

**Ocean Governance Side-By-Side Analysis – For Internal Use Only**

	PEW Oceans Commission (PEW)	Joint Ocean Commission Initiative (JOICI) 2009 Report	U.S. Commission on Ocean Policy (USCOP)	S. 3314	H.R. 21
<b>REGIONAL GOVERNANCE APPROACHES AND STRUCTURES</b>					
<p><b>Regional Ocean Councils</b></p> <ul style="list-style-type: none"> <li>▪ <i>The previous administration’s Ocean Action Plan supports voluntary regional collaboration but doesn’t talk about regional councils.</i></li> <li>▪ <i>The PEW, USCOP and the 2 bills recommend the establishment of Regional Ocean Councils/Partnerships; however, the mechanism for the creation of these councils differ.</i></li> <li>▪ <i>The two bills are identical</i></li> <li>▪ <i>Regarding geographic boundaries – the PEW uses those initially est. by the regional fishery councils, the USCOP uses ecosystem-based definitions such as Large Marine Ecosystems and the 2 bills use regional watershed boundaries out to the EEZ.</i></li> <li>▪ <i>The USCOP and the 2 bills have function overlap</i></li> </ul>	<p><b>Chapter 10</b> <b>Establish Regional Ocean Councils</b> Mechanism:</p> <ul style="list-style-type: none"> <li>▪ Congress, as part of the National Ocean Policy Act, should establish regional ocean ecosystem councils that focus on the state/federal relationship at the regional scale</li> </ul> <p>Level of Membership:</p> <ul style="list-style-type: none"> <li>▪ Consists of appropriate federal, state, and tribal representatives</li> <li>▪ Federal, state, and tribal authorities with jurisdiction over ocean space and resources in a region = decision-making core of regional councils</li> <li>▪ Participation by broadest possible range of stakeholders – including local government officials, fishermen and other ocean resource users, and general public</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>▪ Develop and oversee the implementation of comprehensive regional ocean governance plans</li> </ul> <p>Geographic Boundaries:</p> <ul style="list-style-type: none"> <li>▪ Defined by statute and established initially to coincide with the jurisdictional boundaries of the regional fishery management councils established by the MSA</li> <li>▪ Boundaries may be adjusted</li> </ul>	<p><b>Specific Action 3</b> <b>Federal interagency teams</b> Mechanism:</p> <ul style="list-style-type: none"> <li>▪ President Obama should issue a directive establishing federal interagency teams.</li> <li>▪ JOICI also calls for a national framework to support regional approaches and collaboration, to be established through executive order or a National Ocean Policy Act.</li> </ul> <p>Level of Membership:</p> <ul style="list-style-type: none"> <li>▪ Required participation of all relevant agencies.</li> <li>▪ Coordination with state and local managers and regional-scale ocean governance alliances.</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>▪ Develop comprehensive regional ecosystem assessments.</li> </ul> <p>Geographic boundaries:</p> <ul style="list-style-type: none"> <li>▪ Not specified.</li> </ul>	<p><b>Chapter 5</b> <b>Establish Regional Ocean Councils</b> Mechanism:</p> <ul style="list-style-type: none"> <li>▪ The NOC should work with Congress, President’s Council of Advisors, state, territorial, tribal, and local leaders to develop a flexible and voluntary process for the creation of regional ocean councils. States would work with stakeholders with support from the National Ocean Council.</li> </ul> <p>Level of Membership:</p> <ul style="list-style-type: none"> <li>▪ Membership should be broad and representative of all appropriate levels of government.</li> <li>▪ Nongovernmental stakeholders also need to be represented either through council membership or through an advisory body</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>▪ Address wide range of oceans and coastal issues</li> <li>▪ <b>Facilitate coordinated and collaborative responses to regional issues</b></li> <li>▪ Develop regional goals and priorities</li> <li>▪ Communicate regional concerns to the NOC through the President’s Council of Advisors on Ocean Policy</li> </ul> <p>Geographic Boundaries:</p> <ul style="list-style-type: none"> <li>▪ Based approximately on those of the Large Marine Ecosystems or other appropriate ecosystem-</li> </ul>	<p><b>Sec. 202</b> <b>Regional Ocean Partnerships</b> Mechanism:</p> <ul style="list-style-type: none"> <li>▪ <b>The Administrator, in consultation with the Council on Ocean Stewardship and the appropriate coastal states, shall establish or designate a Regional Ocean Partnership for each of the ocean regions est. by section 201.</b></li> </ul> <p>Level of Membership:</p> <ul style="list-style-type: none"> <li>▪ Administrator of NOAA shall serve as chairperson of each partnership</li> <li>▪ Federal Representatives - Committee on Ocean Stewardship shall designate Federal agencies and depts. that shall participate in each partnership</li> <li>▪ State Representatives – Governor of each coastal/noncoastal state shall appoint an officer or employee of the coastal state agency</li> <li>▪ Regional Fishery Management Council executive director</li> <li>▪ Interstate marine fisheries commission executive director</li> <li>▪ Local government representative</li> <li>▪ Additional appointments</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>▪ Provide for more systematic communication, coordination, and alignment of state and</li> </ul>	<p><b>Sec. 302</b> <b>Regional Ocean Partnerships</b> Mechanism:</p> <ul style="list-style-type: none"> <li>▪ <b>The Administrator, in consultation with the Committee on Ocean Policy and the appropriate coastal states, shall establish or designate a Regional Ocean Partnership for each of the ocean regions est. by section 301.</b></li> </ul> <p>Level of Membership:</p> <ul style="list-style-type: none"> <li>▪ Administrator of NOAA shall serve as chairperson of each partnership</li> <li>▪ Federal Representatives - Committee on Ocean Policy shall designate Federal agencies and depts. that shall participate in each partnership</li> <li>▪ State Representatives – Governor of each coastal/noncoastal state shall appoint an officer or employee of the coastal state agency</li> <li>▪ Regional Fishery Management Council executive director</li> <li>▪ Interstate marine fisheries commission executive director</li> <li>▪ Local government representative</li> <li>▪ Additional appointments</li> </ul> <p>Functions:</p> <ul style="list-style-type: none"> <li>▪ Provide for more systematic communication, coordination, and alignment of state and federal govt authorities and programs with the size, scale, and characteristics of regional marine ecosystems</li> <li>▪ Build on and improve existing regional programs and initiatives</li> </ul>

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	<p>within a few years, and as necessary thereafter to incorporate new scientific information or sound management concerns</p>		<p>based areas</p> <ul style="list-style-type: none"> <li>▪ At a minimum, councils should encompass the area from the inland extent of coastal watersheds to the offshore boundary of the nation’s EEZ</li> </ul>	<p>federal govt authorities and programs with the size, scale, and characteristics of regional marine ecosystems</p> <ul style="list-style-type: none"> <li>▪ Build on and improve existing regional programs and initiatives and foster the creation of new regional efforts in areas where effective interstate and Federal cooperative efforts are currently lacking</li> <li>▪ Provide for regional and subregional ocean assessments, based on the best available science, to determine status and trends and to provide the information needed to improve management decisions</li> <li>▪ Identify shared state and federal priority issues and address them in a collaborative and coordinated way based on existing legal authorities</li> <li>▪ Improve integration of government efforts and maximize govt efficiency</li> <li>▪ Identify and provide data and information needed by the regional ocean partnerships</li> <li>▪ Provide for opportunities for public input</li> </ul> <p>Geographic Boundaries:</p> <ul style="list-style-type: none"> <li>▪ Ocean regions defined in 201(c) consisting of the coastal zone and watershed areas to the extent of the EEZ</li> </ul>	<p>and foster the creation of new regional efforts in areas where effective interstate and Federal cooperative efforts are currently lacking</p> <ul style="list-style-type: none"> <li>▪ Provide for regional and subregional ocean assessments, based on the best available science, to determine status and trends and to provide the information needed to improve management decisions</li> <li>▪ Identify shared state and federal priority issues and address them in a collaborative and coordinated way based on existing legal authorities</li> <li>▪ Improve integration of government efforts and maximize govt efficiency</li> <li>▪ Identify and provide data and information needed by the regional ocean partnerships</li> <li>▪ Provide for opportunities for public input</li> </ul> <p>Geographic Boundaries:</p> <ul style="list-style-type: none"> <li>▪ Ocean regions defined in 302(c) consisting of the coastal zone and watershed areas to the extent of the EEZ</li> </ul>
<p><b>Science Advisory Bodies</b></p> <ul style="list-style-type: none"> <li>▪ Both the PEW and H.R. 21</li> </ul>	<p><b>Chapter 10. Regional Ocean Councils’ Science Advisory Committee</b></p>				<p><b>Sec. 208 Science Advisory Board</b> There shall be within the</p>

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<i>include reference to a science advisory board/committee; however, the PEW committee is to advise the regional ocean councils' and the H.R. 21 board is to advise NOAA and Congressional committees</i>	Councils should establish a science advisory committee to provide independent advice and peer review				Administration a Science Advisory Board, which shall provide such scientific advice as may be requested by the Administrator, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Science or on Resources of the House of Representatives.
<b>MANAGEMENT COORDINATION IN FEDERAL WATERS – OCEAN ZONING</b>					
<b>Ocean Zoning/Offshore Management</b> <ul style="list-style-type: none"> <li>▪ <i>The USCOP and H.R. 21 don't use the word "zoning" like in PEW but say "offshore management regime"</i></li> <li>▪ <i>PEW recommends zoning be used by the regional ocean councils</i></li> <li>▪ <i>USCOP and H.R. 21 recommend ecosystem-based management</i></li> </ul>	<b>Chapter 10 Regional Ocean Councils should use zoning</b> <ul style="list-style-type: none"> <li>• Regional councils should utilize ocean zoning to improve marine conservation, actively plan ocean use, and reduce user conflicts.</li> <li>• Regional ocean governance plans should consider a full range of zoning options.</li> <li>• Ocean zoning should be implemented using a sequential building-block approach, starting with priority areas and essential components—such as marine reserves—first.</li> <li>• Initially, area-based management should begin with coordinating existing zones in the ocean, such as areas closed to fishing, shipping lanes, and areas for oil and gas extraction.</li> <li>• Over the next decade, ocean zoning should be applied more broadly on a regional basis to comprehensively plan and manage all activities in the oceans.</li> </ul>	<p>JOCI suggests, rather than compels marine spatial planning: “One promising approach that can support more integrated management is comprehensive marine spatial planning. Such an approach could specify general levels of acceptable human impacts for particular geographic areas in the ocean and provide greater clarity and predictability to ocean users and reduce conflicts, account for cumulative impacts on ecosystem health, and help achieve specific ecological, economic, and scientific goals.”</p> <p><b>Action 1: Establish a national ocean policy</b></p> <p><b>Action 16: Establish a comprehensive strategy</b> The Committee on Ocean Policy and OSTP should take the lead in developing a comprehensive strategy to guide marine-related ecosystem-focused research, assessment, and management.</p>	<b>Chapter 6 Establish Ecosystem-based Offshore Management Regime</b> Congress, working with the NOC and regional ocean councils, should establish a balanced, ecosystems-based, offshore management regime that sets forth guiding principles for the coordination of offshore activities.		<b>Sec. 303 Establishing a Coordinated Management Regime for Activities in Federal Waters</b> Committee shall submit to Congress a proposed schedule for creating a balanced, efficient, and effective ecosystem-based management regime for activities in Federal waters