OCEANS

Oceans cover more than two-thirds of the Earth's surface, and we rely on them increasingly as a source of food, recreation and resources. Half the oxygen we breathe comes from the ocean. In the United States, the ocean economy is larger than the entire U.S. farm economy. But our oceans are under stress from overfishing, increasing industrial use, pollution that has produced massive dead zones and areas clogged with plastics and other wastes, and ocean acidification.

I. PRIMARY STATUTES AND EXECUTIVE ORDERS

▪ MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (MSA)

Originally enacted as the Fishery Conservation and Management Act of 1976. Most recently reauthorized in 2006. The law sets the ground rules for management of U.S. fisheries in federal waters.

▪ NATIONAL OCEAN POLICY (NOP)

Established by President Obama via Executive Order 13547 in 2010, the NOP increases coordination among federal agencies in overseeing ocean activities and improves stewardship of ocean resources, something called for by two national commissions (the U.S. Commission on Ocean Policy and the Pew Oceans Commission).

▪ FEDERAL OCEAN ACIDIFICATION RESEARCH AND MONITORING ACT

Enacted in 2009, the FOARAM Act established a national research and monitoring program on ocean acidification at the National Oceanic and Atmospheric Administration (NOAA), which was funded at $6.2 million in FY 12.

II. MAJOR POSITIVE EFFECTS OF EXISTING LAW

▪ REBUILT FISH STOCKS

Implementation of the MSA has restored many commercially and recreationally important fish populations in U.S. waters, including summer flounder and bluefish in the Mid-Atlantic, haddock and sea scallops in New England, and lingcod and widow rockfish in the Pacific. This progress is a result of the MSA's requirement that fishery managers rebuild depleted fish stocks in as short a time as possible (not to exceed 10 years, with certain exceptions). According to the National Marine Fisheries Service, 31 fish stocks have been rebuilt since adoption of this statutory requirement in 1996. Related critical aspects of the MSA are its requirement that catch limits be science-based to prevent overfishing and its enforcement provisions to ensure that catch limits are not exceeded.

NRDC

For more information, please contact:

Alex Adams
aadams@nrdc.org
(202) 289-6868
switchboard.nrdc.org/blogs/aadams

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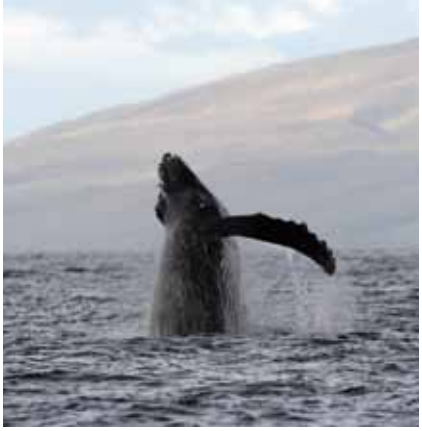
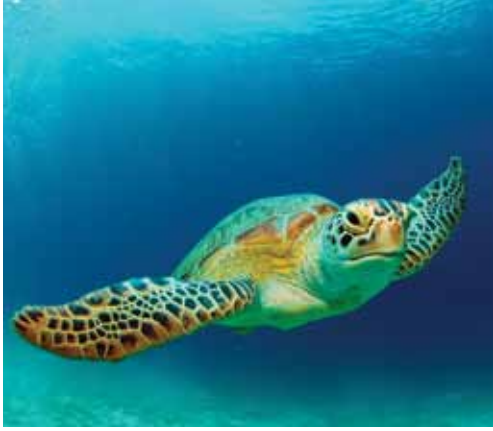

▪ THE WHITE HOUSE HAS ESTABLISHED A NATIONAL OCEAN COUNCIL, MADE UP OF THE RELEVANT FEDERAL AGENCIES, TO OVERSEE THE NOP.

The Council is due to release a final implementation plan for addressing priority ocean issues in early 2013. A regional partnership between the federal government, coastal states and tribes has been established in the Northeast to plan for ocean uses; other regional partnerships are likely to follow, for example in the Mid-Atlantic.

▪ THE MONITORING OF OCEAN ACIDIFICATION

Research under FOARAM is already providing useful information to West Coast oyster growers and the research is generating useful information on the vulnerability of commercially and recreationally important shell-forming organisms to ocean acidification.

III. MAJOR CONCERNS

▪ DEPLETED FISHERIES

The U.S. continues to have fisheries subject to overfishing and that are overfished, particularly in New England, the South Atlantic, and the Gulf of Mexico. To address this problem, NRDC advocates not backtracking on progress made so far in rebuilding depleted fish populations and preventing destructive practices such as overfishing by ensuring that catch limits (i.e., annual fishing quotas) are set, based on the best available science, to ensure that overfishing does not occur. The National Marine Fisheries Service (NMFS) (2011) has estimated that rebuilding all U.S. fish stocks will ultimately increase commercial fishermen's dockside revenues by $2.2 billion a year.

▪ INCREASING UTILIZATION OF OCEAN RESOURCES

More and more of our ocean space is being utilized for industrial purposes, including energy, shipping, fishing, aquaculture and mining. Human activities already heavily affect more than 40 percent of the world's ocean. Indeed, only a little more than three percent of the oceans are only lightly impacted by human activity, much of this area under sea ice in the poles. There is a need to ensure that the cumulative impact of these activities does not degrade ocean ecosystems on which we depend for food, recreation and jobs and that the impact of these uses on one another is carefully considered in order to minimize conflicts. A more coordinated, integrated approach to ocean management is needed to accomplish these goals.

▪ OCEAN ACIDIFICATION

The ocean absorbs about a third of the carbon dioxide emitted into the atmosphere, creating carbonic acid, which makes the ocean more acidic. Over the last 250 years, ocean acidity has increased by 30 percent. At current rates of carbon emissions, ocean acidity will more than double by 2100. A more acidic ocean can become corrosive to shelled creatures and could wipe out species, disrupting the food web and harming the fishing and tourism industries. Local 'hotspots,' including in Alaska and California, are already experiencing seasonal bouts of harmful, corrosive waters.

IV. UPCOMING ISSUES

▪ MAGNUSON-STEVENS ACT REAUTHORIZATION

The MSA is due to be reauthorized. It is vital to maintain the Act's rebuilding requirements and its requirement that science-based annual catch limits be set in all federally managed ocean fisheries to ensure that overfishing does not occur.

▪ NOP IMPLEMENTATION

In 2012, the House voted to block funding for implementation of the NOP as part of the CJS appropriations bill and the House Appropriations Committee signaled concern in report language for certain other bills. The measures did not come up in the Senate. Impeding implementation of the NOP would be harmful to the health of our nation's oceans on which important economic uses like fishing, tourism and recreation depend.

▪ FOARAM FUNDING

Funding for research on acidification is too limited to fully understand or respond to this looming threat to fisheries and the oceans. Ideally, funding would increase to the levels authorized in FOARAM—$20 million in FY 13 and again in FY 14.

▪ OFFSHORE DRILLING

In the 112th, the House voted to open both coasts of the U.S. to offshore oil and gas drilling without restriction, and to limit federal and public review of drilling projects. This legislation could be re-introduced. NRDC opposes the opening of additional ocean areas to drilling because of the risks and the need to move toward renewable energy.

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