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House Committee on Natural Resources, Fisheries, Wildlife, and Oceans Subcommittee Legislative Hearing on H.R. 21, "OCEANS-21"

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Introduction

Madame Chairwoman, Ranking Member Brown and distinguished Members of this Subcommittee, thank you for this invitation to testify on H.R. 21, the "*Oceans Conservation, Education, and National Strategy for the 21st Century Act*" (also known as "OCEANS-21"). My testimony is presented on behalf of the Natural Resources Defense Council (NRDC), a national environmental organization with over a million members and online activists, dedicated to the protection of the earth – its people, plants and animals and the natural systems on which all life depends.

The overall message delivered by both the Pew Oceans Commission in May 2003 and the U.S. Commission on Ocean Policy in July 2004 is clear: 1) our oceans are in trouble; 2) we rely too heavily on our oceans for food, jobs, recreation and our quality of life to ignore their decline; 3) we lack some of the fundamental mechanisms and structures to address these declines; and 4) urgent action is needed now to rectify these gaps. This continues to be the message of the Joint Ocean Commission Initiative – the combined effort of these two Commissions – delivered most recently by the Honorable Leon Panetta and Admiral James Watkins to this Subcommittee on March 29th.

OCEANS-21 is a direct response to that message and to that call for action. It reflects the key recommendations of the two Commissions regarding the need for a stronger, more coherent governance system for our oceans –both at the national and regional levels. We thank Representative Farr for introducing OCEANS-21, the 29 co-sponsors for supporting this important legislation and the Subcommittee for holding this hearing.

What we know about the state of our oceans

We have a better understanding now than ever before of the threats facing our oceans. Moreover, the seriousness of the threats is increasingly being communicated to the general public by the popular media.[1]

[1] See, for example, Ken Weiss' July 2006, Pulitzer Prize winning series in the LA Times, *Altered Oceans*, the April 2007 issue of National Geographic, *Special Report: Saving the Sea's Bounty*, the two oceans episodes of the Discovery Chanel's Planet Earth series ("Deep Oceans" and "Shallow Seas") and PBS' Journey to Planet Earth: "The State of the Ocean's Animals."

Scientific study after scientific study is showing that our oceans are in trouble and that, because ocean life is interconnected, impacts on one species can set off a chain of impacts and further shift the dynamics and composition of ocean ecosystems.

In 1998, we learned from Dr. Daniel Pauly and other scientists that the persistent targeting of top ocean predators, like tuna and cod, has resulted in a fundamental shift in the make-up of ocean life and therefore the types of organisms able to support ocean systems and available to fishermen.[2] This "fishing down of the food web" has meant fewer types and numbers of large ocean fish and relatively more smaller ocean fish.

In 2003, Dr. Ram Myers and Dr. Boris Worm quantified the type of loss behind Dr. Pauly's theory. Drs. Myers and Worm reported that 90% of the large ocean fish – the tunas, blue marlins, swordfish, and others – are gone from the world's oceans due to industrial fishing practices.[3] Drs. Myers and Worm highlighted that this was not just about the staggering loss of large fish, but the loss of top predators which play a key role in the health of the overall ecosystem. This is a point often forgotten – our oceans are not just water, but a vibrant home for a vast amount of life, estimated by one source to total 80% of life on Earth.[4] That life – the total amount, the balance across species, and the services that they provide to each other and to us – depends on species interactions and habitat conditions. The presence or absence of key players – and the shifting relationships between and among these players– affects the ability of our oceans to weather change and absorb impacts.

Dr. Myers and others drove home this idea of the interconnectedness of ocean life in a recent 2007 *Science* article.[5] Overexploitation of large sharks – driven by demand for shark fins and meat as well as bycatch in other directed fisheries – resulted in the functional elimination of great sharks along the U.S. east coast between 1970 and 2005. This in turn resulted in an explosion of great shark prey, such as rays, skates, and small sharks. These population increases – particularly of the cownose ray – resulted in a jump in predation of bay scallops "sufficient to terminate a century-long scallop fishery." [6] According to this paper, this cause and effect pairing – fewer sharks, more rays –may also result in crashes of other prey types besides bay scallops, and to the degradation of sea grass habitats, crucial habitat for marine life, as ever hungrier rays aggressively pursue additional food.

It is not at all surprising that removing major players in ocean life would have impacts cascading down and across what are actually interconnected webs of ocean life. In fact,

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[2] Pauly, Daniel, Villy Christensen, Johanne Dalsgaard, Rainer Froese and Francisco Torres, Jr. 1998. *Fishing down marine food webs*. Science 279(5352): 860-863.
[3] Myers, Ram and Boris Worm. 2003. *Rapid worldwide depletion of predatory fish communities*. Nature 423: 280-283.
[4] http://marinebio.org/MarineBio/Facts/
[5] Myers, Ransom A., Julia K. Baum, Travis D. Shepherd, Sean P. Powers, and Charles H. Peterson. 2007. *Cascading effects of the loss of apex predatory sharks from a coastal ocean.* Science 315(5820): 1846-1850.
[6] *Ibid*. pg. 1846.

this basic pattern has been well documented in the scientific literature.[7] Although exact consequences may be difficult to quantify and express precisely, the basic result is predictable and in and of itself concerning. Dr. Worm summarized it this way in a 2006 *Nature* article: loss of the amount and variety of ocean life "is increasingly impairing the ocean's capacity to provide food, maintain water quality, and recover from perturbations" –change or stress.[8]

Another major impact on ocean health is from increasing levels of carbon dioxide in the atmosphere. Carbon dioxide from the combustion of fossil fuels is altering the basic chemistry of the oceans. Specifically, our oceans are becoming more acidic. Since pre-industrial times, the pH of our oceans has declined by 26%.[9] If CO_2 emissions continue on a "business as usual" course, researchers predict that average surface water pH will decline by an additional 2-2.5 times.[10] This will have a significant impact on ocean life, particularly carbonate- based life, such as coral reefs, that may not be able to withstand more acidic conditions. In addition, rising CO_2 levels are expected to bring a variety of other changes to marine ecosystems including warmer waters, sea level rise, and altered salinity levels and current patterns.[11] These changes will – of course – spur even further change and affect already altered ocean ecosystem composition and dynamics.

Another major impact on ocean health is water pollution, principally from land-based sources. One form of particular concern is nutrient pollution. In Part 1 of the 2006 LA Times Series, *Altered Oceans*, Ken Weiss explains how activities on land are producing nutrients that runoff off the land and precipitate out of the air, fertilizing excessive growth of harmful algae and bacteria. The impacts of nutrient pollution are magnified by overfishing and wetland destruction, which have diminished the presence of competing sea life and the natural buffers that once minimized runoff. While algal blooms cause a number of problems directly – including human health impacts, fish and marine life kills, and severe light deprivation for submerged vegetation and corals – they also cause problems indirectly. After they die, algal blooms sink to the bottom of the ocean, where

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[7] Duffy, J.E. 2002. Biodiversity and ecosystem function: the consumer connection. Oikos 99:201-21, Crooks, K. R. and M. E. Soulé. 1999. Mesopredator release and avifaunal extinctions in a fragmented system. Nature 400:563-566, Paine, R.T. 1980. Food Webs: Linkage, Interaction Strength and Community Infrastructure. Journal of Animal Ecology 49(3): 666-685, Pace, M.L., J.J. Cole, S.R. Carpenter, and J.F. Kitchell. 1999. Trophic cascades revealed in diverse ecosystems. Trends in Ecology and Evolution 14: 483-488, and Estes, J.A., M.T. Tinker, T.M. Williams, and D.F. Doak. 1998. Killer Whale Predation on Sea Otters Linking Oceanic and Nearshore Ecosystems. Science 282(5388): 473-473.

[8] Worm, B. E.B. Barbier, N. Beaumont, J.E. Duffy, C. Folke, B.S. Halpern. J.B.C. Jackson. H.K. Lotze, F. Micheli, S.R. Palumbi, E. Sala, K.A. Selkoe, J.J. Stachowicz, and R. Watson. 2006. *Impact of biodiversity loss on ocean ecosystem services*. Science 314(5800): 787-790.

[9] Caldeira, K. and M.E. Wickett. 2003. *Anthropogenic carbon and ocean pH*. Nature 425(6956): 365-365.

[10] Caldeira, K. and M.E. Wickett. 2005. *Ocean model predictions of chemistry change from carbon dioxide emissions to the atmosphere and ocean*. Journal of Geophysical Research-Oceans 110:C9, Orr. J.C., V.J. Fabry., O. Aumont. L. Bopp. S.C. Doney. R.A. Feely. A. Gnanadesikan. N. Gruber. A. Ishida. F. Joos. R.M.Key. K. Lindsay. E. Maier-Reimer. R. Matear. P. Monfray. A. Mouchet. R.G. Najjar. G.K. Plattner. K.B. Rodgers. C.L. Sabine. J.L. Sarmiento. Schlitze. 2005. *Anthropogenic ocean acidification over the twenty-first century and its impact on calcifying organisms.* Nature 437(7059): 681-686.

[11] IPCC. 1995. *Impacts, Adaptations, and Mitigation of Climate Change: Scientific-Technical Anaylsis.* Cambridge University Press, IPCC. 2001. *Third Assessment Report: Climate Change 2001*. IPCC, Geneva, Switzerland.

they are decomposed by bacteria that pull oxygen out of the water. This results in hypoxic conditions – areas unable to support many forms of marine life – that have resulted in dead zones around the country. There is a dead zone that swells to the size of Massachusetts (roughly 8000 square miles) in the Gulf of Mexico and 39 smaller dead zones around the country.[12] Ken Weiss summarizes the point in one sentence: "Fish, corals and marine mammals are dying while algae, bacteria and jellyfish are growing unchecked."[13] This is what the Scripps Institution of Oceanography scientist, Jeremy Jackson, refers to as "the rise of slime" and while perpetuated by declining populations of marine life, also causes declining populations of marine life.

The effects of nutrient pollution are also compounded by chemical pollution. For instance, the U.S. Commission on Ocean Policy reported on a recent study of 70% of the nation's estuarine area (excluding Alaska) that 99% of the sediments contained 5 or more toxins at detectable levels and that 30% of the sites tested had contamination levels high enough to harm fish and other marine life.[14] In addition, the U.S. Commission on Ocean Policy highlighted that 28 million gallons of oil pour into American oceans each year as the result of human activities.[15]

We are also simultaneously losing marine habitat. For instance, according to the Pew Oceans Commission, the United States, excluding Alaska, lost more than half of its original wetlands between the 1780s and the 1980s, predominantly as the result of agriculture and commercial and residential development. Wetlands provide crucial habitat to marine life and serve as natural buffers against runoff, erosion, and storm damage.[16] Wetland loss may be exacerbated by rising sea levels, which could drown wetland areas and shift the tide line to developed/paved areas that cannot host new wetlands.

The economic value of our oceans

When oceans fail and marine resources disappear, local and national economies falter. According to the U.S. Commission on Ocean Policy, in 2000 the ocean economy contributed more than $117 billion to American prosperity and supported well over two millions jobs. Roughly three-quarters of the jobs and half the economic value were produced by ocean-related tourism and recreation. Our aim should be to sustain and restore the marine ecosystems upon which so much of this value depends. For instance, we know that harmful algal blooms cost our country millions of dollars each year as the

[12] Weiss, Ken. July 30 2006. *Part One, Altered Oceans, A Primeval Tide of Toxins*. LA Times, Pew Oceans Commission. 2003. *America's Living Oceans: Charting a Course for Sea Change*. pgs. 22, 54, and 62.
[13] Weiss, Ken. July 30 2006. *Part One, Altered Oceans, A Primeval Tide of Toxins*. LA Times.
[14] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 39.
[15] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 39.
[16] Pew Oceans Commission. 2003. *America's Living Oceans: Charting a Course for Sea Change*. pg 56.

result of fisheries closures, loss of tourism and recreation dollars, and increased health care and monitoring expenses.[17] These types of losses are largely avoidable.

Relevant recommendations of the two national Commissions

Both the U.S. Commission on Ocean Policy and the Pew Oceans Commission found that a key reason that our oceans are in trouble is a vastly inadequate governance regime. The U.S. Commission found that our nation's management approaches have not been updated to reflect new scientific findings that demonstrate the complexity and interconnectedness of natural systems, with responsibilities remaining dispersed among a confusing array of agencies and no overarching direction. As the Commission stated:

> [T]he nation is not now sufficiently organized legally or administratively to make decisions, set priorities, resolve conflicts, and articulate clear and consistent policies that respond to the wealth of problems and opportunities ocean users face.[18]

The Pew Oceans Commission sounded a similar theme:

> [W]e have continued to approach our oceans with a frontier mentality. The result is a hodgepodge of ocean laws and programs that do not provide unified, clearly stated goals and measurable objectives. Authority over marine resources is fragmented geographically and institutionally. Principles of ecosystem health and integrity, sustainability, and precaution have been lost in the fray. [19]

Both Commissions called for major reform. The U.S. Commission called for a new "National Ocean Policy Framework" to improve decision-making, promote effective coordination, and move toward an ecosystem-based management approach.[20] The proposed Framework has four major elements.

First, at the federal level, there would be a National Ocean Council (NOC) within the Executive Office of the President, chaired by an Assistant to the President and composed of cabinet secretaries of departments or administrators of independent agencies with relevant ocean and coastal related responsibilities. The NOC would provide high-level attention to ocean, coastal, and Great Lakes issues, develop and guide the implementation of appropriate national policies, and coordinate the many federal departments and agencies with ocean and coastal responsibilities. A President's Council of Advisors on

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[17] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 39.
[18] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 55.
[19] Pew Oceans Commission. 2003. *America's Living Oceans: Charting a Course for Sea Change*. pg viii.
[20] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. Pgs. 5-11.

Ocean Policy would be established to ensure nonfederal input into the NOC and the President on ocean and coastal policy matters. A small Office of Ocean Policy would provide staff support to the Council, the Assistant to the President, and the Council of Advisors.

Second, at the regional level, states would be encouraged to form regional ocean councils to respond to issues that cross jurisdictional boundaries and to address large-scale connections and conflicts among watershed, coastal, and offshore uses. To complement this effort, Federal agencies would be directed to improve their regional coordination.

Third, in light of the increasing number of economic uses being proposed for Federal waters, a comprehensive *offshore management regime* would be established. As part of this regime, a lead federal agency for each offshore activity would be designated.

Fourth, the existing charter for the National Oceanic and Atmospheric Administration (NOAA) would be codified in legislation. There would be a follow-up process to determine if additional ocean related responsibilities should be consolidated into NOAA or whether some other form of reorganization should occur.

At the heart of the Pew Oceans Commission report was its recommendation that we extend an ethic of stewardship toward the oceans and manage it on an ecosystem basis. To that end, the Commission recommended that Congress enact a National Ocean Policy Act that would do the following:

- Establish a national policy to protect, maintain and restore the health of marine ecosystems and require that marine resources be used in an ecologically sustainable manner.

- Provide that federal agencies conduct their activities in a manner consistent with that national policy and with national standards that implement that policy.

- Create an independent national ocean agency that would be tasked with helping implement the National Ocean Policy Act.

- Create a National Ocean Council within the Executive Office of the President to coordinate interagency action on ocean issues and, among other things, ensure that all agencies comply with the National Ocean Policy Act.

- Form regional ocean ecosystem councils of appropriate state, federal and, where appropriate, tribal representatives that would develop regional ocean governance plans. These plans would establish clear and measurable management and restoration goals that, once approved, would guide states and federal decisions affecting the oceans.

The need for a legislative solution

While we have crucial pieces of legislation targeted to individual components of the ocean ecosystem, we lack the legislative mandate or mechanisms to ensure that these components are well-coordinated and that the health and functioning of the overall system is maintained. Ocean life rests on other ocean life and habitat conditions. If you remove too many pieces or the wrong pieces, the system collapses. The problem is that right now we are looking at each sector individually. We lack the mechanisms and the responsible entities necessary to judge how these separate activities will affect each other and the system as a whole. We know enough about how our oceans function and the threats that they face to know that this is not the right approach.

Laws geared to individual sectors or problems, while clearly and undeniably important, are not a substitute for a mandate targeted to maintaining the function, health, and productivity of the system as a whole. We need a National Ocean Policy Act for our country in order to provide an overarching policy direction to the numerous federal agencies that authorize the many different activities affecting the oceans and to ensure that action on behalf of the oceans will be taken not just by one administration, but every administration. The President's December 2004 executive order that established the Committee on Ocean Policy and the actions of the Federal and state governments to date are not a substitute for this. Federal interagency coordination without a specified direction for that coordination is not enough. As the Commissions recommended, we need a legislatively established policy and a mechanism to implement that policy, consistent with current law, leaders at all levels of government to implement that policy, and the funding to do it.

This legislation does not minimize the importance of legislation addressing individual sectors. For example, we applaud Congress' reauthorization last year of the Magnuson-Stevens Fishery Conservation and Management Act and believe that important reforms were made to the fishery management process in that legislation. Again, the bill before you today, OCEANS-21, does not seek to replace that or other legislation, but rather to provide a means by which individual laws and activities can be woven together into a more cohesive and effective whole that preserves the integrity of the ecosystems upon which these activities depend.

In the past years, we have seen an explosion of activity at the regional and state level geared toward grounding management in an ecosystem perspective. It is time for action at the Federal level.

OCEANS-21: An ecosystem level solution for an ecosystem level problem

OCEANS-21 responds to the recommendations of the two national ocean Commissions in a number of important ways: 1) by establishing a national ocean policy to protect, maintain, and restore the health of marine ecosystems, 2) by providing a mechanism to implement that policy, 3) by promoting effective coordination within the federal government and between states and the federal government; and 4) by establishing an oceans trust fund.

Title I: Establishment of a National Oceans Policy

Title I establishes a national policy to protect, maintain, and restore the health of marine ecosystems and a mechanism to implement that policy. Title I requires that, to the fullest extent possible, U.S. laws, regulations and policies be interpreted and administered in accordance with this policy. A federal action that may *significantly* affect ocean waters or resources may proceed only if the action agency certifies that the action, individually and in combination with other federal actions, is not likely to significantly harm the health of the marine ecosystem or significantly impede its restoration. See Section 101(b) (2) (b). This does not mean that any action that impacts the ocean is prohibited. Rather, it means that actions are reviewed with an eye to ensuring the health of the overall system. Certification decisions, in the case of incomplete information, must be made using the precautionary approach and must be implemented, to the extent practicable, so as to minimize adverse social and economic impacts, while remaining consistent with the other requirements of the Act. The NOAA Administrator is to provide expert advice to the action agency but it is the action agency that makes the final decision. This title is key to ensuring government accountability for the overall health of our oceans.

Title II: National Oceanic and Atmospheric Administration Organic Act

NOAA was established by executive order in 1970 and has never had a legislatively defined mission or structure. OCEANS-21, Title II rectifies this gap by providing an organic act for NOAA. Title II takes some important steps. Specifically it:

- Establishes NOAA as the lead, civilian Federal agency with responsibility for providing oversight for all U.S. coastal, ocean, and Great Lakes waters and resources

- Establishes a legislative mission for NOAA, including to protect, maintain, and restore the health of coastal, ocean, and Great Lakes ecosystems

- Ties all of NOAA's functions to the policy and standards outlined in Title I

- Instructs the NOAA Administrator to submit annual budget requests to the Director of the Office of Management and Budget, giving NOAA a stronger voice to advocate for ocean funding needs within the Federal government

- Acknowledges the Administrator as the Department of Commerce official for all ocean and atmosphere issues in dealings with other elements of the Department of Commerce and with other Federal agencies, State, tribal, and local governments, and the public

- Establishes no more than 3 Deputy Assistant Secretary positions and stipulates that the functions of these Secretaries must be consistent with at least one of

three focal areas: assessment, prediction, and operations, management, especially ecosystem-based, and research and education[21]

- Establishes no more than 5 Assistant Administrator positions and stipulates that the functions of those position must be consistent with the three focal areas listed above and must be structured to minimize overlap[22]

- Instructs the Administrator to develop and implement a reorganization plan for NOAA in accordance with the national ocean policy and standards and to maximize efficiency and effectiveness around the three focal areas listed above

- Shifts responsibility for examining NOAA's budget within OMB from General Government Programs to Natural Resources Programs[23]

The legislation would: 1) establish NOAA as the clear voice for our oceans within the Federal government and provides them with the necessary stature and autonomy – including in terms of advocating for their own budget priorities – to fill this role, 2) instructs NOAA to carry out its functions in a manner that will promote the protection, maintenance, and restoration of ocean health, and 3) directs NOAA to restructure in a meaningful way, preferably at the line office level, around the focal areas of assessment, prediction, and operations, ecosystem-based management, and research and education. Allowing NOAA to function as is without an organic act leaves it too open to shifting political whims, impedes NOAA from taking a true leadership role within the Federal government, and diminishes NOAA's overall effectiveness as a steward for ocean ecosystems because of the lack of a clear, stable mission and authority.

Title III: National Ocean Leadership and Coordination

Title III outlines positions and functions crucial to ensuring that the purposes and provisions of this Act guide Federal activities and funding decisions, across Federal agencies and the Executive Office. Specifically, Title III:

- Establishes a National Oceans Advisor in the Executive Office, appointed by the President with the advice and consent of the Senate, and stipulates a variety of functions for that position including coordinating Federal agency actions related to marine ecosystem health

- Codifies the Committee on Ocean Policy established by executive order on December 17, 2004. Beyond giving the Committee permanence, title III

[21] These focal areas were outlined in USCOP Recommendation 7-1, U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 111.
[22] Right now, NOAA has 6 Assistant Administrators and 4 Program Goal Leads, established because of noted overlap and misplacement of activities in the line offices managed by the Assistant Administrators
[23] This was suggested by USCOP Recommendation 7-2, U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 112.

makes a number of important changes, particularly 1) giving the committee a clear purpose and set of responsibilities, targeted toward promoting the protection, maintenance, and restoration of the health of marine ecosystems consistent with the policy and standards in section 101, 2) adding six governors to the Committee to represent State and local interests, and 3) shifting responsibility for Committee coordination from the Chair of CEQ, the assistant to the President for National Security Affairs, the Assistant to the President for Homeland Security, and "with respect to the interagency task force established by Executive Order 13340 of May 18, 2004" the Administrator of EPA to the Chair of CEQ and the National Oceans Advisor.

- Establishes a Council of Advisors on Oceans Policy, including qualified representatives from governmental and non-governmental entities (appointed by the President, in consultation with the National Ocean Advisor), to advise the President, the National Oceans Advisor, and the Committee on Ocean Policy on policies to promote the protection, maintenance, and restoration of the health of marine ecosystems on a regional and national basis.

Title IV: Regional Coordination and Ecosystem Planning

Title IV provides that the Administrator of NOAA, in consultation with the Committee on Ocean Policy and appropriate states, establish Regional Ocean Partnerships organized according to identified U.S. large marine ecosystems. Each partnership would be made up of an equal number of Federal and state representatives and would be tasked with developing strategic plans that analyze the health of ocean ecosystems in that region and identify key actions and policy changes needed to promote the protection, maintenance, and restoration of marine ecosystem health. The NOAA Administrator, in consultation with the Committee on Ocean Policy, would review and approve these plans on the basis of consistency with policy and standards of the Act. Once approved, entities with a representative on a regional ocean partnership would implement activities in a manner consistent with the approved regional ocean strategic plan. This title promotes a federal/state partnership for ocean management that is place-based and leads to the creation of specific targets, goals and implementation strategies for a particular ecosystem.

Title V: Ocean and Great Lakes Conservation Trust Fund

Title V provides the funding necessary for the development and implementation of Regional Ocean Strategic Plans (Title VI covers appropriations more generally, authorizing appropriations to NOAA "as necessary for the functions and activities carried out by the Administration in accordance with this Act"). Specifically, Title V:

- Establishes a fund in the Treasury, known as the "Ocean and Great Lakes Conservation Trust Fund".

- Requires the Secretary of the Treasury to deposit $1.3 billion into the fund each year from general revenues, profits generated from the sale of a Healthy Oceans Stamp, amounts not disbursed from the Fund in previous years, and interest earned on the account (general revenues are intended to make up the difference between $1.3 billion and revenues from the other three sources).

- The Secretary is authorized to transfer amounts deposited into the Fund to the Administrator to make payments to coastal states for the development and implementation of Regional Ocean Strategic Plans and to the Administrator to allocate, in concurrence with the Committee on Ocean Policy, for activities of the Federal government to develop and implement Regional Ocean Strategic Plans. States can only receive funds if they participate in the development and implementation of Regional Ocean Strategic Plans, if the proposed activities are consistent with the national standards outlined in section 101, and if the Administrator approves a state's spending plan, in consultation with the Committee on Ocean Policy.

- Amounts made available by the Fund are intended to supplement, not replace, annual appropriations at the Federal level as well as State and local investments.

- Instructs coastal states to hold 50% of their allocable share in a state ocean grants fund to issue, on a competitive basis, in the form of grants to coastal political subdivisions for the development and implementation of an approved Regional Ocean Strategic Plans, consistent with the national standards outlined in section 101.

Conclusion

The ocean area under U.S. jurisdiction is 23% greater than the entire land mass of the United States.[24] The ocean economy generates revenues twice as great as the farm sector and employs more people.[25] It is time to respond to the call of the two national Commissions and give this part of our natural heritage the attention it deserves. Enactment of legislation such as OCEANS-21 would do just that.

[24] Pew Oceans Commission. 2003. *America's Living Oceans: Charting a Course for Sea Change*. pg 2.
[25] U.S. Commission on Ocean Policy. 2004. *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC. pg 31.