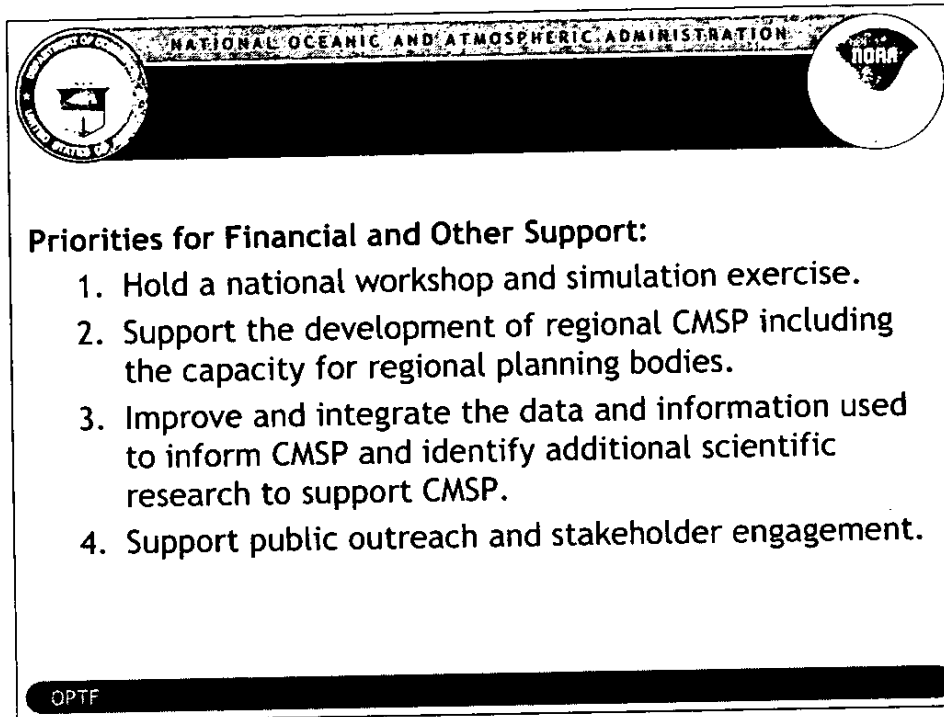
NOTE: Am aware that Northeast partners are particularly interested in designing regional data portal., and also have a lot of experience with decision support tools through the state ocean planning efforts. We encourage this kind of proactive collaboration, and want to continue to keep track of your plans to ensure they align with national role.



3 Phases – Has flexibility and time built in for regional accommodations – not all RPBs will have the same level of organization and be on the same schedule.

### PHASES

1. Foundation to implement on a national scale
2. Building capacity, testing elements of the process
3. Build out and scale up efforts for implementation



The Framework does not expressly identify new funds for implementation.

It does however, list priorities for financial and other support .

Outlines that agencies should re-evaluate how resources are allocated and consider additional resource needs through the budget prioritization process.

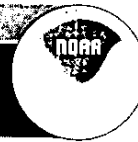
FY2011 President's Budget:

NOAA's budget does request \$20M for regional ocean partnership competitive grants – to advance effective ocean management through regional ocean governance including CMSP – references the OPTF Interim Report and CMSP Framework

Does request \$6.8M increase for NOAA's CMSP capabilities to support CMSP.



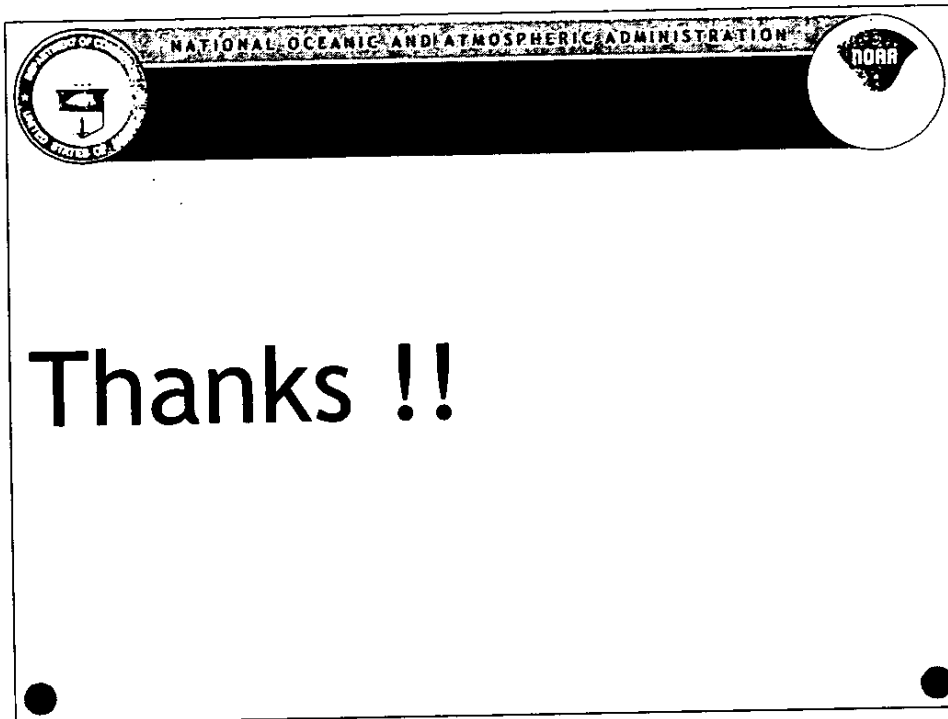
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



- 60 Day Public Comment Period on CMSP Framework Closed February 12, 2010  
[www.whitehouse.gov/oceans](http://www.whitehouse.gov/oceans)
- Finalize Reports and Submit to President in Early 2010
- Presidential Action (?)

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15





NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release

June 12, 2009

June 12, 2009

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

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NOAA

- **Public Engagement Process**
  - 38 Expert Roundtables
    - Stakeholders and Interest Groups
    - State, Local, and Tribal Governments
  - 6 Regional Public Meetings
    - Anchorage, Alaska - August 21
    - San Francisco, California - September 17
    - Providence, Rhode Island - September 24
    - Honolulu, Hawaii - September 29
    - New Orleans, Louisiana - October 19
    - Cleveland, Ohio - October 29
  - 30 & 60 day public comment periods




OPTF

The OPTF has had a robust public engagement process –

The input we received from stakeholders and coastal states, tribes and local governments has been invaluable in helping to craft a policy and CMSP framework that would work to meet our objectives.

Many of you in this room provided direct input to the Working Committee and the Task Force which helped shape the Interim Report and Framework.

As the comment period just closed for the Framework, we are again using the comments received to make the best possible set of recommendations.



THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY

*Interim Framework for  
Effective Coastal and Marine  
Spatial Planning*

*Interagency Ocean Policy Task  
Force*

*December 9, 2009*



# INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

<b>THE FRAMEWORK FOR COASTAL AND MARINE SPATIAL PLANNING</b> .....	1
<b>I. Introduction</b> .....	1
<b>II. What is Coastal and Marine Spatial Planning?</b> .....	1
<b>III. Why Coastal and Marine Spatial Planning?</b> .....	1
<i>The Benefits of CMSP</i> .....	3
<i>Example of the Potential Benefits of CMSP: Stellwagen Bank National Marine Sanctuary</i> .....	4
<b>IV. Integration, Cooperation, and Coordination</b> .....	5
<b>V. The Authority for Coastal and Marine Spatial Planning</b> .....	6
<b>VI. The National Goals of Coastal and Marine Spatial Planning</b> .....	7
<b>VII. The National Guiding Principles for Coastal and Marine Spatial Planning</b> .....	7
<b>VIII. Geographic Scope of Coastal and Marine Spatial Planning</b> .....	8
<i>The Great Lakes and CMSP</i> .....	9
<i>Land-based Activities and Their Relation to CMSP</i> .....	9
<b>IX. Development and Implementation of Coastal and Marine Spatial Planning</b> .....	10
<i>Regional Planning Body</i> .....	11
<i>CMSP Development Agreement</i> .....	12
<i>Dispute Resolution Process</i> .....	13
<i>Work Plan</i> .....	13
<i>Essential Elements of the CMSP Process</i> .....	13
<i>Essential Elements of the CMS Plan</i> .....	17
<b>X. The Nature of the Planning Process and National Ocean Council-Certified Coastal and Marine Spatial Plans</b> .....	19
<i>Relationship of CMSP to Existing Plans and Projects</i> .....	20
<b>XI. National Consistency</b> .....	20
<i>Certification by the NOC for National Consistency</i> .....	20
<i>National CMSP Objectives, Performance Measures, and Guidance</i> .....	21
<b>XII. Consistency with International Law</b> .....	22
<b>XIII. Adherence to and Compliance with National Ocean Council-Certified Coastal and Marine Spatial Plans</b> .....	22
<b>XIV. Scientific Knowledge and Data Integration, Research, Management, and Access</b> .....	23
<b>XV. Implementation</b> .....	25
<i>Phase I (1-12 months)</i> .....	26
<i>Develop NOC Internal Organization and Begin Strategic Action Plan (Months 1-9)</i> .....	26
<i>Convene and Organize Federal Agency Representatives in the Regions (Months 1-2)</i> .....	28

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

<i>Develop Model Agreement (Months 1-3)</i> .....	28
<i>Organize and Convene a National Workshop(s) and CMSP Simulation Exercise (Months 2-4)</i> .....	28
<i>Determine Composition of and Establish Regional Planning Bodies (Months 4-6)</i> .....	29
<i>Capacity Assessment and Identification of Initial Regional Steps (Months 6-12)</i> .....	29
<b>Phase II (9-24 months)</b> .....	29
<i>Initial Regional Steps (Months 9-18) and Work Plan Development (Months 12-24)</i> .....	29
<i>Initiate Public and Stakeholder Involvement (Months 9-18)</i> .....	30
<i>Work Plan Submittal and Planning Process Preparation (Months 18-24)</i> .....	30
<b>Phase III (18 months to 5 years)</b> .....	30
<i>Develop and Carry Out CMSP Process and Provide Feedback from Initial Regional Steps (Months 18 and beyond)</i> .....	30
<b>XVI. Priorities for Financial and Other Support</b> .....	<b>31</b>

## THE FRAMEWORK FOR COASTAL AND MARINE SPATIAL PLANNING<sup>1</sup>

### I. Introduction

Coastal and marine spatial planning (CMSP) is one of the nine priority objectives proposed in the Interim Report of the Interagency Ocean Policy Task Force (Task Force) of September 10, 2009 (Interim Report). This framework for CMSP in the United States provides a definition of CMSP, identifies the reasons for engaging in CMSP, and describes its geographic scope. It articulates national CMSP goals and guiding principles that would be adhered to in CMSP efforts and the eventual development and implementation of coastal and marine spatial plans (CMS Plans). In addition, this framework describes how CMSP and CMS Plans would be regional in scope and developed cooperatively among Federal, State, tribal, local authorities, and regional governance structures, with substantial stakeholder and public input.

### II. What is Coastal and Marine Spatial Planning?

CMSP is 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. CMSP 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. 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.

### III. Why Coastal and Marine Spatial Planning?

The Nation's interests in the ocean, our coasts, and the Great Lakes support a growing number of significant and often competing uses and activities, including commercial, recreational, cultural, energy, scientific, conservation, and homeland and national security activities. Combined, these activities profoundly influence and benefit coastal, regional, and national economies and cultures. However, human uses of the ocean, coasts, and Great Lakes are expanding at a rate that challenges our ability to plan and manage them under the current sector-by-sector approach. While many existing permitting processes include aspects of cross-sectoral planning (through, for example, the process governed by the National Environmental Policy Act), most focus solely on a limited range of management tools and outcomes (e.g., oil and gas leases, fishery management plans, and marine protected areas). Missing from this picture is a more integrated, comprehensive, ecosystem-based, flexible, and proactive approach to

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<sup>1</sup> Nothing in this document is intended to create private rights of action or other enforceable individual legal rights.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

planning and managing these uses and activities. This new approach would be national in scope to address national interests, but also scalable and specific to regional and local needs. Without such an improved approach, we risk an increase in user conflicts, continued planning and regulatory inefficiencies with their associated costs and delays, and the potential loss of critical economic, ecosystem, social, and cultural services for present and future generations.

Recent scientific and ocean policy assessments have demonstrated that a fundamental change in our current management system is required to achieve the long-term health of our ocean, coasts, and Great Lakes in order to sustain the services and benefits they provide to society. The present way we manage these areas cannot properly account for cumulative effects, sustain multiple ecosystem services, and holistically and explicitly evaluate the tradeoffs associated with proposed alternative human uses.

Scientific understanding and information are central to achieving an integrated and transparent planning process. Natural and social sciences can inform decisions about how to achieve societal objectives from the Nation's coastal, ocean, and Great Lakes waters, both now and into the future, while maintaining ecosystem integrity. Built on this foundation of sound science, this new system for planning should facilitate maintenance of essential ecosystem services, encourage compatible uses, minimize conflicts, evaluate tradeoffs in an open and transparent manner, and include significant and meaningful stakeholder involvement.

### *Traditional, New, and Expanding Ocean, Coastal, And Great Lakes Uses*

*The ocean, our coasts, and the Great Lakes are home to and support myriad important human uses. CMSP provides an effective process to better manage a range of social, economic, and cultural uses, including:*

- Aquaculture (fish, shellfish, and seaweed farming)
- Commerce and Transportation (e.g. cargo and cruise ships, tankers, and ferries)
- Commercial Fishing
- Environmental/Conservation (e.g., marine sanctuaries, reserves, national parks, and wildlife refuges)
- Maritime Heritage and Archeology
- Mining (e.g., sand and gravel)
- Oil and Gas Exploration and Development
- Ports and Harbors
- Recreational Fishing
- Renewable Energy (e.g., wind, wave, tidal, current, and thermal)
- Other Recreation (e.g., boating, beach access, swimming, nature and whale watching, and diving)
- Scientific Research and Exploration
- Security, Emergency Response, and Military Readiness Activities
- Tourism
- Traditional Hunting, Fishing, and Gathering

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

**CMSP can facilitate sustainable economic growth. For instance:**

***In the Netherlands***

A "preferred sand mining area" has been identified within its territorial sea. This use allocation through marine spatial planning will allow sand extraction closer to shore at less cost to both the private sector and the government, especially in the next 20 years when it is used for coastal adaptation to anticipated climate change.

***In Germany***

An environmental assessment for a wind farm permit costs about €1 million (US\$1.5 million) to prepare. Because the federal government has already prepared a Strategic Environmental Assessment for its marine spatial plan that includes priority areas for wind farms, costs of preparing and reviewing an environmental assessment for every permit proposed in a "Priority Wind Farm Area" will be reduced or avoided.

*Examples Courtesy of Dr. Charles Ehler, UNESCO*

### *The Benefits of CMSP*

As proposed in this framework, CMSP is intended to yield substantial economic, ecological, and social benefits. To do so, it must fully incorporate the principles of sound science for ecosystem-based and adaptive management, be transparent, and be informed by stakeholders and the public. Many have raised concerns regarding whether CMSP would result in additional layers of regulatory review or delays in decision-making. To the contrary, CMSP is intended to build upon and significantly improve existing Federal, State, tribal, local, and regional decision-making and planning processes. Thus, while the development of CMSP would require significant initial investments of both human and financial resources, these investments are expected to result in substantial benefits. Several States, regions, and other nations have already recognized the many advantages of marine spatial planning, undertaken the planning process, and are

eager to take positive steps to realize those advantages.

CMSP is intended to facilitate sustainable economic growth in coastal communities by providing transparency and predictability for economic investments in coastal, marine, and Great Lakes industries, transportation, public infrastructure, and related businesses. CMSP could promote national objectives such as enhanced national energy security and trade and provide specific economic incentives (e.g., cost savings and more predictable and faster project implementation) for commercial users.

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. Enhanced ecosystem services and benefits can be attained through CMSP because they are centrally incorporated into the CMS Plan as

**CMSP allows forward planning to integrate a wide range of ecosystem services. For instance:**

*Provisioning*  
Energy, Seafood, Biomedical

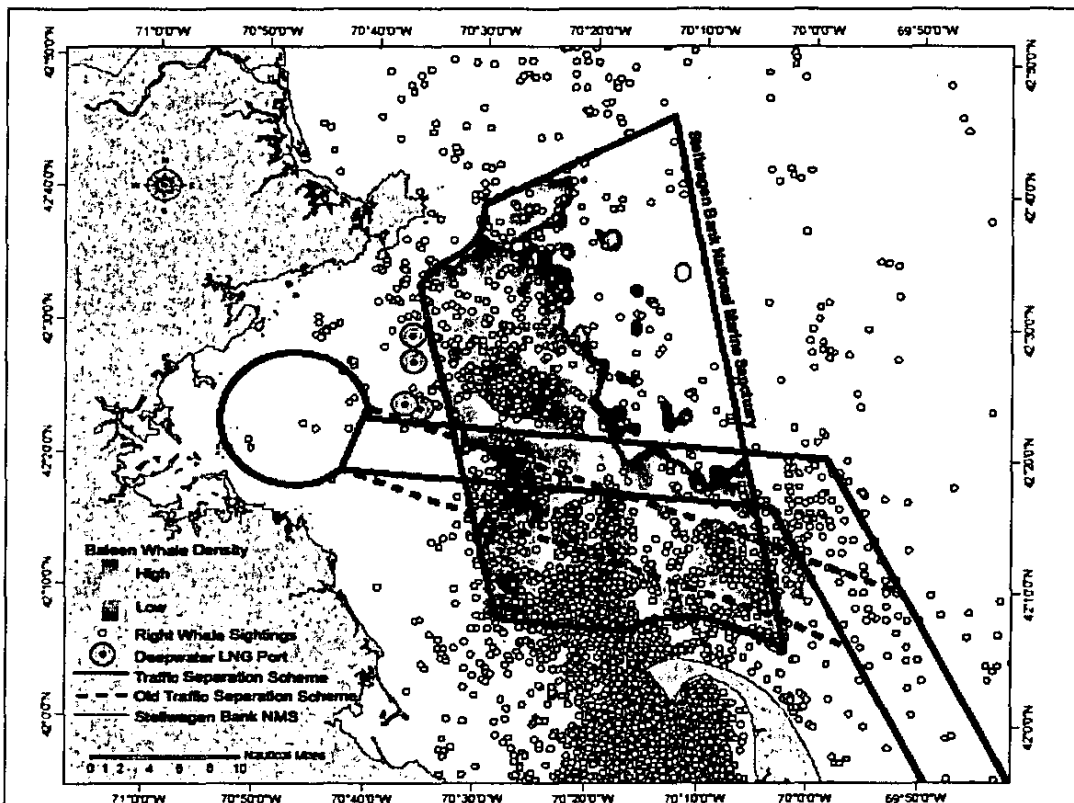
*Regulating and Supporting*  
Flood Prevention, Biodiversity Maintenance, Climate Regulation, Erosion Control, Control of Pests and Pathogens, Nutrient Recycling, and Primary Production

*Cultural Services*  
Education, Recreational, Heritage, and Spiritual

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

desired outcomes of the process and not just evaluated in the context of individual Federal or State agency action. CMSP allows for a comprehensive look at multiple sector demands which would provide a more complete evaluation of cumulative effects. This ultimately is intended to result in protection of areas that are essential for the resiliency and maintenance of healthy ecosystem services and biodiversity, and to maximize the ability of marine resources to continue to support a wide variety of human uses.

### *Example of the Potential Benefits of CMSP: Stellwagen Bank National Marine Sanctuary*



Comprehensive planning enabled the National Oceanic and Atmospheric Administration (NOAA), United States Coast Guard, and several other government agencies and stakeholders to examine shipping needs, proposed deepwater liquefied natural gas port locations, and endangered whale distribution in a successful effort to reconfigure the Boston Traffic Separation Scheme (TSS) to reduce the risk of whale mortality due to collisions with ships in the Stellwagen Bank National Marine Sanctuary. The reconfigured TSS reduced risk of collision by an estimated 81% for all baleen whales and 58% for endangered right whales. Industry TSS transit times increased by only 9 – 22 minutes (depending on speed) and conflict with deepwater ports was eliminated. In addition, the new route decreased the overlap between ships using the TSS, commercial fishing vessels, and whale watch vessels, thereby increasing maritime safety. CMSP has the significant potential of applying this integrated, multi-objective, multi-sector approach on a broader, sustained scale.

*Diagram Courtesy of NOAA/Stellwagen Bank National Marine Sanctuary*

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

From a societal perspective, CMSP would improve opportunities for community and citizen participation in open planning processes that would determine the future of the ocean, coasts, and Great Lakes. This integrated engagement and coordination should result in stronger and more diverse ocean, coastal, and Great Lakes stewardship, economies, and communities. Moreover, CMSP can assist managers in planning activities to sustain cultural and recreational uses, human health and safety, and the continued security of the United States. For example, CMSP would help to ensure that planning areas identified as important for public use and recreation are not subject to increased risk of harmful algal blooms, infectious disease agents, or chemical pollution.

#### IV. Integration, Cooperation, and Coordination

Strong partnerships among Federal, State, tribal, and local authorities, and regional governance structures would be essential to a truly forward-looking, comprehensive CMSP effort. One of the significant benefits of CMSP is to improve the ability of these authorities to seamlessly coordinate their objectives with broader planning efforts by participating in the CMSP process for areas within and beyond their jurisdictional waters. Many States and regional governance structures have already engaged in some form of comprehensive marine planning and CMSP would build upon and incorporate these efforts. Also, the United States has a unique legal relationship with federally-recognized American Indian and Alaska Native tribal governments. These tribal governments, and the indigenous populations in Hawaii and the United States Commonwealths and Territories, are integrally linked to the maritime realm and would play an important role in CMSP.

The United States shares maritime and Great Lakes boundaries with a number of countries and has the world's largest Exclusive Economic Zone (EEZ)

**The ability for States and tribes to participate in the CMSP process for areas within and beyond their respective jurisdictions can afford the following potential opportunities and incentives:**

- Define local and regional objectives and develop and implement CMSP in a way that is meaningful to regionally specific concerns;
- Leverage, strengthen, and magnify local planning objectives through integration with regional and national planning efforts;
- Proactively address concerns over proposed activities impacting State and tribal interests and minimize use conflicts before they escalate;
- Leverage support from the Federal government to build CMSP capacity, access CMSP data; and acquire scientific, technical, and financial assistance;
- Access data through CMSP Portal(s) and utilize science tools developed, established, and maintained for CMSP efforts;
- Encourage and inform the Federal government to better manage resources or address processes that transcend jurisdictional boundaries;
- Benefit from sustained Federal participation on the regional planning bodies that consists of representatives empowered to make binding and authoritative decisions on behalf of their respective agencies, in turn helping to integrate and improve decision-making;
- Provide a clearer and easier point of access for all Federal agencies with regard to ocean, coastal, and Great Lakes issues; and
- Achieve regulatory efficiencies, less administrative delay, and cost savings.

and an extensive Continental Shelf. The development of CMSP provides opportunities for engagement with other countries, in coordination with the Department of State and other relevant agencies. The views and decisions of relevant international fora should be taken into account where appropriate in CMSP and the development of CMS Plans. Similarly, as the United States is a leader in various international fora that deal with marine issues, the United States should introduce relevant aspects of CMSP for consideration by such bodies.

### **V. The Authority for Coastal and Marine Spatial Planning**

Federal statutes often include authorizing language that explicitly gives agencies the responsibility to plan and implement the objectives of the statutes. Moreover, several Federal statutes specifically authorize agency planning with respect to the ocean, coastal, and Great Lakes environments. Federal agencies and departments also administer a range of statutes and authorized programs that provide a legal basis to implement CMSP. These statutory and regulatory authorities may govern the process for making decisions (e.g., through Administrative Procedure Act rulemaking and adjudications) and not just the ultimate decisions made. The processes and decision-making CMSP envisions would be carried out consistent with and under the authority of these statutes. State, tribal, and local authorities also have a range of existing authorities to implement CMSP, although this will vary among and within regions. This framework for CMSP is to provide all agencies with agreed upon principles and goals to guide their actions under these authorities, and to develop mechanisms so that Federal, State, tribal, and local, authorities, and regional governance structures can proactively and cooperatively work together to exercise their respective authorities.

An agency or department's capacity to internalize the elements of any particular CMS Plan would vary depending on the nature of applicable statutes. CMSP is intended to provide a better framework for application of these existing laws and agency authorities, but is not intended to supersede them. Where pre-existing legal constraints, either procedural or substantive, are identified for any Federal agency, the National Ocean Council (NOC), described in the Interim Report, would work with the agency to evaluate whether a legislative solution or changes to regulations are necessary and appropriate. In the interim, agencies would comply with existing legal requirements but should endeavor, to the maximum extent possible, to integrate their actions with those of other partners to a CMS Plan.

### VI. The National Goals of Coastal and Marine Spatial Planning

For CMSP to be successful, it must be based on clear, broad-based goals that define the desired outcomes to be achieved. CMSP in the United States would be developed and implemented to further the following goals:

1. Support sustainable, safe, secure, efficient, and productive uses of the ocean, our coasts, and the Great Lakes, including those that contribute to the economy, commerce, recreation, conservation, homeland and national security, human health, safety, and welfare;
2. Protect, maintain, and restore the Nation's ocean, coastal, and Great Lakes resources and ensure resilient ecosystems and their ability to provide sustained delivery of ecosystem services;
3. Provide for and maintain public access to the ocean, coasts, and Great Lakes;
4. Promote compatibility among uses and reduce user conflicts and environmental impacts;
5. Streamline and improve the rigor, coherence, and consistency of decision-making and regulatory processes;
6. Increase certainty and predictability in planning for and implementing new investments for ocean, coastal, and Great Lakes uses; and
7. Enhance interagency, intergovernmental, and international communication and collaboration.

### VII. The National Guiding Principles for Coastal and Marine Spatial Planning

In order to achieve the national goals of CMSP, planning efforts are to be guided by the following principles:

1. CMSP would use an ecosystem-based management approach that addresses cumulative effects to ensure the protection, integrity, maintenance, resilience, and restoration of ocean, coastal, and Great Lakes ecosystems, while promoting multiple sustainable uses.
2. Multiple existing uses (e.g., commercial fishing, recreational fishing and boating, marine transportation, sand and gravel mining, and oil and gas operations) and emerging uses (e.g., off-shore renewable energy and aquaculture) 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.
3. CMSP development and implementation would ensure frequent and transparent broad-based, inclusive engagement of partners, the public, and stakeholders, including with those most impacted (or potentially impacted) by the planning process and with underserved communities.

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## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

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4. CMSP would take into account and build upon the existing marine spatial planning efforts at the regional, State, tribal, and local level.
5. CMS Plans and the standards and methods used to evaluate alternatives, tradeoffs, cumulative effects, and sustainable uses in the planning process would be based on clearly stated objectives.
6. Development, implementation, and evaluation of CMS Plans would be informed by the best available science-based information, including the natural and social sciences.
7. CMSP would be guided by the precautionary approach as defined in Principle 15 of the Rio Declaration, "Where 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."
8. CMSP would be adaptive and flexible to accommodate changing environmental conditions and impacts, including those associated with global climate change, sea-level rise, and ocean acidification, and new and emerging uses, advances in science and technology, and policy changes.
9. CMSP objectives and progress toward those objectives would be evaluated in a regular and systematic manner and adapted to ensure that the desired environmental, economic, and societal outcomes are achieved.
10. The development of CMS Plans would be coordinated and compatible with homeland and national security interests, energy needs, foreign policy interests, emergency response and preparedness plans and frameworks, and other national strategies, including the flexibility to meet current and future needs.
11. CMS Plans would be implemented in accordance with customary international law, including as reflected in the 1982 Law of the Sea Convention, and with treaties and other international agreements to which the United States is a party.
12. CMS Plans would be implemented in accordance with applicable Federal and State laws, regulations, and Executive Orders.

### **VIII. Geographic Scope of Coastal and Marine Spatial Planning**

The geographic scope of the planning area for CMSP in the United States includes the territorial sea, EEZ, and the Continental Shelf. The geographic scope of the planning area would extend landward to the mean high-water line. The geographic scope for the Great Lakes would extend from the ordinary high-water mark and include the lakebed, subsoil, and water column to the limit of the United States and Canada international boundary, as maintained by the International Boundary Commission, and includes

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

Lake St. Clair and the connecting channels between lakes. Privately owned submerged lands as defined by law would be excluded from the geographic scope.

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, described in Section IX below, 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. Likewise, consideration should also be given to activities occurring beyond the EEZ that may influence resources or activities within the EEZ.

### *The Great Lakes and CMSP*

Great Lakes resources are governed in part by a body of law, treaties, and regional policy that is distinct from our ocean and other coastal areas. Of paramount significance is the Great Lakes Water Quality Agreement (GLWQA) with Canada and its implementation under various Federal laws that commit each country to restore and maintain the chemical, physical, and biological integrity of the Great Lakes through use of ecosystem-based management and the precautionary approach. However, while Federal regulatory authorities apply in the United States Great Lakes, the submerged lands underlying them is entirely under the jurisdiction and ownership of the Great Lakes States, and there are no waters under exclusive Federal jurisdiction.

CMSP efforts in the Great Lakes would be complementary to and closely coordinated with the GLWQA and other Great Lakes initiatives and authorities, such as the President's Great Lakes Restoration Initiative and Executive Order 13340, which established a cabinet-level Great Lakes Interagency Task Force, its Regional Working Group, and a multi-stakeholder Great Lakes Regional Collaboration.

### *Land-based Activities and Their Relation to CMSP*

Although the geographic scope of the CMSP area in the United States would not include upland areas unless a regional planning body determines to include them, the health and well-being of the Great Lakes, our coasts, and the ocean 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. Thus, successful implementation of

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

CMSP would ultimately depend upon a better integration of coastal planning that considers influences from, and activities within, coastal watersheds and other contributing land areas. Land-based watershed planning efforts (e.g., Great Lakes Restoration Initiative Action Plan) should inform and influence CMSP within each region. Similarly, ocean, coastal, and Great Lakes activities that affect land-based ecosystems should be considered and accounted for during CMSP efforts using the existing State and Federal programs including the Coastal Zone Management Act, Clean Water Act, Clean Air Act, and other relevant authorities. It is the intent of the CMSP process to better understand how current mandates and programs interact towards the common goals of CMSP and, in doing so, to better coordinate and where appropriate, strengthen their collective benefits. In addition, watershed monitoring, terrestrial observation activities, and ocean, coastal, and Great Lakes observation systems should be linked to provide the necessary information on interactions and impacts across the land-sea boundary.

### **IX. Development and Implementation of Coastal and Marine Spatial Planning**

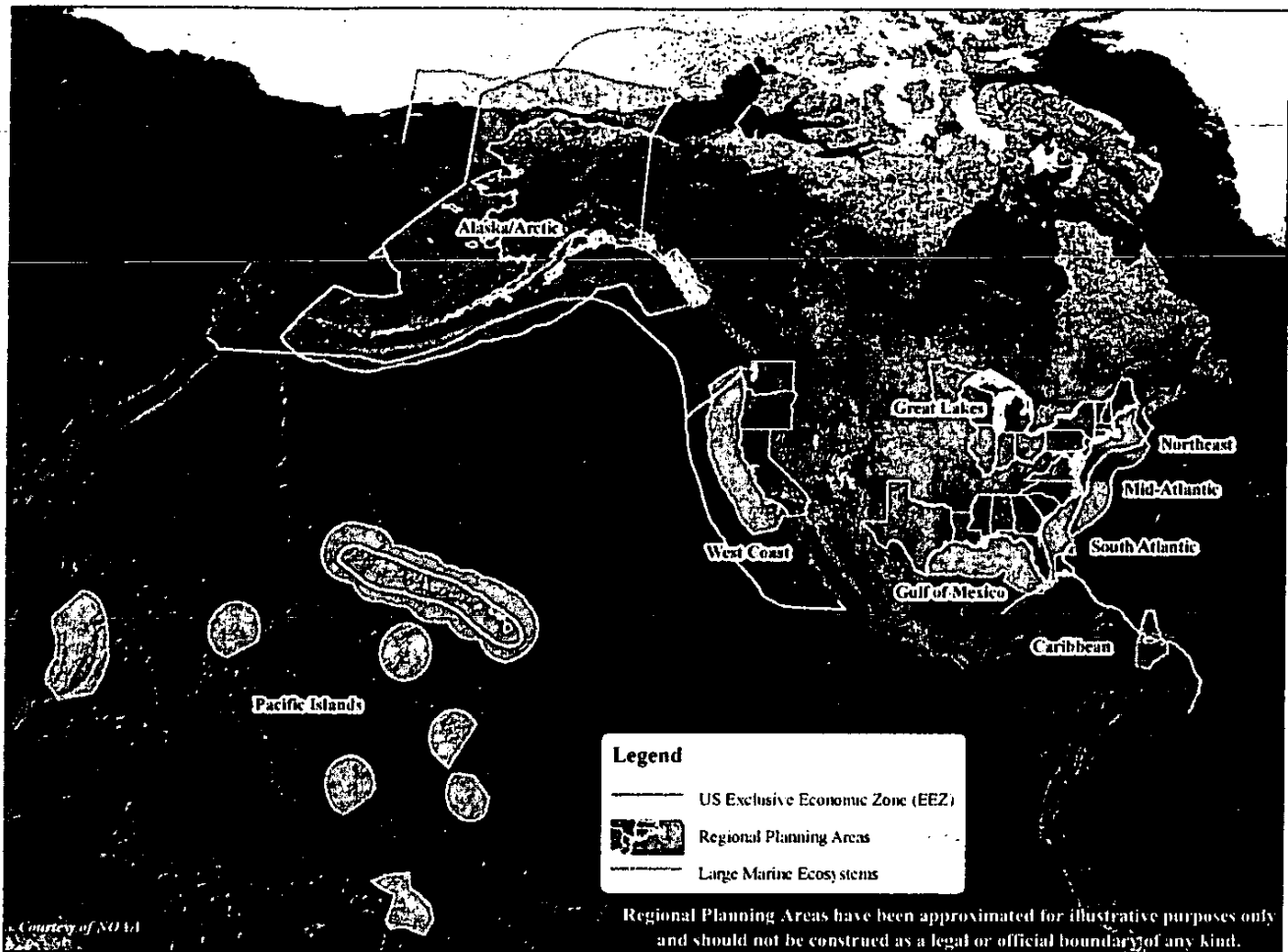
CMSP would be developed and implemented using a regional approach, to allow for the variability of economic, environmental, and social aspects among different areas of the United States. This section describes the regional approach, proposed steps, and the essential elements to be included in the development and implementation of CMSP.

Given the importance of conducting CMSP from an ecosystem-based perspective, combined with the likely involvement of existing regional governance structures in developing plans, a consistent planning scale with which to initiate CMSP is at the large marine ecosystem (LME) scale.<sup>2</sup> These recognized LMEs were defined on the basis of consistent ecological conditions and other factors. Overall, the boundaries of regional governance structures for the Northeast, Mid-Atlantic, South Atlantic, Gulf Coast, West Coast, and Great Lakes lie within LME boundaries. This regional approach, consistent with the LMEs, would also be applied to Alaska, the Pacific Islands,<sup>3</sup> and the Caribbean.

<sup>2</sup> The United States' ocean and coastal waters hold all or parts of eleven LMEs: the West Bering Sea, East Bering Sea, Chukchi Sea, Beaufort Sea, Gulf of Alaska, California Current, Gulf of Mexico, Southeast U.S. Continental Shelf, Northeast U.S. Continental Shelf, Insular Pacific-Hawaiian, and the Caribbean Sea. For representational purposes only, the five Alaskan LMEs are depicted as a single complex in the map on page 11. Although, as a large fresh-water system, the Great Lakes are not usually considered an LME, they do represent a large regional ecosystem of similar scale and are considered as such for this framework. Further detail on LMEs can be found at: <http://www.lme.noaa.gov/>.

<sup>3</sup> Given the geographic breadth and multiple LME's encompassed by the Alaska/Arctic Region, there would be flexibility to develop sub-regional CMS Plans (e.g., Arctic CMS Plan and Gulf of Alaska CMS Plan). Similarly, given the geographic breadth of the proposed Pacific Islands Region and the logistical constraints of coordinating resources across a region that spans the international dateline, the proposed regional planning body would have the flexibility to determine whether the region should be further sub-divided to best reflect regional needs.

Large Marine Ecosystems and Regional Planning Areas



Therefore, for CMSP purposes, the United States would be subdivided into nine regional planning areas based on LMEs with modifications as necessary to ensure inclusion of the entire U.S. EEZ and Continental Shelf, and to allow for incorporation of existing state or regional ocean governance bodies. The NOC would facilitate the development of regional CMS Plans for those areas.

*Regional Planning Body*

The NOC would work with the States<sup>4</sup> and federally-recognized tribes, including Alaska Native Villages, and other indigenous communities (e.g., Native Hawaiians) to create regional planning bodies – coinciding with the regional planning areas – for the development of regional CMS Plans. The

<sup>4</sup> For purposes of this framework, “States” also include Puerto Rico, the U.S. Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

membership of each of the nine regional planning bodies would consist of Federal, State, and tribal authorities, and indigenous community representatives with jurisdictional responsibilities or other interests (e.g., resource management, science, homeland and national security, transportation, and public health) relevant to CMSP for that region. Members would be of an appropriate level of responsibility within their respective governing body to be able to make decisions and commitments throughout the process. Appropriate State and tribal representation would be determined by applicable States and tribes, consistent with the types of representation described by the NOC per Section XV below.

Each regional planning body<sup>5</sup> should make every effort to ensure representation from all States

within a region, ideally through, or as part of, the existing regional governance structures created by the States to address cross-cutting issues, including regional planning. Given that activities that happen outside of the planning area of each regional planning body may affect CMSP decisions in that area, ex officio membership on these bodies could be extended to adjacent coastal States to help integrate and enhance consistency among regions. Inland States may also be afforded ex officio membership as determined appropriate by the regional planning body. It is also recognized that the United States shares maritime boundaries with other nations (e.g., Canada and Mexico) and the regional planning bodies for those respective areas may include ex officio representatives or observers from these nations.

*CMSP Development Agreement*

The members of each regional planning body (the “partners”) would prepare and execute a CMSP Development Agreement, a model of which the NOC would develop as described in Section XV below.

<sup>5</sup> The Task Force based the State membership of the nine regional planning areas in part on the membership of the existing regional governance structures, where they exist, with the following one exception: Pennsylvania was added to the Mid-Atlantic Regional Planning Area, because Pennsylvania has a coastline on the Delaware River that would, under the defined geographic scope, be included in the CMSP regional planning area.

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

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

The Development Agreement would be an express commitment to work cooperatively to engage in CMSP and develop eventual CMS Plans, identify the lead representatives for each of the partners, and define ground rules, roles, and responsibilities of the partners.

### *Dispute Resolution Process*

CMSP development would provide a process for resolving conflicts should members of the regional planning bodies disagree during the development of CMS Plans. The NOC would develop this process, in cooperation with the Governance Advisory Committee (GAC) identified in the Interim Report, to ensure consistency from region to region. This process would be designed in a way to ensure that most disputes would be resolved at the regional level. If a conflict cannot be resolved at the regional level, the regional planning body lead would elevate the issue to the NOC for resolution, via the process outlined in the Interim Report.

### *Work Plan*

Each regional planning body would develop a formal regional work plan that describes the agreed-upon process for CMSP and development of CMS Plans, establishes key milestones, identifies resources, specifies time frames, and addresses the essential elements required for the planning process, defined below. The work plan would allow flexibility to account for the particular circumstances of a given region (e.g., if a region has existing State plans). The NOC would review and approve each regional work plan prior to its implementation.

### *Essential Elements of the CMSP Process*

- ESSENTIAL ELEMENTS OF THE CMSP PROCESS**
- Identify Regional Objectives
  - Identify Existing Efforts that Should Help Shape the Plan throughout the Process
  - Engage Stakeholders and the Public at Key Points throughout Process
  - Consult Scientists and Technical and Other Experts
  - Analyze Data, Uses, Services, and Impacts
  - Develop and Evaluate Alternative Future Use Scenarios and Tradeoffs
  - Prepare and Release a Draft CMS Plan with Supporting Environmental Impact Analysis Documentation for Public Comment
  - Create a Final CMS Plan and Submit for NOC Review
  - Implement, Monitor, Evaluate, and Modify (as needed) the NOC-certified CMS Plan

The CMSP process consists of a series of steps that will eventually lead to the development of a CMS Plan. Although the CMSP process envisions optimum flexibility among and within regions, the

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

following essential elements – and how the partners plan to accomplish them – would need to be addressed in the work plan in order to ensure a level of national consistency across regions. The process would be adaptive and refined as regions gain experience with CMSP.

- **Identify Regional Objectives:** Each region would define and agree upon a set of specific and measurable regional objectives that provide clear direction, outcomes, and timeframes for completion. These regional objectives would be consistent with the national goals and principles identified in this framework and with any national objectives the NOC has articulated for purposes of CMSP. These objectives would serve as a statement of purpose and need for action to guide the planning process and eventual development of an ecosystem-based, comprehensive, integrated CMS Plan.
- **Identify Existing Efforts that Should Help Shape the Plan throughout the Process:** The regional planning body would identify existing efforts (e.g., State ocean plans, data management efforts, and CMSP decision products) that would allow the regional plan to build on existing work. This would enable a more organic and holistic approach that would advance the region as a whole while not duplicating or hindering existing and ongoing efforts. These existing efforts can include those that are region-wide, State focused, or more site-specific marine spatial plans or efforts (e.g., Great Lakes Restoration Initiative Action Plan, Massachusetts Ocean Plan, Rhode Island Ocean Special Area Management Plan, or National Marine Sanctuary management plans), as well as issue-specific plans that seek to incorporate some aspects of CMSP approaches and principles (e.g., ocean energy and fishery management plans), as appropriate.
- **Engage Stakeholders and the Public at Key Points throughout the Process:** The regional planning body would ensure there is frequent and continuous stakeholder engagement throughout all phases of the CMSP process including development, adoption, implementation, evaluation, and adaptation phases. To better ensure all concerns and ideas are considered, stakeholder engagement should be emphasized with those most impacted (or potentially impacted) by the planning process. Special attention should also be given to ensuring inclusion of underserved communities. Regions should consider establishing a stakeholder advisory body (or, if applicable, utilizing an existing body) with a representative balance of major social, cultural, economic, environmental, human health, and security interests. The regional planning body should also identify previous stakeholder input to regional or State CMSP efforts including the existing documentation on their input and needs. Public input would be sought through public hearings, public comment processes, and other appropriate means and be consistent with existing requirements for public notice and input under applicable laws.
- **Consult Scientists and Technical and Other Experts:** The regional planning body would consult scientists, technical experts and those with traditional knowledge of or expertise in coastal and marine

sciences and other relevant disciplines throughout the process to ensure that CMSP is based on sound science and the best available information. Such consultation could take the form of regional private-public technology and science partnerships. In addition, the regional planning bodies should establish or work with existing regional science advisory bodies (RSABs), other technical entities, such as the regional ocean observation organizations, and other organizations with relevant physical, biological, ecological, and social science expertise to provide scientific and technical oversight and support to the planning body throughout the CMS Plan development, implementation, and evaluation phases.

- **Analyze Data, Uses, Services, and Impacts:** With assistance from scientific and technical experts, including the RSAB if established, the regional planning body would investigate, assess, forecast, and analyze the following:
  - important physical and ecological patterns and processes (e.g., basic habitat distributions and critical habitat functions) that occur in the planning area, including their response to changing conditions;
  - the ecological condition and relative ecological importance or values of areas within the planning area, using regionally-developed evaluation and prioritization schemes that are consistent with national guidance provided by the NOC;
  - the relationships and linkages within and among regional ecosystems, including neighboring regions both within and outside the planning area and the impacts of anticipated human uses on those connections;
  - the spatial distribution of, and conflicts and compatibilities among, current and emerging ocean uses in the area;
  - important ecosystem services in the area, and their vulnerability or resilience to the effects of human uses, natural hazards, and global climate change;
  - the contributions of existing place-based management measures and authorities; and
  - future requirements of existing and emerging ocean, coastal, and Great Lakes uses.

This analysis would form the basis of the Regional Assessment described in the Essential Elements of the CMS Plan below. The regional planning body would identify and leverage existing approaches and efforts to collect information as well as clearly identify where there are gaps in data and information and what assumptions are made in the assessments, forecasts, and analyses to 'compensate' for lack of information and data.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

- **Develop and Evaluate Alternative Future Use Scenarios and Tradeoffs:** The regional planning body would identify a range of alternative future use scenarios based upon the information gathered on current, emerging, and proposed human uses, ecosystem conditions, and ecosystem services. Comparative analyses would assess, forecast, and analyze the tradeoffs and cumulative effects and benefits among multiple human use alternatives. The alternatives and the supporting analyses would provide the basis for a draft CMS Plan.
- **Prepare and Release a Draft CMS Plan with Supporting Environmental Impact Analysis Documentation for Public Comment:** Once a draft CMS plan and supporting environmental impact analyses, including alternatives, are completed, the regional planning body would release it for appropriate public review and comment. During development of a CMS Plan and before formal adoption of a final CMS Plan, regional planning bodies would also have the flexibility to move forward with CMSP efforts and agreements to address ongoing issues and regional coordination. It is recognized that these agreements would likely become part of the final CMS Plan. In drafting the CMS Plan, the regional planning body would resolve disputes using the process developed by the NOC, as discussed above in this Section.
- **Create a Final CMS Plan and Submit for NOC Review:** Based on public review of the draft plan and alternatives, the regional planning body would develop the final CMS Plan and environmental impact analysis that includes elements detailed in the following section (Essential Elements of the Plan). The regional planning body would submit the final CMS Plan to the NOC for national consistency certification, as described in Section XI below. The initial CMS Plans are intended to be iterative and are expected to be modified through the adaptive process described below.
- **Implement, Monitor, Evaluate, and Modify (as needed) the NOC-Certified CMS Plan:** The regional planning body would have an ongoing responsibility to monitor and assess the effectiveness of the CMS Plan. The regional planning body would adapt the CMS Plan, as necessary, based on relevant changes in ecological, economic, human health, safety, security, or social conditions and information. During implementation, each region would integrate new data and scientific findings to refine regional objectives and their respective goals. As new technologies are developed to observe and monitor ocean, coastal, and Great Lakes environments and their uses, they would be considered for application in regional CMSP monitoring and evaluation efforts.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

### *Essential Elements of the CMS Plan*

#### **ESSENTIAL ELEMENTS OF THE CMS PLAN**

- **Regional Overview and Scope of Planning Area**
- **Regulatory Context**
- **Regional Assessment**
- **Objectives, Strategies, Methods, and Mechanisms for CMSP**
- **Compliance Mechanisms**
- **Monitoring and Evaluation Mechanisms**
- **Dispute Resolution Process**

CMS Plans are expected to vary from region to region according to the specific needs, capacity, and issues particular to each region. A completed CMS Plan would contain the following essential elements in order to ensure national consistency across regions and certification by the NOC. Scientific data, information and knowledge, as well as relevant traditional knowledge would underpin each of these essential elements.

- **Regional Overview and Scope of Planning Area:** The CMS plan would include a regional overview of the planning area. This overview would include a description of the planning area's ecosystems and their biological, chemical, and physical environments; social, human health, safety, security, and economic uses; ecological and conservation considerations, including important habitats, flora, and fauna; and other concerns of the region. The overview would describe how the CMS Plan relates to and furthers the *National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes* (National Policy), CMPS national goals and principles, any national objectives developed by the NOC, regional objectives, and other relevant national, regional, State, and other policies. The CMS Plan would also define the geographic scope of the planning area.
- **Regulatory Context:** The CMS Plan would describe the statutes, rules, and regulations relevant to implementing CMSP throughout all levels of government. It would also describe, as appropriate, the principal existing planning processes (e.g., Great Lakes Restoration Initiative Action Plan, State marine spatial plans) that may be relied on or incorporated as part of the regional CMS Plan.
- **Regional Assessment:** The CMS Plan would include a regional assessment, based on environmental, social, economic, and other necessary data and knowledge, describing the existing and predicted future conditions, uses, and characteristics of the coastal, ocean, or Great Lakes areas covered in the Plan. The assessment would include relevant biological, chemical, ecological, and physical characteristics of the plan area, ecologically important or sensitive species/habitats/ecosystems, and

areas of human activities, assessments of ecological condition or health and of cumulative risks, as well as forecasts and models of cumulative impacts. The regional assessment would explain the information obtained and analyses conducted during the planning process and how they were used to help determine management decisions and plan alternatives.

- **Objectives, Strategies, Methods, and Mechanisms for CMSP:** This section would describe the regional objectives and proposed strategies, methods, and mechanisms for CMSP for the region. It would provide the analysis, evaluation of options, and the basis for the conclusions made in the CMS Plan. It would describe the spatial determinations for conservation and uses, at the appropriate scale, and include any necessary visual representations. The CMS Plan would describe the strategies, methods, and mechanisms for integrated or coordinated decision-making, including addressing use conflicts. The CMS Plan would further describe the continuing processes by which implementation would proceed, including mechanisms to ensure that individual partner and collaborative decision-making are reviewed for consistency with plan priorities and objectives. The CMS Plan would describe continued opportunities for stakeholder and public engagement. It would provide the flexibility needed to accommodate activities and operations in preparation for and response to disasters, emergencies, and similar incidents. The CMS Plan would also consider a regional process for requesting variances and amendments.
- **Compliance Mechanisms:** The CMS Plan would specify mechanisms to enhance coordination and cooperation among decision-makers and promote consistency in each agency's interpretation and application of its respective existing laws and regulations used for implementation and enforcement of CMS Plans.
- **Monitoring and Evaluation Mechanisms:** The CMS Plan would specify the monitoring and evaluation mechanisms, including a reporting mechanism, to be employed to assess the effectiveness of the CMS Plan and identify where and when changes need to be considered. As part of monitoring and evaluation, regional planning bodies would define a clear set of regional performance measures to be used to assess whether or not the region is meeting national and regional objectives and goals. Additionally, regional planning bodies would participate in the periodic execution of regional ecosystem assessments to evaluate impacts of management actions from economic, ecological, and social perspectives in order to inform the CMS Plan. Monitoring and evaluation will follow from and build upon the original regional assessment, consistent with national guidance provided by the NOC.
- **Dispute Resolution Process:** The Plan would describe how the dispute resolution process developed by the NOC, in coordination with the GAC, would be implemented among the partners.

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## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

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### **X. The Nature of the Planning Process and National Ocean Council-Certified Coastal and Marine Spatial Plans**

CMSP is intended to provide Federal, State, tribal, and regional bodies, stakeholders, and the public with a meaningful forum within which to develop a plan to better manage multiple sustainable uses, resolve conflicts, and support ecosystem-based management of the ocean, coasts, and Great Lakes in accordance with shared goals, guiding principles, and applicable legal authorities. In this way, regional objectives and national objectives, goals, and guiding principles can be considered in a single, comprehensive, and integrated process. In order to be successful, the outcome of CMSP would have to result in meaningful improvements in the way that Federal, State, tribal, local, and regional bodies, stakeholders, and the public participate in the use and conservation of these areas.

While the goal of this framework is to move toward comprehensive, integrated, flexible, proactive, ecosystem-based CMSP, this would not happen instantaneously. CMSP must be initiated and developed thoughtfully, allowing for time to address the myriad complexities and challenges that would undoubtedly arise as the process moves forward. Moreover, while this framework identifies some of the incentives and benefits for a coordinated State, tribal, Federal, and regional effort and envisions a fully coordinated planning process, there would be substantial flexibility to determine how best to develop and implement CMSP for each particular region.

Development and implementation of CMS Plans would be an iterative process. Since each region may have different drivers and capabilities for CMSP, regions may choose to prioritize initial development and implementation steps. While CMSP should help resolve many use conflicts, it is not realistic to expect that all such conflicts would be resolved. Further, partners might agree not to include certain issues in a CMS Plan at a particular time, but rather to acknowledge these issues and indicate how the parties would continue to work on them as part of the iterative CMSP process. Other issues might be included at later times as data gaps are filled, new information is developed, or as State or Federal legal authorities are enacted, changed, or updated.

To ensure that CMSP is effective and has a positive overall impact, each partner participating in CMSP would need to commit in good faith to: (1) a cooperative, open, and transparent CMSP process leading to the development and implementation of CMS Plans, acknowledging that each partner may have different authorities and non-discretionary mission objectives that must be fully addressed; (2) ensuring that consideration of the National Policy, national CMSP goals, objectives, and principles, and regional CMSP objectives are incorporated into the decision-making process of all the partners consistent with existing

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

statutory, regulatory, and other authorities, and the critical needs of emergency response, and homeland and national security activities; and (3) dispute resolution processes that enable concerns and issues not resolved through the cooperative planning process to be resolved quickly, rationally, and fairly.

Signing onto the CMS Plan would be an express commitment by the partners to act in accordance with the plan, within the limits of applicable statutory, regulatory, and other authorities, and respecting critical emergency response and homeland and national security needs. Thus, State and Federal regulatory authorities would adhere to, for example, the processes for improved and more efficient permitting, environmental reviews, and other decision-making identified in the CMS Plan to the extent these actions do not conflict with existing legal obligations. State and Federal authorities with programs relevant to the CMS Plan would review and modify programs as appropriate to ensure their respective activities, including discretionary spending (e.g., grants and cooperative agreements), adhere to the CMS plan to the extent possible. State and Federal agencies would also be expected to formally incorporate relevant components of the CMS Plan into their ongoing operations or activities consistent with existing law. This may be implemented in a variety of ways. For example, agencies could enter into memoranda of understanding (MOUs) to coordinate or unify permit reviews and decision-making processes. Where existing regulatory or statutory requirements impose constraints on the ability of an agency to fully implement the CMS Plan, the agencies should consider whether to seek regulatory or legislative changes to fully implement the CMS Plan.

### *Relationship of CMSP to Existing Plans and Projects*

CMSP is not meant to delay or halt existing or pending plans and projects related to ocean, coastal, and Great Lakes environment or their uses. However, those responsible for making decisions on such plans and projects would be expected to take into account the national CMSP goals and principles, national policies, and any identified national and regional CMSP objectives in future decision-making to the extent possible under existing law. Once a CMS Plan is put into effect following NOC certification, its implementation would be phased in to avoid undue disruption or delay of projects with pending permits or other applications.

## **XI. National Consistency**

### *Certification by the NOC for National Consistency*

The NOC would review each regional CMS Plan to ensure it is consistent with the National Policy, CMSP goals and principles as provided in this framework, any national objectives, performance measures, or guidance the NOC has articulated, as described below, and any other relevant national

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

priorities. The NOC's review would ensure the CMS Plans include all the essential elements described in this framework. The NOC would also consider the CMS Plan's compatibility with adjacent regions regarding issues that cross regional boundaries. The NOC would review and make a decision on certification within six months of receipt of the CMS Plan. Upon certification by the NOC, a decision document adopting the CMS Plan would be co-signed by senior State officials (e.g., Governors), tribal representatives, as appropriate, and senior officials of the Federal agencies represented on the regional planning body. Upon signature by the partners, the CMS Plan would be considered "in effect" and implementation would begin.<sup>6</sup>

### *National CMSP Objectives, Performance Measures, and Guidance*

The NOC would establish national objectives, national outcome-based performance measures, and guidance to promote national consistency in the development and implementation of CMS Plans. Because the intent of CMSP is integration across sectors, the NOC would develop a range of national objectives. These may include: economic, conservation, security, and social objectives. The NOC would also develop national performance measures to measure, monitor, and report on progress towards implementing national CMSP objectives. As specified in the *Essential Elements of the CMSP Process* and the *Essential Elements of the Plan*, regional planning bodies would develop region-specific objectives and associated performance measures, as part of the regional CMSP process. Regional performance measures developed by the regional planning bodies would be used to track improvements towards stated CMS Plan objectives. These regional measures and objectives would be consistent with the nationally established objectives and measures.

Regional and national performance measures should directly relate to the stated national and regional objectives established in the CMSP process. Performance measures would assess both conservation and socio-economic objectives of the CMS Plan. Measures of conservation may include, but are not limited to, indicators of ecosystem health such as the status of native species diversity and abundance, habitat diversity and connectivity, and key species (*i.e.*, species known to drive the structure and function of ecosystems). In addition, socio-economic measures would be developed and may include, but are not limited to: the economic value or productivity of certain economic sectors, such as commercial and recreational fisheries, aquaculture, and offshore energy; the number of recreation days; and the time required for permit applications to complete the regulatory process. Performance measures would

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<sup>6</sup> If the NOC does not certify a plan, it would provide to the regional planning body the specific reasons for its decision. The regional planning body would then have continued opportunity to address the NOC's reasons and resubmit the plan.

provide a means of demonstrating results of and provide accountability for the CMSP process to stakeholders, the general public, and decision-makers.

The NOC would develop guidance in conjunction with the regional planning bodies for regional objectives and concomitant performance measures to ensure that they are cost-effective, measurable, interpretable, grounded in theory, responsive, and specific. The NOC would develop consistent guidance for these ecological and socio-economic approaches and tools to assist regional planning bodies in these efforts in order to provide for nationally applicable common scales of assessment. This will ensure that regional planning bodies are given the independence and flexibility to develop regionally meaningful objectives and measures, but also assure that regional measures and reporting are consistent with a national CMSP performance system.

### **XII. Consistency with International Law**

CMS Plans would be implemented in accordance with customary international law, including as reflected in the Law of the Sea Convention, and with treaties and other international agreements to which the United States is a party. Seaward of the baseline development and implementation of CMS Plans are to be consistent with the extent to which the United States exercises its rights and jurisdiction and performs duties in its territorial sea, EEZ, and Continental Shelf. CMS Plans would not change the rights, duties, and jurisdiction of the United States under international law, including with respect to navigational rights and freedoms. Nothing in this document or in CMS Plans developed pursuant to it would create private rights of action or other enforceable individual legal rights regarding the meaning and applicability of international law.

### **XIII. Adherence to and Compliance with National Ocean Council-Certified Coastal and Marine Spatial Plans**

Signatories would be expected to adhere to a NOC-certified CMS Plan, within the limits of their existing statutory and regulatory authorities. If a signatory intends to take an action that does not substantially adhere to a certified CMS Plan, it would need to provide advance notice to the regional planning body and the NOC, including justification (e.g., new statutory requirement) for the non-adherence. The CMS Plan signatories and the NOC would periodically evaluate the reasons requiring deviation from a NOC-certified CMS Plan, and, if appropriate, develop recommendations for minimizing these deviations in the future, including CMS Plan modification or underlying regulatory or statutory changes. Disputes regarding agency interpretation of a CMS Plan would be resolved according to the dispute resolution process developed by the NOC, as described above.

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## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

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In and of themselves, CMS Plans would not be regulatory or necessarily constitute final agency decision-making, although agencies may incorporate components of the CMS Plan into their respective regulations. Adherence with CMSP would be achieved through Federal and State agencies and tribal authorities incorporating CMS Plans into their pre-planning, planning, and permitting processes, to the extent consistent with existing laws and regulations. The CMS Plan signatories would periodically review these processes, and where legal constraints are identified, work with the NOC to evaluate whether a legislative solution or changes to regulations are necessary and appropriate.

The effectiveness of the CMSP process depends, in-part, on the willingness and the ability of Federal, State, and tribal authorities to ensure that activities of third-parties are in compliance with relevant laws and regulations. The Nation would not achieve the benefits of comprehensive and integrated CMSP if there were inconsistent use or violation of the applicable laws and regulations. Successful enforcement, carried out by agencies exercising their individual enforcement authorities and responsibilities, must be based upon clear, concise, and easily understood requirements that reflect the practical realities of compliance and enforcement.

CMS Plans would provide a framework for improved coordination and cooperation among Federal, State, local, and tribal enforcement agencies as they work together to enforce existing regulations in accordance with their respective authorities in support of regional goals that often extend beyond individual agency jurisdictions. To the extent permitted by existing laws and regulations, this cooperative regional approach should build productive partnerships that encourage sharing of information and best practices, help foster mutually agreed upon enforcement priorities and strategies, and make more effective use of scarce enforcement resources by focusing those resources on the highest regional enforcement priorities. A cooperative enforcement approach for Federal, State, and tribal CMSP-related laws could also facilitate more consistent interpretation and application of regulations across agencies and jurisdictions, resulting in greater certainty and understanding for ocean, coastal, and Great Lakes users, which in turn could foster improved compliance and overall effectiveness. The NOC and CMS Plan signatories would periodically review enforcement effectiveness and seek to remedy any conflicts or gaps in existing Federal-State-tribal coordinated enforcement mechanisms.

#### **XIV. Scientific Knowledge and Data Integration, Research, Management, and Access**

CMSP is fundamentally science-based and adaptive in response to new evidence, technology, and understanding. Essential to CMSP are scientific knowledge and data, collectively referred to below as *information*. Reflecting our long history of ocean science and exploration, the United States holds

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

vast stores of natural and social science information about ocean, coastal, and Great Lakes ecosystems and their uses. This information, supplemented by additional CMSP research and information particularly regarding specific and cumulative effects and ecosystems processes and resiliency, is necessary to comprehensively and consistently investigate, assess, forecast, and analyze human uses, ecosystem conditions, management alternatives, information and data gaps, and CMS Plan effectiveness.

Relevant and credible information is critical for successful planning and, in turn, must be accessible to Federal, State, and local managers, tribes, academics, the private sector, and the public. A robust national information management system dedicated to coastal and marine scientific data and information products is required to meet the diverse data and application requirements of CMSP, and the varying technical capabilities of users. The NOC, working with the regional planning bodies, would create a system that is compatible with existing Federal information systems, captures relevant Federal information resources, has effective governance and accountability across agencies, and preserves data confidentiality, where appropriate. Within this construct, Federal agencies, and the other regional partners would make relevant data, metadata, and derived products available and web accessible using recognized national and international standards and protocols. Exceptions would include sensitive but unclassified information that cannot be synthesized and modified into a format that is appropriate for broader distribution pursuant to CMSP needs, and information that is proprietary, statutorily confidential, or classified information.

To provide easy user access to agency CMSP-related information, a national information management system with either a central portal or regional portals that connect to CMSP information would be developed. The NOC would identify a Federal lead agency or collaborative entity to manage, implement, and update the CMSP portal(s) and components of the information management system. System interoperability, information exchange, and information and application technologies are intrinsically linked and would be developed and implemented together within the CMSP portal(s). To ensure national consistency, minimum data standards for CMSP information would be adopted and include

### **Principles to Manage and Disseminate CMSP Information**

- CMSP information is a national strategic asset and must be developed and managed on an ongoing basis to meet planning needs;
- CMSP information would be made available and accessible with nationally compliant "information about information" (i.e., metadata) to stakeholders;
- Federal agencies would improve metadata to make information easier to discover, retrieve, use, and manage;
- CMSP information that is collected, produced, or disseminated by Federal agencies, including information obtained from non-Federal sources, would meet government-wide information quality standards, and any other additional minimum standards adopted by the NOC.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

standards for information quality. All information management and provision activities would be developed and updated with participation from existing and appropriate Federal data centers and initiatives. The NOC would ensure that the information is publicly available and easy-to-access through computer readable files and web service formats that support a variety of CMSP and user needs. This could include web browsers, geospatial web services, and other web-based collaborative resources. The CMSP portal would leverage emerging web technologies, including private sector partnerships, to increase transparency and promote public engagement.

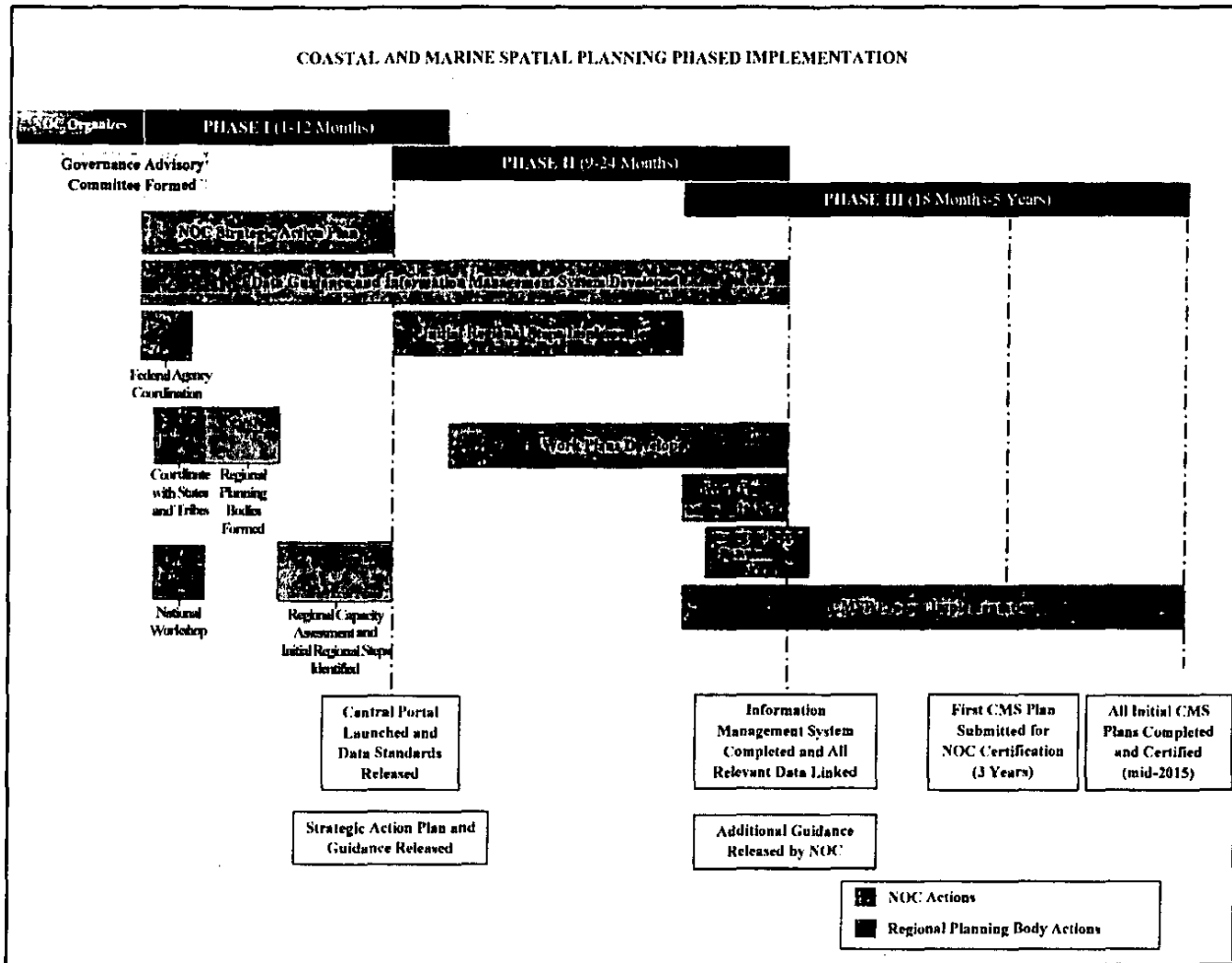
In order to build upon the existing CMSP scientific foundation, the NOC would establish mechanisms to identify priority CMSP science needs. This would include identification of priority CMSP research, data acquisition and information synthesis gaps, and new tools that would be required to apply science more effectively in the CMSP process. Identification of data, information, and research needs would be conducted on a regular basis as part of the adaptive and iterative process to improve the development and application of CMSP over time.

Additionally, nationally consistent, derived data products, ranging from consistent habitat maps as data layers to specialized decision-support tools, would be developed to provide a consistent framework for regional assessments and alternative future use scenarios. The NOC may provide further guidance for using such information in decision making, for example, how to decide which areas are of particular ecological importance or value. Designed or adapted specifically for CMSP, these science-based decision-support tools, including models, assessments, and visualization capabilities, would enable the regional planning bodies to synthesize information most relevant to CMSP decisions in ways that produce robust comprehensive CMS Plans. These tools would offer a shared knowledge base for meaningful stakeholder engagement, objective assessment of alternative and future scenarios, identification of the types of uses that are consistent with societal objectives, and regular evaluation of CMS Plans. They would be developed and made accessible in a way that regional and State efforts could build upon or add regional specific data and information to leverage these efforts and analyze the regionally-specific aspects of their planning within the broader national framework.

### **XV. Implementation**

Implementation of this framework would occur in multiple phases through the NOC and among the regions. As a first step, the NOC would undertake initial actions to develop and build a foundation for the national CMSP efforts. Concurrently, the NOC would directly engage States and tribes to discuss

# INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING



cooperative strategies to move forward with CMSP. Recognizing the extensive scope of the task of developing and implementing CMSP, it is important for Federal, State, tribal, and other partners to prioritize efforts in this initial implementation period. Each of the regions could have different priorities and be at varying stages in the development of the data, analyses, and the relevant issues for policy-makers. With these differences in mind, the phased approach outlined below would enable the NOC and the regions sufficient time to develop capacity, build on existing efforts, and leverage and gain efficiencies from lessons learned.

### **Phase I (1-12 months)**

Many of the actions the NOC and State, tribal, and regional representatives commence in Phase I would serve as the foundation to implement CMSP on a national scale.

#### *Develop NOC Internal Organization and Begin Strategic Action Plan (Months 1-9)*

In the first month of Phase I, building on the initial establishment and organization period of the NOC, the NOC would determine how best to incorporate CMSP into the NOC governance structure (e.g., establish

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

a CMSP Interagency Policy Sub-Committee), decide on the roles of individual agencies in implementing specific elements of the CMSP framework, and assess resource needs including personnel, financial, and technical CMSP support.

The NOC would then begin development of a Strategic Action Plan (SAP) to address specific areas that require additional consideration, analysis, and elaboration. The SAP would be released in six to nine months and include: national objectives; national performance measures; guidance regarding the development of a national information management system, including identification of additional CMSP information and research needs; legal analysis and recommendations for legislative changes, if necessary; description of a dispute resolution mechanism, as described previously; and any additional guidance the NOC deems appropriate for CMSP. The NOC, in cooperation with the GAC, would provide for a mechanism for resolving disputes if they occur among the members of the regional planning bodies during the development of CMS Plans.

### National Objectives and National Performance Measures

As part of the SAP, the NOC would establish national objectives for CMSP consistent with, and in furtherance of, the National Policy, CMSP goals and principles, and other relevant national goals and priorities. These national objectives would serve as additional direction for the development of regional objectives and help to maintain national and regional consistency of CMSP. Along with these objectives, national outcome-based performance measures would be established to help define success and measure results.

### Guidance Regarding the Development of a National Information Management System

While overarching objectives and measures would help direct CMSP efforts, guidance on data, technology, and tools would also be developed. During the first six to nine months, initial actions to coordinate, integrate, and manage data would be necessary. The NOC would begin development of a national information management 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. At the end of nine months, guidance on these fundamentals would be released as part of the SAP and a prototype CMSP portal(s) would be operational. However, building the information management system and linking the relevant data may take up to two years.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

### Legal Analysis and Recommendations of Legislative Changes, if Necessary

Also as part of the SAP, the NOC would oversee efforts to identify gaps and conflicts in Federal authorities, and recommend potential steps to reconcile them. This effort would examine how various statutory authorities of particular agencies can be harmonized in order to support comprehensive, integrated CMSP. Further, the NOC would consider how legal authorities of Federal, State, tribal, and local entities might collectively be used to support implementation of regional CMSP efforts. In doing so, the NOC should identify objective priorities and existing grant or other assistance programs that can support CMSP, consistent with relevant authorities.

### *Convene and Organize Federal Agency Representatives in the Regions (Months 1-2)*

National and regional Federal agency representatives would convene to discuss current and improved methods for communicating, sharing data and products, exploring regulatory efficiencies, and determining how best to work with State and tribal partners to achieve a CMS Plan. Due diligence is necessary on the part of the Federal community to self organize and coordinate among agencies before engaging State and tribal partners to ensure that a service is being provided in a way that meets considerations unique to each region.

### *Develop Model Agreement (Months 1-3)*

During the first three months of Phase I, the NOC would create and make available a model development agreement to be used by the regional planning bodies. This model would be used to foster efficiency and consistency in forming the regional planning bodies. As mentioned in Section IX, the development agreement would be an express commitment to work cooperatively to engage in CMSP and develop eventual CMS Plans, identify the lead representatives for each of the partners, and define ground rules, roles, and responsibilities of the partners.

### *Organize and Convene a National Workshop(s) and CMSP Simulation Exercise (Months 2-4)*

Within the initial two to four months of Phase I, the NOC would also organize and convene, with input from the GAC, one or more workshops and a CMSP process simulation exercise for potential regional planning body representatives. The workshop(s) would be a forum to directly engage Federal, State, and tribal representatives, to give an overview of CMSP and the national framework, to demonstrate and test how this framework would work in a planning exercise, and to discuss collaborative strategies to move forward. The NOC would identify lessons learned and additional operational issues that were brought to light from the workshop(s) and exercise within two months of workshop completion.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

### *Determine Composition of and Establish Regional Planning Bodies (Months 4-6)*

After the workshop and exercise are held, the NOC, with advice from the GAC, would determine the types of representation needed for the composition of the regional planning bodies. Once the composition of the regional planning bodies is identified, the NOC would coordinate with the appropriate State authorities (e.g., Governors) and tribal representatives to establish regional planning bodies for each of the nine regions and enter into a development agreement.

### *Capacity Assessment and Identification of Initial Regional Steps (Months 6-12)*

During the latter six to twelve months of Phase I, the regional planning bodies would conduct a regional CMSP capacity assessment. The assessment would evaluate capabilities, expertise, and resources in each region available to develop and implement CMSP. In addition, the assessment would help to identify and prioritize initial regional steps described in Phase II below. The NOC, in coordination with the regional planning bodies, 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.

### **Phase II (9-24 months)**

Building on Phase I's initial foundational steps of CMSP implementation, Phase II focuses on building capacity, testing specific issues or elements of the process, and fostering public and stakeholder awareness.

### *Initial Regional Steps (Months 9-18) and Work Plan Development (Months 12-24)*

During Phase II, the NOC would enable the regions to focus during the initial work plan development period on those issues that are of highest regional priority. In this way, these early steps in each region can serve as a test for the other regions for specific issues. For example, a region may select to begin CMSP efforts by organizing, gathering, and analyzing data, whereas another region may select to focus on developing regional CMS Plan objectives. The focus for each region's initial steps should be agreed upon after the capacity assessment is completed at the end of Phase I. After the initial regional steps are underway, the regional planning bodies would begin development of a full CMSP work plan as detailed above. In development of its work plan, each regional planning body should integrate the lessons learned from its and other regions' initial steps and also consider how to best integrate relevant ongoing regional planning initiatives.

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

### *Initiate Public and Stakeholder Involvement (Months 9-18)*

Early and meaningful steps to facilitate public and stakeholder outreach and education regarding CMSP and its implementation are vital to advance national CMSP efforts. During Phase II, regional planning bodies would begin to identify key stakeholders, scientific and technical experts, non-governmental organizations, and other partners to engage in the CMSP process during this nine month timeframe. Also, to better inform all participants and the public, the NOC would work with the regional planning bodies to guide the drafting and production of educational materials, guidebooks, manuals, and other materials. These materials would be developed keeping in mind that the content should reflect the issues, language, and methods that would be meaningful in a particular region. These materials would include a glossary of key CMSP terms in order to reduce potential misunderstandings that could result in an inconsistent or ineffective CMSP process. The NOC, in coordination with the regional planning bodies, would hold additional informational workshops for stakeholders to discuss the CMSP process and potential ways stakeholder participation would take place. Further stakeholder engagement would be conducted by the regional planning bodies throughout the CMSP process.

### *Work Plan Submittal and Planning Process Preparation (Months 18-24)*

Once initial regional steps are completed or in tandem, the regional planning bodies would submit to the NOC a package consisting of the proposed work plan. Once the work plan is submitted, the NOC would re-evaluate how best to support the regional CMSP effort through existing mechanisms, and possibly new resources or funding mechanisms to build on the lessons learned from the initial regional CMSP steps. For example, support might involve individual agencies contributing staff or technical expertise to efforts coordinated through the NOC, or identifying existing grant programs to help support CMSP and achieve mutually agreed upon outcomes.

### **Phase III (18 months to 5 years)**

While continuing to advance the actions and steps of Phases I and II, during Phase III regional planning bodies would build out and scale up their efforts to establish a comprehensive CMSP process in all regions.

### *Develop and Carry Out CMSP Process and Provide Feedback from Initial Regional Steps (Months 18 and beyond)*

After the initial steps are undertaken by each region, the regional planning bodies would transition into Phase III, developing and carrying out a CMSP process using the initial regional steps and the work of the NOC as a foundation. There is recognition that some regions' planning processes might be longer or

more complicated than others. The timeframes for completion of the CMSP process are intended to be flexible to account for differing levels of resources, capacity, and other factors. During this process, regional planning bodies, in coordination with the NOC, would develop a mechanism for providing feedback and status reports to the NOC and appropriate State and tribal leadership to share lessons learned, best practices, and ensure routine and frequent communication nationally and among the regions. The regional planning bodies, in coordination with the NOC, would also ensure consistency, address questions and concerns, and adaptively manage the effort as appropriate. Although there would be flexibility in the framework to allow for variable CMSP process timeframes, regional planning bodies are encouraged to have initial plans completed in three years and all regions would be expected to have initial CMS Plans certified and implementation started by mid-2015.

### **XVI. Priorities for Financial and Other Support**

Recognizing the reality of the limited availability of new resources, each of the Federal agencies engaged in this bold mission of developing and implementing CMSP would re-evaluate how resources are allocated in light of their statutory and regulatory mandates. Agencies would use the implementing actions of the President to recommend adjustments to their respective agency priorities to better align with the approved National Policy and CMSP goals. As CMSP is developed and implemented over time, the NOC would consider any additional resource needs through the budget prioritization process described in the Interim Report. Various Federal agencies would have differing roles to support the scientific basis and governance structures necessary to develop and implement CMSP. The following four areas should receive initial priority consideration for financial and other support for CMSP.

#### *1. National Workshop(s) and Simulation Exercise*

**Priority:** Hold a national workshop(s) and simulation exercise.

**Rationale:** The first step towards a constructive process for CMSP would be for the participants to engage in a forum that creates a common vision for implementing CMSP, identify challenges and solutions for regional CMSP development, and enhance the capacity of regions to implement CMSP. This priority also would include support to ensure widespread involvement of State, tribal, and Federal representatives.

#### *2. Initial Support for Regional CMSP Processes*

**Priority:** Support the development of regional CMSP, including the capacity for regional planning bodies and the NOC to carry out initial CMSP activities.

**Rationale:** A comprehensive and inclusive approach for regional CMSP planning processes would be based on each region engaging State, tribal, and Federal representatives to form the regional planning

## INTERIM FRAMEWORK FOR EFFECTIVE COASTAL AND MARINE SPATIAL PLANNING

bodies. An effective process to sustain initial CMSP activities would necessitate regional planning bodies to organize and establish the necessary CMSP coordination (e.g., partnerships, interagency teams, and technical support staffing). To attain national and regional objectives, regional planning bodies would assess capacities, target resources, and begin implementing initial regional steps (e.g., stakeholder engagement, information acquisition, and CMS Plan development). This priority would also include support for the NOC to establish and carry out the necessary national CMSP steps as described in Section XV (e.g., national objectives, national guidance, and building regional capacities).

### *3. National Data and Information Management System, Prototype CMSP Portal(s) and Initial Development of Science and Information Needs*

**Priority:** Improve and integrate the data and information used to inform CMSP; and identify additional scientific research to support CMSP information needs.

**Rationale:** Effective CMSP would utilize the best available data and objective analyses. Such data would be nationally consistent, publicly available, and easily accessible to promote public engagement and allow for a consistent framework for regional implementation. Priority would be given to developing the national data information management system and a prototype CMSP data portal(s). Subsequent efforts would identify and fill key national information needs,<sup>7</sup> and develop CMSP decision-support tools and derived data products, including visualization tools, forecasting, and routine integrated ecosystem assessments. Additionally, scientific understanding is central to make informed CMSP decisions that reflect an integrated and transparent planning framework. To achieve this end would require a robust research foundation.

### *4. Public Outreach and Stakeholder Engagement*

**Priority:** Build the knowledge, skills, and understanding of CMSP through regional planning bodies and stakeholder workshops, blogs, webinars, and other outreach methods.

**Rationale:** An informed and engaged public and user community is critical to the effective implementation of the CMS Plans. Effective CMSP is predicated on the building of knowledge, skills, and understanding of CMSP through a range of robust outreach approaches.

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<sup>7</sup> Identification and filling information and data gaps, as previously presented in the framework, is an ongoing and iterative process. This framework recognizes that the acquisition of data and information would proceed in tandem with developing CMS Plans using the best available science, information and data.



THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY

*Interim Report*  
*Of The*  
*Interagency Ocean Policy*  
*Task Force*

*September 10, 2009*



# INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

## EXECUTIVE SUMMARY

### I. Introduction

On June 12, 2009, you issued a Memorandum to the Heads of Executive Departments and Agencies in which you stated: *"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, to be led by the Chair of the Council on Environmental Quality."* That Presidential memo charged the Task Force as follows:

1. Within 90 days from the date of this memorandum, the Task Force shall develop recommendations that include:
  - a. A national policy that ensures the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources, enhances the sustainability of ocean and coastal economies, preserves our maritime heritage, provides for adaptive management to enhance our understanding of and capacity to respond to climate change, and is coordinated with our national security and foreign policy interests. The recommendation should prioritize upholding our stewardship responsibilities and ensuring accountability for all of our actions affecting ocean, coastal, and Great Lakes resources, and be consistent with international law, including customary international law as reflected in the 1982 United Nations Convention on the Law of the Sea.
  - b. A United States framework for policy coordination of efforts to improve stewardship of the oceans, our coasts, and the Great Lakes. The Task Force should review the Federal Government's existing policy coordination framework to ensure integration and collaboration across jurisdictional lines in meeting the objectives of a national policy for the oceans, our coasts and the Great Lakes. This will include coordination with the work of the National Security Council and Homeland Security Council as they formulate and coordinate policy involving national and homeland security, including maritime security. The framework should also address specific recommendations to improve coordination and collaboration among Federal, State, tribal and local authorities, including regional governance structures.
  - c. An implementation strategy that identifies and prioritizes a set of objectives the United States should pursue to meet the objectives of a national policy for the oceans, our coasts, and the Great Lakes.
2. Within 180 days from the date of this memorandum, the Task Force shall develop, with appropriate public input, a recommended framework for effective coastal and marine spatial planning. This framework should be a comprehensive, integrated, ecosystem-based approach that addresses conservation, economic activity, user conflict, and sustainable use of ocean, coastal, and Great Lakes resources consistent with international law, including customary international law as reflected in the 1982 United Nations Convention on the Law of the Sea.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

### II. Structure and Operation of the Task Force

The Task Force is comprised of 24 senior policy-level officials from executive departments, agencies, and offices across the Federal Government, and is chaired by the Chair of the Council on Environmental Quality (CEQ). (Task Force membership list attached.) The Task Force established a Working Committee comprised of senior officials from these executive departments and agencies. The Working Committee's role was to develop initial suggestions based on the guidance and direction it received from the Task Force. To focus its work, the Committee established four subgroups: Policy, Coordination Framework, Implementation Strategy, and Public Engagement.<sup>1</sup>

The Task Force first met on June 22, 2009, and has convened an additional four times through September 10. Task Force meetings were devoted to learning more about the relevant issues, discussing outstanding matters and options, and providing additional guidance and direction to the Working Committee. In preparing this interim report, the Task Force, Working Committee, and subgroups discussed key issues with a variety of knowledgeable sources, including Federal, State, tribal, and regional representatives, scientists, legal and policy experts, and the public. The Task Force also reviewed reports from two ocean prominent bodies, the U.S. Commission on Ocean Policy (2004) and the Pew Oceans Commission (2003). In doing so, however, it recognized the significant environmental changes and scientific and legislative advances that have taken place since those Commissions completed their reports.

The interim report has been coordinated with our national security and foreign policy interests and reflects a careful balancing of stewardship with these long-standing and well-established interests.

### III. Public Engagement

The Task Force initiated a public engagement process throughout the first 90-day period to receive input for consideration as it developed this interim report. This builds on the comprehensive reports of the U.S. Commission on Ocean Policy and the Pew Oceans Commission, which were based on significant scientific, public, and stakeholder input. CEQ, on behalf of the Task Force, organized and hosted twenty-four expert roundtables to hear from a broad range of stakeholders and interest groups. The roundtables included representatives from sectors including energy, conservation, fishing, transportation, agriculture, human health, State, tribal, and local governments, ports, recreational boating, business, and national and homeland security. Several Task Force or Working Committee members attended each roundtable.

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<sup>1</sup> A fifth subgroup on Coastal and Marine Spatial Planning has also been established for the development of the recommended framework for coastal and marine spatial planning.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

There was robust participation, and the Task Force received many valuable comments and perspectives for its consideration during each session. The Task Force will host additional roundtables during the next 90 days as it develops a possible framework for coastal and marine spatial planning.

On behalf of the Task Force, CEQ also set up a website to accept public comments. To date, the Task Force has received over five-hundred comments from a range of affected parties, including academia, citizens, commercial interests, non-governmental organizations, and States, tribes, and regional governance structures. Many of the groups commenting represent constituencies of hundreds or thousands of members.

Additionally, the Task Force will host six regional public meetings. These meetings are scheduled to take place in the following cities: Anchorage, Alaska (held on August 21, 2009); San Francisco, California; Providence, Rhode Island; Cleveland, Ohio; New Orleans, Louisiana; and Honolulu, Hawaii. All but the first of these public meetings will be held during the second 90 days of the Task Force's work, which is focused on coastal and marine spatial planning. Consequently, the Task Force expects most of the input at these meetings to be focused on that topic, although comments on the report will be welcome.

The public meetings, roundtables, and website showcased a strong desire and enthusiasm among participants for a National Policy that provides clarity and direction regarding how the Nation will better care for the ocean, our coasts, and the Great Lakes. A valuable and wide diversity of interests were represented, and several key themes emerged. While not exhaustive, these include:

- Support for adopting ecosystem-based management as a guiding principle, acknowledging regional differences, and practicing adaptive management;
- Support for embracing science-based decision-making and investing in ecosystem-based science, research, and ocean observations, including comprehensive research on the linkages among ecosystem health, human health, economic opportunity, national and homeland security, social justice, and environmental change, including climate change;
- Desire for improved coordination and collaboration across Federal, State, tribal, and local governments, and regional governance structures, and for improved transparency and public participation, while avoiding new layers of bureaucracy and unnecessary costs;
- Support for improving both formal and informal education about the ocean, our coasts, and the Great Lakes;
- Support for ensuring that policies are adequately funded; and

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

- Support for joining the 1982 United Nations Convention on the Law of the Sea (the Law of the Sea Convention).

The Task Force's deliberations benefitted from this input as it developed its report. To complement these efforts, and to be responsive to numerous requests, the Task Force strongly endorses issuing this interim report for 30 days of public comment. This would allow for additional public engagement to help you and your Administration make a more informed decision on what actions to take in response to these suggestions.

#### **IV. Interim Report of the Task Force**

In developing its interim report, the Task Force reviewed a number of Federal, State, and foreign policies and models, past and pending legislation, the recommendations contained in the two earlier Ocean Commissions' reports, and public comments. The following brief synopsis provides an overview of the suggested National Policy, Policy Coordination Framework, and Implementation Strategy.

#### Suggested National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes

The Task Force believes that the policy should contain the following elements:

1. A vision of what a National Policy should achieve for the ocean, our coasts, and the Great Lakes;
2. A brief context section describing the value of these important areas, the various issues confronting them, and the urgency to take effective action;
3. The statement of our National Policy; and
4. A set of overarching guiding principles for United States management decisions and actions affecting the ocean, our coasts, and the Great Lakes.

The suggested *National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes* would provide a comprehensive national approach to uphold our stewardship responsibilities; ensure accountability for our actions; and serve as a model of balanced, productive, efficient, sustainable, and informed ocean, coastal, and Great Lakes use, management, and conservation within the global community. 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.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

### Policy Coordination Framework to Improve the Stewardship of the Ocean, Our Coasts, and the Great Lakes

The Task Force reviewed the existing coordination framework, with a particular focus on the existing Committee on Ocean Policy (COP), established by Executive Order 13366 in 2004. The COP has been moderately effective in establishing forums for bringing Federal agencies together to coordinate on ocean-related matters. However, numerous parties from both within and outside the structure have strongly suggested to the Task Force that the design could be improved. Key themes for improvement included:

- The need for a strong, clear, overarching policy mandate and the setting of national ocean priorities;
- The need for high-level direction and policy guidance from a clearly designated and identifiable authority;
- The need for more consistent and sustained senior-level participation and attention on ocean-related issues from all member agencies and departments;
- The advantages of stronger linkages between management and science;
- The need for an improved, clear structure for ongoing and active engagement with State, tribal, and local authorities, and regional governance structures to address relevant issues; and
- The need for improved coordination with other Executive branch policy committees.

The Task Force recognized that various options could be pursued. After careful and deliberate consideration of various models, the Task Force suggests a combination of modifications to the structure of the existing COP, a stronger mandate and direction, and renewed and sustained high-level engagement. The Task Force is confident that this combination of improvements provides a framework for more successful policy coordination to improve the stewardship of the ocean, our coasts, and the Great Lakes. Subject to later refinements, the Task Force suggests the following:

- Consolidating and strengthening the Principal- and Deputies-level components within a single National Ocean Council (NOC) structure;
- Strengthening the decision-making and dispute-resolution processes by defining clear roles for the NOC, and the NOC leadership;
- Creating a Governance Advisory Committee to formally engage with State, tribal and local authorities, and regional governance structures;
- Strengthening the link between science and management by creating an integrated Steering Committee of the NOC; and

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## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

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- Strengthening coordination between the NOC, the National Security Council, the National Economic Council, the Office of Energy and Climate Change, the Council on Environmental Quality, the Office of Science and Technology Policy, the Office of Management and Budget, and other White House entities.

### Implementation Strategy

The Task Force considered a number of options for outlining initial strategies to implement the National Policy. There was an array of views on this strategy among Task Force members, stakeholders, and the public, ranging from developing a very detailed action plan to providing for more general categories from which detailed plans would develop over time. The Task Force recognized that within a 90-day timeframe there were limits to what could or should be accomplished and noted that it was directed to suggest a strategy as opposed to a plan. However, the Task Force felt strongly that regardless of the level of specificity of these priority objectives, actions to implement them must, at a minimum, have clear direction, measurable goals and outcomes, and timeframes for completion. The interim report seeks to also ensure coordination and collaboration with State, tribal and local authorities, and regional government structures, as appropriate.

The Task Force's suggested implementation strategy identifies the following nine priority objectives that our Nation should pursue to implement the National Policy.

- **Ecosystem-Based Management:** Adopt ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes.
- **Coastal and Marine Spatial Planning:** Implement comprehensive, integrated, ecosystem-based coastal and marine spatial planning and management in the United States.
- **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 through formal and informal programs the public about the ocean, our coasts, and the Great Lakes.
- **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.
- **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.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

- **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.
- **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.
- **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.
- **Ocean, Coastal, and Great Lakes Observations and Infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, and data collection platforms into a national system and integrate that system into international observation efforts.

These priority objectives provide a bridge between policy and specific actions, but do not prescribe in detail how individual entities will undertake their responsibilities. Instead, the NOC would develop strategic action plans for each of the priority objectives, focusing on key areas identified by the Task Force. This would allow adequate time to fully consider the necessary details for implementation, and, as appropriate, to coordinate with States, tribal, and local authorities, regional governance structures, academic institutions, non-governmental organizations, and private enterprise.

### Conclusion

The Task Force is pleased to submit this interim report and fulfill the first part of its charge. Having considered a broad range of public comments, this report reflects the requests and concerns of all interested parties. Though the main focus of the Task Force now turns to developing a framework for coastal and marine spatial planning, due to the President by December 9, 2009, the Task Force anticipates that this interim report will continue to be refined as the Task Force receives further thoughtful input from stakeholders. With this continued public participation, the Task Force will be able to provide the President with the best possible final set of recommendations.

## PROPOSED NATIONAL POLICY FOR THE STEWARDSHIP OF THE OCEAN, OUR COASTS, AND THE GREAT LAKES

### I. Vision

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.

### II. National Policy Context

#### The Value of the Ocean, Our Coasts, and the Great Lakes

America is intricately connected to and directly reliant on the ocean, our coasts, and the Great Lakes. Each of us – whether living and working in the country’s heartland or along its coasts – affects and is affected by these places. Their beauty inspires us, and their bounty contributes to our national well-being and security. Nearly half of our population is located in coastal counties. Our rich and productive coastal regions and waters account for the great majority of the national economy, totaling trillions of dollars each year, and support distant communities that may not even be aware of the connection between the land and sea. Millions of visitors enjoy our Nation’s seashores each year, contributing not only to the economy, but also to personal and communal satisfaction and fulfillment. The sea is both a refuge for spiritual reflection and a powerhouse of excitement for educating students of all ages and interests.

With over 95,000 miles of coastline and the largest exclusive economic zone in the world, our Nation benefits from a wealth of goods and services derived from the ocean, our coasts, and the Great Lakes. They provide food, fresh water, minerals, energy, and other natural resources and ecological benefits. They support tens of millions of jobs, and are a source of recreation. They also play a critical role in our Nation's transportation, economy, and trade, as well as in the global mobility and readiness of our Armed Forces and the maintenance of international peace and security.

The ocean supports human health and well-being in myriad ways, including as a source of healthy foods, pharmaceuticals, and other beneficial compounds. The ocean is a source of existing energy and offers numerous opportunities for renewable energy, which can help to secure our energy independence and mitigate climate change.

The ocean and Great Lakes exert significant influence over how our planet functions. Covering over 70 percent of the Earth, the ocean plays a primary role in our planet's environment and natural operations, including weather and climate. The ocean's ability to absorb and store heat from the atmosphere and transport it to other parts of the globe keeps daily temperatures within a livable range. The Great Lakes are the largest freshwater system on Earth, with 10,000 miles of shoreline and some 95 percent of the Nation's fresh surface water. While we commonly refer to different oceans (Atlantic, Pacific, Arctic, etc.), it is important to recognize that all of these bodies of water are connected and influenced by each other. These linkages require our Nation to recognize that we benefit from and affect one global ocean.

The ocean shapes and sustains all life on Earth. We are dependent on the ocean for the air we breathe, the food we eat, and the water we drink. Though we may not think about it, processes on land and in the water, including biological processes, are intricately linked so that changes in one can have profound effects on the other. The ocean is both the beginning and the end of the Earth's water cycle. Water that evaporates from the surface of the ocean becomes rain that falls on our fields and fills our aquifers. Much of this precipitation eventually finds rivers which flow back to the sea, starting the cycle once more. Half of the oxygen we breathe comes from microscopic plants living in the ocean. Coastal barrier islands, coral reefs, mangroves, and wetlands serve as buffers between coastal communities and damaging floods and storms. Coastal wetlands are a nursery for many recreational and commercial fish species, provide essential habitat for many migratory birds and mammals, and serve as a natural filter helping to keep our waters clean. Ocean and coastal ecosystems absorb and detoxify many pollutants, recycle nutrients, and help control pests and pathogens. Marine ecosystems house biological diversity exceeding that found in the world's rain forests.

### Challenges Facing the Ocean, Our Coasts, and the Great Lakes

The importance of ocean, coastal, and Great Lakes ecosystems cannot be overstated; simply put, we need them to survive. It is clear that these invaluable and life-sustaining assets are vulnerable to human activities and, at the same time, human communities are rendered more vulnerable when these resources are degraded. Yet, ocean, coastal, and Great Lakes ecosystems are experiencing an unprecedented rate of change due to human activities. We are only now beginning to understand the full extent of the direct and indirect consequences of our actions on these systems.

Climate change is impacting the ocean, our coasts, and the Great Lakes. Increasing water temperatures are altering habitats, migratory patterns, and ecosystem structure and function. Coastal communities are

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

facing sea-level rise, inundation, increased threats from storms, erosion, and significant loss of coastal wetlands. The ocean's ability to absorb carbon dioxide from the atmosphere buffers the impacts of climate change, but also causes the ocean to become more acidic, threatening not only the survival of individual species of marine life, but also entire marine ecosystems. The ocean buffers increased global temperatures by absorbing heat, but increasing temperatures are causing sea levels to rise by expanding seawater volume and melting land-based ice. Increased temperatures may eventually reduce the ocean's ability to absorb carbon dioxide. Conversely, climate change is predicted to lower the water levels of the Great Lakes, thereby altering water cycles, habitats, and economic uses of the lakes.

Along many areas of our coasts and within the Great Lakes, biological diversity is in decline due to overfishing, introduction of invasive species, and loss and degradation of essential habitats from coastal development and associated human activities. The introduction of non-native species can carry significant ecological and economic costs. Human and marine ecosystem health are threatened by a range of challenges, including increased levels of exposure to toxins from harmful algal blooms and other sources, and greater contact with infectious agents. Areas in numerous bays, estuaries, gulfs, and the Great Lakes are now consistently low in or lacking oxygen, creating dead zones along our bays and coasts. Unsustainable fishing (e.g., overfishing) remains a serious concern with consequences for marine ecosystems and human communities. In the Arctic, environmental changes are revealing the vulnerability of its ecosystems. These changes are increasing stressors and impacts on the ecosystems, people, and communities in the region, and are presenting new domestic and international management challenges.

Many of these concerns are attributable not only to activities within marine and Great Lakes ecosystems, but also to actions that take place in our Nation's interior. For example, our industries, agricultural and transportation operations, cities, and suburbs 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 residues, chemicals, and oily runoff from our roadways into our estuaries and coastal waters. Heavy rainfall events can wash sediment, pesticides, and nutrients from our fields, lawns, and agricultural operations into our waters. 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.

Demands on the ocean, our coasts, and the Great Lakes are intensifying, spurred by population growth, migration to coastal areas, and economic activities. Energy development, shipping, aquaculture, and emerging security requirements are examples of new or expanding uses expected to place increasing

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

demands on our ocean, coastal, and Great Lakes ecosystems. As these demands increase, we must also preserve the abundant and sustainable marine resources and healthy ecosystems that are critical to the well-being and continued prosperity of our Nation.

### The State of the National Framework for Policy Coordination

The challenges we face in stewardship of the ocean, our coasts, and the Great Lakes lie not only within the ecosystems themselves, but also in the laws, authorities, and governance structures intended to manage our use and conservation of them. United States governance and management of these areas span hundreds of domestic policies, laws, and regulations covering international, Federal, State, tribal, and local interests. These issues range from stewardship and resource use, to maritime safety and commerce, national security, water quality, ports and other transportation infrastructure, and energy. Challenges and gaps arise from the complexity and structure of this regime.

These challenges are not limited to our domestic governance and management regimes. Our Nation, as a major maritime power and coastal State, has a large stake in the development and interpretation of international law and policy applicable to the ocean, our coasts, and the Great Lakes. Our national security interests are tightly linked to navigational rights and freedoms, as well as to operational flexibility. Our national security and economic interests are also linked to our ability to secure U.S. sovereign rights over resources in extensive marine areas off our coasts, to promote and protect U.S. interests in the marine environment, and to ensure that our maritime interests are respected and considered internationally. The Administration's support for accession to the Law of the Sea Convention reflects several important objectives, including strengthening our Nation's ability to participate in and influence international law and policy related to the ocean.

### Time to Act

The time has come for a national policy to uphold our stewardship responsibilities, ensure accountability for our actions, and serve as a model of balanced, productive, efficient, sustainable, and informed ocean, coastal, and Great Lakes use, management, and conservation within the global community. Today, as never before, we better comprehend the linkages among land, air, fresh water, ocean, ice, and human activities. We recognize that change is occurring rapidly and must be addressed. Advances in science and technology provide better and timelier information and understanding to guide decision-making. By applying the principles of ecosystem-based management (in which we integrate ecological, social, economic, commerce, health, and security goals, and recognize humans as key components of the ecosystem and healthy ecosystems as essential to human well-being) and adaptive management (whereby

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

we routinely assess management actions to allow for better informed and improved future decisions) in a coordinated and collaborative approach, the Nation can improve its response to environmental, social, economic, and security challenges. With a clear national policy and a revitalized, empowered, unifying, and comprehensive framework to coordinate efforts among Federal, State, tribal, and local authorities, including regional governance structures, non-governmental organizations, the private sector, and the public, we can work together toward the changes needed to secure the health and prosperity of the ocean, our coasts, and the Great Lakes.

### III. Policy

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 changes, social justice, international diplomacy, and national and homeland security. Therefore, it is the policy of the United States to:

#### 1. Healthy and Resilient Ocean, Coasts, and Great Lakes

- Protect, maintain, and restore the health and biological diversity of ocean, coastal, and Great Lakes ecosystems and resources;
- Improve the resiliency of ocean, coastal, and Great Lakes ecosystems, communities, and economies;
- Bolster the conservation and sustainable uses of land in ways that will improve the health of ocean, coastal, and Great Lakes ecosystems; and
- Use the best available science and knowledge to inform decisions affecting the ocean, our coasts, and the Great Lakes, and enhance humanity's capacity to understand, respond, and adapt to a changing global environment.

#### 2. Safe and Productive Ocean, Coasts, and Great Lakes

- Support sustainable, safe, secure, and productive uses of the ocean, our coasts, and the Great Lakes;
- Respect and preserve our Nation's maritime heritage, including our social, cultural, and historical values; and
- Exercise rights and jurisdiction and perform duties in accordance with applicable international law, including respect for and preservation of navigational rights and freedoms, which are essential for the global economy and international peace and security.

### 3. Understood and Treasured Ocean, Coasts, and Great Lakes

- Increase scientific understanding of ocean, coastal, and Great Lakes ecosystems as part of the global interconnected systems of air, land, ice, and water, including their relationships to humans and their activities;
- Improve our understanding and awareness of changing environmental conditions, trends, and their causes, and of human activities taking place in ocean, coastal, and Great Lakes waters; and
- Foster a public understanding of the value of the ocean, our coasts, and the Great Lakes to build a foundation for improved stewardship.

The United States will promote the objectives of this policy by:

- Ensuring a comprehensive and collaborative framework for the stewardship of the ocean, our coasts, and the Great Lakes that facilitates cohesive actions across the Federal Government, as well as participation of State, tribal, and local authorities, regional governance structures, non-governmental organizations, the public, and the private sector;
- Cooperating and exercising leadership at the international level, including by joining the Law of the Sea Convention; and
- Supporting ocean stewardship in a fiscally responsible manner.

### IV. Principles

1. United States management decisions and actions affecting the ocean, our coasts, and the Great Lakes will be guided by the following stewardship principles to further this policy.
  - a. As responsible environmental stewards we will protect, maintain, and restore the health, productivity, and resiliency of ocean, coastal, and Great Lakes ecosystems (including their waters and resources). Policies, programs, and activities of the United States should be managed and conducted in a manner that seeks to prevent or minimize adverse environmental impacts to the ocean, our coasts, and the Great Lakes ecosystems and resources, including cumulative impacts, and to ensure and improve their integrity. They should be managed and conducted in a manner that does not undermine efforts to protect, maintain, and restore healthy and biologically diverse ecosystems and the full range of services they provide;
  - b. Decisions affecting the ocean, our coasts, and the Great Lakes should be informed by and consistent with the best available science. 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

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

not be used as a reason for postponing cost-effective measures to prevent environmental degradation"; and

- c. Actions taken to protect the ocean, our coasts, and the Great Lakes should endeavor to promote the principles that environmental damage should be avoided wherever practicable and that environmental costs should be internalized, taking into account the approach that those who cause environmental damage should generally bear the cost of that damage.
2. 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. Management should include monitoring and have the flexibility to adapt to evolving knowledge and understanding, changes in the global environment, and emerging uses.
  3. Current and future uses of ocean, coastal, and Great Lakes ecosystems and resources should be managed and effectively balanced in a way that:
    - a. maintains and enhances the environmental sustainability of multiple uses, including those that contribute to the economy, commerce, security, and human health;
    - b. harmonizes competing and complementary uses effectively;
    - c. integrates efforts to protect, maintain, and restore the health, productivity, and resiliency of ocean, coastal, and Great Lakes ecosystems and the services they provide; and
    - d. recognizes environmental changes and impacts, including those associated with an increasingly ice-diminished Arctic, sea-level rise, and ocean acidification.
  4. The United States should support disciplinary and interdisciplinary science, research, monitoring, modeling, forecasting, exploration, and assessment to continually improve understanding of ocean, coastal, and Great Lakes ecosystems. These efforts should include improving understanding of physical, biological, ecological, and chemical processes and changes, their interconnectedness with other parts of the Earth system, and with human populations, and the potential social and economic consequences of management decisions on the long-term health and well-being of the population, including human health and safety. This knowledge should be applied through ecosystem-based management and adaptive management. Information resulting from these efforts should be easily accessible to the public.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

5. The United States should develop an improved awareness of changing environmental conditions and trends, and their causes, and of human activities that take place in the ocean, coastal, and Great Lakes environments.
6. United States policies, programs, and activities should enhance formal and informal education about the ocean, our coasts, and the Great Lakes and their uses to build a foundation for greater understanding and improved stewardship, and build capacity to produce future scientists, managers, and members of a dynamic and innovative workforce.
7. The United States should cooperate and provide leadership internationally in the protection, management, and sustainable use of the world's ocean, coastal regions, and the Great Lakes in keeping with applicable conventions and agreements, and with customary international law, as reflected in the Law of the Sea Convention.
8. United States programs, policies, and activities that may impact ocean, coastal, or Great Lakes ecosystems, or engage the use of their resources, should be designed to meet measurable benchmarks in support of clear goals and objectives related to stewardship of these ecosystems.
  - a. These goals and objectives of programs and activities should be periodically reevaluated and their effectiveness assessed. This information should be used to adjust management priorities and guide future management and resource decisions; and
  - b. The United States should develop appropriate standards and methods for measurement and assessment of parameters associated with the health of ocean, coastal and Great Lakes ecosystems.
9. United States policies, programs, and activities that may impact ocean, coastal, or Great Lakes ecosystems, or engage the use of their resources, should be assessed and conducted within an integrated and comprehensive interagency planning framework that:
  - a. considers and addresses the full suite of impacts on resources, biological diversity, and ecosystems;
  - b. is based on the best available scientific knowledge;
  - c. considers and addresses potential use conflicts;

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

- d. ensures and advances coordination and collaboration across Federal, State, tribal, and local jurisdictional lines, and with regional governance structures, the private sector, foreign governments, and international organizations, as appropriate;
- e. is coordinated and promotes consistency with our homeland and national security and foreign policy interests;
- f. is coordinated and promotes consistency with other national strategies that include environmental stewardship components relevant to the ocean, our coasts, and the Great Lakes;
- g. considers and respects our Nation's maritime heritage, including our social, cultural, historical, and aesthetic values;
- h. aims to maximize long-term net benefits to society by considering a range of reasonable alternatives that balance potential economic, environmental, public health and safety, and other advantages; distributive impacts; social justice and equity;
- i. operates through an open and transparent approach that encourages broad public participation;
- j. ensures consistency with management and budgetary goals and compliance with relevant legal requirements;
- k. seeks to eliminate redundancy and encourage efficiencies and synergies; and
- l. includes a reporting and accountability mechanism.

Implementing a number of the policy elements and principles directed above will require appropriate resources and assets. Departments and agencies shall work to identify future budgetary, administrative, regulatory, or legislative proposal requirements to implement these elements within the budgetary and management guidelines of the President's budget.

## PROPOSED POLICY COORDINATION FRAMEWORK

The proposed policy coordination framework suggests a combination of modifications to the structure of the existing Committee on Ocean Policy, a stronger mandate and direction, and renewed and sustained high-level engagement. This combination of improvements provides a framework for more successful policy coordination to improve the stewardship of the ocean, our coasts, and the Great Lakes. The proposed policy coordination framework would provide a reinvigorated structure that would strengthen ocean governance and coordination by providing clear and visible leadership and sustained high-level engagement within the Federal Government. Additionally, the structure would provide for greater participation by, and coordination of, State, tribal, and local authorities, and regional governance structures. The linkage between management and science would be strengthened, as would coordination with other senior level entities on relevant economic, climate, and security matters. The Task Force is confident that this combination of improvements would enhance the stewardship of the ocean, our coasts, and the Great Lakes.

### **I. National Ocean Council**

#### Structure

The National Ocean Council (NOC) would be a dual Principal - and Deputy- level committee. Membership of the NOC would include: the Secretaries of State, Defense, the Interior, Agriculture, Health and Human Services, Commerce, Labor, Transportation, Energy, and Homeland Security; the Attorney General; the Administrator of the Environmental Protection Agency; the Chair of the Council on Environmental Quality (CEQ); the Director of the Office of Management and Budget (OMB); the Administrator of the National Aeronautics and Space Administration; the Director of National Intelligence; the Director of the Office of Science and Technology Policy (OSTP); the Director of the National Science Foundation; the Chairman of the Federal Energy Regulatory Commission; the Chairman of the Joint Chiefs of Staff; the Assistants to the President for National Security Affairs, Homeland Security, Domestic Policy, and Economic Policy; an employee of the United States designated by the Vice President; and such other officers or employees of the United States as the Co-Chairs may from time to time designate.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

### Co-Chairs

The NOC would be Co-Chaired by the Chair of the Council on Environmental Quality and the Director of the Office of Science and Technology Policy. This construct would provide the NOC with balance of equities at the most senior level of its leadership and better facilitate interagency cooperation and collaboration.

There would be a NOC Steering Committee (described below) comprised of CEQ, OSTP, and the Chairs of the proposed Ocean Resource Management Interagency Policy Committee (ORM-IPC) and the proposed Ocean Science and Technology Interagency Policy Committee (OST-IPC).

### Function

Subject to the direction of the President and unless as otherwise provided for by law, the NOC would perform the following functions:

- 1. Tier-one functions of the NOC (Principal level).** The National Ocean Council has overall responsibility for implementation of the National Policy. Functions would include: (1) periodically update and set national priority objectives; (2) review and provide annual direction on National Policy implementation objectives based on Administration priorities and recommendations from the Deputies' level; and (3) be a forum for dispute resolution and decision-making of issues that could not be resolved at the Deputies' Level. The NOC would be required to meet a minimum of twice per year, but the Co-Chairs could call additional meetings as necessary for dispute resolution or other purposes.
- 2. Tier Two (Deputy level) functions** would include: (1) ensure execution of National Policy implementation objectives; (2) transmit Administration priorities to the ORM-IPC and OST-IPC; (3) ensure activities of and products from the ORM-IPC and OST-IPC are consistent with Administration policy; (4) coordinate with the OSTP, the National Security Council (NSC), National Economic Council (NEC),<sup>2</sup> Office of Energy and Climate Change (OECC), and other offices as appropriate; (5) provide direction and feedback to, and receive external input and advice from, its advisory bodies; and (6) dispute resolution and decision-making, and if unable to do so, to forward the issues to the Principal level. This

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<sup>2</sup> Coordination with the existing Committee on the Marine Transportation System would be done through the National Economic Council, at both the Principal- and Deputy- level. Coordination with the ORM-IPC and OST-IPC would also be developed, as appropriate.

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

group would also assume the duties of the statutorily mandated National Ocean Research Leadership Council (NORLC) under 10 U.S.C. § 7902.

The Deputies would be required to meet a minimum of quarterly.

### II. Authorities and Responsibilities of the National Ocean Council Co-Chairs

#### 1. Advise the President on the National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes

The Co-Chairs would advise the President on matters regarding implementation of the *National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes* (National Policy), consistent with the consensus views of the NOC. If consensus cannot be achieved, the Co-Chairs would provide their own views equally with the views of each member of the NOC.

#### 2. Implementation of the National Policy

On behalf of the NOC, the Co-Chairs would have overall responsibility for coordinating and facilitating the implementation of the National Policy, subject to the direction of the NOC and the President, including the following:

- **Development of Implementation Plans** – The Co-Chairs would facilitate development by the NOC of implementation plans to further the National Policy and identify progress toward meeting defined goals and objectives.
- **Reporting and Accountability** – The Co-Chairs would be responsible for: (1) coordinating interagency reporting on implementation and progress; (2) monitoring and ensuring effective implementation of policy decisions; (3) providing oversight and accountability for document preparation; and (4) coordinating and expediting interagency review and clearance of documents and reports within the NOC purview.
- **Budget** – The Co-Chairs would coordinate the development of an annual budget guidance memorandum on ocean priorities consistent with the goals and objectives of the National Policy. While it is understood that the Co-Chairs' authority would not be construed to impair or otherwise affect the function of the Director of OMB, they would work with OMB to issue interagency budget guidance consistent with annual priorities, develop crosscuts to inform the annual priorities on ocean, coastal, and Great Lakes stewardship, and consult with OMB, OSTP, and the NOC to identify programs that contribute significantly to the National Policy. The Co-

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

Chairs also would work with OMB to coordinate preparation of the biennial Federal Ocean and Coastal Activities Report mandated by Section 5 of the Ocean Act of 2000.

- **Emerging Issues** – The Co-Chairs would bring any Presidential ocean actions or priorities to the NOC, as appropriate, for action and implementation and would coordinate proper management of and response to emerging issues of relevance to the National Policy.
- **International** – In implementing this policy, the Co-Chairs would coordinate with the Secretary of State and the heads of other relevant agencies on matters related to the policy that arise within the Intergovernmental Oceanographic Commission, International Whaling Commission, Arctic Council, International Maritime Organization, regional fishery management organizations, and other similar international organizations.

### 3. Co-Chairs of the NOC

- The Co-Chairs shall have authority to call NOC meetings, draft the agenda, prioritize issues, and call deputies meetings.

### 4. Coordination and Integration

- The Co-Chairs would be the point of contact to coordinate with the National Security Advisor (NSA), National Economic Council (NEC) Director, and Assistant to the President for Energy and Climate Change (APECC), and other senior White House officials as appropriate. The Co-Chairs would have authority to request meetings with these entities for the purposes of coordination and resolution of issues of overlapping responsibility.

### 5. Decision-Making and Dispute Resolution

- The Co-Chairs would seek to encourage decisions and recommendations based on consensus of the NOC.
- Disputes that could not be resolved at the Deputy- level would be referred to the Co-Chairs. The Co-Chairs would facilitate resolution among the Principals.
- With respect to those matters in which resolutions or consensus could not be reached, the Co-Chairs would coordinate with the APECC, NEC Director, and NSA, as appropriate, to frame the disputed issue or issues for decision by the President.
- The establishment of the NOC would not be construed to impair or otherwise affect: (1) authority granted by law to an executive department or agency or the head thereof; or (2) functions assigned by the President to the National Security Council (or subordinate bodies) relating to matters affecting foreign affairs, national security, homeland security, or intelligence – any of

these matters that are not resolved by consensus within the NOC will be forwarded to the NSC for resolution.

### **III. Steering Committee**

#### Structure

The Steering Committee would be a high-level, streamlined body of four members from OSTP, CEQ, and one Chair each of the ORM-IPC and OST-IPC. The Steering Committee would meet at least every other month, but more often as issues require, and work in consultation with NSC and OMB to ensure their respective input on relevant matters, as appropriate.

#### Function

The Steering Committee would be the key forum for ensuring integration and coordination on priority areas within the NOC. In particular, it would ensure that there is coordination of management and science issues and that the activities of the ORM-IPC and OST-IPC are aligned to fully support implementation of the National Policy, and priorities agreed upon by the NOC. The Steering Committee would identify key issues and assist in developing the agenda for the NOC. In addition, the Extended Continental Shelf Task Force would report to the Steering Committee.

### **IV. Ocean Resource Management Interagency Policy Committee**

#### Structure

The Ocean Resource Management Interagency Policy Committee (ORM-IPC) is the successor to the current Subcommittee on Integrated Management of Ocean Resources. Chairs of the ORM-IPC are designated by the NOC. The members would consist of Deputy Assistant Secretaries or appropriate representatives from the Executive branch agencies and departments of the NOC. The ORM-IPC reports to the NOC. The ORM-IPC may establish sub-IPCs as necessary, as approved by the NOC.

#### Function

The ORM-IPC would function as the ocean resource management body of the NOC, with an emphasis on ensuring the interagency implementation of the National Policy, national priority objectives, and other priorities defined or approved by the NOC. This would include the development of strategic plans, in coordination with the OST-IPC, for the implementation of priority management objectives, with clear outcomes, milestones, deadlines, designated agencies, and performance measures with an adaptive review process. The ORM-IPC Chairs would develop a charter for the operation of the body, to be approved by the NOC, including, but not limited to, membership, meetings (e.g., requiring that it meet at least every

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

two months); development of a new or updated work plan based on direction from the NOC, and a process for external input (e.g., State, tribal, local, regional, and the public).

### **VII. Ocean Science and Technology Interagency Policy Committee**

#### Structure

The National Science and Technology Council's (NSTC) Joint Subcommittee on Ocean Science and Technology (JSOST) would serve as the Ocean Science and Technology Interagency Policy Committee (OST-IPC). Chairs of the OST-IPC would be appointed through NSTC procedures in consultation with the NOC. The group would consist of Deputy Assistant Secretaries or appropriate representatives from the Executive branch agencies and departments of the NOC. The NSTC would direct the OST-IPC to advise and assist the NOC in consonance with this National Policy and to work with associated bodies (e.g., the ORM-IPC) accordingly.

#### Function

The OST-IPC would function as the ocean science and technology body of the NOC, with an emphasis on ensuring the interagency implementation of the National Policy, national priority objectives, and other priorities for science and technology objectives. This would include the development of strategic plans (e.g., the Ocean Research Priorities Plan and Implementation Strategy), in coordination with the ORM-IPC, for interagency implementation of priority science and technology objectives, with clear outcomes, milestones, deadlines, designated agencies, and performance measures with an adaptive review process. The OST-IPC Chairs, in close coordination with the NOC, would develop a charter for the operation of the body, to be approved by the NSTC, and would include, but not be limited to, membership, meetings (e.g., requiring that it meet at least every two months), development of a new or updated work plan based on input from the NOC, and a process for external input (e.g., State, tribal, regional, and public). The OST-IPC would also retain the legislatively mandated functions of JSOST, report to the NSTC's Committee on Environment and Natural Resources, and maintain an intimate operational relationship with the NOC. It would continue to adhere to the rules and regulations of the NSTC. The ORM-IPC may establish sub-IPCs as necessary, and will do so under NSTC procedures and in close coordination with the NOC.

## VIII. Governance Advisory Committee<sup>3</sup>

### Structure

The NOC would establish the Governance Advisory Committee (the Advisory Committee) that would consist of thirteen members from States, tribes, and regional governance structures. The membership would be comprised of: (1) one representative from each of the six regions, chosen by the NOC, in consultation with regional ocean councils (Great Lakes Commission, Governors' South Atlantic Alliance, Gulf of Mexico Alliance, Mid-Atlantic Regional Council on the Ocean, Northeast Regional Ocean Council, and the West Coast Governors' Agreement on Ocean Health); (2) two at-large representatives from inland States, chosen by the NOC, in consultation with the National Governors Association; (3) one representative from Alaska, one representative from the Pacific Islands, and one representative from the Caribbean, chosen by the NOC, in consultation with regional groups; and (4) two at-large tribal representatives, chosen by the NOC, in consultation with the National Congress of American Indians, tribal councils, and regional tribal organizations. Representatives would serve for staggered two-year terms.

### Function

The role of the Committee would be to provide input to the NOC on issues of inter-jurisdictional collaboration and cooperation on the National Policy and related matters, including providing advice on long-term strategic management and research priorities. The Committee would also provide, at the request of the Steering Committee, input to the IPCs.

## IX. Ocean Research and Resources Advisory Panel

### Structure

The Ocean Research and Resources Advisory Panel (ORRAP) is a legislatively established body that advises the NORLC under the Federal Advisory Committee Act (FACA).

### Function

The ORRAP would provide independent advice and guidance to the NOC. Current membership is comprised of individuals from the National Academies, State governments, academia, and ocean industries, representing marine science, marine policy, and other related fields. However, ORRAP

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<sup>3</sup> This may be a FACA committee based on representation. If it is, then the Committee would be first be established with State, tribal, and regional representation (consisting of State officials), and then expanded via the FACA process to allow for additional membership.

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## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

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membership would be reviewed to determine whether to include additional representatives to broaden the level of expertise in support of the goals of the National Policy. The NOC would routinely provide guidance and direction on the areas for which it seeks advice and recommendations from the ORRAP.

### **X. Review and Evaluation**

After 12 months of operation, the National Ocean Council will conduct a review of the governance structure to evaluate its effectiveness and make any necessary changes or improvements.

IMPLEMENTATION STRATEGY

PROPOSED NATIONAL PRIORITY OBJECTIVES

HOW WE DO BUSINESS

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.

AREAS OF SPECIAL EMPHASIS

1. **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.
2. **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.
3. **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.
4. **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.
5. **Ocean, Coastal, and Great Lakes Observations and Infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, and data collection platforms into a national system and integrate that system into international observation efforts.

# INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

## I. Introduction

The proposed *National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes* would provide our Nation with a comprehensive approach, solidly based on science and technology, to uphold our stewardship responsibilities, and ensure accountability for our actions to present and future generations. Furthermore, the United States intends, through the National Policy, to serve as a model of balanced, productive, efficient, sustainable, and informed ocean, coastal, and Great Lakes use, management, and conservation within the global community. This strategy suggests a clear set of priority objectives that our Nation should pursue to further the National Policy.

### Overview of National Priority Objectives

This implementation strategy proposes nine priority objectives. The first four, which together frame *How We Do Business*, represent overarching ways in which the Federal Government must operate differently or better to improve stewardship of the ocean, our coasts, and the Great Lakes. The implementation of ecosystem-based management embodies a fundamental shift in how the United States manages these resources, and provides a foundation for how the remaining objectives would be implemented. Within that construct, the implementation of coastal and marine spatial planning and management would mark the beginning of a new era of comprehensive, integrated techniques to address conservation, economic activity, user conflict, and sustainable use of ocean, coastal, and Great Lakes resources. The other overarching objectives – to better inform decisions and improve understanding by the public through a strengthened ability to obtain and use science and information, and to better coordinate and support science-based management across various authorities and governance structures are, in and of themselves, not new concepts. However, these efforts have suffered from the lack of a clear National Policy and a comprehensive framework within which to achieve desired outcomes.

The implementation strategy also identifies five *Areas of Special Emphasis*, each of which represents a substantive area of particular importance to achieving the National Policy. These priority areas of work seek to address some of the most pressing challenges facing the ocean, our coasts, and the Great Lakes. For many years, scientists, resource managers, private industry, and others have been wrestling with these issues, with a variety of existing Federal Government programs in place to address them. While those efforts have delivered their share of results, in each of these critical areas more can – and must – be done. In many cases, we have lacked the capability and understanding – both scientific and technical – to affect the type of change required. In the last several years, however, science has significantly evolved and advanced, and our capacity to respond to environmental and technological changes in these five areas has

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

improved substantially. With this strategy, these specific areas of work should be viewed as National priorities, with a renewed and coordinated effort at finding and implementing solutions.

### Planning

Together, these nine priority objectives provide a bridge between the National Policy and action on the ground and in the water, but do not prescribe in detail how individual entities would undertake these responsibilities. For each priority objective, the NOC would be responsible for, and oversee development of, a strategic action plan within six to twelve months from its establishment. The NOC's Ocean Resource Management and Ocean Science and Technology Interagency Policy Committees would be charged with developing these plans. *The plans would address the obstacles and opportunities identified for each objective, and would focus on, but not be limited to, the key areas identified under each objective. In addition, each plan would:*

- Identify specific and measurable near-term, mid-term, and long-term actions, with appropriate milestones, performance measures, and outcomes to fulfill each objective;
- 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;
- Explicitly identify key lead and participating agencies;
- Identify gaps and needs in science and technology; and
- Identify potential resource requirements and efficiencies; and steps for integrating or coordinating current and out-year budgets.

The plans would be adaptive to allow for modification and addition of new actions based on new information or changing conditions. Their effective implementation would also require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component. Implementation of the National Policy for the stewardship of the ocean, our coasts, and the Great Lakes will recognize that different legal regimes, with their associated freedoms, rights, and duties, apply in different maritime zones. The plans would be implemented in a manner consistent with applicable international conventions and agreements and with customary international law as reflected in the Law of the Sea Convention. The plans and their implementation would be assessed and reviewed annually by the NOC and modified as needed based on the success or failure of the agreed upon actions. Upon identification and finalization of plans, the NOC Co-Chairs, in collaboration with the Office of Management and Budget, would develop an annual interagency ocean budget guidance memorandum.

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## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

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While these plans are under development, any agency that is conducting an activity that supports or furthers one of the objectives would bring them to the attention of the NOC. The NOC – working with the agency – would review the activity to determine how it might best contribute to overall implementation of the priority objectives, including being incorporated into the relevant strategic plan.

### Collaboration

The effective implementation of this far-reaching and comprehensive National Policy would require active collaboration of the Federal Government with State, tribal, and local authorities, regional governance structures, academic institutions, non-governmental organizations, and private enterprise. In developing and revising the plans, the NOC would reach out to these interested parties, as appropriate, through the NOC's Governance Advisory Committee, the Ocean Research and Resources Advisory Panel, workshops, and by other means.

Furthermore, international collaboration on a broad range of ocean issues is an important component of these objectives. The Nation plays a leadership role in various international forums that deal with these issues, including the Arctic Council, International Maritime Organization, regional fisheries management organizations, and the International Whaling Commission. By joining the Law of the Sea Convention now, we can reaffirm and enhance U.S. leadership in the development and interpretation of international law applicable to the ocean.

## II. National Priority Objectives

### How We Do Business

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.**

### *Obstacles and Opportunities*

Traditional management of resource use and other activities in the ocean, along our coasts, and in the Great Lakes has focused on individual species, resources, areas, or actions with limited consideration for how the management practices of one might impact the sustainability of another. This has often led to disjointed management approaches resulting in loss of resources, economic hardship, and environments at risk. To ensure healthier, more resilient and productive marine and Great Lakes environments, comprehensive management systems are needed that fully integrate ecological, social, economic, and security goals into decisions. Embedding ecosystem-based management, grounded in science, as an

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

overarching principle would be a fundamental shift in the traditional way the Federal Government approaches management of the ocean, our coasts, and the Great Lakes. It would provide the opportunity to ensure proactive and holistic approaches to balance the use and conservation of these valuable resources. This broad-based application of ecosystem-based management would provide a framework for the management of our resources, and allow for such benefits as helping to restore fish populations, control invasive species, support healthy coastal communities and ecosystems, restore sensitive species and habitats, protect human health, and rationally allow for emerging uses of the ocean, including new energy production.

### *The Plan Should 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 activities, uses, and goals are made based on the best available science and incorporate principles of ecosystem-based management.

### **2. Coastal and Marine Spatial Planning: Implement comprehensive, integrated, ecosystem-based coastal and marine spatial planning and management in the United States.**

#### *Obstacles and Opportunities*

The ocean, our coasts, and the Great Lakes are host to countless commercial, recreational, scientific, energy, and security activities, which often occur in or near areas set aside and managed for conservation and resource protection goals. Overlapping uses and differing views about what activities should occur and where can generate conflicts and misunderstandings. Coastal and marine spatial planning that fully incorporates the principles of ecosystem-based management will provide a means to objectively and transparently guide and balance allocation decisions for use of ocean, coastal, and Great Lakes waters and resources. It will allow for the reduction of cumulative impacts from human uses on marine ecosystems, provide greater certainty for the public and private sector in planning new investments, and reduce conflicts among uses and, between using and preserving the environment to sustain critical ecological, economic, and cultural services for this and future generations.

## *The Plan Should Address:*

- Expansion of the national framework for coastal and marine spatial planning developed by the Task Force;
- Specific time frames for implementation;
- Geographic limits, use of the best available science, protection of ecosystem integrity (e.g., biological diversity, fish and fish habitat), the management of trade-offs, with recognition of uncertainties in decision-making, and provisions for adaptive management; and
- An approach that balances competing uses, including traditional, new, and expanding uses (e.g., energy, aquaculture), minimizes impacts on coastal and ocean ecosystems, ensures sustainable uses under reasonable changes in environmental conditions, and minimizes costs.

### **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.**

#### *Obstacles and Opportunities*

A broad program of basic and applied disciplinary and interdisciplinary scientific research, mapping, monitoring, observation, and assessment, coupled with development of forecasts, models, and other decision-support tools, is required to build knowledge of ocean, coastal, and Great Lakes ecosystems and processes and ensure that management and policies are based on sound science. 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. In addition, increased scientific knowledge and a more comprehensive awareness and a detailed understanding of current and emerging human activities taking place in and around our waters, are essential to sound ocean planning and management. However, there are significant gaps in our understanding of ocean ecosystem dynamics, ocean conditions and trends, and the complex links between these conditions and human health, economic opportunities, national and homeland security and social justice. There is significant opportunity to improve how and what information we gather to better understand change and respond to challenges, better integrate current scientific knowledge and real-time data into decision-making, improve the management and integration of data supporting science and decision-making, and identify and close knowledge gaps necessary to adequately understand the impacts of human activities on the ocean, our coasts, and the Great Lakes. A diverse, interdisciplinary, ocean-literate workforce that has the appropriate skills and training to capitalize on these opportunities is

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

needed. In addition, formal and informal education programs developed and implemented to target grades K-12 and beyond would create opportunities for enhanced appreciation of coastal and ocean issues, and better prepare the workforce of the future. Success in building our knowledge and applying it to improve management also relies on an engaged and informed public. Many Americans do not realize the importance of the ocean, our coasts, and the Great Lakes to their daily lives, the benefits they provide, or the possibilities they present for further discovery. There is great opportunity to raise awareness and identify ways we can help protect our waters and their resources.

### **Inform and Improve**

#### *The Plan Should Address:*

- Identification of priority issues in addressing emerging topics and change in ocean, coastal, and Great Lakes ecosystems and processes;
- Specific scientific requirements and research needs, including the need for reconciling inconsistent standards, physical infrastructure, research platforms, organizations, and data management, to identify critical gaps, ensure high quality data, and provide information necessary to inform management, including mechanisms to transition research results into information products and tools for management;
- The development of a more comprehensive awareness of environmental conditions and trends and human activities that take place in the ocean, coastal, and Great Lakes environments; and
- Requirements for routine integrated ecosystem assessments and forecasts, including impacts related to climate change, to address vulnerability, risks, and resiliency, and inform tradeoffs and priority-setting.

### **Educate**

#### *The Plan Should Address:*

- Challenges, gaps, opportunities, and effective strategies for training and recruiting the current and next generation of disciplinary and interdisciplinary scientists, technicians, operators, managers, and policy makers, with a particular focus on the needs of disadvantaged or under-served communities; and
- Identification of successful formal and informal education and public outreach approaches, including their application toward a focused nation-wide campaign to build public awareness, engagement, understanding, and informed decision-making, with specific emphasis on the state of ecosystems.

- 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.**

### *Obstacles and Opportunities*

One of the significant obstacles to effective management of the ocean, our coasts, and the Great Lakes is the complex set of Federal, State, tribal, and local laws, authorities, mandates, and governance structures intended to manage their use and conservation. Consistent approaches to the management of resources, including ecosystem-based and adaptive management, are difficult to achieve given this shared, piecemeal, and overlapping jurisdictional model. Furthermore, the United States is party to numerous international agreements and subject to customary international law regarding use and protection of the ocean. 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. A set of shared principles and objectives coordinated among all levels of government would translate into effective outcomes consistent with the National Policy.

### **Coordinate**

#### *The Plan Should Address:*

- Identification of gaps, inconsistencies, and duplications in statutory authorities, policies, and regulations, and taking necessary and appropriate actions to address them;
- Procedures to identify and align mutual and consistent management objectives and actions across jurisdictions;
- Tangible tools and procedures to prevent and resolve conflicts across jurisdictions and disagreements concerning jointly managed ocean, coastal, and Great Lakes resources; and
- Opportunities for engaging the international community to further the objectives of the policy, as appropriate.

### **Support**

#### *The Plan Should Address:*

- Actions to assist the States in advancing the network of regional alliances to protect ocean, coastal, and Great Lakes health;

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## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

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- Evaluation of existing or new funding sources and options to protect, maintain, and restore ocean resources; and
- Legislative or regulatory changes necessary to simplify the sharing and transfer of resources among Federal, State, tribal, and local agencies.

### **Areas of Special Emphasis**

- 1. 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.**

### ***Obstacles and Opportunities***

The ocean plays a central role in shaping the Earth's climate and influencing climate variability. Because of this important relationship and the ecosystem services that the ocean, our coasts, and Great Lakes provide, global climate change and its associated impacts as well as ocean acidification pose some of the most serious threats to these ecosystems and coastal communities. Warming ocean temperatures have a profound impact on the distribution of rainfall over land, the melting of ice sheets, and the distribution and productivity of species. Sea-level rise, increased severe storm events, rapid erosion, and salt water intrusion threaten low-lying coastal communities with the destruction of infrastructure, flood inundation, the potential displacement of millions of people, and the loss of key species and habitats. At the same time, climate change is predicted to lower the water levels of the Great Lakes, thereby altering water cycles and supply, habitat, and economic uses of the Lakes. In addition, ocean acidification is expected to have significant and largely negative impacts on the marine food web, ocean ecosystems as a whole and biological diversity in general. Since climate change and ocean acidification may have widespread impacts, increased coordination of monitoring efforts and improved understanding of the changes in the ocean are vital to minimizing these impacts on our marine and Great Lakes ecosystems and coastal communities. We have an opportunity and a responsibility to develop strategies for reducing the vulnerability, increasing the resilience, and improving adaptation of human and natural systems to climate change impacts.

### ***The Plan Should Address:***

- Research, observations and modeling needed to forecast regional and local scale climate change 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 and measures to improve understanding of the connections among land, water, air, ice, and human activities;

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## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

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- 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;
  - Adaptive actions to identified climate change impacts, and related vulnerabilities such as ocean acidification, and the development of ecological and economic resilience strategies and priorities for research and monitoring to address these strategies;
  - Changes to local and regional ocean and lake management systems that incorporate changing climate risks and elements of resilient systems; and
  - A comprehensive approach to understanding human health implications of policies for the ocean, our coasts, and Great Lakes, and for identifying opportunities for the protection and enhancement of human health.
2. **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.**

### *Obstacles and Opportunities*

Along our coasts and the Great Lakes, essential habitats continue to suffer significant losses and degradation due to coastal development, sea-level rise, and associated human activities. Impacts on these ecosystems and the people and communities in these areas are presenting new management challenges. Additionally, external stressors, including invasive species, are impacting native species. While 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 Coast, the Chesapeake Bay, Puget Sound, South Florida, San Francisco Bay, and the Great Lakes. Because climate change is impacting our coastlines, it has become even more important to assess and place priorities on ecosystem restoration projects. These experiences provide valuable lessons for other coastal ecosystems.

### *The Plan Should Address:*

- Prioritization of the locations and geographic scope of coastal and Great Lakes ecosystem restoration projects, including implementation of the Great Lakes Restoration Initiative;
- Interim and longer term goals and mechanisms to facilitate collaboration among stakeholders to implement projects;
- Best practices for collaborative science-based planning to achieve ecosystem restoration goals building on the lessons learned in ongoing ecosystem restoration efforts;

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

- Impacts of invasive species on ocean, coastal, and Great Lakes ecosystems, and a range of methodologies for control and prevention of these species; and
  - Protection, maintenance, and restoration of populations and essential habitats supporting fisheries, protected species, ecosystems, and biological diversity.
- 3. 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.**

### *Obstacles and Opportunities*

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 suburban streets and lawns, agricultural and 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 as evidenced by harmful algal blooms, expansive dead zones, and increased incidents of human illness. Areas with particularly poor water quality are known to experience frequent beach closures, massive fish kills, and areas of toxic sediments. Since this pollution comes from many diffuse sources throughout the country, addressing it requires a strong commitment to coordination and cooperation between multiple sectors and among Federal, State, tribal, local authorities, and regional governance structures. Fortunately, a number of point and non-point source prevention programs are available to State, tribal, local, regional, and private entities to reduce the amount of pollutants that are transported from our Nation’s watersheds and into our coastal waters. There are opportunities to achieve significant reductions in these inputs to our coasts and ocean through concrete mechanisms that integrate and coordinate land-based pollution reduction programs.

### *The Plan Should Address:*

- The major impacts of urban and suburban development and agriculture, including forestry and animal feedlots, 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, including recommendations of how to integrate and improve existing land-based conservation and pollution programs;
- Best management practices, use of conservation programs, and 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

## INTERIM REPORT OF THE INTERAGENCY OCEAN POLICY TASK FORCE

- The establishment of a comprehensive monitoring framework and integration with State monitoring programs.
- 4. 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.**

### *Obstacles and Opportunities*

Climate change is having a disproportionately greater impact on polar regions than elsewhere, and the Arctic region is faced with serious problems. Permafrost is thawing at an accelerated rate, which leads to the release of large amounts of methane. Multi-seasonal sea ice is rapidly deteriorating. Much of the Alaskan Arctic seashore is threatened by coastal erosion and other environmental challenges. Increased human activity in the area is bringing additional stressors to the Arctic environment, with serious implications for Arctic communities and ecosystems. At the same time, the diminishing ice presents opportunities and pressures for increased development of living and non-living resources and for increased commerce and transportation. Working with all of the stakeholders, including the indigenous communities, we have the opportunity to develop proactive plans, informed by the best science available, to manage and encourage use while protecting the fragile Arctic environment.

### *The Plan Should Address:*

- Better ways to conserve, protect, and sustainably manage Arctic coastal and ocean resources, effectively respond to the risk of increased pollution and other environmental degradation on humans and marine species, and adequately safeguard living marine resources;
- New collaborations and partnerships to better monitor and assess environmental conditions and devise early warning and emergency response systems and procedures to be prepared for and respond to emerging events in the Arctic region, such as environmental disasters;
- Consistency and coordination with the implementation of U.S. Arctic Region Policy as promulgated in National Security Presidential Directive 66/Homeland Security Presidential Directive 25 (2009); and
- Improvement of the scientific understanding of the Arctic system and how it is changing in response to climate-induced and other changes.

- 5. Ocean Coastal, and Great Lakes Observations and Infrastructure: Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, and data collection platforms into a national system and integrate that system into international observation efforts.**

***Obstacles and Opportunities***

Our ability to understand weather, climate, and ocean conditions, to forecast key environmental processes, and to strengthen ocean management decision-making at all levels is informed by a sound knowledge base. Efficient and effective coordination of the many available tools, continued development of new tools and infrastructure, and integration of them into a cohesive, unified, robust system is becoming increasingly difficult as an ever increasing number of data collection and processing systems come on line. New ground-breaking observation technologies give us the ability to observe and study global processes at all scales. These new tools, if fully integrated, will significantly advance our knowledge and understanding of the ocean, our coasts, and the Great Lakes. Furthermore, successful integration of new tools and data will improve our ability to engage in science-based decision-making and ecosystem-based management by ensuring that biological, ecological, and social data and processes are included in the calculus.

***The Plan Should Address:***

- A nationally integrated system of ocean, coastal, and Great Lakes observing systems, comprised of Federal and non-Federal components, and cooperation with international partners and organizations, as appropriate;
- Regional and national needs for ocean information, to gather specific data on key ocean, coastal, and Great Lakes variables that are required to support the areas of special emphasis and other national needs;
- The use of unmanned vehicles and remote sensing platforms and satellites to gather data on the health and productivity of the ocean, our coasts, and the Great Lakes;
- The capabilities and gaps of the National Oceanographic Fleet of ships and related facilities; and
- Data management, communication, access, and modeling systems for the timely integration and dissemination of data and information products.