



## MEMORANDUM

TO: California Ocean Protection Council

FROM: Brian Baird, Acting Executive Policy Officer  
Don Crocker, Environmental Scientist

DATE: September 17, 2009

RE: OPC Comments to the Interagency Ocean Policy Task Force  
White House Council on Environmental Quality

ATTACHMENTS: (1) [Presidential Memorandum establishing an Interagency Ocean Policy Task Force and Ocean Policy Task Force membership](#)  
(2) [Secretary Chrisman's letter to the Ocean Policy Task Force](#)  
(3) [Suggested OPC comments to the Ocean Policy Task Force](#)

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### REQUESTED ACTION:

Staff recommends the council approve the following resolution:

"The council adopts the attached comments to President Obama's Interagency Task Force on Ocean Policy and authorizes the Chair to represent the council consistent with these recommendations."

### BACKGROUND:

On June 12, 2009 President Obama signed a presidential memorandum that called for the creation of a national ocean policy. The memo established an Interagency Ocean Policy Task Force (Task Force) to be composed of senior policy-level officials from the executive departments, agencies, and offices represented on the Committee on Ocean Policy and led by the Chair of the Council on Environmental Quality (Attachment 1). The Task Force has two major deliverables:

1. A report anticipated for release September 15, 2009 that establishes a national ocean policy and outlines a framework for implementation.
2. A report anticipated for release December 12, 2009 that develops a framework for implementing coastal and marine spatial planning.

This process presents an historic opportunity for the Ocean Protection Council (OPC) to influence the new national ocean policy as it is being developed. For many years, the state of California has been at the forefront of ocean and coastal management at the local regional and

national levels. Governor Schwarzenegger set forth a clear vision in his 2004 Ocean Action Plan to lead California's implementation of recommendations from both the U.S. and Pew Ocean Commission reports. One action from his plan was to create the OPC, which was accomplished through the passage of the California Ocean Protection Act (COPA).

COPA articulates statewide goals for the protection and management of California's ocean and coastal resources. It charged the OPC with the responsibility to coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations. One of the goals of the Act is to work with the federal government to encourage cooperative management with federal agencies, to protect and conserve representative coastal and ocean habitats and the ecological processes that support those habitats.

The Task Force will play a key role in guiding federal ocean policy for the foreseeable future and the OPC staff plans to work closely with task force members as they carry out this responsibility. With over 1,100 miles of coastline and close to 80 percent of its population living and working in coastal adjacent counties, the stakes for California are high. A healthy ocean is vital to both the environmental and economic well being of California. With so much at stake, the need to make sure our concerns are addressed is crucial.

The first report from the Task Force was anticipated for release September 15, 2009. This report is intended to develop a unifying framework and clear national policy for ocean and coastal resources. The presidential memorandum (Attachment 1) requires this report to contain 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.*
- 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. 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.*

Over the past few months, the Task Force has been soliciting stakeholder input through its Web site and has received over 300 comment letters. All comments from government agencies, non-governmental organizations, industry, academia and the public can be viewed on the CEQ Web site ([www.whitehouse.gov/administration/eop/ceq/initiatives/oceans/](http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans/)).

On August 25, Secretary Chrisman submitted comments on the development of this first task force report in his role as Secretary for Natural Resources (Attachment 2) since the OPC did not had time to approve comments before the completion of the report. His letter addresses key national ocean policy recommendations concerning the need for ecosystem-based management approaches, support for public trust responsibilities of federal and state governments, and the need for regional ocean partnerships such as the West Coast Governors' Agreement. Secretary Chrisman's letter also emphasizes the need for bold and achievable goals for programs and data collection such as ocean observation systems, high-resolution seafloor and coastal maps, the establishment of a national climate services center, innovative fisheries management approaches and research, and specific coastal and ocean restoration goals. Finally, his letter identifies the need for an ocean and coastal trust fund, legislation to improve management, new approaches to drive interagency collaboration and cooperation, and the development of a national framework for marine spatial planning.

A review of several letters submitted to CEQ reveals a high-level of agreement that new approaches should be considered at the national level to improve the way we manage and protect our oceans and coasts. The Secretary's comments are resonant with those made by several national and regional governance organizations, non-governmental agencies, private citizens and some trade associations. National governance entities such as the Coastal States Organization (35 coastal state members) and the regional organizations such as the West Coast Governors' Agreement (Governors of California, Oregon, and Washington) have submitted comments that emphasize the need for meaningful participation in federal decision making by the states and encourage federal support of state and regional governance. Environmental organizations such as the Natural Resources Defense Council, Environmental Defense Fund, the Ocean Conservancy and the Monterey Bay Aquarium stressed the need for a national policy that includes an ecosystem-based approach to management and for processes to incorporate the best available science into decision making. In addition, trade organizations such as the U.S. Chamber of Commerce submitted comments recognizing the importance of ocean and coastal resource protection to a healthy national economy – a major concern for coastal California that derives significant revenues from beach and ocean activities.

#### **NEXT STEPS:**

The Task Force is now planning a series of outreach meetings in regions with a direct interest in ocean and coastal issues to gather additional public comments. The outreach meetings began on August 21, 2009 in Anchorage, Alaska, and will continue through the fall. The West Coast meeting for the Task Force is scheduled for the afternoon of September 17, 2009 in San Francisco, following the OPC meeting.

This San Francisco meeting provides the OPC the opportunity to discuss and approve specific comments (Attachment 3) that can be conveyed to the Task Force at the public meeting and in follow-up meetings and correspondence.

As stated earlier, the second major task assigned to the Task Force is to develop a framework for effective coastal and marine spatial planning within 180 days from the date of the memorandum. This framework is intended to be a comprehensive, integrated, ecosystem-

based approach that addresses conservation, economic activity, user conflict, and sustainable use of ocean, coastal, and Great Lakes resources.

When the second draft report is distributed by the Task Force for review, the OPC will have a similar opportunity to comment. The OPC has begun some of the preliminary work necessary for examining multiple, and sometimes conflicting, uses in the ocean. The work currently under way will help the OPC engage in a more meaningful way in any federal effort at marine spatial planning. By becoming an early participant in this federal process with actual experience on this issue, the OPC will be ideally positioned to influence any federal effort in a way that will maximize the state's ability to effectively manage marine resources.

**CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:**

The proposed action is consistent with the California Ocean Protection Act (COPA) (Division 26.5 of the Public Resources Code). Section 35515(b) which directs the OPC to encourage cooperative management with federal agencies to protect and conserve representative coastal and ocean habitats and the ecological processes that support those habitats. In addition, COPA charges the OPC with authority to identify changes in federal law and policy necessary to achieve the goals of the Act and to improve protection, conservation, and restoration of ocean ecosystems. By influencing the creation of a new national ocean policy, the OPC will be able to encourage and structure federal management of national ocean resources to protect and conserve these resources as contemplated in COPA.

**CONSISTENCY WITH OPC'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

The proposed action is consistent with the OPC's Strategic Plan's Governance Goal to enhance the capacity and performance of agency programs to meet the goals of the California Ocean Protection Act. Governance Objective 5 directs the OPC to engage federal government support for California's priorities. The council has the opportunity to participate in the development of a new federal policy that reflects California's priorities for ocean and coastal management.