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Subject: comments on OPC Draft Strategic Action Plan
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September 12, 2011

Members of the Ocean Protection Council:

Thank you for the opportunity to comment on the Ocean Protection Council Draft Strategic Action Plan. Overall, we feel this is a very good document. The way in which the Ocean Protection Council (OPC) built the plan based on lessons learned from its independent evaluation is commendable. Also, the OPC has done an excellent job of targeting priority areas in anticipation of limited resources.

We offer the below specific points for your consideration:

(1) In “Exhibit 2: Areas of Overlap,” we suggest that Monitoring would apply to all 4 focus areas, not just to climate change and sustainable fisheries/ecosystems as shown. Monitoring could be an outer ring in the diagram, like “Information to Support Decision Making” and “Ecosystem and Economic Health.” Otherwise, the diagram does an excellent job of capturing a lot of concepts and information in a fairly simple visual way.

(2) Under Issue 10 (Marine Renewable Energy), Objective 10.1, Action 10.1.3 (Improve access to information for marine renewable energy siting, planning, and regulatory processes), the authors might consider mentioning the National Information Management System (NIMS) and Data Portal. The NIMS should have applicable non-confidential and other non-classified Federal data for coastal and marine spatial planning (CMSP) integrated by 2015, according to the National Ocean Policy Objective for CMSP. This data integration approach will be extended to State and local governments (as well as other organizations), and so the OPC might contribute to NIMS or utilize it as a resource.

(3) The NIMS might also be mentioned in section E (Science-Based Decision-Making – Cross-Cutting Area).

(4) The OPC Draft Plan states that it was “...developed within the context of the National Ocean Policy adopted by President Obama in his July 2010 Executive Order No. 14547” (p. 4), but unlike the Executive Order (and please note the correct EO number is 13547) which identifies maritime heritage (including social, cultural, recreational, and historical values) as one of ten priority areas (EO 13547, Section 2(a)(vi)), the OPC’s Draft Plan fails to identify any maritime heritage or cultural resources.

The importance of preserving non-renewable maritime heritage is a globally-recognized issue. The United Nations Education, Scientific and Cultural Organization’s (UNESCO) 2001 Convention on the Protection of Underwater Cultural Heritage, calls for the urgent need to protect and preserve submerged traces of human existence, and has entered into force with the ratification by twenty Nation States. While the United States has not adopted the Convention, most federal and state programs have incorporated the language contained within the 2001 Annex entitled, “Rules concerning activities directed at underwater cultural

heritage." The 36 Rules of the Annex present a process for underwater interventions, and over the years, they have become a reference document in the field of underwater archaeology, setting out regulations for the responsible management of maritime heritage.

The OPC's Draft Plan should include language that identifies maritime heritage and incorporates preservation of these non-renewable resources. The Marine Protected Areas Federal Advisory Committee's external Cultural Heritage Resources Working Group, composed of tribal and archaeological experts, is developing a document that explores using a cultural landscape approach focused on fully describing the human environment by incorporating elements such as:

- Existing Cultural Affiliations;
- Maritime Heritage;
- Natural Resources;
- Past and Present Human Use; and
- Sustainable Resources

These elements tell the story of why places are important, how they have been impacted by human use in the past, and how they are being used today. The cultural landscape approach is an important step in re-introducing people and their connection to the maritime environment into the study and understanding of current ecosystems – something that is currently lacking in most on-going ecosystem-based science discussions. This approach will also assist in incorporating the unique tribal perspective and traditional knowledge into the study of marine use and ecosystems. Further discussion of the cultural landscape approach can be found on page 5 of a recent MPA publication (http://www.mpa.gov/pdf/helpful-resources/connections/connections_may11.pdf).

(5) Please note that, as of October 1, 2011, the federal agency that the OPC will coordinate with for marine renewable energy will be known as Bureau of Ocean Energy Management (BOEM). Action 10.1.2 (p. 38) should be updated to reflect this change.

Thank you again for the opportunity to comment. We look forward to working with the OPC in the future.

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