

**Written Testimony of
Margaret R. Caldwell
Executive Director, Center for Ocean Solutions
Senior Lecturer in Law
Environmental and Natural Resources Law & Policy Program Director
Stanford Law School
Senior Lecturer, Woods Institute for the Environment
Stanford University**

**Legislative Hearing on
H.R. 21**

**Before the
Committee on Natural Resources
Subcommittee on Insular Affairs, Oceans, and Wildlife
U.S. House of Representatives**

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Madam Chairwoman and Members of the Committee, thank you for inviting me to testify before you today on this important subject. My name is Margaret Caldwell. I am Executive Director of the Center for Ocean Solutions, a collaboration of over 80 coastal and ocean researchers and faculty from Stanford University, the Monterey Bay Aquarium, and the Monterey Bay Aquarium Research Institute. Our mission is to elevate the impact of the natural, physical and social sciences on ocean policy. In addition to developing new knowledge to solve the greatest ocean challenges, the Center for Ocean Solutions reaches out to decision makers from government, business, and the non-profit sector to translate the results of marine science and policy research into action. Since 1994, I have directed the Environmental and Natural Resources Law and Policy Program at Stanford Law School, where I serve on the faculty as a Senior Lecturer in Law. I am also a public servant for the State of California, where I am privileged to serve as a California Coastal Commissioner and as a member of the California Marine Life Protection Act Blue Ribbon Task Force. This morning, I am testifying in my individual capacity.

My remarks focus on the importance of a national ocean policy. In particular, I will address the following question: Why should Congress adopt a national ocean policy and why now?

To answer this question, I would like to touch on three issues: oceans and our economy, national leadership, and international leadership.

Oceans and Our Economy

Oceans and coastal systems are central to U.S., regional and individual state economies. Just last week the National Ocean Economics Program (<http://oceanomics.org>), a non-partisan expert team whose work has been funded for the last ten years by NOAA, as well as state and private sources, released its report entitled, the “State of the U.S. Ocean and Coastal Economies 2009” to the Senate Commerce Committee. The report documents that almost one-half of the U.S. Gross Domestic Product (GDP) is produced in coastal counties, and four out of every five

jobs in the U.S. are located in coastal states. In my own state of California, our ocean economy measured \$45.7 billion in 2004, of which the recreation and tourism sector contributed almost half, \$19.4 billion. Nationally, ocean and coastal tourism and recreation is the largest ocean economy sector, both in terms of employment and contribution to GDP. Coastal and ocean tourism and recreation cannot thrive without healthy coasts and oceans.

Let me also point out that global climate change, which is a topic before Congress now, has serious consequences for ocean health and our ocean economy. Ocean acidification, increased sea surface temperatures, rising sea levels and storm surges, altered precipitation patterns, and changes in ocean currents affect tourism, fishing, natural and built coastal habitats, and pollution and runoff. Many of these changes are already underway. Our existing array of ocean and coastal laws has not kept pace with current pressures on ocean ecosystems and is wholly inadequate for the challenges facing us in the next two decades.

Put simply, our oceans and coasts are a major economic engine for the United States as a whole and for our coastal states in particular. Their natural and physical resources are our economic endowment and they require the U.S. Congress' urgent attention and stewardship to ensure prosperity for this and future generations of Americans.

National Leadership

It is now well established in the scientific peer-reviewed literature and in numerous government-issued reports that our marine and coastal resources are under increasing stress from overexploitation of marine resources, pollution, habitat destruction, and climate change. Our country's existing fragmented management system for ocean and coastal resources is ill-equipped to address the pressures already facing our coastal and ocean systems, let alone the significant challenges that lie ahead, such as global climate change and increased demand on ocean space. We need a new blueprint for our nation's ocean governance.

Several states have adopted or are in the process of developing their own ocean policies and management frameworks, many in direct response to the U.S. Commission on Ocean Policy and the Pew Ocean Commission's recommendations, and, perhaps more importantly, in anticipation of greater federal-state and regional dialogue and cooperation.

For example, both the California legislature, through the California Ocean Protection Act, and our Governor, through his Ocean Action Plan, make clear that our state's policy is "to ensure that California maintains healthy, resilient, and productive ocean and coastal ecosystems for the benefit of current and future generations."

Our neighboring state of Oregon was a forerunner in adopting a state ocean policy that explicitly recognizes the importance of supporting renewable energy while protecting its marine resources. Oregon's policy is codified in law and requires the state to:

- (1) Conserve the long-term values, benefits and natural resources of the ocean both within the state and beyond by giving clear priority to the proper management and protection of renewable resources over nonrenewable resources;

- (2) Encourage ocean resources development which is environmentally sound and economically beneficial to adjacent local governments and to the state;
- (3) Assert the interests of [the] state as a partner with federal agencies in the sound management of the ocean resources within the United States Exclusive Economic Zone and on the continental shelf;
- (4) Encourage research, study and understanding of ocean processes, marine life and other ocean resources;
- (5) Encourage research and development of new, innovative marine technologies to study and utilize ocean resources; and
- (6) Ensure that [its] Ocean Policy Advisory Council [works] closely with coastal local governments to incorporate in its activities coastal local government and resident concerns, coastal economic sustainability and expertise of coastal residents.

Florida has long appreciated the importance of its coastal waters to that state's economy and natural heritage. Both Governors Bush and Crist have lead Florida to adopt a science-based and long term stewardship approach to managing their state waters, working cooperatively with neighboring gulf states. Other Atlantic states, such as Massachusetts and Rhode Island, have elevated the importance of ocean ecosystem health and sustainable use to a top state priority. These states recognize the ocean as a complex integrated ecosystem and are committed to managing it spatially rather than sector by sector.

Throughout history, Congress has understood the importance of providing national leadership with clear over-arching legal and policy frameworks for state and national resources that transcend state boundaries. The Clean Water and Clean Air acts, Magnuson-Stevens Act, Endangered Species Act, Migratory Bird Treaty Act, Marine Mammal Protection Act, and Coastal Zone Management Act all represent Congressional leadership on resources that do not respect either state boundaries or state and federal boundaries. Similar leadership is appropriate for our nation's oceans, not only to provide a unifying framework for our sectoral laws and agencies, but also to provide a national vision and support system for our states whose livelihoods depend on healthy and resilient coastal and ocean resources. While states serve as laboratories for ocean and coastal management, they do so without the benefit of an over-arching framework or policy that guides and supports their own efforts and encourages the development of complimentary ocean policies in neighboring states with which they share a dynamic and vulnerable ocean resource.

International Leadership

Other countries around the globe and with whom we share a global ocean have adopted strong national ocean policies that guide their own actions and signal to the international community their commitment to ocean stewardship and sustainable use. Here are three examples.

Canada adopted an integrated ecosystem-based approach to ocean management that coordinates policies and programs across sectors and government agencies. Canada's ocean policy has three main pillars: understanding and protecting the marine environment, supporting sustainable economic opportunities, and providing international leadership.

Norway's national ocean policy is ecosystem-based and cross-sectoral, focusing on the twin goals of sustainable development and maintaining a "clean and rich sea."

Australia developed an Oceans Policy in a decade ago, which continues to guide the Australian Government's programs in the marine environment. One prominent example is its "Wealth from Oceans" program. This leading government science program includes a framework for integrated and ecosystem-based planning and management with the goals of promoting ecologically sustainable development and internationally competitive marine industries while ensuring the protection of marine biological diversity and industry viability.

These countries, with whom we share common oceans, have each stepped up to the plate internationally. To date, the international community can refer only to the U.S. Commission on Ocean Policy's report as the sole expression of what the U.S. might do. The U.S. Commission on Ocean Policy was formed through Congressional action, but Congress has yet to adopt its recommendations, which include, first and foremost an urgent call for "improved national coordination and leadership" through adoption of a new national ocean policy framework.

There is now overwhelming evidence that the sustainability of our oceans is also under threat from climate change. As the international community approaches the 15th Conference of Parties in Copenhagen this December with the goal of establishing a unified international framework for addressing climate change, it is even more critical that our nation is unified in acknowledging the importance of oceans to our economic and ecological health and unified in committing to protect, maintain, and restore our marine and coastal ecosystems so that they are healthy and resilient in the face of climate change.

Conclusion

In summary, we find ourselves at an important crossroad as a nation: Do we accept the challenge and responsibility of stewarding our ocean and coastal endowment with a cohesive national policy and integrated system to support its health and sustainability for this and future generations? Or do we continue in an ineffective, fragmented, and uncoordinated fashion, placing our well-being and economy at risk?

In my expert opinion, there is only one answer: Our great country should adopt a unified approach to the management of one of its most critical resources and establish a national ocean policy without delay. I also believe that we already have the tools necessary for the task, and that all we need now is the willingness to roll up our sleeves and get on with the job.

Thank you.