

D I A L O G U E

# Ocean Policy and the Trump Administration

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## Summary

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Each presidential election brings the possibility of large-scale changes in environmental policy. President Donald Trump has not explicitly laid out ocean policies for his new administration, but he has provided some clues; these policies ultimately will be important for the ecological and economic health of the United States and the world. On December 9, 2016, ELI convened a panel of experts to discuss some key ocean issues that the Trump Administration will face. Below we present a transcript of the discussion, which has been edited for style, clarity, and space considerations.

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**David Roche** (moderator) is a Staff Attorney at ELI.

**Addie Haughey** is Associate Director of Government Relations at the Ocean Conservancy.

**Mike LeVine** is Pacific Senior Counsel for Oceana.

**Pete Stauffer** is the Environmental Director of the Surfrider Foundation.

**Xiao Recio-Blanco** is Director of the Ocean Program at ELI.

**Laura Cantral** is a Partner at Meridian Institute.

**David Roche:** My name is David Roche, a staff attorney with the Environmental Law Institute (ELI), and I'll be your moderator today. This is the next installment in our Ocean Seminar Series, which is on Ocean Policy and the Trump Administration. We're on our 10th year of the Ocean Seminar Series now, and we couldn't have done this work without the support of the Naomi and Nehemiah Cohen Foundation, which has funded and been instrumental in designing and supporting the seminar series for years.

ELI is a nonpartisan institution. We do not take political stands or advocate, we do research and education. However, we let the research and education we do speak for itself. We start from the underlying assumption that environmental conservation is important. However, how we get there is subject to debate and we only lay out the facts. In this Ocean Seminar Series, we give experts a venue to engage in a productive way, and we have five great ones on the line today. I'll introduce each of them as they speak.

To build on the ocean theme, it helps to imagine the U.S. federal government as a fleet of ships. In this analogy,

the president sets the course, but he isn't the pilot. He tells agency heads what to do, who tell staffers what to do. The agency heads are the ones steering. The ships are outfitted by the U.S. Congress, which as we've seen over the last few years can be a really big hurdle. The U.S. Supreme Court is something like the Coast Guard in the seas. It is like the Coast Guard for more reasons than it just being fun to imagine Justice Ruth Bader Ginsburg in a sailor's cap. They can direct traffic and they can change the course if they see something wrong with it. And the American people are the current, the wind. They have massive power to affect how the ships move even after the course has been set.

What can we expect from the Trump Administration? It's tough to know for sure, but there are some hints. But today we aim to dig a lot deeper than tweets. Obviously, tweets can be politics, but that might not necessarily be policy. So, what we're trying to do today is dig deeper.

As we set this up, we received some questions and I just want to address those briefly here.

First, what can a president really do on ocean policy? And the answer is a whole lot, especially when branches of government align and there are like-minded agency heads.

Second, maybe it would be best for ocean conservationists to "lay low" for four years? Well, while the president himself might not be involved in every decision, his appointees will. So, maybe it's not the best policy to expect the details of ocean workhood to fall through the cracks, I think that is probably unlikely.

And finally, isn't it all just speculation at this point? Yes, it definitely is, and I think we're going to have some speculation today. But when things do start moving, they're going to be moving incredibly fast. Our hope is that by starting a dialogue now, we're ready to blow the wind and direct the current in a way that pushes the ships in the direction that's best for what we care about, which here is ocean and coastal issues.

And with that, all this intro talk is over, and I'm really excited to introduce you to the panel today. Our first panelist is Addie Haughey from the Ocean Conservancy, where she's the Associate Director for Government Relations.

**Addie Haughey:** David, thank you so much, and thanks to ELI for offering this forum for folks to have these conversations. You talked a little bit about speculation, and I do think it's important to be careful how much we speculate. What I'd like to do today is keep the speculation to a minimum, but definitely offer some of the baseline facts

and some of the things that we're going to be watching and how that's going to help us understand what the Trump Administration is doing moving forward. I've been asked to hit briefly on four different items.

I'm going to talk about the new Congress, which started on January 3rd, and then talk about the Congressional Oceans Caucuses as a subset of that Congress that we ought to be paying attention to. I'm going to talk briefly about the state of play in federal funding, and I'm also going to hit on the National Ocean Policy, which is something that Ocean Conservancy has played a significant role in.

So, let's start with the election. I think at the presidential level, a lot of people were shocked by the election results. But that having been said, there was more than just the presidential election on November 8th. And when it comes to Congress, I don't think as much changed in the congressional space, so I just want to run through a few quick points that are important.

The Republican majority in the U.S. Senate has narrowed to 52 Republicans. This means that even for a simple majority vote, this Senate will need just about every Republican. And to get to 60 votes, the Republican majority will need even more Democrats and independents than they did last Congress, which is an important dynamic to watch. I have heard some folks express concerns about filibuster rules being at risk of being changed, that the Senate might change the rules so that you don't need the 60-vote threshold. However, a number of senior Republican and Democratic senators have indicated that they don't have an interest in overturning long-standing Senate rules, but I do flag it as something that we are going to need to watch closely as it would have pretty significant impacts if anything were to happen there.

In the U.S. House of Representatives, the Republican majority also narrowed by eight seats. The Republicans still enjoy a significant majority, but these changes in both chambers do change the ratios of majority and minority members on some of the committees that you all might watch. We don't have final information yet on that, but that might be an important note for some of you who watch, say, the Natural Resources Committee, the Senate Commerce Committee, or others closely. Pay attention to those ratios, because it makes a difference when you're trying to vote something out of committee.

The most important change in Congress is probably that Senator Chuck Schumer from New York will be the next minority leader of the Senate, taking Senator Harry Reid's place. I think for our purposes today, it's notable that he's from a coastal state, and the former minority leader was not. New York has a significant fishing industry, commercial and recreational, they have significant coastal tourism interests, one of the biggest ports in the country, and they have a history of doing good work on their ocean and coastal issues—in particular, the state's work on restoring, protecting, and managing the Long Island Sound, as well as the state's "Blue Plan" which is a marine spatial plan for state ocean waters. Also, let's not forget the recent experi-

ence that New York and Senator Schumer had with Superstorm Sandy. I think these are all important data points for us to be thinking about in terms of how to work with this new minority leader.

In addition to that, we had some ocean champions leave Congress. There were some retirements, Congresswoman Lois Capps, Congressman Sam Farr, Congressman Jim McDermott, and Senator Barbara Boxer, among others. These are folks who've spent collectively decades and decades in Congress fighting for our oceans, and we will miss them dearly. In addition, a few key notable folks lost reelection bids. Congressman Mike Honda of California was the ranking member on the Appropriation Subcommittee that handles the National Atmospheric and Oceanic Administration (NOAA). Congressman David Jolly, a Republican from Florida, lost his reelection bid, and he was also an appropriator who paid a lot of attention to NOAA and fisheries issues.

But even with those departures, we have a lot of new people to meet in the coming weeks that I would like to bring to your attention: on the Senate side, Senator Kamala Harris in California, Senator Maggie Hassan in New Hampshire. In addition, I would flag that Chris Van Hollen has moved from the House to the Senate and he has been an ally for many in the oceans community for a long time. On the House side, I would flag that new Representative Jimmy Panetta takes over Sam Farr's old seat. He is the son of Leon Panetta, the former chair of the Pew Oceans Commission and a notable figure in a lot of ocean policy issues over many, many years.

So, a few folks leaving, a few folks coming in, and also many of our ocean champions remaining, including Congresswoman Chellie Pingree from Maine, Congressman Don Beyer from Virginia, Congressman Derek Kilmer from Washington. A lot of these folks will still be with us, so many familiar faces, as well.

It's hard to predict what the agenda is going to be long-term in the new Congress, but fights over federal budgets are certainly on the horizon. It's something that we're going to watch really closely. So, instead of talking too much about that, I thought I would talk about something a little bit more certain at this time, which is what our oceans caucuses are going to be up to.

On the House side, I just mentioned that Congressman Farr retired. Congresswoman Suzanne Bonamici will be taking over his role as a co-chair of the House Oceans Caucus. She obviously cares a lot about the ocean and it's a big part of what she does, and has done, for years up on the Hill. She will join Congressman Don Young from Alaska who is the Republican co-chair of the caucus, has been for some time and will continue to be. At an event just this week, Congresswoman Bonamici indicated her priorities for the caucus: she said ocean health is nonpartisan, and she intends to treat it that way. She talked a little bit about ocean acidification, ocean planning, and sustainable fisheries as key issues for the caucus moving forward. And she really wanted to remind the community that she has

worked successfully with Congressman Young in the past on ocean issues, and she highlighted their work on tsunami warnings as a really important coastal issue where they've been successful and bipartisan, if not nonpartisan.

Over on the Senate side, the personnel in the Oceans Caucus remain the same, which I think is good news. Senator Sheldon Whitehouse from Rhode Island and Senator Lisa Murkowski from Alaska will continue to be the bipartisan chairs of that caucus. At an event this week, Senator Whitehouse highlighted some of the major victories from the last Congress. I pulled a headline here on the pirate fishing Port State Measures Agreement that passed this Senate, this Congress. I think that was a major accomplishment of the Oceans Caucus and gave an example of what they're capable of. He also mentioned ocean data and research and marine debris as two areas with significant bipartisan agreement that they're going to continue to move forward on.

Another key issue in Congress, as always, is funding for all federal programs, and obviously folks are interested to hear about funding for ocean programs in particular. Again, I want to be careful not to speculate too much, so I'm going to offer just sort of some state of play on what to watch moving forward.

Starting with fiscal year (FY) 2017, that's the year that we're currently in, we are currently operating under a continuing resolution that expires at the end of April. The new Congress has to do something to fund the government for the rest of the FY after April 28th. They have some options. They can pass individual funding bills (increasingly unlikely). They can compile those bills into an omnibus, as has been practiced for the last couple of years. Or they could put in place another continuing resolution ahead of that deadline to keep the government funded through the rest of the FY.

Obviously, I think everyone in the environmental community, in the ocean community as well, has concerns about federal funding levels and riders in a congressional environment without a veto backstop. And that having been said, I think they're going to be very busy in the new year, and we're going to have to fight very hard to ensure that there are strong funding levels for our ocean programs in that final 2017 funding package.

I want to note and make sure we're very clear that at the same time that we're finishing out these FY 2017 funding levels for the year and making these final decisions, we're also going to be working on FY 2018, which would start next October 1st. In a normal year, we would start working on these bills in the spring and that would come to a head at some point in the fall in either an omnibus or some other package. This year is going to be tough, because we're going to be doing that same process while still trying to close out 2017.

The Trump Administration budget for 2018 is certainly going to propose massive cuts to agencies like NOAA. I think it's important to note that the budget process will be really messy. Some of you have heard the word "reconcilia-

tion," which is a process for Congress to pass major pieces of legislation related to federal funding. And also, there's a risk that we will have sequestration funding levels again under the Budget Control Act. So, those are issues that we're going to be watching really closely.

On sequestration, specifically for FY 2018, if that does go into effect funding levels will be really low. So, many groups I think will be supporting agreements that might lift those sequester caps. So you may start seeing that very soon. Riders will continue to be an issue in a variety of policy areas and will be something to watch. But as always, it is really important to note that the clock is the enemy. I just mentioned that they're going to be doing two FYs at the same time. All of these things operate on deadlines. So, this new president is sometimes perceived as a dealmaker; we'll have to see how that plays out on a time line.

The last thing I'm going to hit on is the National Ocean Policy. The idea of a National Ocean Policy was put forward by the U.S. Commission on Ocean Policy during the George W. Bush Administration. It was rooted in the need to coordinate many ocean uses, from recreational to commercial to environmental, and the dozens of state and federal agencies that work on oceans.

The Obama Administration has carried out this work through an Executive Order called the National Ocean Policy. Key initiatives under that Executive Order have been ecosystem-based management best practices across agencies, federal agencies accommodating regional work as well as ocean planning. Just this week, two regional ocean plans were finalized in the Northeast and the Mid-Atlantic. Ongoing planning is underway in the Pacific, Caribbean, and on the West Coast.

It's not clear whether and how the new Trump Administration will take up the mantle on coordinated ocean policy, including planning. We've seen clear indications in his first 100-day plan released back in October 2016 that they're interested in opening more areas for offshore oil and gas and other sorts of energy uses, but beyond that, we haven't heard a lot about how this new administration will address ocean governance. We do have reason to believe that agencies are going to want to move forward with implementing the ocean plans and other projects that they've already worked on under the National Ocean Policy. They've invested a lot of time and energy into those plans and certainly don't seem to be abandoning them anytime soon.

I think this is a great quote from the military on how the National Ocean Policy has worked for the U.S. Navy, "The ocean plans provide a process by which stakeholders—whether they be commercial interests, national security interests, commercial fishermen, recreational fishermen—have the same information that's going into the decision-making process."<sup>1</sup> We heard similar remarks from the Vice

1. Jose F.H. Atangan, U.S. Fleet Forces Command, Ocean Range Planning Section Head. *OCEAN FRONTIERS: THE DAWN OF A NEW ERA IN OCEAN STEWARDSHIP* (Green Fire Productions, 2011), available at <http://ocean-frontiers.org/>.

Commandant of the U.S. Coast Guard, who indicated that the ocean data developed as part of the planning processes make their agency stronger and help them carry out their mission. So, I think those are important and encouraging things to note, that a lot of the hard work these folks have been engaged in in recent years is really embedded in who the agencies are and what they do, and that's going to be carried forward.

**David Roche:** Thank you, Addie. With that, we'll turn it over to our next panelist, Mike LeVine from Oceana, who's their Pacific Senior Counsel. Mike has more than a decade of experience living in Alaska and working to ensure that good decisions are made about ocean resources. He provides legal expertise and guidance for Oceana on issues in Alaska and along the Pacific Coast, including oil and gas activities, industrial fishing, and ocean acidification. So, he has pretty much done just about everything there is and we're really excited to have him. No one knows Arctic issues better.

**Mike LeVine:** Thanks, David. I think Addie did a great job of setting the stage here. My presentation will be slightly different. I'm going to focus on some of the advances that have taken place in Arctic policy over the past eight years and some things that might be at risk. Before I do that, I just wanted to give a little bit of background about Oceana for anyone who might not know us. Oceana is the world's largest nonprofit organization dedicated solely to ocean conservation. We are headquartered in Washington, D.C., and have offices around the world. All of our West Coast work is headquartered out of Juneau, Alaska, which is where I am.

We think of our work as operating through this triangle of law, science, and public advocacy to achieve in-the-water change that maintains and restores large marine ecosystems. And one of the places of focus, and my focus in particular, is in the Arctic. The way the United States defines the Arctic Ocean is not just what we think of as the "High Arctic" (the Beaufort and Chukchi Seas), but extends all the way down into the Bering Sea and is bordered by the Aleutian Islands. These are places that are important and unique, home to iconic wildlife and vibrant coastal communities that play an important role in regulating world climate.

We also know that the Arctic ecosystems are at risk, changing very rapidly due to climate change and threatened increasingly by industrial activities—oil and gas, shipping, fishing. We know there are functioning, intact ecosystems, and vibrant communities; we know they're changing; and we know the choices we make about industrial activities will affect what the region looks like in 10, 50, or 100 years. We at Oceana, along with our partners, have been working to foster comprehensive, science-based management in the Arctic region so that there is a plan for what we want the changing region to look like in the future and we can make choices consistent with that vision.

There's been significant progress toward those goals over the last eight years, and we'll talk about some of that later. The Obama Administration showed a strong commitment to science and planning, and even though we might not have agreed with all the choices that have been made, that commitment has been paramount.

At least during the campaign, science-based planning was not a hallmark of President Trump's rhetoric. And, in fact, there is significant reason to think that a change in administration will cause change in policy. A quote from a *New York Times* editorial, published a couple of years after George W. Bush took office, showed that change in administration resulted in some pretty significant changes in policy:

On issues large and small, the Bush administration has spent the better part of two years rolling back Bill Clinton's environmental legacy. It has abandoned the Kyoto accord on global warming, weakened protections for wetlands and eased mining laws. Now it appears to be aiming at even bigger game—the National Environmental Policy Act, regarded as the Magna Carta of environmental protection . . . .<sup>2</sup>

So, thinking broadly, what are some of the things that might be at risk, things that a new administration could change? As I mentioned, the Obama Administration was very committed to science and planning in the Arctic region. There was a commitment to integrated Arctic management.<sup>3</sup> Similarly, the Obama Administration showed a commitment to integrated cross-disciplinary planning and coordination, created an interagency Arctic Executive Steering Committee, and then, internationally, entered into agreements with Canada and the Nordic countries about conservation in the Arctic Region.

An excerpt from the beginning of the agreement with Canada shows that it might not be consistent with what President Trump has said, at least during his campaign:

President Barack Obama and Prime Minister Justin Trudeau share a common vision of a prosperous and sustainable North American economy, and the opportunities afforded by advancing clean growth. . . . The two leaders regard the Paris Agreement as a turning point in global efforts to combat climate change and anchor economic growth in clean development. . . . Furthermore, the leaders emphasize the importance of the U.S. and Canada continuing to cooperate closely with Mexico on climate and energy action and commit to strengthen a com-

2. The Opinion Pages, *Undermining Environmental Law*, N.Y. TIMES, Sept. 30, 2002, available at <http://www.nytimes.com/2002/09/30/opinion/undermining-environmental-law.html>.

3. See, e.g., Joel P. Clement et al., *Managing for the Future in a Rapidly Changing Arctic: A Report to the President*, Interagency Working Group on Coordination of Domestic Energy Development and Permitting in Alaska, available at <https://www.doi.gov/sites/doi.gov/files/migrated/news/upload/ArcticReport-03April2013PMsm.pdf>; Leslie Holland-Bartels & Brenda Pierce, eds., *An Evaluation of the Science Needs to Inform Decisions on Outer Continental Shelf Energy Development in the Chukchi and Beaufort Seas, Alaska*, U.S. Geological Survey, Circular No. 1370 (2011), available at <https://pubs.usgs.gov/circ/1370/pdf/circ1370.pdf>.

prehensive and enduring North American climate and energy partnership.<sup>4</sup>

These are institutional, administration-level policies that could be stopped or diminished by the Trump Administration.

A little bit more specifically, and very excitingly, just this morning, President Obama signed an Executive Order creating the Northern Bering Sea Climate Resilience Area.<sup>5</sup> The Executive Order results from efforts that were led by tribal entities along the coast of the northern Bering Sea and Bering Strait. Dozens of federally recognized tribes asked the president to take action to enhance their ability to participate in management choices, and the Executive Order does that by designating this area and creating a new sub-agency under the Arctic Executive Steering Committee to coordinate management and improve consultation with tribes. The Executive Order also takes some steps to protect the region from the impacts of shipping, oil and gas, and it specifically maintains existing closures to bottom trawling.

This is an example of the president and his administration listening to tribes in the region and thinking about ways to further comprehensive and inclusionary management. It's my hope that this type of action that has been requested by communities and has broad support will be durable through a Trump Administration and into the future, but that certainly remains to be seen.

I'd like to get into oil and gas just briefly. By way of background, the federal government manages offshore oil and gas activities under the Outer Continental Shelf Lands Act<sup>6</sup> in four stages. The first stage is a five-year leasing program that sets out a schedule of lease sales for the next five years. At the second stage, the U.S. Department of the Interior holds those lease sales, and companies can bid on leases that will allow them, at the third stage, to conduct exploration activities. And if they find oil and gas, companies at the fourth stage can move on to development and production of those resources.

I'd like to talk just about the first stage, the five-year program. President Obama and his administration prepared 2.5 of these five-year programs. The administration first revised the 2007 to 2012 five-year leasing program. That revision was required by a court order invalidating part of the program. The administration then prepared the 2012 to 2017 five-year program, and most recently finalized the 2017 to 2022 five-year program setting out the schedule of sales in those five years. The process that led to the 2017 to 2022 five-year program took about two years to complete. And interestingly, over that time, the areas included have evolved.

When the administration first began the process, it was considering selling leases off the Atlantic Coast in the Gulf of Mexico and in the Arctic in the Chukchi and Beaufort Seas. As the process evolved, the administration removed the sales in the Atlantic, so those areas are no longer included. And just a few weeks ago, when it announced the final program,<sup>7</sup> it also removed the Chukchi and Beaufort Seas, so the final five-year program schedule includes sales in the Gulf of Mexico and in Cook Inlet, but nowhere else in the outer continental shelf of the United States.

This is particularly noteworthy, because this is the first five-year program ever completed, since they were started in 1980, that doesn't include sales in either the Chukchi Sea or Beaufort Sea or both. Part of the reason for that change is that we seem to be nearing the end or at the end of the second big boom-and-bust cycle of interest in exploring for oil and gas in the U.S. Arctic Ocean.

In the 1980s and 1990s, companies spent billions of dollars to purchase leases and drill exploration wells, and they walked away from those investments by the late 1990s. That process started up again in the 2000s, companies again spending billions of dollars to purchase leases. Famously, Shell spent more than \$7 billion to purchase leases and pursue exploration. The company drilled one well in 2015 and has walked away from its investment.

This map shows the leases that existed in 2008 in the Chukchi Sea and the one that's left now. And the same, largely, is true in the Beaufort Sea, which reflects waning interest and the economic realities. This five-year program is something that the Trump Administration has talked about. It's something that's come up in the news as a document that might be changed, and certainly nothing in the law would prevent the Trump Administration from revising this program. However, with the economic and financial realities of operating in the Arctic and the uncertain amount of oil that might be, say, in the Atlantic, it's possible that these choices will remain in the next administration.

In that vein, I thought that I shouldn't have this presentation entirely about things that could be undone. If we've learned one thing from this presidential election cycle, it's that it's unpredictable and the next administration might be unpredictable.

The United States Arctic Region Policy was crafted toward the end of the Bush Administration. It has been in place over the last eight years. The Obama Administration hasn't changed this policy. It has issued new guidance to implement it, but there's some consistency across presidential administrations in how the Arctic has been addressed. Similarly, there may be issues, and Addie touched on fisheries briefly, on which there is broad agreement for conservation.

The Arctic Fishery Management Plan<sup>8</sup> is the guiding plan for fisheries in the Chukchi and Beaufort Seas. It

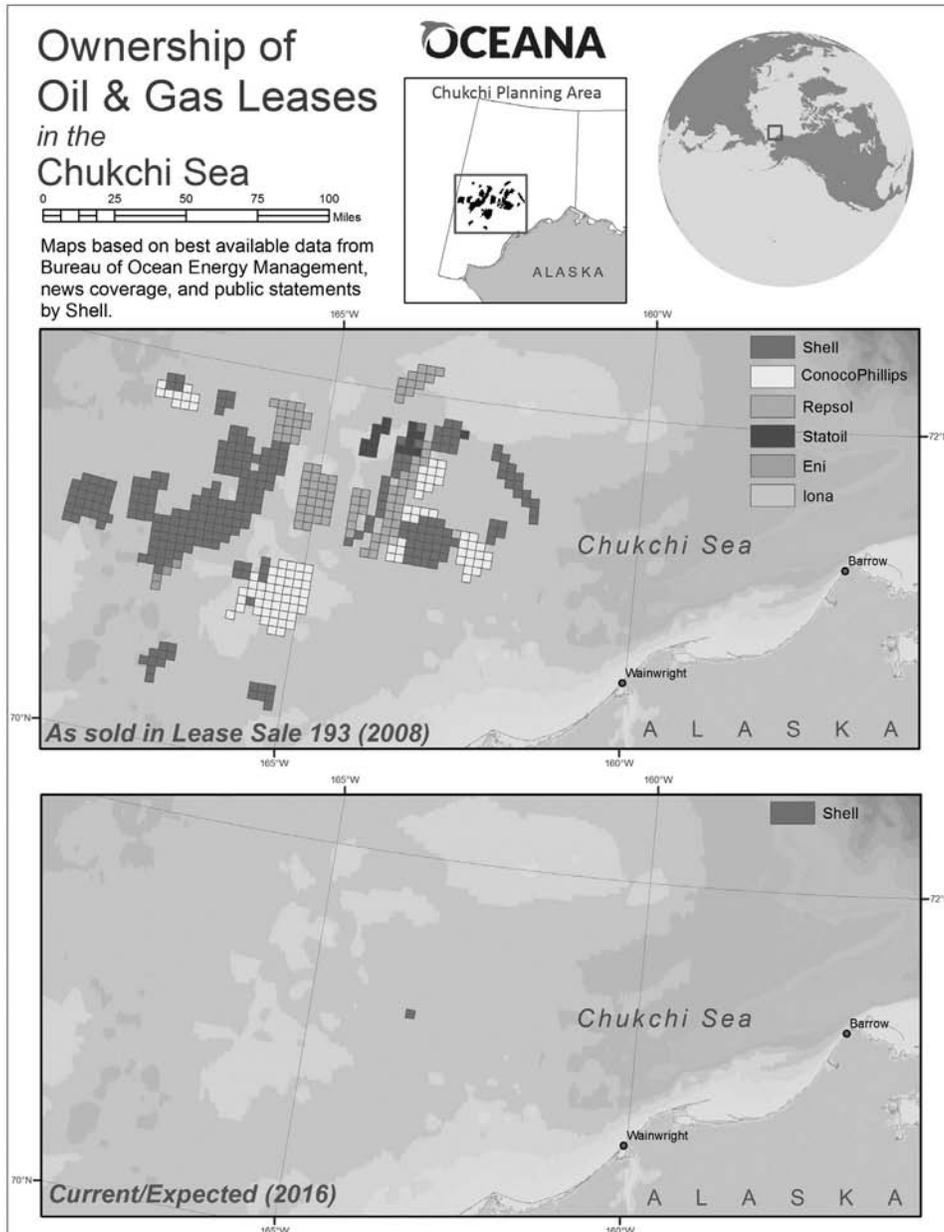
4. Press Release, The White House, U.S.-Canada Joint Statement on Climate, Energy, and Arctic Leadership (Mar. 10, 2016), *available at* <https://obamawhitehouse.archives.gov/the-press-office/2016/03/10/us-canada-joint-statement-climate-energy-and-arctic-leadership>.

5. Exec. Order No. 13754, 81 Fed. Reg. 90669 (Dec. 9, 2016).

6. 43 U.S.C. §§1331 et seq.

7. *2017-2022 OCS Oil and Gas Leasing Program*, BUREAU OF OCEAN ENERGY MANAGEMENT, <https://www.boem.gov/Five-Year-Program-2017-2022/> (last visited Mar. 3, 2017).

8. Arctic Fishery Management, North Pacific Fishery Management Council, <https://www.npfmc.org/arctic-fishery-management/> (last visited Mar. 3, 2017).



example of that.<sup>10</sup> It was a rule promulgated by the Clinton Administration at the very end of his term that withstood the Bush's Administration efforts to undo it, and after 16 years of litigation remains in place.

And the last thing I would note is that one thing that has happened in the past under administrations not favorable to ocean or environmental issues has been advances in other decision spaces, like states or with companies, and so we may see some of that during the coming administration.

**David Roche:** Thanks, Mike. With that, I'm going to hand it off to Pete Stauffer. Pete is responsible for managing advocacy efforts in the United States to protect the ocean, waves, and beaches through advancing ocean protection, coastal preservation, clean water, and beach access. He's the Environmental Director at SurfRider and will be talking about clean water and coastal use.

**Pete Stauffer:** Thanks, David, I'm really pleased to participate. Some quick background on SurfRider Foundation. We are a grass-roots organization that works to protect the world's oceans, waves, and beaches, and our constituency is recreational users. So, people that spend time recreating along our shoreline and in our

closes all federal waters in the Chukchi and Beaufort Seas to commercial fishing until there is enough information to manage them sustainably. The plan was created during the Bush Administration. The regulations were implemented and finalized under the Bush Administration. Fisheries are places where there might be opportunities for continuing advances and conservation. Addie didn't mention this, but we know that the Magnuson-Stevens Act,<sup>9</sup> the federal law governing fisheries, is due for reauthorization. This may be something that comes before Congress in the coming few years.

Also, for all the people who are going to be pushing the Trump Administration to undo policies from the previous administration, there are likely to be people pushing on the other side to maintain them. The Roadless Rule is a good

nearshore waters. And like probably every other group and person out there in the country, we've done a lot of reflecting about what the election results will mean in terms of the types of things that we care about. In our case, that would be coastal recreation and stewardship. I'm primarily going to focus on clean water and coastal use issues. But I will say certainly in terms of coastal recreation, a lot of interest around oil and gas issues that Mike talked about, and of course our support for the National Ocean Policy that Addie discussed during her presentation.

And we'll start off with some discussion about clean water issues. One issue that's really been on a lot of people's minds is the EPA Clean Water Rule, otherwise known as the Waters of the U.S. Rule. For folks not familiar, this was created through agency rulemaking by the U.S. Environ-

9. 16 U.S.C. §§1801 et seq.

10. *Timeline: The Roadless Rule*, EARTHJUSTICE, <http://earthjustice.org/features/timeline-of-the-roadless-rule> (last visited Mar. 7, 2017).

mental Protection Agency in coordination with the U.S. Army Corps of Engineers back in August of 2015. And essentially, what the rule does is restore Clean Water Act (CWA)<sup>11</sup> protections that were previously defined before two Supreme Court decisions in the early 2000s made enforcement unclear.

And the rule has been controversial. In fact, even though it was created almost two years ago, it still has not gone into effect. But this is what you can see in terms of what the rule means for protections for clean water, the millions of miles of streams, acres of wetlands protected, and drinking water all included under the purview of the CWA. And of course, all of us understand the relationships between watershed and nearshore or ocean water quality.

As I mentioned, there is currently a national stay on implementation. A number of states have filed lawsuits against this new rule, so it's been tied up in the courts. Over the last year or so, we've also seen numerous threats of policy riders in Congress to try and eventually pull back that rule. Thus far, our clean water advocates have been successful in terms of blocking those riders. But we also had the benefit of President Obama, who said he would use veto power to uphold this rule under his authority as president.

What can we expect under the new administration? I think based on what we've heard on the campaign trail and what was laid out on the Trump transition website is that in fact the new administration will likely not support the Clean Water Rule, and certainly not under new EPA leadership, so we can, unfortunately, expect a likely rollback of that rule.

Another clean water issue to talk about is funding for the Beaches Environmental Assessment and Coastal Health Act (BEACH Act).<sup>12</sup> The BEACH Act was created in the year 2000 to help monitor water quality at recreational beaches. And it's through this funding that we have 4,000 popular recreational beaches across the country that are monitored for public health. Essentially, this takes place through EPA in the form of grants to coastal states and U.S. territories, and it's averaged less than \$10 million per year, a relatively small amount of funding that is leveraged to a significant extent. It's certainly a very big deal for beachgoers and others that like to recreate in nearshore waters.

What's interesting about this is for the last number of years, in the president's budget under the Obama Administration, they have zeroed out funding for the BEACH Act and it's something that Surfrider and many other groups have really pushed for the administration every year to include that funding in there. Essentially the program has really benefited, I guess you could say, from some of the gridlock in Congress. Because of these continuing resolutions, that funding has been maintained from year to year. So, I guess there's a silver lining, while we might not expect a Trump presidency to necessarily

include the funding for the BEACH Act in the president's budget, that's sort of been the scenario we were working with under the Obama Administration.

And I think this really underscores the need to build bipartisan support among members of Congress. That's something that many groups that care about this issue have been working to do—to educate members of Congress of both political parties about the importance of protecting public health and protecting the billions of dollars in economic impacts that result from coastal tourism.

Another solution for this is, of course, state funding. So, these programs are implemented by coastal states or in some cases local governments. And what we heard from the Obama Administration, of why they zeroed out funding, is that they had the division of the state taking more ownership of these programs and of this public health monitor. So, certainly, that's something that Surfrider and other groups are working to do in coordination with state programs and state funding, is to try and figure out how to enhance or grow state funding to support this program.

I want to talk a little bit about the coastal recreation and tourism economy, and part of this sort of relates to how we frame some of these issues around ocean stewardship. I think it's no secret to any of us that we've seen the environmental interest increasingly marginalized in recent years. And as we face a change in political climate, just even in terms of the presidential debate and in terms of the news coverage around the presidential election, you didn't really hear much about environmental issues, certainly very little about ocean issues, and I think it really underscores the need to frame these ocean issues not just in terms of environmental or ecological values, but in the economic impact, the billions of dollars that coastal recreation and tourism and other uses of the ocean, whether it be fishing or other aspects of the blue economy, what they provide for our nation's gross domestic product.

Coastal recreation and tourism is the largest ocean sector by far. We have of course the social and cultural values, which are very difficult to measure, but are certainly enormous. And again, I think for us as a community who really care about the future stewardship of our nearshore marine ecosystems, framing natural resource protection in ways that spell out in dollars and cents the values of coastal communities can really be an important part of our strategy moving forward.

I also want to talk about bringing the grassroots perspective. Something that we think about as a chapter-based organization is that there are so many opportunities to advance ocean stewardship that don't involve the federal government. It's really interesting, we've been going through our coastal victories for the past year, and most of the decisions that we've helped influence happen at the local level and the state level. So, certainly coastal communities and state government play a really important role in managing our nearshore and ocean environment. And if you think about the role of stewardship, there are obviously lots of different types of programmatic activi-

11. 33 U.S.C. §§1251-1387.

12. 33 U.S.C. §§1251 et seq.

ties, whether it be citizen science or cleanups or restoration events, and what these things do is they allow an opportunity, I would argue, to expand our constituency. And so, here is an opportunity to continue to build bridges with non-traditional allies, with businesses, with other types of interests, and again emphasize the values that we get as a society from a healthy ocean ecosystem.

**David Roche:** Thank you, Pete. Our next speaker is Xiao Recio-Blanco. Xiao is the new Director of ELI's Ocean Program, he's brilliant, and works on a lot of issues domestically and internationally. Xiao, take it away.

**Xiao Recio-Blanco:** Thank you very much, David, and thank you for the invitation to participate. In the next few minutes, I would like to talk about three aspects of international ocean management that will demand the attention of the new administration. I will mostly focus on the international initiative for the creation of new, large marine protection areas (MPAs), but I will also mention a few thoughts on international actions to combat illegal, unreported, and unregulated (IUU) fishing and on the deployment of new ocean renewable energy technologies.

We need to understand the movement toward the creation of new large MPAs within the international legal framework for ocean conservation, especially in relation to the Convention on Biological Diversity,<sup>13</sup> Aichi Target 11, which calls on all states to ensure that at least 10% of the water under their jurisdiction is protected by 2020. On this topic, U.S. leadership has been a major driver of international action, especially since the United States organized the first Our Ocean Conference in 2014, which specifically convened nations with the purpose of achieving commitments on the creation of new MPAs. Today, according to the U.S. State Department, participants in the three Our Ocean Conferences have committed \$9.2 billion in ocean protection measures and declared MPAs that cover 3.8 million square miles of ocean.

Former U.S. Secretary of State John Kerry assumed ocean protection as a personal challenge, engaging significant groups of coastal countries in the process of increasing the level of environmental protection of the seas. These included close cooperation with the European Union and with nations from Indonesia to Chile, Gabon, and small island Pacific States like Palau and Kiribati, and the detail of negotiations led into recent cooperation, yes, with Russia on creation of the new large MPA on the Ross Sea in Antarctica. So, this is a topic that has gained broad traction and international support to the point that the most recent discussions are already looking beyond the Aichi Target 11 at least in two ways.

First, by actually paying attention to recent science that states that protection of 10 percent of waters will not be enough to ensure a sustainable use of the oceans in the 21st century. And this has led some nongovernmental organizations (NGOs) and the International Union for Con-

servation of Nature (IUCN) to promote more ambitious conservation objectives. During the IUCN World Congress in Hawaii earlier this year, the IUCN called for a new ocean protection objective to ensure the conservation of at least 30% of waters under national jurisdiction by 2030.

Second, and what I think is even more relevant from a regulatory standpoint, is that some recent actions are also revising the international ocean conservation objectives by thinking about what needs to happen once a new MPA has been declared to make sure that the MPAs do not only remain on paper, but that they are really implemented and enforced. In my opinion, this is especially relevant because it shows that the international community of nations has started to show some political will to go beyond simple MPA declarations and the percentages of protection to really make sure that MPAs are being effectively implemented and enforced. And there is currently an active discussion on how to channel the necessary funds to make all this happen.

Here again, the State Department had taken action with international impacts, including issuing various funding opportunities to finance the designation of new MPAs and MPA enforcement actions in Latin America and the Caribbean, in Eastern Africa, and in the small island Pacific States, as well as signing shiprider agreements with small developing nations like Vanuatu and Palau, the Federated States of Micronesia and the Marshall Islands, the Cook Islands, and Kiribati. It also signed maritime interdiction agreements that allow U.S. vessels to conduct enforcement operations in waters of another nation without a local representative on board, like a 2013 agreement with Palau.<sup>14</sup> So, that is the current situation, and this suite of initiatives on the side of the federal government has been clearly marked by personal leadership and a clear spirit of international cooperation. Consequently, it's reasonable to believe that these efforts might be significantly affected by the incoming political shift. So, what might happen to all these efforts in the next few months?

In case the Trump Administration looks to Russia as a model for international policy, let's keep in mind that Russia has recently taken significant ocean conservation actions. In addition to the already mentioned declaration of the Ross Sea MPA, Russia has expanded the Russian Arctic National Park to include Franz Josef Land, and Russian President Vladimir Putin has designated 2017 as a Year of Ecology. On the other hand, it is possible that Russia may regard a U.S. retreat from the spotlight of international ocean governance as a chance to reinforce their sovereignty claims over the Arctic continental shelf, and attempt to open the regions with seabed mining. Also, if the United States steps down from its role as a global leader in sustainable ocean management, other countries will fill that void. This new role might be assumed by actors that are already involved in these topics, like the European Union, Canada, or Chile. On the regional level, and this is probably a bit

13. 1760 U.N.T.S. 79; 31 I.L.M. 818 (1992).

14. Agreement Between the United States of America and Palau, *available at* <https://www.state.gov/documents/organization/218709.pdf>.

of wishful thinking on my end, but we should really try to encourage Mexico to take a step forward and become a champion in ocean conservation in the Americas.

The second topic I wanted to talk about is the international efforts to combat IUU fishing. A positive note here—as Addie already mentioned, the domestic legislation to implement the Port State Measures Agreement<sup>15</sup> passed the Senate in 2015 by unanimous consent. So, this is encouraging, and hopefully combating illegal fishing will remain a bipartisan issue.

Two more ideas here. The Obama Administration decided to back specific actions to combat IUU fishing beyond U.S. borders. An example of that is the recent creation of the Safe Ocean Network, which is an international consortium of countries and NGOs that are developing actions from the global problem of IUU fishing. I am happy to say that ELI has been a part of this initiative from its inception, and the publication by ELI of the handbook *Legal Tools for Strengthening Marine Protected Area Enforcement*<sup>16</sup> is connected to that collaboration. The Safe Ocean Network provides a much-needed platform for transboundary cooperation, and it would be desirable for this initiative to continue even after John Kerry stepped down as Secretary of State.

And second, it will be interesting to see if the new administration turns to other sources of international action, such as to label unsustainable fishing practices from other nations as environmental or ecological dumping, and to use this as a justification to enforce import bans on fishing products from nations that are considered to harbor IUU fishing practice. This approach might have a significant short-term effect, but will likely lead to World Trade Organization litigation on the matter and the United States might find it challenging to prove its claims.

An alternative to this could be a more stringent use and then active international promotion of the Lacey Act<sup>17</sup> to identify, track, and punish those individuals that benefit from illegal exploitation of international fishing resources. This approach would be less controversial at the international level, since actions under the Lacey Act target the specific actors and not whole nations.

And finally, a very short note on the topic of ocean energy technology such as wave, tidal energy, or ocean thermal conversion. The developers of these technologies in the United States have long criticized the lack of an adequate regulatory framework to promote deployment of these technologies, for example long-term tax credit policy. But despite these limitations, there always have been a certain amount of funds available for research, and I wonder if the new administration will continue to make those funds available. Some of the most successful U.S. companies in this field have already started to look to other markets like the European Union, and this might be a solution for more

companies if the administration cuts all funds for ocean energy research.

**David Roche:** Thank you, Xiao. With that, we're going to turn to Laura Cantral from Meridian Institute. When I was planning this discussion, the first name that came up multiple times was Laura's and people said that she knows everything and she's the person to talk to. And so, that's going to be her intro today: that we're really fortunate to have her and she'll be our last speaker and then we'll get to questions.

**Laura Cantral:** David, thank you for those kind words, undeserved. I really appreciate the opportunity to be included in this panel, and have enjoyed and benefited from what my fellow panelists have had to say. And David, I'll also say that I really liked your sailing and navigation theme for context-setting. I think it's a great illustration.

As several folks have noted, it's hard to speculate. While we may have some hints about what the new administration is going to do, as Mike noted and perhaps others as well there, we have already experienced unpredictability with President Trump and it remains to be seen what he and his agency heads are going to be interested in doing.

Many people who have worked on the issues that we're talking about today and care a lot about them have had the experience over the last eight years of working with an administration that has demonstrated motivation on a number of ocean and coastal policy measures, and there may be a need for some "defense" of those policies. There will probably be opportunities that will likely emerge, as well. And so, I think it behooves us to keep an eye on the emergence of those opportunities and keep a close eye on what's going to happen at the federal level, but also think hard about working with our colleagues and policymakers and leaders at the state level.

What I'd like to focus on is an Ocean Action Agenda that's being prepared by the Joint Ocean Commission Initiative (JOCI). JOCI has been around since 2005. It is a collaborative bipartisan effort that was created by the U.S. Commission on Ocean Policy and the Pew Oceans Commissions, and its purpose is to catalyze meaningful reform at all levels (national, regional, and state) and encourage our leaders to ensure that our oceans stay healthy and continue to work for us and for our economy. So, it does that in a number of ways: serving as an expert resource, a bipartisan, respected group of leaders, and bringing voices, diverse voices together to try to develop solutions and deliver those ideas to high-level decisionmakers.

JOCI has been for the last couple of years implementing a strategy that will culminate in the delivery of this Ocean Action Agenda to the new administration, to the Congress, to other leaders, and that identifies some good ideas for what our leaders should do to better manage our ocean and coastal resources. We convened what we call Ocean Leadership Roundtables on the East Coast, on the Gulf of Mexico, on the West Coast, and in Alaska, including

15. Pub. L. No. 114-81, 129 Stat. 664 (2015).

16. Environmental Law Institute, *Legal Tools for Strengthening Marine Protected Area Enforcement* (2016), available at [https://www.eli.org/sites/default/files/eli-pubs/legal-tools-strengthening-mpa-enforcement-eli-2016\\_2.pdf](https://www.eli.org/sites/default/files/eli-pubs/legal-tools-strengthening-mpa-enforcement-eli-2016_2.pdf).

17. 16 U.S.C. §§3371-3378.

the Arctic. Each of those roundtables featured discussion about existing efforts in the region and identified local and state and regional priorities and their relevance to national policy and how things that are happening at the regional level, and the state level, can and should inform the national level and how national policy can support what people at the state and regional level think are important priorities.

This is to share with you that the regional roundtables helped us better understand how national policy can inform and support local and state policy and vice versa, and then also, through this process of engaging people around the country, grow a deeper bench, a stronger, broader network of people who know a lot and care about these issues and want to participate and be ocean champions.

The kinds of themes that have emerged as we talked with people all across the nation are that healthy ecosystems, healthy oceans, and healthy economies go hand in hand. Science is critical to inform decisionmaking at all levels of government. There are innovative regional solutions that are already demonstrating success, there are models that can be built on that scale up or be transferred to other parts of the country. And while each region is unique and the challenges that are facing communities all around the country are unique to those particular circumstances, there are many underlying challenges that are common and can be addressed by national policies.

Based on all of that input, we are putting together a set of recommendations that we plan to deliver to the new administration and the Congress early next year after the inauguration in late January, early February. And where I'm going to conclude my remarks for the moment is to share with you that there will be recommendations that nest under these eight or nine priority themes: resilient coasts, international leadership, the Arctic, fisheries, off-shore energy, regional collaboration, and continuing the regional planning processes that were just approved yesterday. Other speakers have spoken to many of those.

**David Roche:** Thank you so much, Laura. We have a lot of great questions. Our first question gets to the kind of concern some people are feeling. The question is, how do we deal with the fact that the win, in this questioner's view, legitimizes climate denial efforts? And the questioner specifically referenced the Health Sciences Committee tweeting recently on climate issues. Let's start with Addie since that's kind of a national topic.

**Addie Haughey:** Sure. I guess I don't know, and I don't have a particularly specific answer to that question, and this might sound a little bit more like a pep talk than an answer, but I don't think that those initiatives are new. If you've been following the House Science Committee, there have been sort of climate denial-based investigations going on in that committee for a long time. I think our new Oceans Caucus co-chair, Congresswoman Bonamici, is on that committee and will certainly be a staunch supporter of climate science in that space. So, I think in a lot

of ways that this is a win for climate deniers and you do see that headline in some places, but I don't know that it completely changes efforts in our community and more broadly to support science to continue to push science forward and to continue to base our work in science. I think that's the right thing to do and it's going to continue to be our agenda.

**David Roche:** Next, Mike, as Addie was saying in some ways it doesn't change things, but do you think that it changes the way that you might think about engaging in these issues with the Arctic and the climate change being so important, or is it just kind of business as usual for you?

**Mike LeVine:** Actually, I think Addie did a pretty good job of answering. I would add to what she said that the issue is broader than just climate denial. This is really a wholesale attack on science as a basis for decisions, at least that's how I perceive what's been happening. My sense at least from being here, from working with communities is that science, including local and traditional knowledge, is the best way to guide management and influence choices and that people on the ground firmly believe that. Perhaps, there's a way to separate rhetoric and politics—which is what my perception of what a lot of the climate denial or skepticism really is—from on-the-ground management choices and from involving communities in durable and sustainable solutions to long-term problems.

People in the Arctic see the changes happening. While there might be a fight going on somewhere about what's causing them, it doesn't in any way mitigate the actual on-the-ground impacts and there may be opportunities for collaboration and for moving forward to actually address those changes.

**David Roche:** Thanks, Mike. Laura, do you have a thought on the issue?

**Laura Cantral:** Yes, I'd like to build on both of those thoughts, in particular, Mike, what you just said about local and on the ground. A promising note is that we're seeing a lot of regional leadership on these issues, with collaborations of state legislatures wanting to try to work together on the West Coast, in the Northeast. We may see more at that scale of government, which is picking up on the themes that I've already shared. And then the other thing that I would point out, not to be too much of a Pollyanna on this topic, but we have seen recently maybe another theme about the unpredictability, President Trump acknowledging in the media that maybe climate change is a thing and maybe humans are contributing to that thing. So, perhaps there's something to that.

**David Roche:** This next question kind of gets into some of the recent news and this is, do any of the panelists have specific comments about the influence of any of the proposed Trump cabinet positions? Are there any

thoughts that you guys have on that? And maybe we can start with Pete.

**Pete Stauffer:** I think a lot of the appointments have been sort of what was anticipated, I guess we could say, and so it does underscore many of the challenges that I think we'll have. And some folks have taken some comfort in recognizing that President Trump himself seems to be maybe somewhat pliable on some of these issues. But if you look at many of his likely appointees in cabinet positions, I think it does create some significant challenges in terms of ocean and coastal stewardship. So, I think in terms of solutions to that, a lot of things, things that have been echoed throughout this discussion, building coastal constituencies, working through the state, framing the issues in ways that may resonate hopefully with decision-makers, and working with career agency leadership to get good work done. And we do still have a very strong and solid regulatory framework and I think we need to lean on that more than ever.

**Xiao Recio-Blanco:** I wanted to mention the potential picks for Secretary of State. In preparation for this, I've been trying to learn about the potential candidates and it seems that the ones that are being mentioned in the media are all over the place in terms of their professional background and priorities, so it's particularly difficult to predict what is going to happen there. I think the only thing that comes to mind is that probably none of them, at least from my understanding, seem to be ocean advocates in the same fashion that Secretary Kerry was. So, I think it's fair to predict that the level of U.S. leadership in international ocean conservation will decrease in the next few months.

**David Roche:** Laura, do you have a thought on this issue?

**Laura Cantral:** Yeah, I have a couple. David, as you said in your little context-setting, it is true that the agency heads set the direction for their department, their agency, and we are all just speculating about what that direction is going to be given what we know about some of the individuals whose names we're hearing. It's also true that with regard to the Secretary of Commerce, it has often been the case that a Secretary of Commerce assumes that role with very little recognition that they are going to be responsible, that they have the premier ocean and coastal agency, NOAA, as part of their department and 60% of their budget. So, that's not unusual and probably will be the case this time.

What I think will be really important to keep an eye on and see how it plays out is, as the cabinet secretaries get put in place, how much leeway will they be given to staff up and bring in people with the appropriate kind of technical expertise for these kinds of issues in those roles that are important across the federal government? And that really remains to be seen and we probably won't know that for a few months.

**Mike LeVine:** I would add to that that this is one of those very unique situations in which many of us actually agree with Don Young who, the other day, was quoted in the paper saying that secretaries are fine, but he really pays attention to deputies and assistants because those are the people who do the work on issues that we in Alaska care about.

**Addie Haughey:** I think the only other thing that I will add is I realize that these picks, at the end of the day running an agency is an incredibly challenging job, and getting that job in many of these cases is going to require a Senate confirmation process that senators who represent the public are involved in. So, what I'm looking for is to try to get past some of the rhetorical aspects of this and actually get to the point where we as a nation are interviewing these people for the jobs that they want, and that's really what our nominations process is. So, I think for oceans, some of those positions, we should be pushing as a community for senators to include questions about the things that we care about in those job interviews, so to speak.

**David Roche:** Thanks, Addie. The next question, turning it right back to Addie because I thought this was a really interesting one, in addition to the members of Congress you mentioned, are there any emerging ocean leaders we should cultivate relationships with? And for members of Congress that hail from landlocked states, what messaging has been effective in making an argument for ocean protection?

**Addie Haughey:** I might answer that second one first while I look for my list of new members. I do think that it can be challenging. One of the challenges that we face in this issue, and there are other environmental issues that face us as well, if you don't have a national park in your district or in your state or in your neighborhood, you might not care so much about the parks, right, and I think it's the same.

We work on such a fascinating and interesting set of issues, and I have seen firsthand folks that are representing landlocked states and working in landlocked states really be compelled by the stories that can be told about what's going on in the ocean and how important it is. If those folks who live in those landlocked states want to be able to go to the grocery store and buy seafood, if they want to be able to vacation in coastal areas, if they want—and importantly, the premier ocean agency is also our weather agency—as accurate weather forecasts as they can possibly get. So, there are some connections to be made. I think we have a very wonderful topic to communicate on which I just would always encourage people to just think about the stories that you can tell and carry that forward.

As for other emerging ocean leaders, I mentioned a few, but I would highlight some of the members on the House Natural Resources Committee, like Congressman Huffman and Congressman Lowenthal, as members who have

been in the House for a couple of years, are from coastal states and have an intense interest, both in conservation as well as in business. I would note that former Gov. Charlie Crist was elected to a House seat in Florida, which is an interesting development and someone that we might all take a look at as a community. Former Senator Colleen Hanabusa from Hawaii is back in Congress, which is I think really exciting for us. And also, Carol Shea-Porter, who was a former member of the House from New Hampshire, has won her seat back again. And then, I think there's some other areas where some of our retiring members, I mentioned Jim McDermott, there's a new Democratic member of Congress in his district. I didn't mention Steve Israel from New York, a long-time sort of ocean champion especially for issues in New York. There's a new Democrat in his seat.

These are all folks that I think really want to hear our message and want to learn more about the things that their coastal districts care about and sort of carry those messages into Congress. So, I'm incredibly optimistic about a lot of these new folks who are joining us in Congress. I think our bench is deep and it's only gotten deeper even with some of those disappointing retirements and folks that we will miss.

**David Roche:** Thanks, Addie. This next question is specifically for Pete, though I'm sure other panelists might have thoughts. Just to get back to the Clean Water Rule that you talked about, Pete, the questioner notes it's complicated, but can you sum up the argument against it and why it might have trouble with implementation with the new administration?

**Pete Stauffer:** I'll have to say that I worked with our CWA manager to put together this presentation, so full disclosure, I don't consider myself an expert on the legal challenges from the states, but essentially the policy being framed in terms of what I've seen from some of Trump's spokespeople and other allies is they think that this should be a state issue. And so, really this goes back to a set of Supreme Court decisions in 2001 and 2006 that I guess you could say cast some confusion over how the CWA should be applied to various water bodies in the United States.

**David Roche:** The final question that we're going to give to each panelist in turn, starting from Addie and going to Laura, is: what's your takeaway? We talked about so many issues, I kind of pinned you down into pretty specific, narrow areas. So, moving forward, what is your big thing to watch? What are you thinking about as we go forward into the next four years that really matters to you and you think is important for everyone to be aware of?

**Addie Haughey:** That's an easy one. I think if I had to boil down, obviously I'm a lawyer, but I work in a government relations space, so just sort of coming at it from that angle

specifically, I think for me, whether this Republican-led Congress with a Republican president is really going to get traction and move things forward, I think that's a serious question. Passing laws is never easy, and it's a lot more complicated than some people are maybe painting in the media now.

I'm really going to be watching that, what type of momentum are they getting around some of these issues. And then, of all of the things they're gaining momentum on, where are the biggest threats for the ocean and how can we create the backstop that's going to prevent any backsliding on the most critical ocean science, the most critical ocean protections so that we can protect the resource that we all care about.

**Mike LeVine:** It's a brilliant, good question. And I actually think I'd go back again to the fact that the election was really shocking in a lot of ways, not just ocean policy-related. For a long period of time, decades, we've known that the population at large cares about environmental issues, but perhaps not as much as they care about others. Environmental issues continually rank down the list of voting priorities, and oceans within them probably even lower than other environmental priorities.

And one of the things I'll be watching really carefully and hopefully helping to make happen is to see how and whether we can interface/link environmental and ocean issues with other causes that may be suffering under a new administrative priority that skews away from science and perhaps skews away from facts entirely. And so, maybe this is an opportunity to bring together environmental, immigration, human rights, women's issues, others, and try to elevate some of those causes more broadly.

**Pete Stauffer:** It's a great question. I would really emphasize the importance of civic engagement. Obviously, we're going to be playing more defense than offense likely for the next few years, and I'm sort of reminded of a lesson learned from the Atlantic Coast where probably a lot of folks know there was a proposal by the Obama Administration to include the Mid- and South Atlantic for new offshore drilling under the federal government's five-year oil drilling plan.

And what was interesting is the communities up and down the Atlantic Coast did incredible organizing and over 100 local government resolutions were passed against new offshore drilling, and what we saw is that opposition to offshore drilling really flowed upward to where you had members of both political parties, including multiple members of the Republican Party in Congress, going to a Democratic administration saying, "We don't want drilling off our coastlines."

So, it's sort of the exact opposite of what we would expect in terms of the party platform. And I think the takeaway there is that all politics are local, and that really we need to sort of build the movement from the ground

up to make sure there's a strong demand for protecting our ocean ecosystems.

**Xiao Recio-Blanco:** I think that I totally concur with what the other panelists have already said. I think that they all mentioned very important topics. Especially, I think that the topic of environmental justice and how it relates to the uses of the oceans is going to be particularly relevant in the years to come. I would add two or three more topics.

First, I think that it's going to be very important to emphasize the concept of the "Blue Economy" and how important the ocean is as a job creator. Then, I think the whole movement, the international movement toward the creation of large MPAs, I think it's mature enough to continue its process even with this domestic political change. There are many other governments that have committed to continue doing all sort of actions to protect the most important ocean spaces. And so, I'm hopeful that it's something that will continue. And then, one thing I particularly liked of what the other panelists mentioned is the whole idea of Arctic Ocean management. I think that that is

going to be a heated political and environmental issue in the years to come.

**Laura Cantral:** The plight of the speaker who goes last is that I agree with what my colleagues have said, and I'm going to try not to repeat them, but I will be a little bit repetitive and maybe that just reinforces the point.

The first thing I'd say is that we should be prepared to be nimble. The second thing I would say is that there is a real need to be inclusive, diverse voices, diverse geographies. We have an opportunity to work harder on that kind of inclusivity, think about a lot of what we heard in the campaign and its aftermath about My Voice Matters. Let's take that to heart. And then, the third point is one that Mike made. I believe very strongly that we have an important opportunity and responsibility to take a broader view of how these issues, environment, ocean, and conservation, how these issues connect to broader social issues.

**David Roche:** Thank you so much to all of our panelists for a great presentation.