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Governor Sean Parnell
STATE OF ALASKA

October 3, 2011

The Honorable Doc Hastings
Chairman
Committee on Natural Resources
United States House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Edward Markey
Ranking Minority Member
Committee on Natural Resources
United States House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

Re: Oversight Hearing on Administration's New National Ocean Policy

Dear Chairman Hastings and Ranking Member Markey,

The State of Alaska provides the following comments for the House Natural Resource Committee's oversight hearing on the Administration's new national ocean policy. We commend the committee for considering this important topic. Currently, Alaska has significant concerns with implementation of the ocean policy, and in particular with one of its key elements, coastal and marine spatial planning (CMSP).

Alaska is dedicated to assuring the continued health and productivity of its marine and coastal resources. With more than half the nation's coastline, at 44,500 miles, and an expansive Exclusive Economic Zone, these resources are essential to Alaska's future. Marine and coastal areas support an array of important uses, including commercial, sport, and subsistence fisheries, recreation, transportation, and shipping.

Alaska's fishing industry represents a major piece of the state's economy. Fishing produces almost six billion dollars in economic activity in our state annually and is our largest private sector employer. Approximately 60 percent of the nation's seafood is harvested from the waters off Alaska.

Our marine and coastal areas also offer promising development opportunities. Among these are offshore oil and gas, renewable energy, shipping, and tourism. The Alaska Outer Continental Shelf (OCS), which is roughly the size of Texas and California combined, holds an estimated 27 billion barrels of oil and 132 trillion cubic feet of natural gas.

For the reasons described above, any major proposed policy change related to the oceans has the State's full attention.

The Administration's ocean policy and CMSP establish a new federal framework for management and regulation of the oceans. We question the need for this new framework in the Alaska region. Alaska's marine and coastal resources and their uses are already tightly regulated by a comprehensive

series of federal, State, and local authorities. This existing framework boasts a stellar record, and we are confident it will continue to ensure the health and viability of our resources. With this in mind, the State of Alaska is now determining whether it is in its best interests to participate in the new Alaska regional planning body (RPB), proposed by the Administration.

The implementation of the national ocean policy and CMSP raise a host of concerns for Alaska, including those listed below.

- *New Federal Bureaucracy:* The existing federal bureaucracy is already too cumbersome. Creation of a new centralized federal bureaucratic framework could create more delay and greater obstacles to responsible resource development, costing Alaska jobs.
- *Ocean Zoning:* Despite claims to the contrary from Administration officials, the State is concerned that CMSP constitutes ocean zoning. We question the practicality of ocean zoning, when fish migrate and the locations of oil and gas reserves have yet to be discovered. We also question the additional restrictions this exercise could impose.
- *Top-Down Approach:* The State is concerned that the framework developed has a rigid top-down orientation, without flexibility to allow for regional differences.
- *Use of Existing Federal Regulations:* We have been told by Administration officials, that CMSPs would not be regulatory. However, we remain concerned that the federal government will seek to implement new policies, claiming they are justified by existing regulatory authority.
- *Federally Dominated Decision-Making Process:* Despite the participation of states and other interests, ultimate decision authority lies with the federal government in all matters addressed by the policy.
- *Federal Preemption:* The geographic scope of RPBs intrudes on State waters and potentially upland areas, raising significant jurisdictional issues. The State opposes a dispute resolution process that would give the federal government ultimate decision-making authority over issues involving State jurisdiction.
- *Marine Protected Areas:* CMSP could lead to the creation of new marine protected areas, when adequate protections in Alaska are already in place.
- *Precautionary and Ecosystem Based Management:* Precautionary and ecosystem based principles could be used to unnecessarily restrict or postpone responsible economic activity.
- *Regional Fishery Management Councils:* The State is concerned about the role of regional fishery management councils, which play an essential role in United States fisheries management, but are excluded from RPB membership.

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- *Use of Limited Resources:* Facing tight budget constraints, we fear implementation of this new policy could divert federal funding from important activities such as stock assessments, which are essential to supporting sustainable and productive fisheries.
- *Pilot Project Approach:* Instead of attempting to develop regional planning bodies in all coastal regions simultaneously, Alaska would prefer the Administration implement CMSP in a small number of areas where states are eager to implement the program. This would allow other states to evaluate results before committing to the process.

We oppose federal funding to implement CMSP until the issues above have been satisfactorily addressed. Furthermore, we would support an appropriations rider that would prevent the Administration from redirecting funding from other sources to conduct CMSP activities.

To date, the national ocean policy process has been driven by the Executive Branch. Congress possesses a strong understanding of the multi-jurisdictional structure that governs our oceans and respects the traditional role of states in managing their marine and coastal resources. We encourage Congress to play a lead role in shaping the future of the ocean policy.

The State of Alaska has provided extensive comments to the Administration throughout development of their policy. The State's detailed comments on the nine national ocean policy Strategic Action Plans are attached to this letter.

Thank you for the opportunity to comment on this issue. We respectfully request that this letter and attachment be included in the hearing record.

Sincerely,



Sean Parnell
Governor

Enclosure

cc: The Honorable Lisa Murkowski, United States Senate
The Honorable Mark Begich, United States Senate
The Honorable Don Young, United States Congress
The Honorable Cora Campbell, Commissioner, Alaska Department of Fish and Game
The Honorable Daniel Sullivan, Commissioner, Alaska Department of Natural Resources
John Katz, Director of State/Federal Relations and Special Counsel, Office of the Governor