



January 16, 2012

The Honorable John Laird, Secretary for Natural Resources
Chair, California Ocean Protection Council
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

VIA ELECTRONIC MAIL: opc.comments@scc.ca.gov

Re: Comments on Ocean Protection Council Draft Five-Year Strategic Action Plan, 2012-2017 (December, 2011)

Dear Chair Laird and Ocean Protection Council Members:

On behalf of the Natural Resources Defense Council (“NRDC”) and the Ocean Conservancy (“OC”) representing hundreds of thousands of Californians, we welcome the opportunity to submit these comments on Ocean Protection Council’s Revised Draft Five-Year Strategic Action Plan, 2012-2017 (“Strategic Plan”), released December 15, 2011. We greatly appreciate the multiple opportunities the California Ocean Protection Council (“OPC”) has provided for public input throughout the production of this document. We congratulate the OPC on the production of a strong Strategic Plan.

The OPC has met with success in elevating science in decision-making, advancing strong policy on certain key issues, and supporting innovative public-private funding partnerships for important projects. There are also opportunities for ongoing improvement to make the OPC even more effective – this new Strategic Plan will help chart a course to greater success.

Compared to earlier drafts, we note a number of improvements in the final draft Strategic Plan, for which we applaud the OPC members and staff:

- Overall, the flow and organization of the document is more streamlined and readable.
- Like the entire introduction, description of the OPC Strategic approach is more succinct, and we appreciate the inclusion of the intent to “operate with transparency and accountability”.
- The move of the “Science-based Decision-Making” issue area to the beginning of the document better emphasizes this as a cross-cutting area of significant import. In this era of exceptionally tight state budgets, identifying high priority management information needs is an important measure of the OPC’s success.
- Revisions reflect many of the suggestions made in our past comment letters, such as the reordering of the Action Areas and the renaming of the Action “Existing and emerging ocean uses.”

We also look forward to working with the OPC to ensure the strongest possible implementation of the plan, especially in the following areas.

Strong Leadership & Agency Coordination

As mentioned in our September 12, 2011 comment letter on the previous Draft Strategic Plan, the OPC's strong leadership is essential to ensure that the state meets its ocean and coastal protection goals. Implementation of the Strategic Plan should reflect COPA's directive that the OPC not just to be a coordinator and facilitator, but also to be a leader in the state, ensuring that agencies' effectiveness actually improves, and identifying changes in law and policy needed to further enhance governance effectiveness and ocean protection. Because the OPC does not have regulatory "teeth" or authority to require collaboration, it must focus on ways to bring agencies and other players to the table, for example through bold, strategic leadership and leveraging of information and funds.

Support for the National Ocean Policy and Strong Regional Ocean Governance

Our nation is at a crossroads in marine resource management. Our oceans are facing unprecedented threats including overfishing, climate change and ocean acidification, pollution from land-based and marine activities, and cumulative impacts from these and other activities. At the same time, government agencies and cornerstone laws and policies that are essential to protection and management of our coasts and oceans are under unreasonable, vicious political attack. For example, despite the clear lessons of one of the biggest environmental disasters of our time, the BP *Deepwater Horizon* oil spill, federal safety and oversight capacity remains anemic and the Department of Interior intends to open fragile areas to new offshore oil and gas exploration and extraction. The National Ocean Policy, representing one of President Obama's best moments of leadership for the oceans, is also under fierce attack.

In this challenging time, California's ocean leadership -- not only at the state level, but also at the regional and federal levels -- has never been so important. California has the largest coastal and ocean economy in the country, and our state is home to some of the most effective marine resource management measures in the world. Furthermore, the OPC itself was created to apply at the state-level the key principles identified by two seminal studies -- and now included in the National Ocean Policy and its implementation plans -- to better protect, restore, and manage healthy coasts and oceans for the benefit of current and future generations.¹

In implementing its Strategic Plan, we call on the OPC to ensure that federal legislators know about the economic and ecosystem value of protecting and restoring the coasts and oceans. We encourage the OPC to go beyond ensuring consistency with the National Ocean Policy, to explicitly supporting its implementation through the OPC's work. This need not create significant additional work for OPC; rather it can simply entail stating this intent and demonstrating how the OPC's projects effectuate and validate the National Ocean Policy. We also ask the OPC to continue to coordinate with Oregon and Washington through the West Coast Governor's Alliance on Ocean Health. The Alliance is expected to act as the Regional Planning Body tasked with implementing the National Ocean Policy. The Alliance plays an important role in coordinating policy to protect the three states' resources, for example, by staving off new offshore oil and gas activities in the U.S. Pacific ocean.

¹ See, Pew Oceans Commission, *America's Living Oceans, Charting a Course for Sea Change*, Arlington, 2003; U.S. Commission on Ocean Policy, *An Ocean Blueprint for the 21st Century*, Washington, DC 2004.

Thank you for the opportunity to comment on this final version of OPC's Strategic Plan 2012-2017. We look forward to continued work with the OPC Staff and Council members to implement the Strategic Plan and to demonstrate to the nation and world the many benefits of coordinated ocean governance to protect, restore, and effectively manage our marine resources.

Sincerely,



Leila Monroe
Staff Attorney, Oceans Program
Natural Resources Defense Council



Kaitilin Gaffney
Director, Pacific Program
Ocean Conservancy