

**Statement of
John Bullard
President
Sea Education Association, Woods Hole MA**

**Former Mayor of the fishing port of New Bedford
Member of the Massachusetts Ocean Advisory Commission**

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hearing:
“The President’s New National Ocean Policy—a Plan For Further Restrictions on Ocean,
Coastal, and Inland Activities”**

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Introduction

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to present testimony on today’s hearing on the President’s New National Ocean Policy. My name is John Bullard, and I am the President of the Sea Education Association, located in Woods Hole Massachusetts. At SEA, we teach college students about the oceans with a semester program in which students prepare an oceanographic research project that they conduct at sea on one of our two sailing research vessels. In addition to my current role as President of Sea Education Association, I was also selected by Massachusetts Governor Deval Patrick to serve on the Commonwealth’s Ocean Advisory Commission—a body which was heavily engaged in the development of the Massachusetts Ocean Plan, which I will discuss in a few minutes. Additionally, I am a former mayor of the fishing port of New Bedford—a historic fishing port which in recent years has consistently ranked as the top-ranked port in the country in terms of value landed.

Background

In Massachusetts and the rest of New England, we value our traditional uses of the ocean greatly. Commercial fishing, shipping, tourism, and recreation are mainstays of the coastal economy—providing thousands of jobs and for many of us, providing the character of our coastal communities which we cherish. The continued economic health of these uses is directly tied to the environmental health of our coasts and oceans—for example, as many fish stocks in New England continue to recover, commercial fishing will continue to be vital. Tourism and recreation rely on clean water and habitats for marine animals and fish.

At the same time, in Massachusetts and elsewhere new proposals for the use of our oceans are emerging, many of which may offer opportunities to provide new jobs, feed a growing nation, and address other important policy goals. Renewable energy (wind and tidal-based generation), aquaculture, and extraction of sand resources to provide protection for low-lying coastal areas are all examples of recent, new types of human activities proposed for our coastal and ocean

waters. I am not here to debate the validity of these types of activities; more to the point, they are a reality as our society increasingly looks to the ocean to assist us in meeting our economic goals and to address significant issues related to energy generation and food production. The issue I do wish to speak to is this: in many areas of the ocean, there are existing, economically important uses that we value and cherish that could conflict with these types of emerging uses.

I stress the word could, however, because these potential conflicts do not have to become reality. With sufficient, public discussion and application of best available information early in the process, we have seen examples in New England of how of how new and existing uses can co-exist.

The National Ocean Policy and Framework for Coastal and Marine Spatial Planning

These two simple concepts: everyone having a seat at the table, and application of best available science and data, are at the heart of the National Ocean Policy's Framework for Coastal and Marine Spatial Planning. As you know, the National Ocean Policy calls for the development of regional ocean plans, to be developed through a transparent, bottom-up process. I would like to offer a few points on this aspect of the National Ocean Policy, drawing upon recent experience in New England:

First, coastal and marine spatial planning (or ocean planning) as described in the National Ocean Policy is not a new concept. As I described earlier, ocean planning boils down to two main components:

- Open, transparent dialogue about public goals and desires for the ocean
- Incorporation of science, data, and information from the beginning of this dialogue

Thus, ocean planning, as described in the National Ocean Policy, brings all viewpoints to the table: energy, recreation, conservation, fisheries, national security, safety and navigation, commerce (shipping), and others. This allows all voices to be heard and to have a say in how ocean space is utilized.

This is an important departure from past practice, where certain viewpoints were not represented during the review of a specific project until late in a specific project review process. This ultimately leads to project delays, lawsuits, and general frustration with the process—from all standpoints. We are all familiar with examples of this in action. Additionally, by allowing all voices to be heard up-front, combined with a focused effort to incorporate best available data from the beginning of the process, ocean planning is a simple, straight forward tool that will enable better, more efficient, and more transparent decision-making. These two main tenets of ocean planning are incorporated in the National Ocean Policy and its Framework for Coastal and Marine Spatial Planning.

In New England, aspects of ocean planning have been in place for years, such as through fishery management efforts. There are also several recent examples of a broader approach to ocean planning, including those led by the states of Rhode Island and Massachusetts. These states have led the way in New England in thinking more comprehensively about how we value and use our coastal and ocean resources. The need for these states to undergo this activity is as I described

previously: in recognition of New England's connection to its ocean and the cultural and economic importance of this connection in the face of increasing desire for new uses of ocean resources.

New England states, led by its Governors, are also considering potential new uses of ocean waters—including renewable energy—that could result in potential conflict with these traditional uses such as fishing. As you know, the Governors of several states beyond New England are also realizing the potential for offshore energy—and the jobs it will bring—on the east coast of the United States, so this is a phenomenon not limited to New England.

Recognizing that reality for us in New England, but realizing the importance of this issue as well, both Rhode Island and Massachusetts have applied ocean planning principles of open dialogue, with all voices at the table, and development and incorporation of science and data to help inform decision-making. These efforts have been recent undertakings, as Massachusetts completed its Ocean Management Plan in 2010, and Rhode Island completed its effort earlier this year. In my role as a Governor-appointed member of the Massachusetts Ocean Advisory Commission, I was able to help the Massachusetts Ocean Management Plan happen in real time—consequently, I'm speaking to you with the perspective of someone who has successfully lived through an ocean planning effort.

This brings me to a very important second point: both efforts were completed in relatively short order: 18 months in MA, and about two years in the case of Rhode Island, demonstrating that such an effort can be done in a timely fashion. Partly, this timeliness was because neither the Rhode Island nor Massachusetts attempted to develop ocean zoning schemes that divvy up all ocean space for particular activities. Ocean planning efforts do not necessarily equate to ocean zoning: it is up to the participants in an ocean planning effort to determine the end result. Similarly, as is clearly laid out in the National Ocean Policy, it will be up to the regions themselves to determine the content of a regional ocean plan.

The Rhode Island and Massachusetts ocean planning efforts have resulted in development of better information (science, data) and public discussion over how to balance new and existing uses of our ocean. This will ultimately lead to better and faster decision-making, increased certainty in the decision making process because certain issues will have been already addressed once specific projects are proposed, because these decisions incorporate better science and data, and because the decisions are in the public realm—available for all (including future potential projects) to draw from in the future.

As a specific example of this: Coming from New Bedford, the nation's top dollar port for 11 straight years and a city that plans to be the staging area for Cape Wind, I know the importance of early communication between fishing interests and ocean planners who are searching out areas appropriate for renewable energy. No matter the background interest, certainty in decision making is something we all seek. For example, turbines can be beneficial to some fishing methods such as fixed gear or aquaculture. It can conflict with mobile gear. So communication early on in decision-making is essential so that fishermen and renewable energy developers alike can plan ahead. And with the data gathered in the ocean planning process it is possible to talk about opening areas closed to fishing as well as closing some. This can be a net gain for

fishermen as we have seen with scallops. But we will not be able to explore even this possibility unless all voices are at the table.

This example and others from Massachusetts and Rhode Island are important demonstrations of the benefits of the type of approach envisioned in the National Ocean Policy's Framework for coastal and marine spatial planning.

In addition, there are four other important aspects of the National Ocean Policy, which are important to point out:

1. First, it requires all federal agencies to work together on addressing important ocean issues—a significant improvement over the often-fragmented approach that has occurred historically. President George W. Bush's US Ocean Commission was just one of the more recent examples where the issue of coordinating multiple agencies was highlighted as a significant policy issue. The oft-cited issue of regulatory certainty is one that cuts across agencies as well, and this National Ocean Policy is significant in its requirements for federal agencies to cooperate—in ways not seen before.
2. Second, it clearly recognizes the reality that certain human activities are regional in nature—such as fishing. If a boat is fishing on Georges Bank east of Cape Cod, it could be from a home port in any of the New England states. Therefore, it makes sense that regions of the country—states and the federal government together—should work together to address those issues of importance to that region.
3. It also clearly recognizes that the ocean ecosystem—its species, habitats, and physical aspects such as circulation/currents—do not necessarily follow jurisdictional lines.
4. It does not include a “one-size fits all” approach to ocean planning. Rather, it outlines a series of principles for ocean planning but leaves the details to be determined by the individual regions. Thus, the National Ocean Policy includes an appropriate level of flexibility to enable the development of regional ocean plans that are appropriate to those issues—and appetites to address those issues—identified at the regional level.

Conclusion

We in New England, like other parts of the country, are reliant on our coasts and oceans for jobs, recreation, and the very fabric of our coastal communities. These connections to the oceans are a strong tradition, and we are now looking to the ocean for critical new services in the future while continuing the traditional. Ocean planning, such as the framework put forth in the President's National Ocean Policy, is a sensible approach that will enable new and existing uses to thrive together.

The two basic tenets of ocean planning—all involved interests with a seat at the table and incorporation of best science and data—will lead to more efficient, transparent, and fair decision-making about our oceans. The President's National Ocean Policy incorporates these principles,

which have been put to action already in several states. The National Ocean Policy rightly requires a new focus on federal agency coordination, as well, but also appropriately leaves it up to the regional efforts to determine the substance of these regional ocean plans.

Thank you for the opportunity to present this testimony for the Committee's consideration and to make an oral presentation of the summary of my written comments.