



**Statement by
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**Presented at the
U.S. House of Representatives Committee on Natural Resources'
Subcommittee on Water, Power and Oceans Oversight Hearing on
"The Implications of President Obama's National Ocean Policy"
May 17, 2016**

Introduction

Mr. Chairman and Members of the Committee,

Good morning.

My name is Jim Lanard, co-founder and CEO of Magellan Wind, an offshore wind development company. Previously I was co-founder and President of the Offshore Wind Development Coalition (OffshoreWindDC) and, before that, Managing Director of Deepwater Wind, developer of the Block Island Wind Farm, which is scheduled to begin operation later this year as the nation's first offshore wind farm. Thank you for the opportunity to present our testimony to you today on "The Implications of President Obama's National Ocean Policy." I'm delighted to report that the implications of the President's National Ocean Policy are strongly positive. The National Ocean Policy seeks to promote industry development that is sustainable and complements the variety of development activities already occurring in the ocean, reducing industrial risk and conflict.

In October 2011, I had the privilege to present testimony to this Committee on President Obama's new National Ocean Policy (NOP), at which time I was serving as President of OffshoreWindDC, an industry trade group, which has since been merged with the American Wind Energy Association. I've reviewed what I said in 2011, appearing as President of OffshoreWindDC and those comments align with my views in 2016 as CEO of an offshore wind development company. I'd like to summarize some key points I made in 2011 and update them with comments on the impressive progress the Administration has made towards full implementation of the National Ocean Policy.



The President's National Ocean Policy

October 2011 Testimony of OffshoreWindDC. *Offshore wind resources can play a vital role in the nation's effort to restructure its electrical power sector in a manner that increases employment and manufacturing opportunities, improves national security, reduces price volatility, and combats climate change. OffshoreWindDC supports the Administration's efforts to create a national oceans policy and implement coastal and marine spatial planning in U.S. waters.*

May 2016 Update: Multiple states have already developed plans for their state waters. The National Ocean Policy seeks to build on these state-driven initiatives. For example, one of the best examples of a successful broad-based stakeholder ocean planning process is the development of Rhode Island's Ocean Special Area Management Plan (Ocean SAMP). The Ocean SAMP was supported by the US Department of the Interior, the US Environmental Protection Agency, RI Department of Environmental Management, RI Coastal Resources Management Council (CRMC), the Chair of the CRMC's Fisheries Advisory Board (a lobsterman), and the Conservation Law Foundation – a group whose members aren't always on the same side of the table with industry.

The Ocean SAMP research and final reports enabled Deepwater Wind to expedite development of the Block Island Wind Farm without compromising on the thoroughness of reviews needed to avoid environmental harms, protect health and safety, and resolve stakeholder conflicts. In a recent news article celebrating the five year anniversary of the development of the Ocean SAMP, Grover Fugate, CRMC Executive Director, stated that "People ask why would [the state] want to engage in marine spatial planning? It comes down to, who do you want to control your destiny? In terms of the science and uses and what we wanted to protect, the state took the role in setting forth a plan of where they wanted to see development go, rather than reacting to proposals." We anticipate that the regional planning underway for the Northeast and Mid-Atlantic will help our industry and others to identify successful locations. We'll also be able to plan ahead for potential ocean use conflicts, including taking environmental constraints into consideration, before a project is fully developed, saving the industry time and money.

October 2011 Testimony of OffshoreWindDC. *One critical goal of the National Ocean Policy is to create better planning to protect our oceans in the future, especially as demands on them continue to grow. Planning requires informed, broad-based data collection and data integration managed by a vast array of federal agencies. My earlier testimony made the point that better plans lead to road maps that can guide current and future users of the oceans about how to best achieve their business plans. Thus, these types of planning and data collection efforts will help industry by providing more certainty about the rules of the road. Certainty can help to avoid conflict and improve efficiency.*

Comprehensive, science-based management of ocean resources can supply needed data on existing and potential uses of ocean resources and a critically needed framework for analyzing those data to characterize and resolve conflicts.

May 2016 Update: The NOP's planning framework favors multi-sector participation and decision-making, in contrast to the previous framework's focus on separate, single-sector planning efforts. The siloed, single-sector approach sometimes resulted in multiple, conflicting policy recommendations from numerous federal and state planning agencies. Multi-sector planning reduces conflicts and improves the decision-making

process thereby supporting efficient and coherent outcomes. The NOP is making great strides to improve offshore permitting efficiency and federal agency coordination.

October 2011 Testimony of OffshoreWindDC: *Unlike some users of the oceans and Great Lakes, we don't consider coastal and marine planning to be an ocean zoning exercise. Rather, we see it as a process to identify ecologically and socially significant areas that should be considered whenever any use is proposed for a specific area. While it is true that these plans could indicate preferences and priorities, proposed uses for any site will still have to be studied separately. We also think ocean planning is important to protect marine ecosystems while ensuring the orderly and sustainable development of ocean resources in a manner that respects and minimizes conflicts and existing uses including commercial fishing, recreational boating, surfing, aesthetic appreciation, wildlife, habitat, shipping, oil and gas and national defense activities.*

Ocean planning is not new to the United States. And it's not a partisan issue, either. In the past, Massachusetts, Rhode Island and New Jersey lead by Governors from both parties have relied upon their states' ocean planning processes to identify the best sites for offshore wind farms. None of these processes has resulted in ocean zoning outcomes; rather, they have identified areas with the least conflicting uses for the potential development of offshore wind farms.¹ In each of these state's processes there was extensive stakeholder involvement. The National Ocean Policy requires the Regional Planning Bodies to ensure similar extensive stakeholder participation, a critical component as ocean planning evolves in the U.S.

May 2016 Update: The NOP calls for the establishment of Regional Planning Bodies (RPB), two of which, the Northeast RPB and the Mid-Atlantic RPB, are expected to publish their draft regional ocean plans for public comment in the next month or two. Both of these RPBs adopted processes that engaged a broad set of stakeholders including those from a range of ocean industries from shipping, ports, offshore energy, tug and barge operators, commercial and recreational fishing, undersea cable companies, and recreational boating to name a few, who contributed industry data, identified future industry trends, and made recommendations to improve coordination. These efforts prove the value of collaboration among stakeholders with varied interests working together to find common ground and to collect data on environmental resources and human use that can be used to make better management decisions.

Planning not only promotes better management decisions but also improves national security. In a policy brief by the Center for American Security,² authors stated that “[a]s a primary user of the coastal ocean, the U.S. military needs dedicated and charted offshore areas in which to train and conduct exercises to prepare for war, thwart terrorist activities and prevent other threats against the United States. For the Navy, Coast Guard and Marine Corps, operating in the coastal ocean is critical to maintaining operational readiness. Although the ocean may seem vast, a unified effort is necessary to balance increased offshore activity with the need to maintain U.S. military proficiency and national security and ensure the safety and sustainability of this vital resource.... The development of a national coastal ocean mapping system would benefit all coastal ocean users and is an integral step toward more effective and thorough ocean planning. Through comprehensive

¹ For more information see: the Massachusetts Ocean Management Plan, (http://www.mass.gov/?pageID=eoeewaterterminal&L=3&L0=Home&L1=Ocean+%26+Coastal+Management&L2=Massachusetts+Ocean+Plan&sid=Eoeea&b=terminalcontent&f=eea_oceans_mop&csid=Eoeea), the Rhode Island Ocean Special Area Management Plan (RI SAMP) <http://seagrant.gso.uri.edu/oceansamp/>, and the New Jersey Ocean/Wind Power Ecological Baseline Studies <http://www.nj.gov/dep/dsr/ocean-wind/>.

² http://www.cnas.org/sites/default/files/publications-pdf/OceanMapping_MedinaSmithSturgis.pdf

awareness of major offshore activity, the United States would simultaneously advance national security, economic development and ocean conservation.”

Ocean planning has been and should continue to be bi-partisan. I would like to remind this committee that the National Ocean Policy came out of recommendations from the U.S. Commission on Ocean Policy, the members of which were appointed by George W. Bush. Additionally, the Rhode Island Ocean SAMP, referenced above, was actively supported by former Republican Governor Donald Carcieri during his tenure in the State House. New Jersey Governor Chris Christie and former Massachusetts Governor Deval Patrick have also supported funding for state ocean planning processes. In a letter submitted in March 2016 to this body, the Chamber of Shipping of America, East Coast Shellfish Growers Association, Northeast Marine Pilots Association, Massachusetts Lobstermen’s Association, Oregon Wave Energy Trust, and Lenape Indian Tribe of Delaware along with 117 other organizations representing a huge array of interests from conservation to industry supported ocean planning for our coastal communities, economies, and ecosystems. I hope this Committee recognizes the value of RPBs, the bi-partisan nature of ocean planning, and will choose to support additional funding for the NOP and the important work of states, federal agencies, industry and conservation stakeholders, and tribes.

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Three other topics addressed in OffshoreWindDC’s October 2011 testimony to the Committee also merit re-emphasis in updated form:

Job creation.

The offshore wind industry has the potential to create thousands of highly skilled jobs in the U.S. Offshore wind creates employment in the manufacture of wind farm components as well as in the installation and operation of the wind farms. To realize the full job-creating potential of offshore wind development, however, it will be necessary to build offshore wind farms at scale, as is occurring today in Europe and China. Manufacturers will invest in the US only if they have the orders needed to justify the investment. Factories for the manufacture of wind turbines (composed of as many as 8,000 discrete parts), plants that manufacture submarine cable, and shipbuilding facilities needed to build special purpose vessels for the offshore wind industries. We hope the Committee and the rest of the Congress will support initiatives to spur development of these facilities so that US workers can join the world’s growing offshore wind workforce.

Utility-scale offshore wind farms: a new use of the oceans and Great Lakes.

US coasts and the adjoining exclusive economic zone, along with the Great Lakes, have historically supported a wide range of industrial, commercial, national defense, and cultural and recreational activities. These areas are coming under growing competitive pressure from a variety of sources. There are calls for expanded oil and gas drilling and for new and expanded shipping lanes, commercial fishing, aquaculture, and new defense technologies; increased recreational demand also contributes to the pressure. Offshore wind power, which has the potential to generate clean, renewable energy for millions of homes up and down our coasts, adds another use to the mix.



Lease areas for offshore wind farms can be as large as 200 or 300 square miles. Distances between turbines, which increase with rotor diameter due to the need to limit turbulence and wake effects, range from a half mile to almost a mile. This ensures that many other ocean uses will be feasible at wind farm sites. We recognize, however, that advancement of the public interest in balanced, sustainable use of ocean and Great Lakes resources will require better planning, better cooperation, and better management. Magellan believes that the President’s National Ocean Policy provides an essential framework for achieving the needed improvements.

DOI’s Smart from the Start

Congress, when it enacted the Energy Policy Act of 2005, mandated that regulations related to the use of the Outer Continental Shelf for offshore wind be adopted within 180 days of the bill becoming law. Five years later, on April 29, 2009, those regulations were finally adopted by the Department of the Interior. Interior, in collaboration with the Governors of many East Coast states, announced in November 2010 the Smart from the Start initiative, a program designed to accelerate the responsible development of offshore wind resources in federal waters.

Interior noted that the Smart from the Start process and associated data collection efforts can inform the Coastal and Marine Spatial Plans that will be developed by Regional Planning Bodies created pursuant to the National Ocean Policy. Smart from the Start takes into account existing information on wildlife and ecosystems and other uses of the ocean (e.g., fishing and shipping) and thus attempts to “take into account the national CMSP (Coastal and Marine Spatial Planning) goals and principles,” as recommended in the Final Report of the Ocean Policy Task Force. Final Report at 63. In important ways, the development of offshore wind farms can provide a test case for putting CMSP principles into practice.

* * *

Conclusion

In summary, we congratulate the Administration for the effective implementation of the National Ocean Policy. While there is still much to be done, the progress to date bodes well for ocean management so that all stakeholders can continue to use and enjoy ocean resources in balanced, sustainable ways. The National Ocean Policy is helping conserve marine ecosystems and ensure the orderly and economic development of ocean resources, in a manner that respects and minimizes conflicts with existing users while promoting emerging technologies. We are eager to support our nation’s efforts to create more jobs for U.S. workers; thoughtful implementation of the National Ocean Policy will achieve this goal and promote greater certainty for American businesses.

Thank you for the opportunity to share our thoughts with you.

