



Helping coastal communities understand law and policy matters

Winter 2021

Sea Grant’s law and policy work involves wide-ranging topics such as national flood insurance, shellfish aquaculture, sea level rise, living shorelines, seafood labeling, public access, marine debris, working waterfronts, and contamination of drinking water.

25 JURIS DOCTORS

in the Sea Grant network



The Sea Grant Legal Network formed in 2009 to raise awareness of Sea Grant’s law and policy programming, facilitate collaboration among those programs, and support Sea Grant law and policy efforts locally, regionally and nationally.

The Sea Grant Legal Network:

- Represents the Sea Grant legal programs in relations with other organizational entities both within and outside of the Sea Grant network
- Provides a forum for the discussion of issues of importance to Sea Grant and the legal programs
- Supports and encourages innovative law and policy programming at all levels, including regional efforts, and increases cooperative programming within the Sea Grant network.

99
students engaged in SGLN research in 2020

64
SGLN research & extension products released in 2020

More information at seagrant.noaa.gov/insideseagrant/SGLN

Meet Melissa Daigle, Sea Grant Legal Network Chair



Melissa Daigle serves as the current Sea Grant Legal Network Chair. She has worked as an attorney and Resiliency Specialist for the Louisiana Sea Grant Law & Policy Program for over twelve years. Melissa received her J.D. and B.C.L. from the Paul M. Hebert Law School at Louisiana State University in 2008.

In addition to her own research in the area of coastal law, she oversees the legal intern program and conducts outreach activities with local coastal communities in the areas of resiliency, hazard mitigation, sea level rise, flood insurance, and climate change.

Partnership Highlight: American Planning Association



Given mutual interests in the legal and policy aspects of community planning, the American Planning Association (APA) is a natural partner for members of the Sea Grant Legal Network. At the 2018 national APA conference, the **Mississippi-Alabama Sea Grant Legal Program** convened a session on resilience efforts in Mississippi since Hurricane Katrina.

Similarly, attorneys affiliated with **Florida** and **Georgia Sea Grant** programs presented a workshop on sea-level rise challenges with a local APA chapter in Northeast Florida. **Washington Sea Grant** Coastal Management Specialist Nicole Faghin developed a climate change workgroup with the APA Washington state chapter. **Virginia Coastal Policy Center** Director Elizabeth Andrews delivered a keynote on sea level rise and flooding at the 2019 annual meeting of the Virginia chapter.



*Numbers are approximate and based on available data

Mississippi-Alabama Sea Grant Legal Program: Guide to Fishery Management

The *Guide to Fishery Management*, a website created by the **Mississippi-Alabama Sea Grant Legal Program** for launch in early 2021, is a comprehensive resource for anybody interested in fishery management under the Magnuson-Stevens Act. The *Guide* links science and the law using diagrams, videos, case summaries, definitions, and examples from the eight regional Fishery Management Councils to demonstrate how fishery management works.

Rhode Island Sea Grant Legal Program: Overcoming Barriers to Blue Carbon Projects on Public Wetlands

Coastal wetlands store greenhouse gases when healthy but emit them when degraded. The **Rhode Island Sea Grant Legal Program** (RISGLP) partnered with Restore America's Estuaries (RAE) to identify barriers affecting "blue carbon" projects for wetlands restoration. With guidance from RISGLP staff, law students studied how property boundaries and public lands laws affect these projects. RAE will use this information to help its partners design projects more effectively.

Louisiana Sea Grant Law & Policy Program: Public Access to Private Waters

Acting under the direction of a 2017 resolution from the Louisiana Legislature, the **Louisiana Sea Grant Law & Policy Program** studied legal issues surrounding the very controversial dispute over public access to private waters for recreational fishing. The study developed a number of options for management, including the state purchasing recreational access servitudes, providing landowners tax incentives for allowing access and strengthening landowner immunity to personal injury lawsuits. The study was used by a legislative committee to provide recommendations to the legislature, which is still considering options.

***SGLN Member locations:** Florida Sea Grant and Florida Sea Grant Legal Program, Georgia Sea Grant, Hawai'i Sea Grant, Louisiana Sea Grant Law & Policy Program, Maryland Sea Grant, Mississippi-Alabama Sea Grant Legal Program, National Sea Grant Law Center, New York Sea Grant, Rhode Island Sea Grant Legal Program, Virginia Coastal Policy Center | William & Mary Law School, Washington Sea Grant

Sea Grant Legal Researchers and Their Partners Recognized for Scholarship

One product of a resilience project undertaken by the **Florida, Georgia, South Carolina, and North Carolina Sea Grant programs** was the article "Roads to Nowhere in Four States: State and Local Governments in the Atlantic Southeast Facing Sea-Level Rise," published in the *Columbia Journal of Environmental Law*. The article was a winner in the 2020 Environmental Law and Policy Annual Review (ELPAR). The article presents an analysis of coastal communities in four South Atlantic states that are currently facing questions about how to protect property and infrastructure as sea levels rise and flooding increases. Of the seven co-authors, the lead author, Shana Jones, is affiliated with Georgia Sea Grant, as is co-author J. Scott Pippin. Jones directs the Georgia Sea Grant Legal Program. The article's second author, Thomas Ruppert, is a Coastal Planning Specialist with Florida Sea Grant. As an ELPAR selection, a summary of the article was published in the *Environmental Law Reporter* and it was the subject of conference held at Vanderbilt University Law School.

Following the passage of the CARES Act and other COVID-19-related relief legislation, the **National Sea Grant Law Center** developed new outreach materials, including "quick take" slides and tip sheets, and held biweekly webinars to keep the Sea Grant network and its stakeholders informed of rapidly changing regulatory guidance, emerging issues, and lawsuit filings. One respondent to a recent survey about these resources indicated fishing guides used the tip sheets to successfully secure Paycheck Protection Program loans.

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National Sea Grant Law Center Responds to COVID-19 Challenges

Sea Grant Legal Network*

