

Public Comments Received 2/14/2012-2/21/2012

Syracuse University.....	2
Attachment: Syracuse University.....	3
Corporate Wetlands Restoration Partership.....	5
GMEB, Norfolk State University.....	7
Bradford Brown.....	8
Environmental Entrepreneurs.....	9
Attachment: Environmental Entrepreneurs.....	10
National Aquaculture Association.....	12
Attachment: National Aquaculture Association.....	13
Natural Resources Defense Council.....	19
Attachment: Natural Resources Defense Council.....	20
Colorado Ocean Coalition.....	23
Attachment: Colorado Ocean Coalition.....	26
Colorado Ocean Coalition.....	29
Attachment: Colorado Ocean Coalition.....	32
Hawaii Aquaculture and Aquaponics Association.....	35
Attachment: Hawaii Aquaculture and Aquaponics Association.....	36
National Association of Marine Labs.....	40
Attachment: National Association of Marine Labs.....	41
William Kaminske.....	43
National Association of Home Builders.....	44
Attachment: National Association of Home Builders.....	45
Linda Schnell.....	50
Jason Jaronik.....	51
Erin Anderson.....	52
Allen Hippler.....	53
Sue Anderson.....	54
Association of Oregon Counties.....	55
Daphne Stewart.....	56

NATIONAL OCEAN COUNCIL

Name: **Kaitlyn Smith**

Organization: Syracuse University

Path: <http://edit.whitehouse.gov/sites/default/files/webform/comment.pdf>

Comment:

What Priority Objective would you like to provide comment on?

Inform Decisions and Improve Understanding

What near-term, mid-term, and long-term actions would most effectively help the Nation achieve this policy objective?

A near-term action that would improve this policy objective would include rewriting the entire thing. When I saw the title of this objective I thought perhaps it would be focused on gaining information to make better decisions about how we are currently using the oceans, coastal area, and Great Lakes. To some extent it is, but, when I started reading I realized that this objective was focused on how we can use information and “improved understanding” to better suit humans. To exhibit stewardship for the oceans, coasts, and Great Lakes their interests should be the only ones of concern. Monetary gain from monitoring and managing the oceans, coasts, and Great Lakes is purely extrinsic and deplorable. The oceans have the highest phyletic composition out of any ecosystem on earth and these “informed decisions” and “improved understanding” should not be targeted at how humans can better utilize an already overexploited marine and freshwater system.

On this note, I would rewrite this priority objective so that it had actions that would benefit the biodiversity of the mentioned areas while inspiring new technologies and innovations. Near-term actions would include greater research of areas we know little about in the ocean. By better understanding how the oceans, coasts, and Great Lakes function as entireties, and smaller individual ecosystems, massive amounts of information could be gained that would help manage and protect the needs of these areas. By observing these fascinating realms of diversity we could find that there are many creatures that would be good models for biomimicry, such as whales. A corporation in Canada is modeling their fan blades, and hopefully soon some wind turbines, after whale fins which reduce drag due to their tubercles. This basic design has been staring humans in the face the entire time, which makes me wonder if there aren't hundreds more in these regions that we have yet to research and understand.

Research would also contribute to the sustainable use of the oceans, coastal areas, and Great Lakes in terms of recreational use, transportation, and resource use. At the moment overfishing in the oceans, sand dune destruction in coastal areas, and polluted harbors in the Great Lakes are all issues caused by one of these three human uses. More research has the ability to help form educated decisions about which projects are most urgent and how to best tackle these growing problems in a timely manner.

Along-term actions might include Action 2 as it has potential to help the aforementioned areas as well as produce a sustainable, pollution free source of energy. Wave power is one area of study that could benefit from a greater understanding as it could be engineered to be more efficient and produce less noise pollution.

Actions 3 and 4 are very solid ideas that I support. Action 5 is crucial in this priority objective as it stimulates jobs for graduates and undergraduates, as well as ensuring that the oceans, coastal areas, a Great Lakes are managed and looked after by people who are informed and passionate about their work.

Action 6 is the most important step to making informed decisions and improving understanding. The targeted areas are in such trouble because uninformed decisions were made and even with a work force trying to correct the problems at hand, without the public's endorsement and cooperation it is easy to see how these places could end up just as damaged, misused, and exploited as before. By targeting all age groups, specifically children who are still finding who they are, a united and educated front can be established and built upon.

What are some of the major obstacles to achieving this objective; are there opportunities this objective can further, including transformative changes in how we address the stewardship of the oceans, coasts, and Great Lakes?

The major obstacle is remembering that being a steward means doing what is right for the environment that sustains us, not trying to make it work harder for us. Just like we require rest to recover, these ecosystems also need time and our help to mend. People are dependent on these waterways and the coast for food, transportation, and fun, but what they don't see is that even though they may seem like ever stretching expanses, they too have their limits. Education is the most important factor in this policy, and also the most difficult task to efficiently tackle.

I think it's imperative that the way we address the stewardship of these regions be reconsidered. After reading this specific priority objective's introduction and first couple actions I was seriously concerned that the writer didn't understand the word's definition. This plan should not be looked at as an opportunity to benefit our nation's economy, it should be a policy that looks to do what is right for fellow components of nature, and if economic gains can be had then it's just icing on the cake.

Most people like to see things in terms of how actions will specifically affect themselves and their kin. With that said I'd like to share a quote by Dr. Edward O. Wilson, "The worst thing that can happen, will happen, is not energy depletion, economic collapse, limited nuclear war, or conquest by a totalitarian government. As terrible as these catastrophes would be for us, they can be repaired within a few generations. The one process now ongoing that will take millions of years to correct is the loss of genetic and species diversity by the destruction of natural habitats. This is the folly our descendants are least likely to forgive us". Although this quote tells of a nightmare that has already started to unravel, with an improved understanding of how the oceans, coastal areas, and Great Lakes function and what they need from us, hopefully we can work to stop this loss of diversity from going any further.

What milestones and performance measures would be most useful for measuring progress toward achieving this priority objective?

I feel that most of the milestones mentioned in the policy are accurate ways to go about this objective. Some performance measures that should be considered are how the programs and information is perceived by the public through occasional surveys and polls. Another useful tool for measuring the performance of this priority objective is the new species discovered and other useful knowledge gained from the increased research of the locations of interest.

Name: **John Mackenzie**

Organization: Corporate Wetlands Restoration Partnership

Path:

Comment: The Corporate Wetlands Restoration Partnership (CWRP) is pleased to submit comments on the Draft National Implementation Plan (NIP) for implementation of the National Policy for the Stewardship of the Ocean, Our Coasts, and Great Lakes. While CWRP understands the NIP is a road map for Federal agency implementation of the National Ocean Policy and does not direct non-Federal government agencies or private entities, CWRP encourages the NIP to incentivize Federal participation and engagement to enhance CWRP effectiveness across the U.S.

The CWRP is a public private partnership that has been in existence since 1999. The focus of this partnership is to provide corporate donations to communities so they can provide non-federal funding match to federal ecosystem restoration and education projects. Since its inception the CWRP has leveraged \$118 million in federal and NGO funds by providing non-federal match. CWRP has contributed \$3.5 million in cash and \$1.5 million in services. We have helped restore and protect more than 64,000 acres of wetlands and 1000 stream miles. While CWRP is pleased that our public- private partnership was recognized in Action 2 of the Coordinate and Support Priority Objective, we encourage the NOC to identify tangible outcomes and activities in the NIP that will bolster this critical public-private partnership. CWRP recognizes the significant objectives the NOC and its representative agencies accomplished in the current draft; but we offer a number of suggestions that would further strengthen and leverage resources and capabilities of the private sector. CWRP encourages the NOC to consider the following:

1. Recognize the importance of the corporate sector to assist federal and non-federal government entities in developing technology and science solutions and voluntary investments for coastal restoration
2. Establish a mechanism, such as the use of Coastal America or the Ocean Resources Advisory Panel, to establish a working relationship between the NOC and CWRP, recognizing that there is no high-level linkage between corporate America and national restoration and protection efforts set forth in the NIP. Another regional/local nexus between CWRP and NOP implementation could be through the Regional Advisory Committees as described in E.O. 13547.
3. Identify measurable outcomes and milestones to enhance CWRP's impact in regions where it has been active and to increase CWRP participation in regions requiring additional public/private partnership's to achieve national and regional ecosystem restoration and protection objectives.

The CWRP is an established standing committee of the Coastal America Foundation, an IRS recognized 501(c) 3 Public Charity. To support the National Ocean Council, the CWRP is in the process of developing the Corporate Ocean Initiative (COI). The COI contemplates recruiting corporations to support restoration and education projects that will be identified and furthered by National Ocean Policy implementation efforts. The National Management Committee of the CWRP will coordinate these corporate donations and requests that the National Ocean Council foster a process that identifies priority projects

beyond that described in Action 1 of the Regional Ecosystem Protection and Restoration Objective. We request points of contact within the National Ocean Council, Regional Ocean Partnerships, or through pending established Regional Planning Bodies to develop this effort and to begin funding tangible improvements to our oceans and coasts.

We will continue to work with Coastal America to support wetlands projects and educational programs throughout the country and internationally. Coastal America has been extremely effective in providing CWRP members with partnership opportunities with federal agencies and significant opportunities for CWRP investment in projects and programs.

The CWRP has a proven track record of partnering with federal agencies to jointly implement ecosystem restoration projects and we appreciate being recognized in the NIP. Given anticipated federal budget restrictions in the immediate future it is more important than ever to take advantage of corporate support for these initiatives. However, for this type of public-private endeavor to be successful the necessary framework for communication and coordination must be in place and the appropriate agency resources made available to support and implement the joint objectives.

The CWRP will be participating in the Capitol Hill Oceans Week activities in June 2012 and will host a national CWRP management committee meeting that week in Washington, DC. We propose to have a portion of our national meeting dedicated to a discussion of how CWRP can further implementation efforts by the National Ocean Council. We kindly request the NOC to consider providing us with a point of contact to further develop this concept. Our CWRP coordinator, Mr. John Mackenzie will remain our primary point of contact and he can be reached at (617) 484-1155 and via e-mail at JohnMackenzie@CWRP.org. Feel free to contact me at (617) 560-1377 and PJHester@SpectraEnergy.com.

Patrick J. Hester
Chair, National Corporate Wetlands Restoration Partnership

Name: **Camellia Okpodu**

Organization: GMEB, Norfolk State University

Path:

Comment: Below are specific questions about the implementation plan. Although the questions were addressed in the audio roundtable of February 15, 2012, I wanted to make sure they were included in the discussion.

Comment 1

On page 53 of the Implementation plan there is a bulletin which discusses the “gaps in scientific knowledge.” Several of the identified gaps allow for basic research to be involved. Although both EPA and NOAA are included, I propose the use of a Broad Agency Announcement which would allow collaboration between EPA, NOAA and the NSF. Several of the questions that have been listed could be approached from a basic research approach. Also, NSF supports research in the behavioral sciences. The social science literature could be strengthened through understanding the behavioral of land and water use. It would be helpful to have a conceptual framework to understand “cultural, recreational and historical” uses of our oceans.

Comment 2

I could find no reference to the protection of our aquifers? If the objective is to recognize our “waters” as national treasures then why do we not go all the way to the source? Very few people are aware of the importance of aquifers. I understand they can be covered under the water quality and climate change issues already explained in the document; however, if we are going to foster stewardship, we must give people a complete understanding of the water cycle. US Geological Survey has well defined maps and some educational material; however, if the public is to be involved we must have an interface that is novice friendly.

Comment 3

The national priorities are listed on page 8, under which priority is national security of our water supply and our coast security listed? It mentioned that this document is a collaboration of several agencies including Homeland security. However, the priorities given make no mention of national security. Also, will all the information become open sourced?

Name: **Bradford Brown**

Organization: retired NOAA

Path:

Comment: The document is outstanding. I have only two comments. The section on diversity in the oceans and coast workforce is excellent as far as it goes. However the increase in persons qualified and diverse will add very little unless the employing agencies make a positive effort to recruit, hire, retain and provide true opportunities for upward mobility. The track record shows that without dedicated positive effort this will not happen. The place based section mentions LMEs but I suggest a few sentences saying what they are and that their determination was through the scientific process. It is the largest area for management within which other areas should nest. Going larger than the LMEs mean going to a wide ocean area like the North Atlantic.

Name: **Nicole Lederer**

Organization: Environmental Entrepreneurs (E2)

Path: http://edit.whitehouse.gov/sites/default/files/webform/e2_plan_comments.pdf

Comment:

February 16, 2012

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Re: Recommendations to Strengthen Our Nation's Ocean Action Plan

Dear Chairs Sutley and Holdren and National Ocean Council Members,

As members of Environmental Entrepreneurs (“E2”), we thank you for the time and effort you and your staff have committed to developing a strong *Draft National Ocean Policy Implementation Plan* (“Plan”). We appreciate the opportunity to comment and to propose a few key changes that we believe will make this ocean and Great Lakes action plan even stronger.

E2 represents a national community of 850 business leaders who promote strong environmental policy to grow the economy. We are entrepreneurs, investors and professionals who collectively manage over \$90 billion of venture capital and private equity, and have started well over 1,200 businesses which in turn have created more than half a million jobs. E2 is widely recognized as an independent voice for understanding the business perspective on environmental issues. We have been active in promoting the adoption and implementation of a National Ocean Policy for this country because improved ocean stewardship will contribute to a strong economy.

Healthy oceans, coasts, and Great Lakes are a vital part of a healthy U.S. economy. A significant amount of this economic strength comes from recreation, tourism, and fishing, which depend on clean beaches, clean water, and abundant fish and wildlife. In 2009, tourism and recreation alone contributed more than \$61 billion to the nation's GDP and were responsible for more than 1.8 million jobs.¹ A 2011 report exploring fisheries economics found that the commercial fishing industry generated over \$116 billion in sales and \$31.5 billion in income, and supported more than 1 million jobs in 2009; expenditures by recreational fishermen generated nearly \$50 billion in sales and supported more than 320,000 jobs.² In the Great Lakes, the Brookings Institution found that the direct economic benefits of restoring the Great

¹ National Ocean Economics Program, Market Data: Ocean Economy Data 2009, at <http://noep.mbari.org/Market/ocean/oceanEcon.asp>. Please note that these numbers do not include multipliers.

² National Marine Fisheries Service, *Fisheries Economics of the United States 2009: Economics and Sociocultural Status and Trends Series*, pp. 12-13, at http://www.st.nmfs.noaa.gov/st5/publication/economics_communities.html. Please note that the results from this survey cannot be directly compared to the work of the National Ocean Economics Program; the analyses use different data and models. Please note that the NMFS report includes self-employed fishermen. The commercial fishing industry is defined as the commercial harvest sector, seafood wholesalers and distributors, seafood processors and dealers, importers, and seafood retailers.

Lakes total at least \$50 billion.³ Protecting and restoring the health of our oceans, coasts, and Great Lakes will help to preserve jobs and protect the health of our economy.

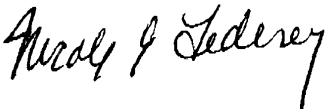
Thus, the protection and restoration of healthy ocean ecosystems must be at the core of the ocean and Great Lakes implementation plan. We recommend that the Plan be more explicit about this so that all of the Federal agencies that are part of the National Ocean Council (“Council”) understand that this is the primary goal.

In addition, we recommend that the Plan include more near-term action-oriented items. This is essential to show progress and provide accountability. A number of the Plan’s milestones call for identification or assessment or planning. But the milestones should not stop there – instead they should include implementing actions. Examples of more specific, near-term actions to improve ecosystem health include:

- Establishing the New England and Mid-Atlantic regional planning bodies in 2012 and the West Coast regional planning body in 2013;
- Setting numeric criteria that will drive controls on the nutrient pollution that is contributing to dead zones in our oceans;
- Establishing a protocol for the identification of important ecological areas and processes for use by regional planning bodies in their development of coastal and marine spatial plans;
- Completing regional ecosystem assessments which are necessary for effective coastal and marine spatial planning; and
- Expanding the current network of ocean acidification monitoring.

E2 believes the above recommendations build upon the Council’s Plan and move it closer to achieving the goals set out in the National Ocean Policy. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, and Great Lakes.

Sincerely,



Nicole Lederer
E2 Cofounder



Berl Hartman
Director, E2 New England

³ The Brookings Institution. 2007. *Healthy Waters, Strong Economy: The Benefits of Restoring the Great Lakes Ecosystem*, at http://www.healthylakes.org/site_upload/upload/GrtLakesCostBenefit.pdf.

Name: **Betsy Hart**

Organization: National Aquaculture Association

Path: http://edit.whitehouse.gov/sites/default/files/webform/naa_comments_draft_nop_implementation_plan_021612.pdf

Comment: See attached comments.



February 16, 2012

Michael Weiss, Acting Director
National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

Dear Mr. Weiss,

On behalf of the National Aquaculture Association (NAA) thank you for providing an opportunity to comment on the draft National Ocean Policy Implementation Plan (Plan). We appreciate the efforts of the President and the Executive Agencies to formulate in a transparent manner a national plan devoted to ocean issues.

The NAA is a U.S. producer-based aquaculture association that supports the establishment of governmental programs that further the common interest of our membership, both as individual producers and as members of the aquaculture industry. We are committed to the continued growth of our industry, to working with the federal government to create a business climate conducive to our success, and to fostering cost-effective environmental stewardship and sustainability.

We have two fundamental concerns that we wish to bring to your attention. First, the Plan and its implementation appear to reflect a top-down approach that has inadequately involved the states. This top-down approach is exemplified by a lack of recognition of the sovereign rights of states to manage and regulate coastal marine activities within state waters. This apparent lack of inclusiveness is anticipated to lead to conflict between the policies and recommendations of the nine regional councils and existing state laws, regulations and policies (pages 85-92). We recommend that the work of the regional councils relative to marine spatial planning be limited to marine waters under federal jurisdiction and that the proposed *Handbook for Regional Coastal and Marine Spatial Planning* include a summary of each coastal and Great Lake state laws, rules and policies.

Secondly, the Plan represents a long term, complex and expensive federal program that rests upon a patchwork of existing federal legislation. The Plan lacks the benefit of Congressional participation and legislative support necessary to effective implementation. We cannot imagine that this effort will continue to a meaningful conclusion without federal legislation. We request that the implementation plan specifically detail the steps and timeline for gaining legislative authority and support for the Plan.

Specific Plan Action Point Comments

Action 2: Provide scientific information to support emerging sustainable uses of resources including renewable energy, aquaculture and biotechnology - Page 20.

We support Action 2 espousing a national effort to recognize the natural and valuable sustainability attributes associated with marine shellfish culture (oysters, clams, or mussels). We recommend adding language to the National Shellfish Initiative bullet that describes the significant ecosystem

benefit associated with sequestration of carbon, nitrogen, and phosphorus in the form of shellfish cultured for human consumption or for environmental restoration projects.

We also recommend that it is important to add a complementary bullet to Action 2 that is specifically focused on marine finfish aquaculture. The following language is recommended.

- Establish a National Marine Finfish Aquaculture Initiative to (1) provide the necessary ecological, technological, economic, and social data and analysis to effectively and sustainably develop, support, manage, and regulate private and public sector marine finfish aquaculture and species restoration, including technologies deemed necessary under recovery and conservation plans for depleted, threatened, and endangered species and habitat; (2) monitor, assess, and address the environmental and socioeconomic effects of marine finfish aquaculture, including cumulative impacts; and (3) complement the scientific work of our federal, state, and academic partners.

We also recommend that the U.S. Department of Agriculture be added as a partner for the third bullet that supports estimating the contribution and impacts of emerging uses (i.e., aquaculture). Several economic input-output analyses have been completed by Land Grant University-based and private economists. Examples include:

Adams, C., A. Hodges, and T. Stevens. 2008. Estimating the economic impact for the commercial hard clam culture industry on the economy of Florida: Final Report. Florida Department of Agriculture and Consumer Services, Division of Aquaculture. Tallahassee, Florida. (Accessed January 25, 2012

http://www.floridaaquaculture.com/publications/2008_Hard_Clam_Impact_Final_Report.pdf)

Hodges, A., et al. 2001. Economic impact of Florida's commercial fisheries and aquaculture industries. Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, Florida. (Accessed January 25, 2012

<http://nsgl.gso.uri.edu/flsgp/flsgpg01011.pdf>).

Murray, T.J. and J.E. Kirkley. 2005. Economic activity associated with clam aquaculture in Virginia – 2004. Virginia Sea Grant Marine Advisory Program and Department of Fisheries Science. Virginia Institute of Marine Science. (Accessed January 25, 2012

<http://web.vims.edu/GreyLit/VIMS/mrr05-5.pdf?svr=www>)

O'Hara, F., C. Lawton, and M. York. 2003. Economic impact of aquaculture in Maine. Planning Decisions, Inc. Halowell, ME. (Accessed January 25, 2012

<http://www.maineaquaculture.org/Aquaculture%20Report.pdf>).

Philippakos, E. et al. 2001. Economic impact of the Florida hard clam industry. Florida Sea Grant Program, University of Florida, Gainesville, Florida. (Accessed January 25, 2012

<http://shellfish.ifas.ufl.edu/PDFs/Publications/Economic%20Impact%20of%20the%20Florida%20Cultured%20Hard%20Clam%20Industry.pdf>)

Posadas, B.C. 2004. Potential economic impact of offshore aquaculture production in the Gulf of Mexico. Paper presented at the 2004 IMPLAN Users Conference, October 6-8, Sheperdstown, WV. (Accessed January 25, 2012

http://msucare.com/crec/publish/economic_impact_of_offshore_aquaculture_in_the_gulf_of_mexico.pdf).

Action 6: Increase ocean and coastal literacy by expanding the accessibility and use of ocean content in formal and informal educational programming for students, educators, and the public - Page 24.

We strongly recommend that Action 6 incorporate a hands-on aquaculture classroom component to achieve ocean and coastal literacy. As an examples, 51 Alabama, 14 Delaware and 17 Florida middle and high schools use aquaculture systems (aquaria, tank or ponds) as a teaching tool to reinforce in a practical manner the daily importance of science, technology, engineering and math. The teachers and students love it. These educational efforts are supported by the National Aquaculture Educators Network (<http://www.aces.edu/dept/fisheries/education/NationalAquacultureEdNetwork.php>).

Action 5: Improve efficiency of permitting of ocean, coastal, and Great Lakes users - Page 40.

We very much appreciate the focus on federal aquaculture permitting and recommend that *ex officio* stakeholder members that are affected by federal permitting be added to the Interagency Working Group on Aquaculture for several reasons that will become evident based upon on the following recommendations.

We recommend deleting the first bullet which recommends developing and making available communication tools that educate U.S. aquaculture about Federal laws and regulations. Our members are thoroughly familiar with federal laws and regulations that affect marine aquaculture activities. There exist several current and thorough federal law and regulation analyses available that build upon information that has been available since 1992 in the form of a publication by the National Research Council entitled, *Marine Aquaculture: Opportunities for Growth*. Federal agencies also provide permitting and regulatory information via well-designed web sites (e.g., <http://www.epa.gov/agriculture/anaquidx.html>). In reality, the marine aquaculture community is disappointed and dismayed that an additional study is suggested in this Plan for a topic that has been studied to death.

The second bullet recommending that there is a need to identify opportunities and pursuing agreements to integrate aquaculture operations permits review processes mirrors requirements described in the National Environmental Policy Act. In our opinion and experience, the federal agencies have clearly defined the information permittees must provide and adequately integrated permit reviews. This bullet should be deleted as well.

The third bullet that recommends identifying and pursuing aquaculture permitting regulatory efficiencies should be the responsibility of non-governmental stakeholders. The perceptions of the permit applicant are absolutely essential to identifying “permit efficiencies.”

The fourth bullet recommending the development of “BMPs [best management practices] to inform and improve Federal permitting” is nonsensical. Best Management Practices are a valuable and publicly recognized tool of the U.S. Environmental Protection Agency, as authorized by the Clean Water Act, that consist of a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. Clearly, this recommendation reflects a lack of federal agency understanding relative to the use and import of this term and this particular and unusual application will confuse the regulated public. This bullet should be deleted.

We strongly recommend two new bullets.

- Provide a single federal agency with legislative authority to provide leases for aquaculture facilities in federal waters.
- Complete an in-depth analysis of state aquaculture regulations and related environmental protection and conservation regulations with the goals of 1) eliminating redundant federal environmental reviews, requirements, or permits and 2) creating a federal appreciation and recognition for state laws, rules, and programs.

Regional Ecosystem Protection and Restoration, second paragraph - Page 43.

Wetland losses are described as being 59,000 acres per year between the years 1998 and 2004; however, the U.S. Fish and Wildlife Service report entitled, *Status and Trends of Wetlands in the Conterminous United States 2004-2009*, reported 110 million wetland acres exist in the United States and a loss of 62,300 acres occurred during that five year period. We agree wetland losses are a serious issue but we recommend that data reflecting significant efforts by federal, state, and local governments to protect and restore wetlands be recognized, and that accurate information be used.

Action 4: Strengthen interagency collaboration to protect and conserve coral reef ecosystems - Page 49.

We recommend that Action 4, the protection and conservation of coral reef ecosystems be expanded to include coral reef restoration. Spectacular success in coral culture has been triggered by Ken Nedimyer of the Coral Reef Restoration Foundation (<http://www.coralrestoration.org>). Ken’s work was expanded through a partnership with The Nature Conservancy and the National Oceanic and Atmospheric Administration through an American Recovery and Restoration Act grant. Ken and his foundation have developed the largest offshore coral nursery in the United States, with more than 15,000 coral “frags” or “nubbins,” (14,000 Staghorn, 1,200 Elkhorn) and transplanted more than 3,000 corals from nursery to reef at 22 different reef areas in the Upper Florida Keys, with concentrated effort in Molasses Reef, located in the Florida Keys National Marine Sanctuary. In addition, Ken has created partnership in the US and the Caribbean to spur further coral restoration efforts throughout the region. We recommend that this success be recognized and that a bullet be added focusing upon increasing and expanding private and public coral restoration partnerships and efforts.

Action 5: Locate, control, and, where possible, eradicate invasive species populations - Pages 50 and 51.

We recognize that early detection and rapid response are important tools amongst the several tools available to federal and state agencies, as well as the private sector, in implementing an effective response to aquatic invasive species. The other important tools include prevention, control and management, restoration, education and outreach, and research. We strongly support a focus upon prevention and recommend the Plan be amended to address the daily introduction of nonnative species to federal and state waters via ballast water.

We realize that preventing the release of untreated ballast water has been a federal goal since 1990 and that some progress has been made by the states and the federal government (as exemplified in the two bulleted action items on page 74), but there exist significant practical gaps in this prevention effort related the efficacy of current ballast water treatments, ballast water intake and discharges associated with coastal (non-oceanic) shipping, hull fouling and the presence and transport of species with sea chests, anchor lockers and other water containing compartments that exist in passenger and cargo vessels. Until the complex challenge posed by live, nonnative organisms in ballast water in all forms and fashions is solved, those entities implementing early detection and rapid response actions will never secure the necessary financial and human resources to be successful. In the event our suggestion is not adopted, then we strongly recommend that Action 5 be rewritten to specifically focus upon coastal and Great Lakes maritime shipping ports and harbors.

Action 5: Address threats posed by toxic chemicals and land-use practices to human, environmental, and wildlife health - Page 70.

We recommend that the lead sentence for Action 5 be amended. The phrase “contaminated seafood” communicates that fish or shellfish destined for human consumption is contaminated and negatively characterizes efforts by federal and state food safety programs and seafood harvesters, growers and processors that are delivering to the U.S. consumer the safest seafood in the world. We suggest that the phrase “Contaminated marine species” be substituted.

We also recommend that the second bullet that describes an outreach effort include USDA because of their food and nutrition educational and food regulatory programs. Similarly, the fifth bullet should include USDA Agricultural Research Service because of their research capabilities relative to food-borne microbes and their detection.

Action 4: Establish Regional Planning Bodies - Pages 91-92.

The statement in the draft that stakeholder engagement is critical to the success of the Regional Planning Bodies is very much appreciated; however, there is no associated action item that explicitly directs the Regional Planning Bodies to include in their organization stakeholder representation (similarly the National Ocean Policy lacks this specificity). We recommend that a new bullet be added:

- Regional Planning Bodies are to form individual stakeholder committees that reflect the principle activities that occur in the coastal zone (i.e., maritime shipping, commercial fishing, recreational fishing and boating, energy, finfish and shellfish aquaculture, and research).

Thank you again for the opportunity to provide our comments. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Betsy Hart".

Betsy Hart
Executive Director

BH/kg

Name: **Sarah Chasis**

Organization: NRDC

Path: http://edit.whitehouse.gov/sites/default/files/webform/nrdc_plan_comments.pdf

Comment:



40 West 20th Street
New York, NY 10011
(212) 727-2700
Fax (212) 727-1773

February 16, 2012

Ms. Nancy Sutley, Dr. John Holdren, and Members
National Ocean Council
c/o Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Filed electronically via www.whitehouse.gov/webform/submit-comments-draft-implementation-plan

Re: Recommendations to Strengthen Our Nation's Ocean Action Plan

Dear Chairs Sutley and Holdren and National Ocean Council Members,

On behalf of the Natural Resources Defense Council (“NRDC”) and our more than 1.3 million members and online activists, we thank you for all of the effort you and your staff have invested in developing a strong *Draft National Ocean Policy Implementation Plan* (“Plan”) to tackle some of the most critical challenges facing our oceans and Great Lakes. This letter provides more specific recommendations regarding two of the Plan’s priorities – water quality and ecosystem restoration – to supplement the Plan comments NRDC is submitting with others in the environmental community.

NRDC strongly supports the Plan’s goals of protecting wetlands and high quality water and recommends the following new short-term actions within the Water Quality and Sustainable Practices on Land chapter. We believe these additions will significantly improve the National Ocean Council’s (“Council”) ability to achieve its goal of improving the health of our oceans and Great Lakes:

- Under Action 7, new milestone: “Finalize guidance and propose regulations to clarify the scope of waters protected by the Clean Water Act. (EPA, USACE; 2012)”
- Under Action 2, new milestone: “Adopt objective performance requirements for control of stormwater runoff from new development and redeveloped sites, with strong incentives for the

deployment of green infrastructure approaches, and require retrofits in existing public and private developed areas and as part of infrastructure reconstruction projects. (EPA; 2012)”

- Under Action 2, new milestone: “Ensure that all future combined sewer overflow (“CSO”) permits and separated sewer overflow (“SSO”) permits, wherever excessive inflow and infiltration are major contributors to overflows, incorporate green infrastructure and require on-site retention of stormwater, as part of an integrated approach. (EPA; 2013)”¹
- Under Action 2, new milestone: “Revise the Transportation Investment Generating Economic Recovery (“TIGER”) transportation grants to require that a percentage of highway funds be used for environmental protection, such as by using green infrastructure to protect waterbodies. (DOT; 2013)”²

Please note that NRDC has serious concerns about the Vessel General Permit that the U.S. Environmental Protection Agency has proposed to “reduce the risk of the introduction of invasive species via ballast water”; as drafted, it will not succeed in its goal of ensuring that new introductions are prevented.³

It is also essential that the Plan establish numeric nutrient criteria, which will drive controls on pollution that is contributing to our ocean dead zones. Numeric standards are the foundation for clean-up plans when the standards are not met, and they help State water officials determine how much pollution a given industrial or municipal discharger must remove from its waste stream. However, numeric nutrient water quality standards are largely absent in critical waterways across the country.⁴ At a minimum, the Council should include under Action 4 within the Water Quality and Sustainable Practices on Land chapter the following milestone: “Develop numeric criteria for the Mississippi, its tributaries, and the Gulf of Mexico. (EPA; 2013).”

In order to achieve the first milestone listed under Action 6 of the Regional Ecosystem Protection and Restoration chapter, we also encourage you to add the milestone: “Establish guidance to the fishery management councils encouraging the conservation and enhancement of habitat for priority species through EFH Provisions, including Habitat Areas of Particular Concern (HAPCs), to avoid or minimize adverse effects from impacts. (NOAA; 2013).” Please note that this milestone does not include the text “or compensate for adverse effects from impacts” – this is not an action linked with HAPCs and should

¹ The U.S. Environmental Protection Agency (“EPA”) should also provide detailed guidance to its regional offices and to States that explains how to draft enforceable green infrastructure requirements for inclusion in Clean Water Act permits and compliance orders pertaining to CSOs, MS4s, and SSOs.

² TIGER grants are awarded on a competitive basis for capital investments in surface transportation projects that will have a significant impact on the nation, a metropolitan area, or a region. Since the TIGER grant program began, only a few projects have received funding to implement green infrastructure. (See, generally: Seattle Department of Transportation, “Mercer Corridor Program.” Available at: <http://www.seattle.gov/transportation/mercercorridor.htm>.)

³ Plan, at 74.

⁴ The Office of Inspector General found that States and the EPA have failed to make needed progress in establishing numeric nutrient standards; as of 2009, half the country’s States had no numeric criteria whatsoever, and many other states lacked such standards for whole categories of water bodies. (See, U.S. EPA, Office of Inspector General, *EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards*, Report No. 09-P-0223 (Aug. 26, 2009)).

not be included in the recommended milestone or in the first milestone of Action 6.⁵ Further, in Action 4 of this chapter, we recommend adding the milestone: “Implement coordinated management actions to reduce direct and indirect (*e.g.*, removal of fish species necessary for coral reef health) adverse effects of fishing. (NOAA; 2012).”

Thank you for all of the effort you and your agencies have invested in this process. We hope that the further specificity provided here will help you in developing the final Plan; we welcome the opportunity to discuss these ideas with you further. We look forward to continuing to work with you to improve the health of our valuable oceans, coasts, and Great Lakes.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Chasis".

Sarah Chasis
Oceans Initiative Director
Natural Resources Defense Council

⁵ Plan, at 52. We also encourage other Federal agencies to take action to achieve milestone one – the National Oceanic and Atmospheric Administration should not be the only actor.

Name: **Vicki Nichols Goldstein**

Organization: Colorado Ocean Coalition

Path: <http://edit.whitehouse.gov/sites/default/files/webform/ntoceanplltr.pdf>

Comment: 4669 7th St
Boulder Co. 80304
720-253-2007

The Colorado Ocean Coalition (COCO) is delighted to support the first-ever comprehensive National Ocean Policy (NOP) and the Final Recommendations of the Interagency Ocean Policy Task Force. COCO's mission is to create, unite and empower a Colorado coalition with shared values, goals and action to promote healthy oceans through education and community engagement.

The policy calls on all federal agencies that play a role in ocean activities to work together with tribes and coastal states to create regional blueprints called marine spatial plans, to guide ocean development and protection.

The time is right to improve our understanding and awareness of changing environmental conditions, trends, and their causes taking place in ocean, coastal, and Great Lake waters. We believe that the NOP is comprehensive and if implemented, will prevent uncoordinated and haphazard development and extraction of important ocean resources. We especially appreciate the recognition that climate change is impacting the ocean and that the ensuing acidification is threatening individual species and entire marine ecosystems.

Living and promoting ocean stewardship in the middle of the country has its challenges. We strongly support the goal to foster public understanding of the value of the ocean, our coasts, and the Great Lakes and to build a foundation for improved stewardship. We welcome a policy that recognizes the overarching need to sustain and preserve abundant marine resources and healthy ecosystems where decisions will be informed by the best science available and will be guided by a precautionary approach.

We endorse the nine National Primary Objectives

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.

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.

8. 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.

9. Ocean, coastal, and Great lakes observations, mapping, and infrastructure: Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system, and integrate that system into international observation efforts.

COCO supports the recommendation of the United States joining the Law of the Sea Convention. The Convention:

- ▣ Codifies essential navigational rights and freedoms which our Armed Forces rely;
- ▣ Establishes rights and responsibilities of nations to prevent, reduce and control pollution of the marine environment and protects and preserves resources off their shores;
- ▣ Increases U.S. legal rights to our extended continental shelf;
- ▣ Reaffirms and enhances U.S. leadership in global ocean affairs.

The Colorado Ocean Coalition supports the NOP Regional Planning Body component that states, “every effort should be made to ensure representation from all states within a region, ideally through, or as part of, the existing regional governance structures created by or including the States to address cross-cutting issues, including regional planning.” However, Colorado is not identified as a state in a regional planning body. We would like to see some effort to include Colorado and other watershed states that are not currently included in the Regional Planning Body. We are working to create an inland ocean community and we would like the opportunity for our constituency to be represented.

The National Ocean Plan states:

“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 membership, as determined appropriate by the regional planning body.”

Since Colorado is not a coastal state, we would like clarification on how we can be included in the membership of the Regional Planning Body. Overall, inland representation is weak as defined in the NOP and watershed states should have more opportunities for involvement.

We appreciate and support The Final Recommendations of the Interagency Ocean Policy Task Force and believe that to fully implement the plan, we need to have broad and inclusive inland states representation.

Thank you for the opportunity to comment,

Vicki Nichols Goldstein
Founder and Executive Director
Colorado Ocean Coalition



4669 7th St
Boulder Co. 80304
720-253-2007

The Colorado Ocean Coalition (COCO) is delighted to support the first-ever comprehensive National Ocean Policy (NOP) and the Final Recommendations of the Interagency Ocean Policy Task Force. COCO's mission is to create, unite and empower a Colorado coalition with shared values, goals and action to promote healthy oceans through education and community engagement.

The policy calls on all federal agencies that play a role in ocean activities to work together with tribes and coastal states to create regional blueprints called marine spatial plans, to guide ocean development and protection.

The time is right to improve our understanding and awareness of changing environmental conditions, trends, and their causes taking place in ocean, coastal, and Great Lake waters. We believe that the NOP is comprehensive and if implemented, will prevent uncoordinated and haphazard development and extraction of important ocean resources. We especially appreciate the recognition that climate change is impacting the ocean and that the ensuing acidification is threatening individual species and entire marine ecosystems.

Living and promoting ocean stewardship in the middle of the country has its challenges. We strongly support the goal to foster public understanding of the value of the ocean, our coasts, and the Great Lakes and to build a foundation for improved stewardship. We welcome a policy that recognizes the overarching need to sustain and preserve abundant marine resources and healthy ecosystems where decisions will be informed by the best science available and will be guided by a precautionary approach.

We endorse the nine National Primary Objectives

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.
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.
8. **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.
9. **Ocean, coastal, and Great lakes observations, mapping, and infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system, and integrate that system into international observation efforts.

COCO supports the recommendation of the United States joining the Law of the Sea Convention. The Convention:

- Codifies essential navigational rights and freedoms which our Armed Forces rely;
- Establishes rights and responsibilities of nations to prevent, reduce and control pollution of the marine environment and protects and preserves resources off their shores;
- Increases U.S. legal rights to our extended continental shelf;
- Reaffirms and enhances U.S. leadership in global ocean affairs.

The Colorado Ocean Coalition supports the NOP Regional Planning Body component that states, “every effort should be made to ensure representation from all states within a region, ideally through, or as part of, the existing regional governance structures created by or including the States to address cross-cutting issues, including regional planning.”

However, Colorado is not identified as a state in a regional planning body. We would like to see some effort to include Colorado and other watershed states that are not currently included in the Regional Planning Body. We are working to create an inland ocean community and we would like the opportunity for our constituency to be represented.

The National Ocean Plan states:

“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 membership, as determined appropriate by the regional planning body.”

Since Colorado is not a coastal state, we would like clarification on how we can be included in the membership of the Regional Planning Body. Overall, inland representation is weak as defined in the NOP and watershed states should have more opportunities for involvement.

We appreciate and support The Final Recommendations of the Interagency Ocean Policy Task Force and believe that to fully implement the plan, we need to have broad and inclusive inland states representation.

Thank you for the opportunity to comment,

Vicki Nichols Goldstein
Founder and Executive Director
Colorado Ocean Coalition

Name: **Vicki Nichols Goldstein**
Organization: Colorado Ocean Coalition
Path: http://edit.whitehouse.gov/sites/default/files/webform/ntoceanplltr_0.pdf
Comment: 4669 7th St
Boulder Co. 80304
720-253-2007

The Colorado Ocean Coalition (COCO) is delighted to support the first-ever comprehensive National Ocean Policy (NOP) and the Final Recommendations of the Interagency Ocean Policy Task Force. COCO's mission is to create, unite and empower a Colorado coalition with shared values, goals and action to promote healthy oceans through education and community engagement.

The policy calls on all federal agencies that play a role in ocean activities to work together with tribes and coastal states to create regional blueprints called marine spatial plans, to guide ocean development and protection.

The time is right to improve our understanding and awareness of changing environmental conditions, trends, and their causes taking place in ocean, coastal, and Great Lake waters. We believe that the NOP is comprehensive and if implemented, will prevent uncoordinated and haphazard development and extraction of important ocean resources. We especially appreciate the recognition that climate change is impacting the ocean and that the ensuing acidification is threatening individual species and entire marine ecosystems.

Living and promoting ocean stewardship in the middle of the country has its challenges. We strongly support the goal to foster public understanding of the value of the ocean, our coasts, and the Great Lakes and to build a foundation for improved stewardship. We welcome a policy that recognizes the overarching need to sustain and preserve abundant marine resources and healthy ecosystems where decisions will be informed by the best science available and will be guided by a precautionary approach.

We endorse the nine National Primary Objectives

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.

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.

8. 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.

9. Ocean, coastal, and Great lakes observations, mapping, and infrastructure: Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system, and integrate that system into international observation efforts.

COCO supports the recommendation of the United States joining the Law of the Sea Convention. The Convention:

- Codifies essential navigational rights and freedoms which our Armed Forces rely;
- Establishes rights and responsibilities of nations to prevent, reduce and control pollution of the marine environment and protects and preserves resources off their shores;
- Increases U.S. legal rights to our extended continental shelf;
- Reaffirms and enhances U.S. leadership in global ocean affairs.

The Colorado Ocean Coalition supports the NOP Regional Planning Body component that states, “every effort should be made to ensure representation from all states within a region, ideally through, or as part of, the existing regional governance structures created by or including the States to address cross-cutting issues, including regional planning.” However, Colorado is not identified as a state in a regional planning body. We would like to see some effort to include Colorado and other watershed states that are not currently included in the Regional Planning Body. We are working to create an inland ocean community and we would like the opportunity for our constituency to be represented.

The National Ocean Plan states:

“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 membership, as determined appropriate by the regional planning body.”

Since Colorado is not a coastal state, we would like clarification on how we can be included in the membership of the Regional Planning Body. Overall, inland representation is weak as defined in the NOP and watershed states should have more opportunities for involvement.

We appreciate and support The Final Recommendations of the Interagency Ocean Policy Task Force and believe that to fully implement the plan, we need to have broad and inclusive inland states representation.

Thank you for the opportunity to comment,

Vicki Nichols Goldstein
Founder and Executive Director
Colorado Ocean Coalition



4669 7th St
Boulder Co. 80304
720-253-2007

The Colorado Ocean Coalition (COCO) is delighted to support the first-ever comprehensive National Ocean Policy (NOP) and the Final Recommendations of the Interagency Ocean Policy Task Force. COCO's mission is to create, unite and empower a Colorado coalition with shared values, goals and action to promote healthy oceans through education and community engagement.

The policy calls on all federal agencies that play a role in ocean activities to work together with tribes and coastal states to create regional blueprints called marine spatial plans, to guide ocean development and protection.

The time is right to improve our understanding and awareness of changing environmental conditions, trends, and their causes taking place in ocean, coastal, and Great Lake waters. We believe that the NOP is comprehensive and if implemented, will prevent uncoordinated and haphazard development and extraction of important ocean resources. We especially appreciate the recognition that climate change is impacting the ocean and that the ensuing acidification is threatening individual species and entire marine ecosystems.

Living and promoting ocean stewardship in the middle of the country has its challenges. We strongly support the goal to foster public understanding of the value of the ocean, our coasts, and the Great Lakes and to build a foundation for improved stewardship. We welcome a policy that recognizes the overarching need to sustain and preserve abundant marine resources and healthy ecosystems where decisions will be informed by the best science available and will be guided by a precautionary approach.

We endorse the nine National Primary Objectives

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.
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.
8. **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.
9. **Ocean, coastal, and Great lakes observations, mapping, and infrastructure:** Strengthen and integrate Federal and non-Federal ocean observing systems, sensors, data collection platforms, data management, and mapping capabilities into a national system, and integrate that system into international observation efforts.

COCO supports the recommendation of the United States joining the Law of the Sea Convention. The Convention:

- Codifies essential navigational rights and freedoms which our Armed Forces rely;
- Establishes rights and responsibilities of nations to prevent, reduce and control pollution of the marine environment and protects and preserves resources off their shores;
- Increases U.S. legal rights to our extended continental shelf;
- Reaffirms and enhances U.S. leadership in global ocean affairs.

The Colorado Ocean Coalition supports the NOP Regional Planning Body component that states, “every effort should be made to ensure representation from all states within a region, ideally through, or as part of, the existing regional governance structures created by or including the States to address cross-cutting issues, including regional planning.”

However, Colorado is not identified as a state in a regional planning body. We would like to see some effort to include Colorado and other watershed states that are not currently included in the Regional Planning Body. We are working to create an inland ocean community and we would like the opportunity for our constituency to be represented.

The National Ocean Plan states:

“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 membership, as determined appropriate by the regional planning body.”

Since Colorado is not a coastal state, we would like clarification on how we can be included in the membership of the Regional Planning Body. Overall, inland representation is weak as defined in the NOP and watershed states should have more opportunities for involvement.

We appreciate and support The Final Recommendations of the Interagency Ocean Policy Task Force and believe that to fully implement the plan, we need to have broad and inclusive inland states representation.

Thank you for the opportunity to comment,

Vicki Nichols Goldstein
Founder and Executive Director
Colorado Ocean Coalition

Name: **John Corbin**

Organization: Hawaii Aquaculture and Aquaponics Association

Path: http://edit.whitehouse.gov/sites/default/files/webform/nopp_comments_haaa.pdf

Comment: Dear Sirs: We have been asked to review and comment on the Draft National Ocean Policy Plan (NOPP) on behalf of the Hawaii Aquaculture and Aquaponics Association (HAAA). Our attached comments focus mainly on two areas: 1) the plan as it relates to managing and revitalizing U.S. marine fisheries and 2) the plan as it relates to encouraging the development of commercial marine aquaculture in state and federal waters. Thank you for the opportunity to make these comments. Aloha, John Corbin and Paul Bienfang, HAAA

**Comments to
“Draft National Ocean Policy Plan”
by the
National Ocean Council**

**Paul Bienfang, Ph.D.
John Corbin, M.S., CFP, AICP
Hawaii Aquaculture and Aquaponics Association**

1. Comments on the NOPP and the importance of marine fisheries and related subjects by Paul Bienfang, Ph.D

We appreciate the opportunity to offer comments to the Draft National Ocean Policy Plan, and thank the National Ocean Council for its efforts on behalf of sustaining our ocean resources.

Despite the highly capable articulation that this document presents, what is painfully missing is statement of a bold initiative that will take us from the present condition to a condition of unprecedented revitalization and sustainability of our fisheries resources.

It is with apologies for the abbreviated scope that we focus our most earnest feedback to the Draft National Ocean Policy Plan on marine fisheries. For most of America, marine fisheries are the primary connection to, concerns for, and connections with ocean issues.

As is, the Draft Plan presents a roadmap for federal agencies to cooperate nicely with one another to maintain the status quo while addressing their limited resources to worthwhile issues (e.g., climate change and ocean acidification) that are temporally distant but newsworthy. The priorities (p. 4) are fine if one is satisfied with a 'business as usual' position regarding ocean resources. Who could argue with the objectives given on page eight?

We ask that the Draft Plan contain the aspiration for an interdisciplinary, multi-agency national program to aggressively pursue revitalization of the nation's fisheries populations. We suggest development of a joint program of aquaculture scientists and fisheries scientists to design, direct and evaluate extensive projects addressing targeted fisheries in each region of the United States. Aquaculture science has achieved significant advancements in animal husbandry that can and should be directed toward improving marine fisheries. Advances in the spawning and larval rearing of many marine

fishes can do for the oceans what reforestation activities have done for the nation's terrestrial resources.

The population of the United States relates primarily to what they get or can't get from the ocean's fisheries resources. Only small subsets of us marine scientists are concerned with the intricacies of the trophic dynamics involved in the production of seafood. To address primary interest points of the populace with respect to the oceans, the Draft Plan should target a decadal program to significantly enhance regional fisheries populations.

Specifically, we recommend that Action 1 be amended to include establishment of stock revitalization programs in each region of the United States. Specific fisheries should be targeted regionally by collaborative alliances of selected members of the research communities of aquaculture, fisheries, federal, state scientific communities. Include metrics for accomplishment/achievement of preset milestones in Actions 2 and 3.

We are grateful for the opportunity to provide input. We respectfully reject the status quo standard that is reflected in the Draft Plan. Our collective capabilities can make far greater positive impacts than are being sought. The verbiage on page 93, i.e., "Since long before our Nation was founded, the ocean has been a source of nourishment, protection, employment, inspiration, and adventure causes us to close with a quote of Albert Einstein, i.e., "the significant problems we face today cannot be solved at the same level of thinking as when we created them." We urge the pursuit of more lofty aspirations for the U. S. populace. We urge application of our existing albeit fractionated capabilities in the pursuit of an aggressive national program to revitalize marine fisheries for the United States.

2. Comments on the NOPP and encouraging marine aquaculture in State and Federal waters by John Corbin MS, CFP, AICP.

The Draft National Ocean Policy Plan (NOPP) represents an extraordinary vision to define and implement a holistic and integrated approach for balanced federal stewardship and management of U.S. ocean resources and the Great Lakes. Rather than having limitations in focus, e.g., single species, finite resources, or specific geography, it endeavors to relate and understand the comprehensive and interrelated ecological, economic, social, and cultural aspects of our national environment and apply these insights to a regional management structure.

To indicate this is a huge challenge, even with today's technology to assist, does not give the task at hand justice. In addition to scale, the challenge is further compounded by the ambitious time tables for results set forth in the plan and the inherent practical complexities of

getting sometimes vastly different “bureaucratic cultures” to truly cooperate and collaborate with each other, as called for in the document. However, given our current understanding of the growing concerns over the health of the ocean, we believe this is a necessary approach to try to improve government decision-making going forward.

The HAAA is very concerned with developing a national ocean policy framework that recognizes the urgency and importance of encouraging rapid U.S. aquaculture development in State and Federal ocean waters. While portions of the plan call for wise economic use of our oceans to foster jobs, sustainable communities, etc., more emphasis in the document could be placed on rapidly increasing coastal and offshore mariculture development, e.g., through the use of incentives to attract private investment; targeted federal loans and loan guarantees; and provision of industry support services to support private investment in commercial offshore projects. Active federal support, combined with articulating a clear path for project permitting and long-term leasing of ocean space will encourage risk capital to flow into this emerging area and help drive innovation. Both USDOC and USDA have programs that address these issues and could be strengthened to increase the national effort for marine aquaculture.

A few specific comments on the NOPP text are found below:

- We applaud the plan calling for more efficient permitting of ocean activities in several places and its proposed utilization of Coastal and Marine Spatial Planning (CMSP) to efficiently and properly site activities in the ocean to minimize conflicts and hopefully maximize success.
- On p. 12, the plan calls for pilot projects to be initiated to learn about impediments to Ecosystem Based Management (EBM) and we urge that offshore and open ocean aquaculture be targeted as one of the priorities for the pilot project mix. There is an urgency (given the America’s increasing reliance on imports to fill the growing demand for seafood etc.) to have some commercial-scale projects operating so that questions of environmental impact among others, can be addressed with real data and an adaptive management process can begin. This important need could be highlighted in this section.
- On p. 20, under Action 2 milestones, several bold milestones are described and we urge the strong support of all mentioned. The National Shellfish Initiative and development of a plan for increasing commercial shellfish aquaculture is a good example of an aquaculture activity that is being impacted by global climate change and ocean acidification, while being a leading component of U.S. marine aquaculture. We urge a corresponding marine finfish aquaculture initiative be added targeting regionally important ocean species to catalyze commercial open ocean aquaculture development.
- On p. 20, creation of an Interagency Working Group on Aquaculture is discussed to support and interagency aquaculture initiative that is not defined. HAAA strongly supports the concept, but notes the President’s Joint Subcommittee on Aquaculture may be able to play that role if it were given an expanded mission, dedicated staff and a budget. This kind of cross-fertilization with an industry building mission could be the spark the U.S. industry needs.

- On p. 36, Regional Ocean Partnerships (ROP) and collaborations are described that will be essential to implementing the plan. We find no listing of an ROP for the Pacific, including Hawaii and the U.S. Affiliated Pacific Islands. Such an ROP needs to be created and publicized ASAP, as it will be essential to provide the Pacific Regions concerns and priorities (e.g. marine aquaculture priorities) to this complex process.
- On p. 40 and 41, under Action 5 asking for improved efficiency of permitting, aquaculture is indicated as “the initial focus, or pilot. “ HAAA strongly supports this focus for demonstration of a process for federal waters. Further, HAAA strongly recommends that the responsible agencies make every effort to gather input from experienced private sector marine aquaculture businesses and states with marine aquaculture permitting and leasing experience. HAAA also urges that due consideration be given to one or more pilot projects in the Pacific Region, which has a track record of planning and permitting open ocean aquaculture, as well as commercial investment interest.
- Regarding the important question of use of marine aquaculture as an effective tool for restoring and managing valuable marine fisheries discussed above, two additional points can be made. Firstly, greater investment in closing the life cycles of economically important marine species will be necessary if candidates for commercial mass culture in each region are to be developed. Moreover, while innovative research is part of the programs at many universities, equal support should be given to the private sector to increase the overall likelihood of success.

Secondly, a brief review of federal and state governments marine hatchery activities and infrastructure carried out in 2010 (Corbin, J.; Marine Technology Society Journal; Vol. 44, no. 3; May/June 2010), revealed that most of U.S. public hatchery capacity is tied up with freshwater and anadromous finfish species or shellfish. Should breakthroughs occur in economically important marine species such that large scale stock enhancement could occur, there is a strong concern that the capacity to take advantage of the science would not be there due lack of available infrastructure. Federal investment in marine hatchery capacity is needed now, along with the targeted scientific research on husbandry. Incentives/policies encouraging active participation of state aquaculture experts and the private sector in marine hatchery development should also be emphasized.

Name: **Jo-Ann Leong**

Organization: President, Nat'l Assoc of Marine Labs

Path: http://edit.whitehouse.gov/sites/default/files/webform/naml_comments_on_draft_noc_implementation_plan_011712_draft.pdf

Comment:



National Association of Marine Laboratories

PRESIDENT

Jo-Ann Leong, Ph.D.
Hawaii Institute of Marine Biology
46-007 Lilipuna Road
Kane'ohe, HI 96744
p 808-236-7401 f 808-236-7443
joannleo@hawaii.edu

CHAIR

COMMITTEE ON PUBLIC POLICY
Nancy N. Rabalais, Ph.D.
Executive Director and Professor
Louisiana Universities Marine
Consortium
8124 Hwy. 56
Chauvin, LA 70344
nrrabalais@lumcon.edu

PAST PRESIDENT

Ivar Babb
National Undersea Research Center
University of Connecticut, Avery
Point
1080 Shennecossett Road
Groton, Connecticut 06340
p 860-405-9119 · f 860-445-2969
ivar.babb@uconn.edu

SECRETARY/TREASURER

Alan M. Kuzirian
Marine Biological Laboratory
7 MBL Street
Woods Hole, MA 02543
p 508-289-7480 · f 508-289-7900
akuziria@mbl.edu

February 18, 2012

Mr. Michael Weiss
Acting Executive Director
National Ocean Council
722 Jackson Place NW
Washington, D.C. 20503
Fax: 202-456-0753

Dear Mr. Weiss:

On behalf of National Association of Marine Laboratories (NAML), I am pleased to submit the following comments on the Draft National Ocean Policy Implementation Plan recently released by the National Ocean Council. NAML believes this draft plan is an important and useful step towards implementing the National Ocean Policy established by Executive Order 13547. NAML supports the key themes that underlie this plan including: adopt ecosystem-based management; obtain, use and share the best science and data; promote efficiency and collaboration; and strengthen regional efforts. All of these are important within the overall National Ocean Policy and the key national priority objectives laid out in the draft plan.

NAML strongly suggests that the draft plan explicitly recognize the need to carefully balance support for intramural vs. extramural research and education activities. Extramural research is essential for the success of the National Ocean Policy because it will broaden and deepen the scientific enterprise on which it depends while maintaining quality, cost effectiveness, and flexibility. The underlying research program must be an open, merit-based process that brings together intramural and extramural efforts to contribute to problem solving. Extramural partners should be full participants while the infrastructure supporting extramural research needs to encourage and facilitate their participation in contributing toward the research objectives of the policy and its implementation plan.

The National Ocean Policy and the agencies executing the policy will continue to benefit from extramural research in a variety of important ways, including:

- Access to specific and unique world class expertise that may not be available within the Federal agencies;
- Connectivity with planning and conduct of global science;
- Means to leverage external funding sources;
- Facilitate multi-institution cooperation;
- Access to unique research facilities; and
- Access to graduate and undergraduate students.

Extramural academic scientists also benefit from working with the ocean, coastal, and Great Lakes agencies, in part, by learning to make their research more directly relevant to management and policy. It is an important two-way street.

Competitive, merit-based research and education programs enable the creation of important partnerships that speak to the collaboration and coordination needed among Federal, State, Tribal, local, and regional entities. Competitive, merit-based

The National Association of Marine Laboratories (NAML) is a nonprofit organization member institutions representing coastal, marine, and Great Lakes laboratories in every coastal state, stretching from Guam to Bermuda and Alaska to Puerto Rico. Members serve as unique "windows on the sea," providing information on the rich environmental mosaic of coastal habitats as well as offshore oceanic regions and the Great Lakes. NAML member laboratories conduct research and provide a variety of academic, education and public service programs to enable local and regional communities to better understand and manage the ocean, coastal and Great Lake environments. NAML is comprised of three regional associations: the Northeastern Association of Marine and Great Lakes Laboratories (NEAMGLL); the Southern Association of Marine Laboratories (SAML); and the Western Association of Marine Laboratories (WAML).

.....

National Association of Marine Laboratories

programs also produce new knowledge needed by decision makers in a flexible and highly cost effective manner while also training the next generation of scientists, educators, and resource managers needed by the Nation. NAML recommends that the final version of the plan discuss how it will reach an appropriate balance between intramural and extramural research and education support.

NAML applauds the emphasis in the plan that would increase knowledge to better inform decisions and the capacity to respond to change, as well as the emphasis on education of the public through formal and informal programs. The recognition that ocean, coastal and Great Lakes research and education are vital underpinnings for all other national priority objectives is important. The effort made in the plan to emphasize coordination and cooperation between Federal, State, Tribal, local, and regional concerns is very much appreciated. We look forward to putting this objective into practice as soon as possible.

Thank you for an opportunity to submit these comments. We would be happy to answer any questions or provide additional information in support of these views.

Sincerely,

A handwritten signature in black ink that reads "Jo Ann C. Leong". The signature is written in a cursive, flowing style.

Jo Ann Leong
President

Name: **William Kaminske**

Organization: U.S.A.Citizen/ Taxpayer

Path:

Comment: It looks like a federal government bureaucracy blank check. I expect it will be run just as poorly as all other federal government programs.

Name: **Larissa Mark**

Organization: National Association of Home Builders

Path: http://edit.whitehouse.gov/sites/default/files/webform/nahbcomments_finalnopimlementationplan_feb2012.pdf

Comment: Attached please find the comments submitted by NAHB on the draft National Ocean Policy Implementation Plan. Please contact Larissa Mark at 202-266-8157 if you have any questions.



February 13, 2012

National Ocean Council
722 Jackson Place, NW
Washington, DC 20503

RE: Comments on the Draft National Ocean Policy Draft Implementation Plan

Dear Members of the National Ocean Council:

Attached for your review, please find the National Association of Home Builders' (NAHB) comments on the ***Draft National Ocean Policy Implementation Plan***, released by the National Ocean Council (NOC) on December 27, 2011. The Plan sets forth an ambitious agenda for the federal government that includes 53 action items and nearly 300 milestones, 158 of which are proposed to be completed by the end of next year. While NAHB agrees that the nation's oceans, coasts and Great Lakes must be protected and preserved for future generations and that a single-use approach to resource conservation and management is inherently inadequate, we are concerned that today's draft implementation inappropriately adds yet another layer of review to an already burdensome project approved and plan fails to effectively balance environmental, economic and social concerns. NAHB is also concerned about funding allocations in this uncertain economic time. Rather than prioritizing monies from existing sources, all target agencies should request funds specifically for programs required by the National Ocean Council and have these requests and related expenditures itemized in their budgets.

NAHB is a federation of more than 850 state and local home builder associations nationwide. Our organization has over 140,000 members including individuals and firms engaged in land development, single and multifamily construction, multifamily ownership, building material trades, and commercial and industrial projects. Over 80 percent of our members are classified as "small businesses" and meet the federal definition of a "small entity," as defined by the U.S. Small Business Administration. Our members collectively employ over eight million people nationwide. Four out of every five new homes are built by NAHB members and it is anticipated that these members will construct 80 percent of the new housing units projected for 2012. Due to the nature of the home building industry, our members clearly have an interest in, and are impacted by, policies and decisions that affect how land may be used, such as the draft Plan.

1. Duplicative Policies and Programs Problematic

The NOC is proposing increased federal oversight for federal, state and local programs that have the potential to impact the Nation's ocean, coastal, and Great Lakes resources. In short, the draft National Ocean Policy Implementation Plan will fundamentally change how land use decisions are made and the manner in which federal, state and local government agencies interact with the regulated community. The draft Plan will not only duplicate existing federal, state and local policies and programs, but it will also prove to be unnecessarily restrictive, which will adversely impact both coastal economies and economies far inland across the nation.

Governments at all levels have already taken significant steps to protect, maintain, and enhance their waterways and coastal areas through the adoption of CZMA laws, resource protection regulations and zoning rules. While it may be a useful exercise to analyze existing plans for deficiencies, the National Ocean Council must not give new oversight or approval responsibilities to the federal agencies. Instead, the NOC is strongly urged to defer to state and local government expertise for final project and/or land use approval. Otherwise any National Oceans Policy has the potential to create yet another set of standards and/or approvals that could unnecessarily impose significant impacts on home builders, private landowners, and other businesses while providing minimal benefits. In fact, the draft plan has the potential to link land based activities, without limit, to the health of the ocean whether or not such activities have an actual impact.

NAHB's concern underlying this outcome is about the potential for the federal government to overstep its bounds with regard to land use planning. By "encouraging" the regional councils, coastal communities, localities and states to reevaluate existing policies and adopt additional climate change and environmental protection measures, today's draft plan will push many areas around the country to adopt take unnecessary steps rather than pushing for the adoption of blanket polices, the Council should instead identify where the gaps in coverage exist across the range of federal, state, and local environmental, land-use, and zoning requirements. This way, instead of putting new regulations on top of existing regulations and having no idea of the efficacy of any results, the efforts will target known deficiencies and programs can be tailored to meet the specific needs. Likewise, such an approach would encourage state, local and coastal governments to work together to implement effective adaptive management strategies.

2. Funding Sources

NAHB submits that such a wide-ranging policy is unnecessary. In fact, funding sources must be clearly identified in the budget process. The current budgetary environment and fiscal constraints that face the nation, are resulting in increased competition for fewer federal resources. As the draft Plan indicates, all actions and milestones indicated in the draft are subject to availability of funding.¹ Federal agencies, under reduced budgets, have been "instructed to prioritize" the National Ocean Policy in their FY 2013 budgets,² and in developing

¹ See Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Page 5, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf

² See Appendix to Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Page 108, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf.

the draft Plan, federal agencies were asked to consider how existing federal resources can be utilized as well as “repurposed” in order to support the policy.³ Despite this directive, most of the current budget proposals released on February 13, 2012 fail to identify resources for the Ocean Policy initiative. Instead, only those agencies who have historically dealt with ocean issues, the Department of Interior and the National Oceanic and Atmospheric Administration (NOAA), have allocated hundreds of millions of dollars in FY2013 funding for ocean and coastal mapping, ocean and coastal management and research, and regional ocean partnership grants.⁴

In order for the plan to be effective, the NOC must identify the resource needs and who is to provide the funding. If all of the resource needs are not met, the plan must prioritize the activities and indicate which tasks will/will not be completed. If the NOC only has \$400 million for implementation, it should develop a \$400 million plan. Likewise, state and local governments are struggling to provide basic services to their constituents, thus cannot be saddled with the bill to implement the NOC’s far-reaching plan. As above, since most state and local governments that are located in coastal areas or near the great lakes are already taking steps to manage their land use and minimize impacts on coasts and waterways, NAHB believes the NOC should focus on other aspects of the draft plan.

3. New Regulatory Requirements Uncertain

The Council on Environmental Quality and the NOC have repeatedly stated that the National Ocean Policy will not result in any new regulations or restrictions and does not contain a zoning plan.⁵ At the same time, the Final Recommendations of the Interagency Ocean Policy Task Force state that effective National Ocean Policy implementation will “require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component.”⁶ Similarly, the draft Plan itself notes with regard to one National Ocean Policy objective that “successful implementation will require concerted activities, including the use of regulatory...measures.”⁷ It also calls for identifying “underutilized” laws and regulations and utilizing opportunities to incorporate Ecosystem-based Management principles into Federal

³ See Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Page 5, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf

⁴ See The Department of Commerce Budget in Brief, released February 13, 2012, page 80, available at http://www.osec.doc.gov/bmi/budget/FY13BIB/fy2013bib_final.pdf.

⁵ See e.g. Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Page 4, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf (“This draft Implementation Plan creates no new regulations.”); Statement of Nancy H. Sutley, Chair, White House Council on Environmental Quality, Testimony on “The President’s New National Ocean Policy - A Plan for Further Restrictions on Ocean, Coastal and Inland Activities,” October 26, 2011 U.S. House Natural Resources Committee Hearing, available at <http://naturalresources.house.gov/UploadedFiles/SutleyTestimony10.26.11.pdf> (“The National Ocean Policy does not establish any new regulations or restrict the multiple uses of the ocean... coastal and marine spatial planning is not zoning...Coastal and marine spatial planning has been mischaracterized as “ocean zoning”...The National Ocean Policy does not impose any restrictions on ocean, coastal, or Great Lakes activities...); and National Ocean Council Website, Frequently Asked Questions, available at <http://www.whitehouse.gov/administration/eop/oceans/faq> (“The National Policy does not establish any new regulations or restrict any ocean uses or activities... The National Policy is not a map drawing exercise and does not contain a zoning plan or establish any restrictions on activities, nor does it restrict access.”).

⁶ See Final Recommendations of the Interagency Ocean Policy Task Force, released July 19, 2010, Page 30, available at http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf.

⁷ See Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Pages 63-64, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf.

laws, regulations, and policies, as well as enhancing the application of existing laws to better support climate change mitigation strategies.

Given these conflicting statements, it is unclear how the NOC proposes to proceed. NAHB is also concerned about the latter proposal because while many agencies have developed climate change mitigation strategies, there continues to be little legislative oversight or baselines from which agencies are able to develop consistent policies. Based on past experience, requirements of this nature tend to lead to statutes to be reinterpreted in a manner that contradicts the original intent of the legislation.

In light of the above, it is difficult to understand how the National Ocean Policy, as currently envisioned, not likely to result in unnecessary restrictions or prohibitions on land use and commercial and recreational activities through zoning plans, regulations, duplicative requirements and land designations. NAHB is deeply concerned with the lack of adequate recognition of the significant economic and societal contributions of many sectors of the United States economy and the impacts of duplicative and unnecessarily restrictive regulations will have on the nation's economy. To ensure that the National Ocean Policy does not create any new regulations or restrictions and unnecessarily harm economic and recreational activity, the final Plan should specify that all actions carried out in furtherance of the National Ocean Policy shall be based entirely on collaborative and voluntary efforts with regions, states, localities, citizens and land owners.

4. Expected use of Handbook and Guidance Documents

The NOC proposes to “develop guidance for all Federal agencies about how to implement Ecosystem Based Management (EBM) under existing regulatory and legislative authorities, such as the National Environmental Policy Act (NEPA), into agency-specific programs and associated action.”⁸ All handbooks and guidance documents provided to federal agencies for agency-wide implementation must first go through the public notice and comment process. Guidance documents often translate into pseudo-policy that can be and has been imposed on the regulated community as policy. All stakeholders subject to guidance enforcement should have an opportunity to review and provide critical feedback on the ability to implement guidance requirements.

The nation's oceans and coasts, including the Great Lakes, are important resources that must be protected. NAHB is concerned however, that this draft Plan is overly intrusive while failing to recognize the state and local accomplishments currently in existence. Revisions are necessary to provide better flexibility for state and local entities and to develop coordinated strategies and programs. NAHB is also concerned that the duplicative and burdensome overlap remains a constant theme in this draft Plan – a theme that has the potential to adversely impact existing federal, state and local programs across the nation. NAHB recommends the Council address these concerns prior to finalizing its Plan. Thank you for the opportunity to participate in the

⁸ See Draft National Ocean Policy Implementation Plan, National Ocean Council, released January 12, 2012, Page 14, available at http://www.whitehouse.gov/sites/default/files/microsites/ceq/national_ocean_policy_draft_implementation_plan_01-12-12.pdf

National Ocean Council

Comments on National Ocean Policy Draft Implementation Plan

February 27, 2012

Page 5

development of this draft policy. If you have any questions or would like to discuss any of NAHB's recommendations, please do not hesitate to contact me at (202) 266-8157.

Best regards,

Larissa Mark

Larissa Mark

Environmental Policy Analyst

Name: **Linda Schnell**

Organization:

Path:

Comment: I think this is a much needed plan for the future. I hope we are not too late. We cannot continue to look at the swollen glands and ignore the cancer that is engulfing our mother earth. Despite Newt's dreams, we are not going to be able to find another planet to trash. The problem is getting enough power to be able to stave off narrow-minded individual self-interest in many areas including fracking, nuclear power, rerouting rivers for commercial reasons, etc. This may be our last chance to be able to turn around the decline caused by our inattention to the sustenance of our planet. The hope is to leave the world a better place for our children.

Name: **Jason Jaronik**

Organization:

Path:

Comment: Follow the constitution and let the system review, alter, approve laws. This is a democracy and not a dictatorship.

Name: **Erin Anderson**

Organization:

Path:

Comment: Dear Chairs Sutley, Holdren, and National Ocean Council Members:

I would like to share my support for National Ocean Policy draft Implementation Plan. As an outdoor enthusiast from the Pacific Northwest, I believe that a strong Implementation Plan will help protect marine ecosystems and encourage sustainable ocean uses, including recreation and tourism. I grew up on an island in the Puget Sound, Washington and have always felt very connected to the ocean, and part of that connection is making sure that I help to leave it in a little better state than I found it - I think the National Ocean Policy will help us do that for our children.

The draft National Ocean Policy Implementation Plan establishes a strong blueprint for taking action and fostering agency coordination to sustain our ocean, coastal and Great Lakes resources. The draft plan has successfully incorporated the needs and concerns of governmental, non-profit, and commercial groups and provides clarifying details to improve accountability and monitor progress toward improved ocean management. Frequent notations on how implementing actions are related to one another provide confidence that activities will be coordinated and make good use of limited resources.

Nonetheless, the plan could be improved to achieve even more progress. It should more fully utilize all available authorities for habitat protection and management. Many of the milestones could be extended beyond cataloguing and planning to include action, with tangible, on-the-water activities. Regional need, support, and capacity should guide where coordinated actions should first take place. Federal agencies must continue to ask for input from other levels of the government and the public and incorporate this new information into implementation of the plan.

With these additions, President Obama's Implementation Plan will provide a better guide for achieving the goals of protecting, maintaining, and restoring the nation's oceans, coasts, and Great Lakes and ensuring resilient coastal economies. I look forward to the release of the final plan and hope to see policy translated into action on the water soon.

Sincerely,

Erin Anderson
3568 SE Brooklyn St
Portland, OR 97202

Name: **Allen Hippler**

Organization: none

Path:

Comment: I am writing to express my concern about much of this plan. Among other things, expensive and time consuming studies will be required to commercially develop areas; excessive regulations will be imposed on inland as well as coastal waters, and bureaucrats will be authorized to oversee what limited development will be allowed in coastal areas. I would prefer scrapping this entire plan and starting over in a manner not designed to increase bureaucracy.

Name: **Sue Anderson**

Organization:

Path:

Comment: Dear Chairs Sutley, Holdren, and National Ocean Council Members:

I would like to share my support for National Ocean Policy draft Implementation Plan. As an outdoor enthusiast from the Pacific Northwest, I believe that a strong Implementation Plan will help protect marine ecosystems and encourage sustainable ocean uses, including recreation and tourism.

The draft National Ocean Policy Implementation Plan establishes a strong blueprint for taking action and fostering agency coordination to sustain our ocean, coastal and Great Lakes resources. The draft plan has successfully incorporated the needs and concerns of governmental, non-profit, and commercial groups and provides clarifying details to improve accountability and monitor progress toward improved ocean management. Frequent notations on how implementing actions are related to one another provide confidence that activities will be coordinated and make good use of limited resources.

Nonetheless, the plan could be improved to achieve even more progress. It should more fully utilize all available authorities for habitat protection and management. Many of the milestones could be extended beyond cataloguing and planning to include action, with tangible, on-the-water activities. Regional need, support, and capacity should guide where coordinated actions should first take place. Federal agencies must continue to ask for input from other levels of the government and the public and incorporate this new information into implementation of the plan.

With these additions, President Obama's Implementation Plan will provide a better guide for achieving the goals of protecting, maintaining, and restoring the nation's oceans, coasts, and Great Lakes and ensuring resilient coastal economies. I look forward to the release of the final plan and hope to see policy translated into action on the water soon.

Sincerely,

Sue Anderson
9900 NE Pine
Bainbridge Island, WA 98110

Name: **Gil Riddell**

Organization: Association of Oregon Counties

Path:

Comment: The Association of Oregon Counties represents all 36 county governments of the State. Counties share in the State's stewardship responsibilities. There are many such responsibilities, but none more vital to the long-term social, economic, and environmental well-being of the entire State and each of its citizens than a thoughtful, forward-looking, and balanced strategy for management of the Ocean and coast. The draft Implementation Plan calls for nine Regional Planning Bodies, but excludes as members elected county officials. AOC urges the National Ocean Council to provide two seats on each Regional Planning Body for elected county officials. The presence of locally elected members will strengthen the NOP, by ensuring local buy-in, and providing hands-on planning experience.

Name: **daphne stewart**

Organization:

Path:

Comment: Dear Chairs Sutley, Holdren, and National Ocean Council Members:
I would like to share my support for National Ocean Policy draft Implementation Plan. As an outdoor enthusiast from the Pacific Northwest, I believe that a strong Implementation Plan will help protect marine ecosystems and encourage sustainable ocean uses, including recreation and tourism.

The draft National Ocean Policy Implementation Plan establishes a strong blueprint for taking action and fostering agency coordination to sustain our ocean, coastal and Great Lakes resources. The draft plan has successfully incorporated the needs and concerns of governmental, non-profit, and commercial groups and provides clarifying details to improve accountability and monitor progress toward improved ocean management. Frequent notations on how implementing actions are related to one another provide confidence that activities will be coordinated and make good use of limited resources.

Nonetheless, the plan could be improved to achieve even more progress. It should more fully utilize all available authorities for habitat protection and management. Many of the milestones could be extended beyond cataloguing and planning to include action, with tangible, on-the-water activities. Regional need, support, and capacity should guide where coordinated actions should first take place. Federal agencies must continue to ask for input from other levels of the government and the public and incorporate this new information into implementation of the plan.

With these additions, President Obama's Implementation Plan will provide a better guide for achieving the goals of protecting, maintaining, and restoring the nation's oceans, coasts, and Great Lakes and ensuring resilient coastal economies. I look forward to the release of the final plan and hope to see policy translated into action on the water soon.

Sincerely, daphne stewart