



January 26, 2011

The Honorable Nancy Sutley
Council on Environmental Quality
722 Jackson Place, NW
Washington, DC 20503

Director John Holdren
Office of Science and Technology Policy
725 17th Street, NW
Washington, DC 20502

Dear Chairwoman Sutley and Director Holdren,

The Nature Conservancy strongly supports the National Ocean Council (NOC) as it works to implement the new National Policy for the Stewardship of the Ocean, Our Coasts and the Great Lakes. Of particular interest, the Conservancy sees great promise in the development and implementation of Coastal and Marine Spatial Planning (CMSP). CMSP has the potential to better coordinate and align human uses in the ocean while providing substantial environmental and economic benefits for diverse ocean stakeholders. We stand ready to play a helpful role as the NOC initiates and implements CMSP at the national and regional scales.

The Conservancy is writing today to respectfully request that the NOC provide a clear statement to agency staff and the nine CMSP regions affirming that each region has the flexibility to include Regional Fishery Management Councils (RFMC) as full members on future Regional Planning Bodies, and furthermore, that this is highly desirable.

The Conservancy has an extensive network of partners in every state of the U.S. We engage in ongoing discussions with senior federal, state, and tribal staff, commercial and recreational fishery representatives, energy development interests, and others, and are frequently called upon by the states to assist with science, data, and innovative solutions to conservation problems. Recently, the Conservancy has been providing spatial data, decision support tools, and policy advice about the path forward for CMSP.

Through our numerous on-the-ground interactions, it has become clear that there is considerable concern and confusion regarding future regional planning body membership, including the roles of stakeholders and specific regulators such as the RFMC. Although the Final Recommendations of the Ocean Policy Task Force (OPTF) repeatedly emphasize regional flexibility in CMSP implementation and note the consultative role of RFMC in CMSP, it remains unclear whether RFMC representatives will be permitted and encouraged as members of the Regional Planning Bodies.

We are concerned that, without clear guidance from the NOC in support of RFMC membership, uncertainty and tensions around this issue may continue to grow in unproductive ways.

In our professional judgment, CMSP is less likely to be successful if the RFMC are not well represented, for several reasons:

- The OPTF Recommendations emphasize the need for an open and transparent multi-objective planning process that utilizes existing authorities for plan implementation.
- Magnuson-Stevens Act authorities provide essential tools for CMSP development and implementation and the nine regions (except the Great Lakes) are nearly perfect matches with the RFMC boundaries.
- Many of the potential conflicts that CMSP can address will need to take into account the interaction of fisheries in time and space with other ocean uses.
- If the RFMC and their fishery stakeholders are limited to a consultative role, the chances of successful implementation of CMSP will be greatly diminished, and are conversely much higher if the RFMC are engaged in actively developing and owning future plans with their federal, state, local and tribal partners.
- RFMC members, staff, and technical committees comprise incredibly valuable resources that can be leveraged to both enhance CMSP data acquisition and analysis, and help assure smoother stakeholder processes as planning occurs.

In conclusion, we ask the NOC to issue a clear statement stating that each region has the flexibility to include RFMC members on Regional Planning Bodies.

We appreciate the opportunity to provide input on this matter and look forward to continuing to work with the National Ocean Council. Please do not hesitate to contact me (lhale@tnc.org) or Kameran Onley, Director of U.S. Marine Policy (konley@tnc.org) with any questions.

Sincerely yours,



Lynne Zeitlin Hale
Director, Global Marine Initiative

cc:

Dr. Jane Lubchenco, Under Secretary of Commerce for Oceans and Atmosphere
Eric Schwaab, Assistant Administrator, National Marine Fisheries Service