MINUTE ITEM
This Calendar Item No. 69 was approved as Minute Item No. 69 by the California State Lands Commission by a vote of 3 to 0 at its 8-17-04 meeting.

MINUTE ITEM
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08/17/04
P. Thayer

FEDERAL LEGISLATIVE IMPLEMENTATION OF OCEAN REPORTS

Regular Calendar Item 69: The Commissioners listened to a staff presentation and asked for the Commission's support of two measures, H.R. 4900 and H.R. 4706, which would significantly improve the stewardship of our coast and oceans. The item was amended by deleting the 3rd staff recommendation and then approved by a 3-0 vote.

CALENDAR ITEM
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A) 08/17/04
)Statewide
S) P. Thayer

FEDERAL LEGISLATIVE IMPLEMENTATION OF OCEAN REPORTS

BACKGROUND

The Commission at its June 7, 2004 meeting adopted a resolution "Recognizing the Threats to America's Oceans and Urging Implementation of Recommendations of the U.S. Commission on Ocean Policy." The Commission urged implementation of the recommendations of the U.S. Commission on Ocean Policy and the Pew Oceans Commission, specifically, recommendations that address new and existing threats to our coasts and oceans through effective mandatory programs and targeted incentive programs, coordination of the management of our coasts and oceans more effectively from both geographic and governance perspectives, funding our ocean programs fully and thoughtfully, and ensuring the collection of better information about the health, resources and characteristics of the ocean and related coastal watersheds.

Staff has reviewed and analyzed federal legislation introduced in the 108th Congress following release of the two reports and provides the following summary of bills that would have the greatest impact in improving stewardship of our coast and oceans consistent with the resolution adopted by the Commission in June.

SUMMARY OF RELEVANT OCEAN BILLS

Oceans Conservation, Education, and National Strategy for the 21st Century Act (H.R. 4900)

Congressman Jim Greenwood (Pennsylvania), Co-Chair of the House Oceans Caucus, introduced H.R. 4900 on July 22, 2004 on behalf of the House Oceans Caucus. H.R. 4900 is co-sponsored by the other three caucus Co-Chairs: Sam Farr (California), Curt Weldon (Pennsylvania) and Thomas H. Allen (Maine). H.R. 4900 is known as "Oceans 21." The bill would establish a national policy for our oceans (i.e. protecting, maintaining and restoring the health of marine ecosystems). The bill would strengthen

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the National Oceanic and Atmospheric Administration, would establish a National Oceans Council and eight Regional Ocean Councils to develop and implement ecosystem-based management of our oceans. In addition, the bill would address ocean science, exploration, research and education.

Fisheries Management Reform Act of 2004 (H.R. 4706)

Congressman Nick Rahall (West Virginia) introduced H.R. 4706 on June 24, 2004. It is co-sponsored by 23 House members including Sam Farr, Lois Capps, Anna G. Eshoo, Bob Filner, Michael M. Honda, Tom Lantos, Barbara Lee, George Miller, Adam Schiff and Lynn C. Woolsey from California. H.R. 4706 would broaden representation on the fisheries management councils to include individuals who are knowledgeable regarding the conservation and management of the fishery resources reducing the conflict-of-interest with voting members who have a financial stake in fishery issues. The bill would separate scientific decisions regarding how many fish can be caught form who gets to catch those fish to lessen political and economic pressure on the scientists who are determining how many fish can be sustainably caught.

Other Ocean Bills

In addition to these two bills there are other bills that have been introduced and bills in the process of being drafted for introduction. Senator Ernest F. Hollings has introduced S. 2647 and S. 2648, the former would establish a framework for national ocean policy calling for voluntary regional coordination while the later would promote ocean education and research both recommendations of the Pew and U.S. Commission reports. However, the Pew Oceans Commission has recommended mandatory regional coordination rather than voluntary. H.R. 4900, Oceans 21, is a comprehensive measure dealing with a myriad of recommendations from the two reports addressing all of the issues addressed in the Senate bills.

Senator Barbara Boxer (California) anticipates introducing the National Ocean Protection Act in September of this year once the U.S. Commission on Ocean Policy has released its Final Report and the Senate has returned from its Summer Recess. According to the Senator's office, the bill will be comprehensive and will address issues related to ocean health and the nation's approach to ocean ecosystems, including ocean governance, fisheries management, marine habitat restoration and ocean pollution.

Staff will continue to review and monitor all efforts to implement the two ocean reports. This will be a process that will continue to evolve into and through the 109th Congress.

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

1. SUPPORT H.R. 4900, THE OCEANS CONSERVATION, EDUCATION, AND NATIONAL STRATEGY FOR THE 21ST CENTURY ACT AND SUPPORT H.R. 4706, THE FISHERIES MANAGEMENT REFORM ACT OF 2004.

2. DIRECT THE EXECUTIVE OFFICER TO SEND LETTERS OF SUPPORT TO THE BILL'S AUTHORS; THE CHAIR AND RANKING MEMBER OF THE APPROPRIATE POLICY COMMITTEES IN THE U.S. CONGRESS AND TO ALL CALIFORNIANS CO-SPONSORING EACH MEASURE.

3. THE EXECUTIVE OFFICER IS DIRECTED TO SUPPORT OTHER BILLS THAT MAY BE INTRODUCED IN THE 108TH CONGRESS THAT SUPPORT THE COMMISSION'S POSITION ON OCEAN POLICY AND THE RECOMMENDATIONS IN THE REPORTS PREPARED BY THE PEW OCEANS COMMISSION AND THE U.S. COMMISSION ON OCEAN POLICY.