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July 2, 2011

Ms. Nancy Sutley, Dr. John Holdren, and Members  
National Ocean Council  
722 Jackson Place, NW  
Washington, DC 20503

*Comments submitted electronically to [whitehouse.gov/administration/eop/oceans/sap/comments](http://whitehouse.gov/administration/eop/oceans/sap/comments)*

**RE: Strategic Action Plan Content Outline (Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification)**

Dear Chairs Sutley and Holdren and National Ocean Council Members:

The California Coastkeeper Alliance (Alliance) represents 12 Waterkeeper organizations safeguarding the coast from the Oregon border to San Diego. The Alliance and its member Waterkeepers work daily to protect and enhance healthy marine habitats and coastal watersheds throughout the state for the benefit of Californians and California ecosystems. On behalf of the Alliance, I am pleased to submit these comments on the National Ocean Council Strategic Action Plan Content Outline for Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification (Climate Change Outline or Outline).

According to a report released on June 21, 2011 by the International Programme on the State of the Ocean, marine species are in imminent danger of an unprecedented and catastrophic extinction event.<sup>1</sup> The Report forecasts “extreme dangers” for fish and marine creatures from the synergistic effects of climate change induced warming and acidification and overfishing, pollution, run-off of fertilizers.<sup>2</sup> Sea level rise projections pose equally profound impacts to coastal communities. In California alone, sea level rise puts 480,000 people and \$100 billion worth of property at risk.<sup>3</sup>

Given the magnitude of the climate change threats that our coast and ocean face, it is critical that the Strategic Action Plan for Objective 5: Resiliency and Adaptation to Climate Change and Ocean Acidification (Climate Plan) include actions that prepare communities and ecosystems for sea level rise, ocean acidification, and other climate change impacts. As described below, the Climate Change Outline largely focuses on the assessment phase of climate adaptation activities. While it is critical that we improve our understanding of climate change impacts, it is equally important that we take action to actually prepare for and mitigate impacts on communities and ecosystems. **The Climate Plan should provide specific, near-term direction regarding funding; legal and policy reforms; and on-the-ground work to facilitate coastal resilience.**

<sup>1</sup> See Rogers, A.D. & Laffoley, D.d’A. 2011. International Earth system expert workshop on ocean stresses and impacts. Summary report. IPSO Oxford, 18 pp.

<sup>2</sup> *Id.*

<sup>3</sup> Heberger, Matthew, Heather Cooley, Pablo Herrera, Peter H. Gleick, and Eli Moore. 2009. “The Impacts of Sea Level Rise on the California Coast.” PIER Research Report, CEC-500-2009-024-D, Sacramento, CA: California Energy Commission.

1. Ensure adequate funding for climate change preparedness at all levels of governance.

The Climate Plan should identify significant sources of funding to support states' assessment, planning and implementation of adaptation strategies for sea level rise. Currently, the Overview of the Outline provides for the "evaluation of potential social and economic costs related to sea-level rise, such as accelerating erosion, increased saltwater intrusion, and more severe coastal and inland flooding."<sup>4</sup> Work to evaluate climate change impacts, particularly the creation of locally-scaled, specific models, is a critical component of climate change resilience and preparedness. However, many states have already undertaken impact assessments and now need funding to support climate change preparedness and sea level rise mitigation activities.

A recent survey by the California State Lands Commission found that Governors of several states, including Florida, Louisiana, Maryland, New Jersey, New York, South Carolina, Virginia, and Washington, have issued Executive Orders establishing various climate change commissions and advisory committees to consider and act on the potential effects of global climate change, including sea level rise.<sup>5</sup> A relatively modest but immediate infusion of federal dollars to help California and other coastal states adapt to projected changes will reap significant benefits. Conversely, doing nothing will result in crippling costs.

The sole reference to funding in the Outline is to "include consideration of climate change and ocean acidification impacts and costs in all federal financing (grants, loans) programs that support the maintenance or construction of public infrastructure in coastal areas."<sup>6</sup> The Climate Plan should identify many more sources of federal financing to support regional, state, and local efforts to identify and map climate change impacts, and develop and implement plans to deal with projected impacts in the climate corridor. As just one example, funding from the Disaster Mitigation Act could be used to ensure that state and local National Hazard Mitigation Plans consider sea level rise and other climate change hazards.<sup>7</sup> The Council should analyze how to tap existing federal sources of funding and consider how to establish new sources of funding for compilation into a comprehensive list of funding sources for climate adaptation in the Climate Plan.

2. Reform federal policies and laws to address climate change.

One of the biggest obstacles to climate change resiliency is a lack of institutional capacity to address sea level rise, ocean acidification, and other climate change-driven impacts to the coast and ocean. Federal,<sup>8</sup> state and local agencies, and the environmental and other laws that they administer, were put in place before the problem of climate change was recognized, and can at times actually operate counter to the pressures that climate change increasingly places on our people, infrastructure and environment.

The Climate Plan could greatly enhance climate resiliency by clarifying how federal laws and policies like the Clean Water Act and Coastal Zone Management Act should be interpreted and implemented in light of climate change. This guidance is being released at the federal level; U.S. EPA's

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<sup>4</sup> National Ocean Council, "Resiliency and Adaptation to Climate Change and Ocean Acidification Strategic Action Plan Full Content Outline" (June 2, 2011) (NOC Climate Outline) at p. 1.

<sup>5</sup> California State Lands Commission, "A Report on Sea Level Rise Preparedness, Staff Report to the California State Lands Commission," (December 2009) at p. 19.

<sup>6</sup> NOC Climate Outline at p. 10.

<sup>7</sup> 42 U.S.C. §5121 et seq.

<sup>8</sup> Notably, the National Oceanic and Atmospheric Administration (NOAA) is restructuring to create a new Climate Service. See <http://www.noaa.gov/climate.html>.

recent recognition of ocean acidification impairments under Section 303(d) of the Clean Water Act is one example.<sup>9</sup> However, guidance is being released slowly and sporadically. The Council could accelerate and coordinate work to analyze federal laws in light of climate change, and help identify data gaps, by including an analysis of federal laws related to climate change in the Climate Plan.

This analysis would aid agencies and states in expeditiously implementing the Plan. The Outline currently contains the smart and laudable policy goal of “achiev[ing] a no-net increase in the amount of property and infrastructure in high-hazard areas,” which we strongly support. However, the Plan does not identify what legal and policy reforms are necessary at the federal and state level to make this happen. The Council should work with member agencies and other partners to clarify how the Coastal Zone Management Act should be re-interpreted and applied in light of sea level rise.

3. Promote coastal resilience by prioritizing adaptation strategies that enhance an ecosystem’s natural adaptive capacity and limiting the use of structural barriers such as sea walls.

The Plan should identify on the ground restoration and buffering strategies that improve coastal resilience (instead of aiming only to reduce vulnerability) by prioritizing adaptation strategies that enhance an ecosystem’s natural adaptive capacity and limiting the use of structural barriers such as sea walls. Restoring tidal wetlands, eelgrass beds, oyster beds and other natural coastal ecosystems both creates aquatic habitats for threatened species and establishes a natural buffer against extreme weather. Creating buffers of open space around beaches and wetland areas is a “no-regrets” sea level rise adaptation strategy that both increases the amount and diversity of estuarine habitats and enhances an ecosystem’s natural adaptive capacity by allowing beaches and wetlands to migrate inland as the sea level rises. These adaptation strategies should be highlighted in the Climate Plan.

Finally, while CCKA strongly supports Action 3 to create a “coordinated framework of “sentinel sites and systems””,<sup>10</sup> we respectfully request that the Council recognize the role of state agencies and partners. States’ sentinel sites, such as California’s network of marine protected areas, should be integrated into the framework of sentinel sites and systems.

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Thank you for the opportunity to provide these comments on an issue of critical importance to the health and well-being of coastal residents and ecosystems.

Sincerely,



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<sup>9</sup> United States Environmental Protection Agency, Memo: Integrated Reporting and Listing Decisions Related to Ocean Acidification (November 15, 2010) (EPA Ocean Acidification Memo), available at: [http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/upload/oa\\_memo\\_nov2010.pdf](http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/upload/oa_memo_nov2010.pdf).

<sup>10</sup> NOC Climate Plan at p. 4.