

**Remarks for Assistant Secretary Lynn Scarlett (as presented by Mr. Chris Kearney,
Deputy Assistant Secretary for Policy and International Affairs)
to the Commission on Ocean Policy; Nov 14, 2001 at 11:20 am,
Naval Memorial Building Auditorium**

Good morning Admiral Watkins, Members of the Commission, ladies and gentlemen. Thank you very much for giving me the opportunity to speak before you today.

Many Americans do not realize that the Department of the Interior has substantial ocean and coastal resource management and research responsibilities. Usually when people hear “Interior” they tend to think of the Department’s land holdings in the west and famous national parks such as Yellowstone and Grand Canyon. So, I want to spend just a few minutes discussing the relationship between our responsibilities and their impact on coastal areas and oceans. I will then turn to a discussion of the major challenges facing the Department of Interior in its efforts to conserve and protect the coastal and ocean-related resources we manage.

Agencies within the Department play a key role in ocean and coastal activities: the Fish and Wildlife Service (“FWS”) operates 163 coastal wildlife refuges, including the Alaska National Wildlife Refuge, and the National Park Service (“NPS”) manages 39 marine national parks, including Biscayne Bay in Florida and the Channel Islands off California. Twenty-one of these marine parks have large expanses of offshore waters that harbor significant coral reef, seagrass and kelp bed habitats. FWS is also responsible for protected and endangered species, including waterfowl and sea birds, American crocodiles, polar bears, manatees, and sea otters.

In addition, Interior bureaus conduct significant coastal and marine research: most notably, the Minerals Management Service (“MMS”) and the United States Geological Survey (“USGS”). Specifically, MMS conducts research that addresses the impact of the Outer Continental Shelf (“OCS”) oil and gas activities and OCS sand and gravel mining on human, coastal and marine environments. MMS also manages the energy and non-energy minerals on the 1.7 billion acre OCS. USGS focuses on a large coastal zone mapping program for federal lands and constantly uses new technology to enhance the accuracy and resolution of those mapping efforts. USGS also conducts research on oceanic tectonic processes, sediment transport, salt marsh and coastal hydrology.

We have a number of responsibilities placed on us by various statutes that apply to ocean and coastal activities. Most notably among these are the Marine Mammals Protection Act (“MMPA”) and the OCS Lands Act. The OCS Lands Act defines the OCS as all submerged lands under U.S. jurisdiction lying seaward of state coastal waters (3 miles offshore). The OCS Lands Act authorizes the Secretary of the Interior to promulgate regulations to lease the OCS in an effort to prevent waste and conserve natural resources and to grant leases to the highest responsible qualified bidder as determined by competitive bidding procedures.

Numerous amendments were incorporated in the OCS Lands Act amendments of 1978. The amendments provide for the cancellation of leases and permits if continued activity is likely to cause serious harm to life, including fish and other aquatic life. They also stipulate that economic, social, and environmental values of the renewable and non-renewable resources are to

be considered in management of the OCS. The timing and location of leasing activities are to be based on several factors, including the relative environmental sensitivity and marine productivity of different areas of the OCS. An environmental studies program is authorized and the Secretary is required to study any region included in a lease sale in order to assess and manage environmental impacts on the OCS. The amendments also established an Offshore Oil Spill Pollution Compensation Fund to be financed by a tax on oil obtained from the OCS and stipulated the damages for which claims could be made against the fund.

Passed in 1972, the MMPA established a federal responsibility to conserve marine mammals with management vested in the Department of Interior for sea otter, walrus, polar bear, dugong, and manatee. With certain specified exceptions, the MMPA establishes a moratorium on the taking and importation of marine mammals as well as products taken from them, and establishes procedures for waiving the moratorium and transferring management responsibility to the states.

Turning now to the future. Over the next 20-25 years, it is estimated that almost 75 percent of the American public will be living and working in the coastal zone. This movement of people to the coast will provide, and already is providing, an increased need to address coastal and marine environment and resource conservation.

A key challenge for all of us is to develop management strategies that ensure continued conservation of coastal and marine habitats and living resources while at the same time ensuring that the American public enjoys and benefits from those same resources. At Interior, the key challenge facing us is the need to balance our varied and wide array of responsibilities in the coastal and marine environments. These include protecting the coastal and marine environments, providing recreational opportunities in those environments and meeting the needs of the American public for food, energy and mineral resources found in those environments. In many respects, the challenges we face as it relates to the coastal and marine environments are much the same as those we face on the land: protecting the natural resources, through science based decision making, while ensuring access to, and use of, the resources. I want to briefly address two specific areas in the marine environment that reflect this challenge – recreation and energy.

Regarding recreation, we are working hard to address how to best improve the way we manage ocean resources, both natural and cultural, within our parks and refuges to sustain them while providing recreation, tourism, fishing and access opportunities.

In terms of energy security, a matter with which we are all concerned, we face many important challenges. As many of you know, the President has proposed a national energy policy. It calls for the development of reliable, affordable and environmentally sound energy sources for this nation. Specifically, the plan calls for the increased development of the United States' domestic energy resources to reduce the importation of foreign oil from unstable regions of the globe. Imports currently provide over 60 percent of our nation's oil consumption.

The September 11 attacks and the ensuing events and war on terrorism have heightened our awareness that development of domestic energy resources in ways that minimize environmental impacts coupled with conservation and development of alternative energies are

necessary to our energy security. In this context, the Interior Department plays a critical role through the activities of the MMS on the OCS. The OCS contains many oil and natural gas resources and currently provides about 26 percent of this nation's domestically produced oil and natural gas.

We are pursuing strategies designed to ensure the nation can best benefit from those OCS energy resources which are so important to our domestic energy supply and energy security, while protecting the coastal and marine environments and safeguarding social and cultural values. More broadly, in meeting the varied needs and interests of all Americans impacted by the Department's activities, Secretary Norton has committed to a 4 C's approach: conservation through communication, cooperation and consultation.

What does this mean? It means a commitment to solving problems in the marine and land environments by working with state and local governments and with citizens individually. We are seeking to move away from litigation and conflict-laden decision making. For years, we have tried to address problems in ways that have marginally improved our resources, while the debate over what to do about them has played out in courtrooms and the pages of regulatory manuals.

We believe our approach benefits the American people by meeting their many needs, tapping local knowledge and reducing conflicts. We look forward to working with the Commission in the coming months to provide information and insight gained from the 4 C's approach to issues facing DOI. We recognize that many challenges lie before us.

Two specific challenges that we hope will be examined by the Commission include the application of the Coastal Zone Management Act regulations to projects both on shore and offshore; and the overlapping federal jurisdiction over marine resources and uncertainty and inconsistency that results.

In conclusion, let me say that we stand ready to offer the Commission our support and cooperation as you strive to meet the mandate Congress has placed on you. Thank you for your time. I would be happy to answer any questions you might have.