

**WRITTEN TESTIMONY OF
JANE LUBCHENCO, Ph.D.
UNDER SECRETARY FOR OCEANS AND ATMOSPHERE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE**

**HEARING ON
*THE INTERAGENCY OCEAN POLICY TASK FORCE INTERIM REPORT***

**BEFORE THE
SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES & COAST GUARD
COMMITTEE ON COMMERCE, SCIENCE & TRANSPORTATION
U.S. SENATE**

November 4, 2009

INTRODUCTION

Madam Chairwoman and members of the Subcommittee, my name is Dr. Jane Lubchenco and I am the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration (NOAA). Thank you for the opportunity to testify before you today on the Interagency Ocean Policy Task Force's work including its Interim Report, released on September 17, 2009.

I appreciate the Committee's interest in this important and historic endeavor that began on June 12, 2009, with President Obama's memorandum to the heads of executive departments and federal agencies establishing an Interagency Ocean Policy Task Force. Under the leadership of the White House Council on Environmental Quality (CEQ), the Task Force was charged with developing recommendations that include a national policy for our oceans, coasts and the Great Lakes, a framework for improved Federal policy coordination, an implementation strategy to meet the objectives of a national ocean policy, and a framework for effective coastal and marine spatial planning.

The urgent need for the President's action is not new. In two separate reports, first in 2003 and then in 2004, both the Pew Oceans Commission, of which I was a member, and the U.S. Commission on Ocean Policy (USCOP) recognized the need for a stronger ocean policy and improved governance structure. Specifically, the USCOP report, *An Ocean Blueprint for the 21st Century*, identified the need for a comprehensive and coordinated national ocean policy and recommended moving away from the current fragmented, single-sector way of doing business and toward ecosystem-based management.

As the President declared in his memorandum, "We have a stewardship responsibility to maintain healthy, resilient, and sustainable oceans, coasts and Great Lakes resources for the benefit of this and future generations," and that to succeed in protecting them, "The United States needs to act within a unifying framework under a clear national policy, including a comprehensive, ecosystem-based framework for the long-term conservation and use of our

resources.” I have dedicated my career to studying coastal and marine ecosystems and now, as I am responsible for leading NOAA, I could not agree more with the President’s statement. As the Department of Commerce’s representative on the Task Force, I am both excited and honored for NOAA to participate as we have an exceptional range of scientific capabilities, as well as policy and management expertise that have contributed to this initiative of national importance.

THE TASK FORCE

The Task Force is comprised of 24 senior-level policy officials from across the Federal Government. To complete the tasks laid out in the President’s memorandum, CEQ established a Working Committee composed of senior officials and key representatives from the agencies and departments to support the Task Force. CEQ also established several subgroups to help inform the Working Committee. The Working Committee and subgroups met on a weekly basis (in some cases, several times a week) to meet the President’s aggressive 90 day schedule. Reflecting this shared commitment to meaningful and permanent action, the federal agencies have had an “all hands on deck” strategy to engage in a robust policy debate.

The breadth of agencies and departments participating in the Task Force reflect how the oceans touch on most of what we do as a Federal Government. Throughout this process, NOAA, the nation’s primary ocean agency, was pleased to see so many agencies whose primary focus is not ocean and coastal issues be very supportive and engaged. The Department of Health and Human Services (HHS) is one example of a Department whose primary mission is to ensure the health of all Americans and provide essential human services, which does not explicitly lend itself to the stewardship of the nation’s oceans, coasts, and Great Lakes. Yet, HHS was engaged throughout the Task Force process realizing that healthy oceans support human health and their participation was comparable to other agencies that deal with ocean issues on a more regular basis such as the U.S. Coast Guard, Environmental Protection Agency, Navy and the Department of the Interior. It is this type of interagency commitment that will be critical to the effectiveness of a comprehensive National Policy for the Stewardship of the Ocean, our Coasts, and the Great Lakes.

Many talented and dedicated NOAA employees have worked numerous hours on the charges laid before the Task Force. This has included very senior personnel in our Agency involved in marine science and policy, coastal zone and living resource management, and communications experts. Included in this NOAA team is Dr. Paul Sandifer, a former member of the USCOP whose experience on the Commission was invaluable to the Working Committee and subgroup deliberations. I am proud of their efforts thus far and I know that the outcome of this Task Force has and will continue to benefit from NOAA’s steadfast participation. That being said, I want to emphasize the importance of a collaborative approach among all of the agencies that have been involved in this process. They all have sent very talented senior people to participate in the Task Force and empowered them to work collaboratively with the other agencies; resulting in surprisingly few “turf battles” as these policies and principles for ocean management have emerged.

THE INTERIM REPORT

The first 90 days of hard work by the Task Force resulted in the Interim Report, which was released on September 17, 2009. The Interim Report proposes a new National Ocean Policy that

recognizes that America's stewardship of the ocean, our coasts, and the Great Lakes is intrinsically and intimately linked to environmental sustainability, human health and well-being, national prosperity, adaptation to climate and other environmental change, social justice, foreign policy, and national and homeland security.

The Interim Report also recommends a proposed policy coordination framework that makes modifications to the existing ocean governance structure, including a stronger mandate and policy direction, and renewed and sustained high-level engagement. Under the proposal, CEQ and the Office of Science and Technology Policy would lead an interagency National Ocean Council to coordinate ocean-related issues across the Federal Government and the implementation of the National Ocean Policy. Such a governance structure, combined with sustained high-level staff involvement, would ensure that ocean issues remain a priority and are addressed consistently throughout the Federal Government. The proposal also includes a Governance Advisory Committee to the National Ocean Council to improve coordination and collaboration with State, Tribal, and local authorities, and regional governance organizations.

The Interim Report prioritizes nine categories for action, including ecosystem-based management, regional ecosystem protection and restoration, and strengthened and integrated observing systems, that seek to address some of the most pressing challenges facing the ocean, our coasts, and the Great Lakes. These strategies and objectives provide a bridge between the National Ocean Policy and action on the ground. As we have heard from listening sessions all over this country, there is great enthusiasm and high expectations that we will move from planning and coordination to meaningful improvements in coastal and ocean ecosystems.

Lastly, the Interim Report highlights the need for the United States to provide leadership internationally in the protection, management, and sustainable use of the world's ocean and coastal regions, including through accession to the Law of the Sea Convention.

The recommendations in the Interim Report reflect the considerable input the Task Force received through a robust public engagement process. The Task Force convened 24 expert roundtables with representatives from a variety of stakeholders and sectors including energy, conservation, fishing, transportation, agriculture, human health, State, tribal, and local governments, ports, recreational boating, business, science, and national and homeland security. Several Task Force or Working Committee members attended each roundtable. Public comments were also accepted via the CEQ website.

In addition, between August and the end of October, we held six regional public listening sessions where Task Force members traveled to the different regions of the country and heard from many interested stakeholders. NOAA was the primary support to CEQ for organizing and running the regional listening sessions and I personally participated in all six of these sessions as I believe that public participation is vital to the success of this process and meeting our overall goals.

Throughout the various public engagement processes there were several key themes that we heard over and over again. These include ecosystem-based management, support for science-based decision making, the need for improved governmental coordination, collaboration and

transparency, and the importance of ensuring that adequate financial and other resources are made available to implement the national ocean policy. The Task Force took these comments and integrated them into the Interim Report. The extraordinary amount of public engagement in the process also illustrated the fact that, wherever one lives in this great country, the oceans matter to our individual and national prosperity, our health, our security, and our quality of life. The comments received on the interim report through the public comment period are currently under review and the interim report will be modified as necessary.

NOAA'S INPUT TO THE INTERIM REPORT

NOAA's mission, *to understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet our nation's economic, social, and environmental needs*, aligns with the work of the Task Force. The countless hours of creative thoughts and negotiations by NOAA employees, in coordination with our interagency partners, are reflected in the Interim Report's strong support for healthy and resilient oceans, coasts and Great Lakes ecosystems that support human uses and ensure vibrant communities and economies.

As a science and regulatory agency, NOAA operates under the basic principle that sound science must inform decision making. Science is the underpinning of the Interim Ocean Policy Task Force recommendations. It feeds the substantial informational needs of ecosystem-based management and provides tools for achieving ecosystem-based management such as coastal and marine spatial planning, to inform better decision making and to improve understanding of the impacts of the ocean environment on living resources and human communities. Ocean sciences in the United States are supported by research agencies such as the National Aeronautics and Space Administration, National Science Foundation, and National Institutes of Health, and "operational" agencies such as NOAA, the Department of the Interior, and Environmental Protection Agency. There are also important ocean science components in a number of other agencies as well, including the U.S. Navy.

Much of the content of the interim Ocean Policy Task Force report reflects NOAA's priorities as an operational marine science and management agency. Emphasis on ecosystem approaches to management has been a NOAA operating principle for several years, and we are pleased that this draft policy reaffirms and strengthens our operating principle by making it one of the priority objectives for how the federal government will do business under this National Ocean Policy. Working across agencies and vertically among federal, tribal, state and local governmental agencies is similarly a high priority for our agency.

NOAA is a key ocean science agency fulfilling the role of providing the scientific information to the nation in support of the Task Force recommendations. As such, NOAA made large contributions to the content of the Interim Report. Similarly, NOAA's missions are very much aligned with the Interim Report's areas of special emphasis in ecosystem restoration, including habitats, fisheries and protected species, robust ocean science capabilities including integrated ecosystem assessments, biodiversity assessments, and ocean exploration, and a robust ocean observing systems.

Understanding the ocean's role in climate change and the impacts of climate change on ecological and human communities is a major part of NOAA's core business. Climate change is

already having significant impacts on our living marine resources and coastal communities. Entire ecosystems are undergoing unprecedented changes – one only has to look to Alaska to see the extent and magnitude of these changes and to get a preview of the kinds of impacts that may be in store for the rest of the country. NOAA has extensive expertise in improving our understanding of climate dynamics. We are able to monitor and forecast short-term climate fluctuations and to provide information on the effects climate patterns may have on the nation. We also track changes in biological and physical indicators of climate change such as shifts in the geographic ranges of species.

The Arctic is an emerging area of national concern from a variety of economic, ecological, cultural/subsistence and climate-related issues. NOAA Scientists supply a variety of services in the Arctic and are providing ongoing advice on topics ranging from mapping and charting for emerging transportation issues and the extent of the U.S. continental shelf to advice on the likely impacts of climate change on protected species such as ice-dependent seals and fish stocks and on Alaska Native subsistence communities. For these and other reasons, NOAA supported the inclusion of the Arctic as an area of special interest in the Interim Report.

As the NOAA Administrator, it is one of my priorities for NOAA to be a leader in understanding the processes by which marine ecosystems provide services crucial for human survival on Earth, in quantifying the values of these services, and in helping to educate businesses and federal, state and local decision makers about how the health of human society and the health of the environment are tightly coupled. Simply put, human health, jobs, prosperity, and well-being depend upon the health and resilience of natural ecosystems. Nowhere is this connection more evident or important than in our oceans and along our coasts and Great Lakes where NOAA has major responsibilities. Human impacts degrade coastal, ocean and Great Lakes ecosystems, and degraded marine ecosystems result in increased risks to human communities and their economies, and to public health and safety. At the broadest level, we must seek to advance more holistic approaches to understand and balance human use, sustainability, and preservation of ecosystem resources and functioning. I personally made it a priority to see that these concepts were a part of the Task Force's discussions, through my participation in all six of the regional listening sessions. I am very pleased with how these important issues are interwoven throughout the Interim Report.

NEXT STEPS – A FRAMEWORK FOR COASTAL AND MARINE SPATIAL PLANNING

NOAA is committed to assisting CEQ and the Task Force in the President's charge to deliver a coastal and marine spatial planning framework – one that will enable governments at all levels to optimize both use and protection of marine ecosystems for the maximum benefit of the Nation. During this second phase, we have expanded NOAA's involvement to include additional staff with expertise in spatial management, data integration, legal affairs and ocean sciences and management. This additional expertise and similar contributions by other agencies is allowing rapid and concrete progress toward development of a workable framework for coastal and marine spatial planning, a framework where we can bring to bear many of NOAA's capabilities in science, stewardship and service to support national economic and environmental goals. In addition to the Task Force's work, NOAA has also sponsored internal training in marine spatial

planning and extended invitations to other Task Force agencies to hear from international experts in marine spatial planning about their experiences in this emerging field elsewhere in the world.

NOAA's existing scientific capacities and ocean management authorities, including ocean observing systems and mapping capabilities, along with management responsibilities for marine sanctuaries, estuarine research reserves, area-based fisheries, and protected marine resources, uniquely position the agency to support a national coastal and marine spatial planning framework. NOAA has practiced elements of coastal and marine spatial planning for many years under its ocean management authorities; recent examples include working with the U.S. Coast Guard to modify traditional navigation routes to reduce impacts on North Atlantic Right Whales and other species, managing multiple compatible uses of marine sanctuaries, and regulating fisheries in time and space for sustainable use. But NOAA's goal, and the goal of coastal and marine spatial planning, is to go a step further and foster a more robust, holistic management approach that effectively reduces human use and ecosystem conflicts while enhancing economic activity and maintenance of critical ecosystem services.

NOAA, together with the Department of the Interior and Environmental Protection Agency, has also brought to the Task Force's coastal and marine spatial planning framework discussions its experience in working with the coastal States on their regional collaborations. These include, in part, the Governor-created regional groups: Northeast Regional Ocean Council, Mid-Atlantic Regional Council on the Ocean, Gulf of Mexico Alliance, and the West Coast Governors Agreement. These State-led regional bodies, and individual State marine spatial planning efforts such as the Massachusetts Ocean Plan and Rhode Island's Ocean Special Area Management Plan, are currently leading marine spatial planning efforts and bringing substantial information and ideas to the Task Force.

Apart from helping to produce these two framework documents, NOAA is committed to the successful implementation of their recommendations. NOAA has many mandates including the Magnuson-Stevens Act, National Marine Sanctuaries Act, Coastal Zone Management Act, and Marine Mammal Protection Act, which could also serve as tools in the implementation of the Task Force recommendations. In working with the various agencies on the Task Force, it is also clear that there is much we can do under present authorities to enhance collaboration within the federal government and between the federal government and the states and tribes. We will, of course, want to engage with Congress on the extent to which we can accomplish the new policies under current legislation, and on where we think additional authorities may be required for full implementation. In either case, if the President chooses to adopt these recommendations, they could require NOAA to modify and re-prioritize some of its missions and data gathering responsibilities. Additionally, it will require all of the Line Office elements of NOAA to continue to focus on working collaboratively together and with the many external partners that will be required to support ecosystem-based management of the oceans. We look forward to the implementation phase of this historical effort to harmonize the management of the nation's coastal, ocean and Great Lakes ecosystems.

Let me conclude by stating how pleased I am with the progress that has been made by the Ocean Policy Task Force. I would particularly like to thank Chair Sutley for her leadership and vision. It has been rewarding to work with all of the other agencies that are part of the Task Force, and

want to thank each of them for their participation and perspectives. Our collective effort will ensure that we move forward with a comprehensive ecosystem approach to addressing our stewardship responsibilities and to ensure accountability for our actions. The nation's oceans are counting on us.

Finally, I'd like to thank the Committee for this opportunity to testify and I look forward to working with you on this important issue.