



The International Business Alliance  
for Corporate Ocean Responsibility

**REPORT OF THE**

World Ocean Council

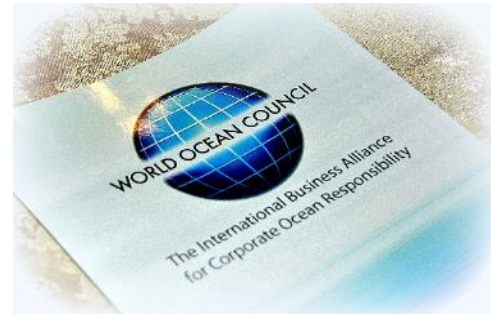
Business Forum

On Ocean Policy & Planning

28-30 September, 2014 New York, NY

## Executive Summary

The World Ocean Council (WOC) convened the Business Forum on Ocean Policy and Planning (BF 2014) in New York City, NY USA, 28 – 30 September 2014. The overall goal of BF 2014 was to explore and foster informed, coordinated and proactive involvement by the ocean business community (OBC) in ocean policy and marine planning developments that may affect the future business operations and sustainability efforts.



To achieve this goal, the BF 2014 Organizing Committee set forth the following objectives:

1. Convene the diverse OBC to engage on current and upcoming ocean policy and planning developments
2. Raise awareness, provide briefings or updates and illustrate trends and analyses relative to these developments and their effect on ocean industries.
3. Assess risks, opportunities, priorities and mechanisms to inform coordinated, proactive OBC engagement on priority issues.
4. Leverage the OBC towards the creation of public policy-private industry partnerships to facilitate cost sharing and opportunities for financing or capital investment.
5. Explore the formation of a new WOC Ocean Policy and Governance Working Group and suggest the initial priorities' thereof.



Consistent with the BF 2014 theme of Ocean Policy & Planning, BF 2014 opened with a field trip for registrants to the New York Aquarium on Coney Island. The trip was designed to illustrate the impacts of extreme weather events and, specifically, that of Superstorm Sandy (29 October 2012) on ocean businesses. In addition, prior to the formal BF 2014 program, the WOC hosted a workshop organized by the EU-funded Ocean Certain project to demonstrate

how ocean processes are changing over time and anticipates how those changes will affect ocean business operations.

The core BF 2014 Program included a series of plenaries. The plenaries fostered transatlantic scientific collaboration on ocean policy and marine planning. The plenaries also highlighted international ocean policy development and marine planning efforts that are pertinent to the OBC. Pre-conference briefing papers provided background material on major global developments in ocean policy initiatives and marine planning processes. These papers are available at the WOC website as reference documents. To deliver on the BF 2014 goals and respond to the stated objectives, three concurrent, parallel working sessions focused on both BF 2014 Themes: Ocean Policy and Marine Planning. Specifics of these sessions, including summaries, are included in the BF 2014 Report that follows.

The contents of the BF 2014 Report are a summary of the presentations, discussions and activities. The Report of BF 2014 is a summary of the points and overall themes of discussion and is not an expression of opinions or conclusions of the WOC, its members or the participants of the BF 2014.

Paul Holthus  
Founding CEO and President  
World Ocean Council



# PLENARY 1 | Opening High Level Plenary: Collaboration In Science-Based Ocean Policy And Marine Planning

**Objective:** Introduce the OBC to the European (EU), Canadian, and United States (U.S.) cooperation on ocean science and observations for the Atlantic and the Galway Statement. Explore the ways in which science-based ocean policy and marine planning can support the Blue Economy, innovation and business opportunities.

**Moderator:** Paul Holthus, Founding CEO and President, World Ocean Council

**High Level Panel:** *Trans-Atlantic Cooperation in Science-Based Ocean Policy and Marine Planning*

- Máire Geoghegan-Quinn, EC Commissioner, Research, Innovation and Science, EU
- Craig McLean, Acting Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration (NOAA), U.S.
- Trevor Swerdfager, Assistant Deputy Minister, Ecosystems and Oceans Science, Department of Fisheries and Oceans (DFO), Canada

**Key Questions:**

- What is the role of governments, individually and collectively, regarding science-based ocean policy and marine planning?
- How can government, science, and business best collaborate at an ocean basin scale in support of a shared vision for the Blue Economy?
- How is trans-Atlantic cooperation in science-based ocean policy and marine planning advanced by the Galway Statement's commitment by the EU, Canada, and U.S.?

**Summary:**

European Union (EU), Canadian, and U.S. cooperation on ocean science and observations for the Atlantic and the Galway Statement provide a crucial response to the need for greater collaboration and may serve as a model of cooperation in other areas. Improved understanding of ocean complexities necessitates better management of how we use, extract resources and exploit the ocean, with sustainability as a key component to ensuring a healthy ocean. Intergovernmental collaboration allows governments to benefit from each other's strengths and information and to incorporate that knowledge into their ocean management efforts.

The speakers agreed that the ocean is important to all of the parties and that science-based ocean policy and marine planning can support the blue economy. The ocean is also a source of innovation and business opportunities. Because the ocean provides many shared resources and opportunities for governments, business and the public, collaboration among these entities can produce successful results. For instance, businesses gathering and sharing oceanographic, non-commercial data may further support understanding and management of the ocean.

It is desirable that Governments individually and cooperatively work with ocean stakeholders to ensure the rapid development and procurement of technology designed to minimize the potential

environmental impacts from marine industrial activities. To ensure sustainable use of ocean resources, government, science and business communities must share a common vision for the blue economy. Industry and other ocean stakeholders want government to be able to answer important questions. Important questions, such as; what will the weather be like tomorrow, what will weather be like 30-50 years from now, what do we not know about the oceans? All parties will benefit from collaboration that provides answers as efficiently and effectively as possible.



## PLENARY 2 | Ocean Policy Developments Important to the Ocean Business Community

**Objective:** Review and analyze key ocean policy and planning developments.

**Key Questions:**

- What are the key developments in ocean policy and planning that may affect ocean businesses?
- Which ocean policy and planning developments are most critical to industry?

**Moderator:** Paul Holthus, Founding CEO and President, World Ocean Council

**Panelists:**

- Gabriele Goettsche-Wanli, Director, United Nations (UN) Division of Ocean Affairs and Law of the Sea
- Louise Kantrow, Permanent Representative to the UN, International Chamber of Commerce
- Nandhini Krishna, CBD/UNCCD Liaison Officer, UN
- Paul Jeffrey, Senior Port Projects Manager, Oldendorff Carriers
- Ginger Garte, Americas Environmental Manager, Lloyds Register

**Summary:**

The UN General Assembly and its subsidiary bodies (the Informal Consultative Process (ICP)), working group on Biodiversity Beyond National Jurisdiction (BBNJ), and the Working Group on the Regular Process for Global Reporting and Assessment of the Marine Environment are working on many issues that affect business and industry.

Some of the topics addressed by the Working Groups include:

1. Role of oceans and fisheries in global food security.
2. Possibility of a new implementing agreement to address regulatory gaps under the United Nations Law of the Sea (UNCLOS) to address regulatory gaps.
3. Potential of revising and better utilizing existing agreements to address regulatory gaps;
4. Capacity building and transfer of marine technology.
5. Use of area based management tools, such as marine protected areas (MPAs).
6. Use of environmental impact assessments (EIA) to manage human activities in international waters.

Another important development is the Sustainable Development Goals (SDGs). At present, there are 17 SDGs, four of which are of particular importance to the business and industry:

1. (SDG 14) Calls for the conservation and sustainable use of oceans for sustainable development.
2. (SDG 8) Highlights the importance of economic growth.

3. (SDG 16) Emphasizes the importance of enabling environment (good governance, rule of law, and governance institutions).
4. (SDG 17) Outlines the means of implementation.

The Convention on Biological Diversity (CBD) created Aichi Biodiversity Targets, many of which affect marine industries (e.g. sustaining fisheries, reducing pressure on coral reefs, protecting at least 10% of coastal and marine areas, and implementing plans for sustainable production). The CBD encourages businesses to get involved in achieving the Aichi biodiversity targets, specifically by encouraging supply chains to report on progress made towards conservation and sustainable use of marine biodiversity, by analyzing the impact and risks from the business community on the marine environment, and by helping to create and utilizing reporting standards on the use of marine biodiversity.

The International Maritime Organization (IMO) International Convention for the Prevention of Pollution from Ships (MARPOL) regulations, particularly Annex V and Annex VI, have major implications for the OBC. IMO regulatory developments have generated unnecessary complications that was avoidably had industry been more engaged earlier in the regulatory process. An example of regulatory development that has had substantial impact on Port Reception Facilities is new limits on the disposal of tank wash and residue.

Specific ways that businesses can get involved in processes include:

1. Participating as observers and engaging in meaningful dialogue at intergovernmental meetings.
2. Serving on subcommittees and working groups that inform and create international goals, standards, and regulations.
3. Working with supply chains to adopt more efficient and sustainable practices.
4. Complying with voluntary guidelines and recommendations.
5. Contributing to voluntary trust funds that support intergovernmental efforts.
6. Utilizing applicable databases, such as the IMO Global Integrated Shipping Information System (GISIS).



## PLENARY 3 | Marine Planning Developments Important to the Ocean Business Community

**Objective:** Review and analyze marine planning developments and their implications for business.

**Key Questions:**

- What are the key marine planning directives, programs and initiatives worldwide that may affect the OBC?
- What are the potential business effects (both positive and negative) of marine planning?
- How can the business community best engage in marine planning to derive benefit?

**Moderator:** Leslie-Ann McGee, Director of Programs, World Ocean Council

**Panelists:**

- Jen McCann, Director of U.S. Coastal Programs, Coastal Resources Center, University of Rhode Island
- Beth Kerttula, Director, National Ocean Council, U.S.
- Haitze Siemers, Head of Unit, Maritime Policy Baltic, North Sea and Landlocked Countries, DG Maritime Affairs and Fisheries, European Commission, Europe
- Darren Williams, Manager, Ocean Industries and Socio-economic Unit, Oceans Directorate, Department of Fisheries and Oceans, Canada

**Summary:**

Marine planning initiatives in the EU, Canada, and U.S. have implications for ocean industries and its use if spreading around the world under different monikers: marine planning, marine spatial planning (MSP) or waterways management. In most cases, the approach emphasizes development and protection of the marine economy and ecology. Marine planning has the potential to benefit ocean businesses by reducing conflicts among marine sectors. Streamlined regulations together with inherently less conflict among uses and users may afford improved efficiencies. These efficiencies are most swiftly realized in locations where resources are scarce, competition among users is great and planning areas are congested, e.g. in relation to vessel movements. Marine planning offers potential advantages for ocean businesses. Benefits include protection of marine ecosystems; opportunities for dialogue between public and private entities; the stability and predictability of the regulatory regime that, in turn, engenders confidence by owners, stakeholders and investors. Additional examples of ocean businesses benefitting from the implementation of marine planning include San Francisco Bay, U.S. and in Xiamen, China.

The OBC may benefit from engaging early and often in the marine planning process. Proactive engagement by the OBC will ensure that economic interests enjoy equal status alongside environmental and social interests in discussions of resource allocation. As the Blue Economy grows globally, management needs of marine areas and resources will increase and become increasingly complex. As such, marine planning efforts are accelerating around the world, sometimes with and often times without the involvement of the OBC. It is important for the OBC to become aware of the marine planning initiatives in the areas where they conduct business and consider becoming involved in the



plan development and implementation. Arguably, the benefits to be realized may be directly related to the pace and level of industry involvement in the marine planning process.

Several participants questioned the panel about mechanisms for involvement in marine planning. The U.S. perspective is that easier and more understandable points of access, such as the use of social media for public comments, would be helpful. Participants sought clarity about the intersection of marine planning and maritime strategy directives in the EU and asked why Canada was moving away from the Ocean Strategy towards a MPA network development approach. These points highlight a lack of understanding of individual governmental processes within each marine planning initiative. Improving understanding of government processes may further spur industry involvement and clarification may help to encourage industry involvement. Participants noted that knowing which entity is the lead in a particular marine planning initiative would foster engagement by more stakeholders. Based on replies from the panel, leadership for marine planning should come from those offices with the authority but the initiative should emphasize the needs of the stakeholders.



## PARALLEL WORKING SESSION 1A | Ocean Policy: Evaluating the Business Case for Getting Involved

**Objective:** Assess whether involvement in ocean policy developments is of value to business and examine the information regarding the potential value.

**Key Questions:**

- What is the potential business value of engaging in ocean policy developments?
- What are the risks in engaging or not engaging?
- How can the value be optimized and the risks minimized?

**Moderator:** Andrew Hudson, Principal Technical Adviser, UNDP-GEF International Waters Programme, UN Development Programme

**Panelists:**

- Jim Lawrence, Owner, Marine Money - *Shipping*
- Martijn Schouten, Managing Director, IHC Mining B.V. - *Seabed Mining*
- Jim McIsaac, Coordinator, British Columbia Commercial Fishing Caucus - *Fisheries*
- John Huckerby, Director, Power Projects Ltd. - *Ocean Energy*
- Guillen Lopez, Product Engineer, Nexans Norway AS - *Submarine Cable*

**Summary:**

*Shipping:* The shipping industry has engaged in ocean policy developments and espouses many of the sustainability principles highlighted in the morning plenary of the Business Forum. However, the shipping industry is presently recovering from an economic downturn and, as such, is focusing on economic survival rather than ocean governance. New vessel designs and technologies enable greater environmental sustainability. Nonetheless, old technologies will remain in use until the market drives a shift toward newer technologies and there is more appetite and incentive to address sustainability issues.

*Seabed Mining:* The demand for minerals and materials will only increase as the global population grows. Within this context, the development of ocean policy must occur in a responsible, well-regulated way. In particular, the International Shipping Agencies (ISA) could benefit from being more independent from its member states. A participant suggested that the WOC apply for observer status at the ISA, as industry would benefit from WOC helping to facilitate involvement.

*Fishing:* The fishing industry is highly dependent on a healthy marine environment and its connections with communities. Fisheries have both long-term and short-term motivations for participation in ocean policy processes. Rising ocean temperatures, ocean acidification, and other related issues that drive change in ocean ecosystems are particularly important to the fishing industry. The next step in ocean policy is developing a regulatory framework for the high seas. While the International Shipping Agencies (ISA) is an attempt at this framework for the seabed, when managing resources in international waters, more is necessary. Moving forward, the WOC can facilitate industry involvement by compiling ocean

reports such as a review of the recent report published by the Global Ocean Commission, to ensure that ocean industries are involved in these kinds of efforts to shape ocean policy.

*Energy:* There are multiple energy sources in the ocean including tidal rise and fall, tidal and ocean currents, waves, salinity gradient, thermal gradient, submarine geothermal, and offshore wind. While these represent valuable energy sources, most marine energy technologies are at a pre-commercial stage (with the exception of those deployed in the UK). Industry activities require access to sea space, integration of multiple agencies in governance, coordination with other government policies, and negotiation with a range of other users of sea space and resources. For the energy sector, a place at the table is vital. The consequences of non-engagement in ocean policy processes could range from the loss of valuable space and resources to the loss in cost savings from shared infrastructure. While compliance is a key enabler, bureaucracy can be a clear disabler.

*Submarine Cable:* Submarine cables are present in many sectors from marine telecommunications and offshore wind farms to fisheries and electrical interconnections. Given this, the submarine cable industry often deploys systems in multiple countries with different regulations. A supranational process to design more harmonized regulations could minimize costs and create a single unifying set of regulations. By engaging on ocean policy, different sectors can interact and gain an understanding of planning mechanisms and policy priorities. However, there are risks for the industry; the community needs to allocate time and resources and determine the number of sectors in which to engage. To minimize risk, WOC might provide an analysis of the benefits and challenges of different ocean policy processes.

#### **General Discussion:**

Panel presentations primarily reflected private sector representation from developed countries, although many of these are from an international industry perspective, and thus did not necessarily represent all opinions regarding the risks of engagement or non-engagement with ocean policy processes. Many ocean business sectors recognized that the potential exists to increase engagement relative to ocean policy. Industry representatives suggested that the WOC could identify a number of key areas to leverage for further policy engagement by industry. Participants highlighted the benefit of focusing on the intersection of interest or overlap among sectors. In doing so, WOC could maximize the broadest and most numerous OBC involvement. The business community would benefit from WOC's presenting multiple ocean business perspectives to policy makers. The more that ocean industry can demonstrate an alignment of multiple sectors to policy makers, the better equipped the OBC would be to identify a common set of objectives and align with other stakeholders. Ocean industries will benefit more if they participated in policy and regulatory processes upfront, rather than waiting for regulations to be proposed and attempting to overturn them or mitigate their ill effects.

## PARALLEL WORKING SESSION 1B | Marine Planning: Impact of Marine Planning on Business

**Objective:** Develop a clearinghouse for sharing global experiences and examples of good practice.

**Key Questions:**

- What is the business perspective on these marine planning developments?
- What are the potential business effects (both positive and negative) of marine planning?
- How can marine planning processes take account of the needs and interests of ocean businesses?
- How can accurate spatial information affect the basis for authority, resilience, and legitimacy of governance of national territorial waters?
- What are the most productive and efficient mechanisms for businesses to be leaders in marine planning?
- What is the strength of cross-sector ocean business networks in business engagement with government and non-government?

**Moderator:** Karis Barton, Associate, Holman Fenwick Willan

**Panelists:**

- David Patraiko, Director of Projects, Nautical Institute - *Shipping*
- Robert Myers, Director Public Affairs, National Ocean Industry Association (NOIA) - *Oil and Gas*
- Doug Pfeister, Senior Vice President, PMSS America, Inc. - *Offshore Wind Energy*
- Greg DiDomenico, Executive Director, Garden State Seafood Association - *Fisheries*
- Bill Staby, CEO, Resolute Marine Energy - *Ocean Energy*

**Summary:**

*Shipping:* In marine planning processes, it can be challenging to engage multiple stakeholders and receive necessary input from the shipping industry. Industry is willing to participate and adapt their practices as shipping traffic increases and users competing for space increases. Accurate spatial information is critical to good planning. Potential negative effects of marine planning on the shipping industry include navigational challenges, increased safety threats, and decreased competitive advantage of particular ports. However, there are potentially positive effects of marine planning if the appropriate sectors engage, for example, when scientific input assists in avoiding ship strikes on marine mammals.

*Oil and Gas:* Presently governmental regulations constrict the oil and gas energy sector more than MSP. A potential negative consequence of MSP is increased bureaucracy and regulation, which could decrease the sector's confidence and willingness to participate in planning efforts. New opportunities for oil and gas development are coming up in the U.S. with the lifting of the moratorium on offshore energy production and the new seismic testing in the Mid-Atlantic. The Outer Continental Shelf Oil and Gas Leasing Program provides a 5-year plan with public comment periods and transparency. The value of adding another planning process is questionable, especially in the context of laws and directives for oil and gas production as well as emerging renewable energy production.

*Offshore Wind Energy:* As of fall 2014, the U.S. Department of the Interior has issued four commercial leases for offshore wind energy. The benefits of wind energy include providing energy where land and energy are scarce, economic growth, environmental sustainability, and increased energy diversity and energy security. Planning can ensure a means to enable new and emerging industries such as offshore renewable energy.

*Fisheries:* The concerns within the fisheries sector include both process as well as outcomes. There is concern that planning will mean additional bureaucracy and regulations. The National Ocean Policy confuses the role of the federal agencies and the regional fishery management councils. Clearly defining roles, terms, and substantiating scientific, evidence-based decision-making will facilitate sector participation. The precautionary approach is not the appropriate tool for use in fisheries and marine planning, as it generally calls for lower catches. Spatial planning also must consider a changing fluid environment; simply drawing spatial boundaries around fishing activity does not take into account the realities of the coastal and ocean fisheries.

*Ocean Energy:* Under development are new types of ocean energy technology standards. The basic technologies and resources include tidal energy resources, wave energy resources, and ocean current resources. Europe has led in developing these new technologies and some may provide for both water and energy use in an efficient way. The first step for planning is to inventory the assets and resources and then determine what to protect. The principle of adaptive management is preferable to the precautionary principle; for example, adaptive management enables industry and agencies to be prepared to remove devices should there be problems. From that context, marine planning should resist the temptation to block off every section of the ocean because uses, conditions and opportunities will change over time.

#### **General Discussion:**

Sector representatives identified safety as an area where they strive to exceed national and international regulations. They suggested that industry could take a lead role in policy development in this area. An effective marine planning process must engage and collaborate with all users of the resource and ocean space in order to minimize and mitigate negative effects on particular sectors. Transparent lines of communication between planners and industry and clear avenues of engagement for each will enable the greatest participation.



## PLENARY 4 Summary Session | The Business Case for Involvement in Ocean Policy and Marine Planning

**Objectives:** Generate a business-to-business exchange of experience in ocean policy and marine planning. Review the outputs from Plenaries 2, and 3 and Parallel Sessions 1A and 1B on whether involvement in ocean policy and marine planning is of value to business and if so, how and why.

### Key Questions:

- What has been the experience of industry participants in ocean policy and marine planning?
- What have been the lessons learned and the insights from this direct experience?
- Is there a case for business to get involved in ocean policy and marine planning?
- Is the business case different for ocean policy vs. marine planning?
- Are there aspects of the business case that both ocean policy and marine planning have in common?

**Moderator:** Blaine Collins, Director, Government Affairs, U.S., DNV GL

### Panelists:

- Paul Holthus, Founding CEO and President, WOC, Moderator of Plenary 2
- Leslie-Ann McGee, Director of Programs, WOC, Moderator of Plenary 3
- Andrew Hudson, Principal Technical Adviser, UNDP, Moderator of Parallel Session 1A
- Karis Barton, Associate, Holman Fenwick Willan, Moderator of Parallel Session 1B

### Summary:

Plenary 4 provided a review of the output from the Plenary and Parallel Sessions from Day 1, which revealed that involvement in ocean policy and marine planning could be of great value to the OBC. The subsequent discussion focused on the main question: What are some of the ways that WOC could help increase business participation in ocean policy and marine planning?

Great value would result from the WOC creating working groups with representatives from various sectors who could effectively articulate sector concerns. There also is a need for increased technology and personnel who could advise on technical issues. WOC could coordinate associations and regional interests to provide thorough input to policy formation. There also is a need for good communication between the regional representatives of the various sectors. WOC is working to identify members of the OBC and the different businesses that fall within the sectors.

Throughout the policy, planning and regulatory process, regulators must provide full information and notice in advance of priority meetings. Doing so will enable stakeholders to offer more considered input and engagement at meetings. Without such advance notice and information, stakeholders cannot adequately prepare for interaction with officials whose decision-making may affect their business operations. Of note was the challenge manifest in identifying key stakeholders and sector representatives. However, despite the complexities involved with this, WOC is working to identify stakeholders. A priority is providing greater access to timely and relevant data and information.

Participants discussed how to improve the processes within the OBC and noted that businesses need to capitalize on the information made available by government agencies and to respond to the relevant authorities during policy-making processes. The business community, like the scientific community, could collectively map out the major trends of ocean use on a multi-decadal scale in order to better plan. Doing so, will enable government agencies such as the U.S. Coast Guard to better prepare and fulfill their mandate.



## PARALLEL WORKING SESSION 2A | Ocean Policy: Establishing Priorities for Business Community Engagement

**Objective:** Determine which ocean policy instruments or processes are most important for the business community to engage in and why.

**Key Questions:**

- Which ocean policy instruments or processes create the most important risks and opportunities for responsible ocean operators?
- What are the pros and cons of engaging in or with these priority instruments or processes?

**Moderator:** Jason Scorse, Director, Center for the Blue Economy, Monterey Institute of International Studies

**Panelists and Case Studies:**

- John Young, Director, Marine Sound Business Line, CSA Ocean Sciences – *Marine Sound*
- Jorge Jiménez, Director General, MarViva - *Costa Rica Dome*
- Craig MacDonald, Superintendent, Stellwagen Bank National Marine Sanctuary - *Vessel Routing and Ship Strikes in Protected Areas*

**Summary:**

Parallel Working Session 2A focused on cases studies of business community engagement with ocean policy processes.

*Case Study 1: Marine Sound: Addressing Cross-cutting Ocean Policy Issues in Multiple Fora*

The first case study presented information on anthropogenic marine sound and the challenges it presents for industry. Marine animals rely heavily on sound for critical life functions; however, the effects of anthropogenic sound on marine animals are largely unknown. As there is potential for increased restrictions and operating costs associated with non-science based regulations, more information on the actual impacts of marine sound is necessary. Many actors ranging from national governments to international treaty regimes are concerned with the issue. The U.S., EU, Convention on the Conservation of Migratory Species of Wild Animals (CMS), CBD, International Whaling Commission (IWC), and IMO are working on the issue of marine sound. Emerging trends related to this include ecosystem-based management, MSP, increased attention to aggregate effects of multiple sound sources including shipping, and basin scale monitoring.

*Case Study 2: Costa Rica Dome: Engaging Industry in Transboundary/High Seas Conservation Area Proposals*

The second case study focused on how to engage industry in trans-boundary ocean conservation area, using the example of the Costa Rica Dome, a proposed ecologically or biologically significant marine area (EBSA) in an area of high seas off the coast of Central America with large amounts of upwelling activity. Upwelling is an important process associated with increased levels of primary productivity, which sustains the ocean food web. The Costa Rica Dome area is home to many migratory species such as blue whales, dolphins, and leatherback turtles, and variable processes, such as upwelling. As a result,



management needs to place greater emphasis on collaboration between actors rather than focus just on fixed marine protected areas and boundaries. With enormous primary productivity in the area and the potential for a new canal through Nicaragua, fisheries and shipping sector involvement will be important. Overall, the OBC would benefit from allowing access to non-sensitive information and providing support for information synthesis, as political decisions need to be science-based and supported by data.

*Case Study 3: Vessel Routing and Ship Strikes in Protected Areas: Aligning Science, Industry, Government and International Policy for Successful Outcomes*

The final case study presented the successful outcome of addressing ships striking right whales in the Stellwagen Bank National Marine Sanctuary. The Sanctuary is roughly the size of Rhode Island and is home to over 25 species of marine mammals. With an abundance of marine mammal species and high levels of boat traffic, this marine sanctuary historically had a relatively high abundance of whale-ship strikes. Originally, the shipping lane passed through one of the areas in the marine sanctuary with a large concentration of whales. Using a combination of automatic identification system (AIS) and whale observation data, Sanctuary managers were able to map areas of high vessel traffic and whale population density. Using this information, the Sanctuary approached industry representatives about moving the shipping lane. In partnership with the Boston Port Authority and industry, the Sanctuary determined an alternate shipping route that reduced the risk of whale-ship strikes. Depending on the speed of travel, this new route adds 9 to 22 minutes to the overall shipping time, a change deemed acceptable by the shipping industry. To reduce the potential for strikes, navigators employed a computer-smart phone application that provided notification of whale locations. This case has become a key U.S. example of successful MSP.

**General Discussion:**

These case studies showed a range of crosscutting ocean policy processes but also the common element of a cost-benefit analysis. While the use of cost-benefit analysis did not always resemble its more academic style of application, in each case study, it was possible to assess business and environmental costs against conservation benefits. Facilitating dialogue between industry and other stakeholders engenders the trust among and between those communities and multiplies the opportunities for successful problem solving. Of value is assembling a geographically diverse, multi-sector OBC to engage with marine spatial planners. Incentives may be required to achieve representative, diverse, multi-sector engagement.



## PARALLEL WORKING SESSION 2B | Marine Planning: Evaluating Business Examples of Involvement

**Objective:** Assess whether involvement in marine planning is of value to business and examine the information regarding the potential value.

**Key Questions:**

- What is the potential business value of engaging in marine planning?
- What are the risks in engaging or in not engaging?
- How can the value be optimized and the risks minimized?

**Moderator:** Shawn Kiernan, Strategic Planner, Maryland Port Administration

**Panelists:**

- Andrew Day, Managing Director, West Coast Aquatic – *West Coast Aquatic Plan*
- Ana Aguado Cornago, CEO, Friends of the Supergrid – *North Sea Supergrid*
- Jay Odell, Mid-Atlantic Marine Program Director, The Nature Conservancy – *International Partnerships*

**Summary:** This session presented several examples or case studies of businesses involved in marine planning.

*Case Study 1: West Coast Canada Aquatic Plan*

The first case study presented the success story of businesses involvement in marine planning around Vancouver Island, Canada, known as the West Coast Aquatic Plan. Although there were a number of obstacles (access to resources, allocation of space, jurisdiction of power, territoriality and tribalism, knowledge and information, and resources and capacity), the collaboration ultimately had industry, four levels of government, and the NGO community working together with equal voices to make a recommendation to the appropriate minister. Some keys to success were building a governance structure that works; ensuring the project is in an appropriate place and at the appropriate scale; ensuring good use of people's time and not overcomplicating the process; using an adaptive planning approach; and, ensuring that tools follow specific questions in need of answering. When industry co-led this process, the result was a good process with less time and less money wasted. In this case, the key to ensuring that industry had an equal role came about after two years of intense and creative negotiations on the terms of reference for the planning management board.

*Case Study 2: North Sea Supergrid*

The second case study presented the creation of an offshore wind Supergrid in the North Sea, driven in part by the advantage of a single electricity market, including lower electricity prices and a secure and sustainable supply. Currently, Europe is far from achieving a single market, with 28 energy markets and 28 different security-of-supply policies. The European Commission conducted a study that shows that implementing such a Supergrid could save 14 billion Euros.

### *Case Study 3: International Partnerships*

The final case study presented information on The Nature Conservancy's international MSP efforts. Common lessons from a variety of regions included:

1. Adequate funding for planning and implementation is often overlooked.
2. Incentives for participation and benefits depend upon the type of business.
3. Avoiding conflict reduces cost for all parties involved.
4. Increased coordination provides benefits in planning, permitting, and operations.
5. Planning processes temporarily increase uncertainty, but completed plans increase certainty for investors in the long term.
6. Marine conservation sustains many economic benefits, including tourism and fisheries.

#### **Small Group Discussion:**

Participants divided into small groups to discuss the session's three key questions. The groups identified innovation spinoffs, technology sharing, access to data and information, and ensuring that the industry voice is heard as potential benefits of businesses engaging in marine planning. They identified increased regulations, spending time and money for uncertain outcomes, and losing fishing areas as risks of engaging in marine planning. Finally, the groups identified having a solid buy-in during the planning process, ensuring a balanced governance structure, and having access to shared, validated, and accurate data as critical elements of optimizing value and minimizing risk.



## PARALLEL WORKING SESSION 3A | Ocean Policy: Creating a Structure, Process and Roadmap for Business Community Involvement

**Objective:** Determine how the business community will engage in ocean policy developments over the next 2-5 years.

**Key Questions:**

- What structures and processes will compel the OBC to make engaging in ocean policy a priority?
- What is the roadmap of activities and milestones for implementation?
- How can the WOC best foster, facilitate and support business community involvement in ocean policy?

**Moderator:** John Young, Director, Marine Sound Business Line, CSA Ocean Sciences

**Summary:**

To identify a roadmap for business community involvement, this session divided into two small group discussions to discuss the key questions. The groups then shared their findings with all session participants.

*Group 1:* Members identified many avenues for the WOC to facilitate and support business community involvement in ocean policy. A common suggestion was for WOC to fulfill a monitoring and reporting role and informing members of key ocean policy efforts underway. Of particular help is for WOC to articulate the impacts of upcoming policies and facilitate OBC involvement in the policy process. Cognizant of WOC's limited staff and resources, as appropriate, facilitated discussions with recognized industry groups would be most efficient and cost-effective. WOC could assist its members in identifying and prioritizing processes used by entities such as the CBD, etc. Supplied with this information, members could determine an appropriate level of engagement on a specific policy issue. Other suggestions focused on WOC membership such as expanding membership, developing rationale for why companies should become members of WOC, and publishing the successes associated with membership. One such success identified was that WOC serves as a platform to inform and engage the OBC on ocean policy, bring together science and industry, and develop non-partisan information.

*Group 2:* This group identified three priorities for WOC: awareness, notification, and education. Group 2 recommended that WOC notify its members of both policy developments and emerging ocean issues, such as upcoming global policies, as UN mandates often have a trickle-down effect into other UN agency regulations. Cross-sector discussions could be beneficial and WOC could facilitate open group meetings with other sectors. Other suggestions included that WOC make greater use of the expertise of its members and expand its website to become more of a clearinghouse for information. WOC should remain a gathering place for industry and science and continue to serve as a neutral source of information.

**General Discussion:** After a discussion of some of the major international cross-sector processes, it was recommended that WOC focus on the issues that its members consider most pertinent. WOC could also provide timely information about policy processes, particularly notifying members of the threat, risks, opportunities, and projected outcomes of policies to help guide its members. Group 2 suggested that WOC inform members of the resources needed to engage in policy discussions and, further, that this information form the basis of actionable items and that enable WOC to serve as a fulcrum balance between science and industry.



## PARALLEL WORKING SESSION 3B | Marine Planning: Assessing If and How Business May Want to Get Involved

**Objective:** Evaluate whether there is a business case for marine-related businesses to get involved in government-led marine planning processes.

**Key Questions:**

- If marine planning is moving forward in an area, what are the issues of common concern across sectors that would create the need and value for business community involvement?
- What solutions must marine planning provide for the business community to feel there is value in being engaged in the process?
- What are the ways in which improved engagement approaches and tools can be integrated into governance and planning processes?

**Moderator:** Deerin Babb-Brott, Senior Partner, SeaPlan

**Panelists:**

- Lori Kennedy, Co-owner, Louisbourg Seafoods
- Brent Greenfield, Executive Director, National Ocean Policy Coalition

**Summary:**

This session addressed risks and benefits of marine planning to marine industries today. Lori Kennedy, co-owner of Louisbourg Seafoods, addressed the benefits while Brent Greenfield of the National Ocean Policy Coalition (NOPC) addressed the risks.

**Presentation Summaries:**

*Louisbourg Seafoods*

Established in 1984 in Nova Scotia, Canada, Louisbourg Seafoods served the Atlantic Canada fisheries. As a full-service company, Louisbourg provides vessel crew, vessel maintenance, plants and processors to catch and deliver fish products to market. Louisbourg Seafoods operates under the rationale that good business is the result of collaboration with community, academia, industry, tourism, and government. Therefore, to Louisbourg the framework and approach of marine planning makes sense and has the potential to bring benefit to marine business.

*National Ocean Policy Coalition (NOPC)*

Established in 2010, the NOPC formed in response to the development and delivery of the U.S. National Ocean Policy (NOP) and draft NOP Implementation Plan. The organization has over 40 member businesses and focuses on commercial and industry interests. NOPC members are not against planning or regulations; they appreciate the utility of the Coastal Zone Management Act (CZMA), National Environmental Policy Act (NEPA), Magnuson-Stevens Act, and Outer Continental Shelf Lands Act (OCSLA), as well as various state laws that implement planning and establishment of regional ocean partnerships. However, the NOPC posited that current national marine planning programming creates too much risk and uncertainty. Marine planning pursuant to the National Ocean Policy has engendered

major concerns about economic impacts and skepticism of the value proposition for business. Insofar as ocean businesses did not ask for national-level ocean planning, NOPC is equally suspect that the OBC could truly influence policy and decision-making.

NOPC concerns relative to National Ocean Policy include:

1. The product of an Executive Order, the National Ocean Policy is not legislation and Congress has acted in support of business interests against NOP more than 20 times since 2010.
2. The lack of statutory authorization increases the risk of conflicts.
3. Regional Planning Bodies (RPBs) as called for under NOP underscore shortcomings and risks of deficient procedures, structures and substance. Regional intermediaries (e.g., Mid-Atlantic Regional Council on the Ocean – MARCO) are the gatekeepers to stakeholder input into the RPB process. Invitations to engage with regional intermediaries are exclusive.
4. Existing planning tools are already in place at the regional and state levels.

NOPC recommends that authorities first address deficiencies and then ensure parties are brought together to determine needs, goals, and timelines.

**Group Discussion:**

Discussion highlighted the importance of trust and confidence building in collaborative planning that is essential for effective marine planning. Businesses want a meaningful role in the process, one that has a clear purpose and is science-based. Common ocean business concerns relative to marine planning include restricted access, cumbersome and duplicative regulation and impacts on investment. A range of engagement tools and approaches will ensure accommodation of the diverse needs of ocean business stakeholders. Transparency in the process and clear recognition of business inputs will perpetuate OBC engagement. Businesses care about a healthy environment; many depend on it for their livelihood: degradation of the marine environment degrades the health of their businesses. Increasing business engagement in marine planning is easy to identify as a priority need, but hard to execute, as it requires time to build trust and confidence.



## Plenary 5 | The Future of Business Community Involvement in Ocean Policy and Marine Planning

**Objective:** Develop the plans and priorities for if and how the OBC and WOC should engage ocean policy and marine planning developments over the next 2-5 years.

### Key Questions:

- Should the business community engage in ocean policy and marine planning processes now and over the next 2-5 years?
- If yes, how so?
- If yes, how can the WOC foster, facilitate and support the preferred level of business community engagement?
- What capacity and resources needs to implement these plans?

### Panelists:

- Andrew Hudson, Principal Technical Adviser, UNDP-GEF International Waters Programme, UNDP
  - Moderator of Parallel Session 1A
- Karis Barton, Associate, Holman Fenwick Willan
  - Moderator of Parallel Session 1B
- Jason Scorse, Director, Center for the Blue Economy, Monterey Institute of International Studies
  - Moderator of Parallel Session 2A
- Shawn Kiernan, Strategic Planner, Maryland Port Administration
  - Moderator of Parallel Session 2B
- John Young, Director, Marine Sound Business Line, CSA Ocean Sciences
  - Moderator of Parallel Session 3A
- Deerin Babb-Brott, Senior Partner, SeaPlan
  - Moderator of Parallel Session 3B

### Presentation:

Global Ocean Commission (GOC): *Final Recommendations*  
Paul Holthus, Founding CEO and President, WOC

### Summary:

The plenary session began with a brief overview of the Global Ocean Commission process and outputs, as an opportunity to update the OBC on recent GOC developments. The session then moved to an open forum on the cumulative results of the Business Forum discussions. One of the most important roles identified for WOC is helping to ensure the OBC has a presence “up the chain” (e.g., at international policy-making meetings) and in disseminating relevant information “down the chain” (e.g., informing industries of important developments in international policy). WOC has a role to play on behalf of OBC. WOC also has role to play in assisting planners and policy-makers in identifying relevant ocean business stakeholders willing to engage in decision-making. Additional, more formal mechanisms for ocean business participation are desirable, because informal mechanisms are not sufficiently engaging existing stakeholders due to the perception that the informal approaches are irrelevant.



In relation to marine planning in the U.S., industry representatives do not have a formal seat in RPBs; however, in the case of the previously mentioned regional intermediary, MARCO, it has established an informal liaison committee of stakeholders. While only government and tribal representatives serve as voting members of the RPB, industry representatives can engage in dialogue with voting members of the RPB.

The World Ocean Council has a unique opportunity to inform the OBC about marine planning and processes; WOC is encouraged to engage the OBC actively and broadly. As industry is better informed, it will be better able to engage.





The International Business Alliance  
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### **About the World Ocean Council (WOC)**

The WOC is the only international, cross-sectoral alliance for private sector leadership and collaboration in “Corporate Ocean Responsibility”. Companies and associations worldwide are distinguishing themselves as leaders in ocean sustainability, stewardship and science by joining the WOC. Members to date include over 70 leadership organizations from a wide range of ocean industries: oil and gas, shipping, seafood, fisheries, aquaculture, mining, renewable energy, ocean technology, maritime law, marine environmental services and other areas. For the current list of WOC Members, visit [www.oceancouncil.org](http://www.oceancouncil.org).