

BioAquamatics

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January 24, 2004

Dr. Susan F. Tierney, Chair
Ocean Management Task Force
Executive Office of Environmental Affairs
251 Causeway Street
Boston, MA 02114

Re: Draft Principles and Recommendations--Comments

Dear Ms. Tierney:

The work of the Task Force to focus attention on Massachusetts ocean management is a worthwhile exercise. Our ocean resources are a key dimension of Massachusetts' quality of life and economic well-being.

The draft principles acknowledge but do not fully reflect the inescapability of the choices that have to be made in establishing public policy. The first Principle is especially confusing. It states, "Management of ocean resources should maximize societal benefits while minimizing harm to the public's right to use and enjoy the ocean." First, except in rare cases, it is not possible to maximize one thing and minimize another simultaneously. A more useful construct would be to maximize the net societal benefits of our ocean resources. Second, the statement implies that maximizing societal benefits harms the public's right to use and enjoy the ocean. In fact, societal benefits come from the public's right to use and enjoy the ocean.

The Principles also give sustainability a prominent role. Sustainability is a slippery concept. On the one hand, it can be defined and measured in terms of allowing future generations to sustain their quality of life by making resource choices appropriate to their circumstances and values. Unfortunately, it has also become a political buzzword associated with an environmental agenda. But it could also refer to economic sustainability, lifestyle sustainability, or other dimension. While the term's current use as an environmental attribute is not necessarily a bad thing, it does mean that appealing to sustainability as a management principle is not sufficient. It must be defined. Effective assessment of sustainability is itself the result of related criteria. Such criteria could include the current state of the resource (biological, mineral, thermal, wind, etc.), the biological dynamics of the ecosystem, the management systems in place relative to the resource, the economic uses and potential of the resource, and the other societal dimensions (food security, energy policy, local involvement, lifestyle, etc.).

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Consequently, Principle 4 should be revised. The second sentence of that principle should be dropped. The third sentence should then be edited to say, "For the benefit of present and future generations, ocean management policies should be flexible enough to allow adjustment for evolving human needs and values, emerging technologies, and changing environmental conditions." With these edits, Principle 4 would capture the sustainability issues before us.

Recommendation #1 recommends that the Secretary of Environmental Affairs introduce comprehensive legislation to create plans and set management objectives and strategies for Massachusetts' ocean resource. Such an action would be premature. What specific problem needs to be addressed? The first step should be a situation assessment followed by identification of policy objectives and decision criteria. This would then be followed by an exercise to identify the options for achieving the objectives subject to the criteria. One outcome of this process may be the need for comprehensive legislation, but other options associated with current authority and responsibilities need to be considered.

Also, with regard to Recommendation #1, the Task Force should reflect upon its composition and the options suggested for the lead role for implementing a possible Ocean Resource Management Act. At this time, every State Official except one that is a member of the Ocean Management Task Force is from the same department. In addition, every option for implementing the proposed Act gives the lead role to the Secretary of Environmental Affairs. More creative options need to be considered. The state of the ocean resource has significant implications for economic opportunities, technology opportunities (including biotechnology), tourism, and lifestyle. Consequently, state agencies with economic, technology, and tourism responsibilities should have a central role. For example, the Task Force needs to consider the advantages of having the Department of Business and Technology playing a prominent and perhaps the lead role. If we think of the challenge as maximizing the net societal value of the ocean resource subject to environmental considerations, then other perspectives rise in importance.

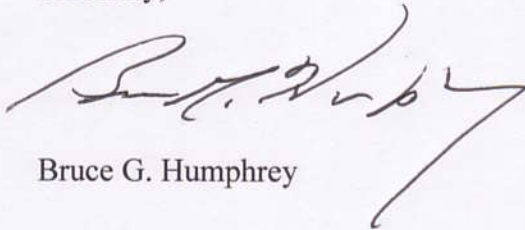
Recommendation #5 calls for the review of fees associated with resource management. This is warranted. Fees are not the only mechanism for resource management. Royalties, concession bidding, property rights, user charges, location incentives, damage liabilities, and others may be effective. However, regarding the revenues from fees in particular, Recommendation #5 calls for earmarking them for ocean related purposes. While the vagaries of the appropriations process may make this appealing, it is generally bad public policy. The flow of revenues to the state should be allocated in a way that provides the greatest benefit to the citizens of the Commonwealth. While the revenue generating characteristics of the various state functions should be acknowledged in the budget process, earmarking revenue streams should be avoided.

My last comment is a small quibble with the language in the justification of Recommendation #13. The first sentence of the justification includes the phrase "centuries of human exploitation and degradation." The second sentence uses a more neutral term, "anthropogenic impacts." Certainly some human activities have had some positive impacts. Fish hatcheries are one example. I suspect that the Department of

Environmental Affairs would also claim some successes. Substitute language for the first sentence could be "Current population levels and habitat conditions are a result of the centuries long interaction of human activities and natural variability."

Thank you for the opportunity to comment on the work of the Task Force. Massachusetts' ocean resource has shaped our economy and our society. It should offer the Commonwealth special advantages in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce G. Humphrey", with a long, sweeping horizontal stroke extending to the right.

Bruce G. Humphrey