

U.S. Commission on Ocean Policy
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Washington, D.C. 20036

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To the Commissioners:

We appreciate the opportunity to offer our experiences to the Commission regarding coastal and estuarine habitat governance. The eleven member organizations of Restore America's Estuaries, representing all the major estuarine ecosystems in the nation, have been restoring habitat for close to a decade and have learned a great deal about the opportunities and challenges involved with these activities.

At the national level, Restore America's Estuaries has been a leader in bringing all sectors of the restoration community together to advance the knowledge, policies, and best practices in coastal and estuarine habitat restoration. Restore America's Estuaries engaged in a 2-year initiative to create a multi-sector consensus document, *A National Strategy to Restore Coastal and Estuarine Habitat*, which outlines the objectives and methods for reaching the goal of restoring one million acres of our nation's coastal and estuarine habitats. The full, 156-page report was published and released earlier this year. In a previous effort, we built a consensus framework for habitat restoration through a collaborative process between scientists and field practitioners to define scientifically sound and technically feasible principles of estuarine habitat restoration. These principles are delineated in our publication, *Principles of Estuarine Habitat Restoration*.

Restore America's Estuaries also worked hand-in-hand with the late Senator John Chafee and other restoration stakeholders to shape the Estuary Restoration Act. In unanimously passing the Estuary Restoration Act (P.L. 106-457, Title I), Congress recognized that it effectively addresses the problems plaguing our nation's estuaries. The Act authorizes \$275 million over five years towards on-the-ground restoration projects in order to reach the goal of restoring one million acres of coastal and estuarine habitat by 2010. In so doing, the Act helps preserve environmental benefits and a way of life for the people who have made their livelihood from estuaries for generations – from Chesapeake Bay crabbers to Louisiana shrimpers – and preserves this extraordinary environmental and economic heritage for future generations.

We appreciate and welcome the chance to provide feedback to the commission based on these endeavors and the collective experiences of Restore America's Estuaries, its member organizations, and its partners in restoration.

Preserve Existing Habitat Now and Into the Future

Preserving currently healthy habitat now must be a starting point for any conservation restoration effort because annual loss of coastal and estuarine habitat far outstrips the rate at which degraded habitat can be restored. These critical areas provide a myriad of services, including fisheries nurseries, flood protection, and recreational opportunities. Those areas that are presently self

sustaining and fully functioning need to be conserved now and protected in perpetuity via easements or acquisitions so they can continue to offer these services for future generations. Saving these areas now will keep us from having to restore them in the future and will allow current generations to enjoy and benefit from them.

Determine Existing Coastal Habitat Conditions Nationwide

The level and sophistication of planning and implementation of restoration projects varies significantly around the country and no group or agency has taken on the task of determining the status of coastal habitats or restoration around the country. Quantitative information about baseline habitat conditions should be developed and assembled in order to assist planning and funding efforts. The National Oceanic and Atmospheric Administration (NOAA) is in the process of developing a database that will track restoration projects nationally, but even with this database, we still will not have an inventory or baseline for the state of coastal habitats nationwide.

Increase Size and Time Scales for Restoration Projects

In order to restore the necessary amount of coastal and estuarine habitats, we must foster a new mindset and policy regime that envisions projects on much larger size and time scales. Most organizational policies and budgets tend to operate on a one- or two-year timeframe, an amount of time not nearly long enough to plan, implement, and manage large-scale restoration projects. Our current approach using small-scale or demonstration projects is simply not sufficient and will not preserve or restore the amount of habitat necessary to protect our coastal habitats and the communities that depend on them.

Increasing the temporal scale for projects is necessary as well. Long-term planning and post-implementation monitoring is critical for not only a single project's success, but also for the collective knowledge advancement of the restoration community. Monitoring is particularly important, because coastal ecosystems are highly dynamic systems. Without these associated activities, practitioners cannot learn or adapt their techniques and activities to ensure success and maximum effectiveness.

Coordinate Restoration Policies and Efforts More Effectively

The existing Congressional and federal agency structure is too disjointed to have useful management authority over coastal habitat restoration. Currently, at least 37 Congressional committees and subcommittees have oversight of coastal issues, while 74 federal programs exist that can fund coastal restoration. These programs are housed in seven federal departments: the Environmental Protection Agency (EPA), and the Departments of Interior, Agriculture, Commerce, Defense, Transportation, and Health and Human Services. Coordinating these various programs and agency responses must be a priority in order to ensure that habitat restoration occurs in a sensible, harmonious manner. A central body should exist on the federal level to synchronize these efforts and to minimize duplicative initiatives within the agencies.

One template for such a body currently exists in the form of the Estuary Habitat Restoration Council, which was created by the Estuary Restoration Act (ERA). The Council is comprised of the five federal agencies involved in restoration—EPA, NOAA, the Army Corps of Engineers (ACOE), the U.S. Fish and Wildlife Service (USFWS), and the U.S. Department of Agriculture (USDA). This body continues to make progress in organizing and coordinating estuarine habitat restoration around the country. The Council completed its “Estuary Habitat Restoration Strategy” and will be finalizing the framework by which restoration projects will be vetted and prioritized for funding. While the Council has made great strides, we would like to have seen an advisory board in place similar to that described in earlier versions of the ERA and would recommend such a board for any future habitat restoration oversight bodies. The board would encompass diverse public and private stakeholders on all levels and would provide real-world experience and expertise. A potential make-up of this advisory panel could be:

- 2 members representing State agencies with expertise in aquatic habitat restoration
- 2 members representing local or regional government agencies with expertise in aquatic habitat restoration
- 2 members with recognized academic scientific expertise in aquatic habitat restoration
- 2 members representing nongovernmental organizations with expertise in aquatic habitat restoration
- 4 at-large members representing other estuary interests, such as tribal, agricultural and fishing interests

The panelists would serve for three years on a rotating basis, with leadership provided by an elected chair and vice chair.

The Estuary Habitat Restoration Council is mandated to implement the dictates of the ERA, but a larger-scope board needs to be in place to monitor and coordinate all coastal restoration activities. One of the most critical duties of such a body would be to ensure that restoration occurs in an organized way that is in keeping with local, regional, and national priorities and plans.

Encourage Multi-Sector Partnerships

In order for a habitat restoration project to be successful, it must have the active participation of all stakeholders. Diverse partnerships are the best way to ensure efficiency and the incorporation of the best technology and science, as they allow the pooling of resources and take advantage of the strengths of the public, private, scientific, and academic sectors. The authors of the ERA recognized this necessity and give priority to projects to have multiple cross-sector partners. All levels of government—led by the federal government—should work to incorporate such a partnership philosophy in all restoration regulations and legislation. Only by harnessing the strengths of all sectors will restoration succeed at the necessary pace and scale.

Make Coastal Habitat Restoration a Financial Priority

In order for the necessary preservation and restoration to occur, government on all levels needs to commit to providing financial means and incentives. Without sufficient funding, these much-needed programs will not be implemented effectively, or potentially at all. The sooner we, as a nation, take action to protect and restore our estuaries and coastal waters, the sooner we will reap

the economic, environmental, and cultural benefits through increased fisheries harvests, improved water quality, and more recreational opportunities. Our current regulatory and legislative environment offers few, if any, incentives to restore coastal and estuarine habitat. The ERA sets up one of the few mechanisms dedicated entirely to coastal habitat restoration, and that program has yet to receive appropriations for restoration projects, even though Congress passed it unanimously in 2000. Ideally, this program would be granted its full appropriations of \$75 million in FFY 2004 and in future appropriations cycles. States should also be encouraged to establish funds dedicated to supporting coastal and estuarine habitat restoration. Doing so would not only ensure financial assistance to projects, but also provide a source of funds for the matching requirements stipulated in many federal laws and programs.

In contrast to the ERA appropriations, other conservation and stewardships programs receive much greater funding. Farm, forest, and grass land conservation programs had authorizations of over \$900 million for Federal Fiscal Year 2003. Without a doubt, these programs play an important role by conserving and protecting critical portions of our nation's environmental infrastructure. However, considering that 50 percent of our nation's population lives within our coastal watersheds, it would be prudent to dedicate more funding to our imperiled coastal habitats than is currently available.

Financial incentives should be created that encourage not only restoration but also creative innovation in restoration. The ERA has a provision by which the federal cost share increases if innovative technologies or practices are used in restoration coastal and estuarine habitat. Leaders at all levels should put similar policies and laws in place to encourage habitat restoration to develop in an effective, efficient manner.

Develop a Restoration and Stewardship Ethic

One of the most critical aspects to ensuring our coastal and estuarine areas are protected is to develop a restoration and stewardship ethic among the general public and decision makers. Increasingly, citizens are disconnected from their natural environments; education and hands-on experiences allow them to reconnect and learn about the impacts their choices have, particularly on coastal areas. Reaching out to and involving children is one of the best ways to develop the necessary stewardship ethic. In addition, experiential learning for people of all ages is one of the most effective ways to reinforce the links between fully-functioning coastal ecosystems and economic well-being. Including these types of activities is a critical step in developing an ocean-savvy citizenry. Implementing the needed policy, lifestyle, and funding changes will not occur without such a constituency.

Incorporate Habitat Restoration as a Guiding Principle and Priority in Decision Making

Coastal and estuarine habitat restoration must be a larger priority of decision makers at all levels. Coastal zone managers are tasked with the Herculean task of balancing the many demands placed on our unique coastal areas. Within this decision-making framework, habitat restoration traditionally has not been perceived to be a priority, but rather an afterthought. Given the demands placed on our coastal zones by increasing population and degradation, a half-hearted gesture towards restoration will simply not be sufficient. In order to sustain the integrity of our

coastal and estuarine ecosystems, we must ensure that they are fully functioning, meaning that they need little or no human intervention to maintain themselves. By ensuring this optimal condition—either by protection or restoration—we work to increase commercial fisheries productivity, prevent and minimize economic loss from floods and other natural destructive events, provide more recreational opportunities that translate into increased revenues for the surrounding coastal community.

Make the Permitting Process More Conducive to Habitat Restoration

Complex, time-consuming, and expensive permitting processes often work against groups working to restore coastal habitats. While the permitting system was originally intended to prevent environmental harm, the current regime often works to discourage groups from undertaking restoration projects. In no way should the permitting process be weakened or compromise environmental integrity. However, some changes in the permitting process to encourage habitat restoration would undoubtedly increase the annual acreage restored.

We are more than happy to assist you and other Commission staff regarding these issues and look forward to continued interaction regarding these issues. Please do not hesitate to contact us for any reason.

Sincerely,



Mark Wolf-Armstrong
President
Restore America's Estuaries



Curt Spalding
Executive Director
Save the Bay