

UNITED STATES of AMERICA
NATIONAL OCEANIC and ATMOSPHERIC ADMINISTRATION

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MARINE PROTECTED AREAS
FEDERAL ADVISORY COMMITTEE

THIRD MEETING, DAY 1 OF 3

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TUESDAY, APRIL 6, 2004

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KEY LARGO, FLORIDA

The Committee convened at 8:35 a.m. in the African Queen Room, at the Holiday Inn Key Largo, 99701 Overseas Highway, Key Largo, Florida.

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Committee Members Present:

Dr. Tundi Agary
Mr. Robert L. Bendick, Jr.
Mr. David Benton
Dr. Daniel W. Bromley, Chairman
Dr. Anthony Chatwin
Dr. Michael J. Cruickshank
Dr. Rodney M. Fujita
Dr. John R. Halsey
Dr. Mark A. Hixon
Mr. George D. Lapointe
Dr. Bonnie J. McCay, Vice Chair
Mr. Melvin E. Moon, Jr.
Mr. Robert J. Moran
Dr. Steven N. Murray
Mr. Michael Nussman
Dr. John Ogden
Mr. Terry O'Halloran
Mr. Lelei Peau
Dr. Walter T. Pereyra
Mr. R. Max Peterson
Ms. Barbara Stevenson
Dr. James P. Ray
Dr. Daniel Suman
Captain Thomas E. Thompson

Ex-Office Members Present:

Ms. Mary Glackin
Ms. Jacqueline Schafer
Mr. Merlin Bartz
Ms. Lisa Phelps
Mr. Jeffrey Pearson
Mr. Randall Bowman

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Also Present:

Dr. James Kendall
Lauren Wenzel

From the National MPA Center:

Ms. Ginger Hinchcliff, Director, Training & Technical
Assistance Institute
Mr. Joseph A. Uravitch, AICP, Director
Dr. Charles Wahle, Director, MPA Science Institute

Panel Members

Billy Causey, Superintendent, Florida Keys
National Marine Sanctuary
Kacky Andrews, Director, Florida Department of
Environmental Protection, Coastal and Aquatic
Managed Areas
Linda Canzanelli, Superintendent, Biscayne
National Park
Bill Kruczynski, US Environmental Protection Agency
Program Manager, KFNMS, Water Quality Protection
Program
Bob Howard, Resource Manager, Everglades and Dry
Tortugas National Bank
Rick Spinrad, Assistant Administrator for National
Ocean Service

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I-N-D-E-X

Call to Order and Opening Remarks	5
Introduction of Members	8
Agenda	9
Charge to Subcommittees	10
Speaker Rick Spinrad, NOAA	58
Afternoon Session	83
Report by Subcommittees	83
Public Comments	
Speaker Dan Clark, Cry of the Water90
Speaker Stephanie Clark	101
Speaker Cheri Recchia, Ocean Conservancy	108
Speaker Nancy Klingener, Ocean Conservancy115
Announcements123
Recess for the Day	125

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P-R-O-C-E-E-D-I-N-G-S

(8:35 o'clock a.m.)

DR. WAHLE: My name is Charlie Wahle. I work with NOAA, National Protected Area Center.

Welcome to the third meeting of the Marine Marine Protected Areas Federal Advisory Committee,

I will be the acting Designated Federal Official for this meeting, and it seem this meeting only, mercifully.

And at this point I would like to formally open the meeting and turn over the Chair responsibilities to our Committee Chair, Dan Bromley.

CHAIRMAN BROMLEY: Thank you, Charlie.

I'd like the record to show that this train runs on time.

We have two and a half days of discussion and deliberation over Marine Protected Areas issues. I see we have some guests as well. So this is a nice venue and we're very happy to be here.

Our first order of business is to approve the minutes of our meeting in November of 2003, and so I would entertain a motion to that effect from the Committee.

MR. LAPOINTE: So moved.

CHAIRMAN BROMLEY: George Lapointe has

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1 moved that we approve the minutes of the meeting in
2 November; is that right, George?

3 MR. LAPOINTE: Right.

4 DR. CRUICKSHANK: Second.

5 CHAIRMAN BROMLEY: Mike Cruickshank
6 seconded that motion.

7 Is there any discussion of the minutes?

8 Yes, Walter?

9 DR. PEREYRA: I didn't see any reference in
10 the minutes to the fact that we agreed, I believe, at
11 the last meeting that we would endeavor not to have
12 these meetings timed at the time of the council
13 meetings.

14 The reason I raise that issue is because I
15 know that at least one council member from Alaska is
16 going to be late, in part as a result of the ongoing
17 council meeting there.

18 I just wanted to raise that.

19 CHAIRMAN BROMLEY: Do you want to amend the
20 minutes to record that?

21 DR. PEREYRA: I don't know if they need to
22 be formally amended or not. It just needs to be so
23 noted in the minutes of this meeting.

24 CHAIRMAN BROMLEY: Okay. So we'll let that
25 be " and that is something that we all agree with.

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1 Other discussion about the minutes from
2 November?

3 Yes?

4 MR. THOMPSON: I would ask that my name be
5 reflected as Mr. Ted Thompson, and retired be taken
6 out, because that implies that I'm retired and I'm
7 not. I retired from the Coast Guard but I represent
8 the International Counsel of "

9 CHAIRMAN BROMLEY: So you'd like the RET
10 removed from the minutes?

11 MR. THOMPSON: Change the Captain to Mr.
12 and remove the retired. I'd appreciate that.

13 CHAIRMAN BROMLEY: Is that acceptable to
14 the movers and seconders?

15 MR. (SPEAKER): Yes.

16 CHAIRMAN BROMLEY: Are we ready to call the
17 question on the minutes?

18 All in favor of adopting the minutes from
19 November, please say "aye".

20 MEMBERS: Aye.

21 CHAIRMAN BROMLEY: Opposed?

22 (No audible response.)

23 CHAIRMAN BROMLEY: Motion passed. Thank
24 you.

25 Okay. We have the happy occasion to

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1 formally install our newest member, John Halsey. Dr.
2 John Halsey is here.

3 Lauren and Charlie, do we need to do
4 anything other than what we've just done? Do we need
5 to make him swear to tell the truth?

6 (Laughter.)

7 CHAIRMAN BROMLEY: Which these days would
8 be quite out of fashion. We are happy to have you,
9 and I think we're done with that.

10 We have new or substituting ex-officio
11 members, Merlin Bartz from the Department of
12 Agriculture. Thank you, we're happy to have you.

13 Jeff Pearson.

14 MR. PEARSON: The Coast Guard.

15 CHAIRMAN BROMLEY: I thought that might be
16 it. Glad to have you with us, sir.

17 And Lisa Phelps from the Navy. Thank you
18 for being here. We're happy to have you with us.

19 We notice that we do not yet have an ex-
20 officio from EPA. Lauren, Joe, where do we stand on
21 this?

22 LAUREN: We have been working with EPA on
23 this and they are still in their internal
24 deliberations. We're very hopeful that they'll give
25 me " (inaudible).

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1 CHAIRMAN BROMLEY: Wonderful.

2 Okay, I'm going to go over the agenda very
3 briefly. The Committee meets tonight at six for
4 dinner. That's noted in the formal agenda, in
5 Bogie's, which I think is just there. Then to remind
6 the members that dress tomorrow is casual, because
7 we're going out on the boat at noon tomorrow, so
8 you're free to dress as you believe you'll be
9 comfortable out on the water.

10 As Mr. Materi and Dolly Garza are not
11 here, I've asked Max Peterson if he would fill that
12 role and he has said he would be happy to do that. So
13 if something arises in which we need the advice of the
14 Parliamentarian, Max will do that, unless there are
15 objections.

16 Is that okay if we proceed along that
17 assumption?

18 Okay. We are very fortunate to have Rick
19 Spinrad, the Assistant Administrator for the National
20 Ocean Service, NOAA. He's going to speak with us a
21 bit later. Rick, where are you?

22 MR. SPINRAD: Right over here.

23 CHAIRMAN BROMLEY: Yes, good. We're happy
24 you're here. We have a spot for you in about an hour,
25 Rick. We might get there sooner.

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1 MR. SPINRAD: I'll work on my notes quicker
2 then.

3 CHAIRMAN BROMLEY: Okay. The agent now
4 says that we're going to discuss the charge to the
5 subcommittees and I believe in your packet you have
6 that material. Is that correct, that you do have
7 guidelines? Yeah. Marine Protected Area Federal
8 Advisory Committee focus areas for subcommittees,
9 March 16, '04.

10 I'd like to spend some time going over
11 this. It is my sense that we will be most effective
12 as an Advisory Committee to the Federal Government if
13 we accomplish the bulk of our work in the
14 subcommittees as they have been constituted. The
15 Executive Committee, consisting of myself, Bonnie, the
16 Chairs of the three subcommittees, and Joe and Lauren
17 and Charlie participating as ex-officios, have spent
18 some time with the Committee structure and its
19 mandates that we had in San Mateo.

20 So what you have before you is a revision
21 and a clarification and elaboration of the three tasks
22 that were spelled out for the three subcommittees.

23 I want to just go through this very
24 briefly to make sure that we're all in agreement as to
25 what we intend to do in our subcommittees.

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1 Subcommittee One is entitled Developing a
2 National System of MPA's. We have noted some long-
3 term goals for us as a Federal Advisory Committee, to
4 advise the Department of Commerce and Interior on the
5 framework for a National System of MPA's. June, 2005,
6 a year and a bit off into the future, is a critical
7 date for us to have reached some decisions on these,
8 and it pertains to all three subcommittees.

9 So what you'll notice under Subcommittee
10 One, this subcommittees job is to advise the Federal
11 Government on how it envisions the concept and the
12 practice of a National System of MPA's as a tool for
13 the management and protection of critical ocean
14 habitats and what goals the nation should seek through
15 such management and protection.

16 So this in a sense is the broad covering
17 mandate to Subcommittee One. And what I think we need
18 is recommendations for identifying critical ocean
19 habitats and assets, including cultural assets, and
20 we'll come back to this issue of culture, because it
21 does show up in several of the subcommittees.

22 But the idea here is that this
23 subcommittee would help our full Committee understand
24 the issues pertaining to a system or a National
25 network of Marine Protected Areas. These

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1 recommendations would be developed in light of
2 existing efforts by various bodies, and that's in a
3 sense the task for Subcommittee One.

4 Let's look at Two for a minute.
5 Stewardship and effectiveness.

6 Oh, sorry, Wally?

7 DR. PEREYRA: I don't want to appear like a
8 stickler, but I think this is an important issue, and
9 that is, how do subcommittees works get transmitted to
10 the Federal Government? It's my understanding, based
11 on the guidelines that we had before us for our
12 Committee and subcommittees and also for discussions
13 we had the last meeting, that the subcommittee work
14 reports finalized by the subcommittee would then go to
15 the full FAC for debate, approval, whatever, before
16 they would be transmitted in final form to the Federal
17 Government.

18 Is that still the process?

19 CHAIRMAN BROMLEY: It is.

20 DR. PEREYRA: It's improperly stated in
21 there. It's a little confusing in this document.

22 CHAIRMAN BROMLEY: Okay. I was going to
23 elaborate on that procedural issue after we sort of
24 went through this, if that's okay? Thank you for
25 bringing it up. We do need to have a conversation

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1 about that, but what I'm trying to do here is alert
2 the subcommittees to this, I would call it,
3 clarification of what their charge is, and then we'll
4 come back to procedure.

5 Okay, Subcommittee Two, Stewardship and
6 Effectiveness, and you'll notice that the way it's
7 stated, long-term goal for the FAC, not for the
8 subcommittee, for us as a Committee is to advice
9 Interior and Commerce on ways to improve stewardship
10 and effectiveness. And the task here of this
11 subcommittee is to advise the Government, that is,
12 bring to us recommendations which we would then
13 approve for the improvement of the management of MPA's
14 so that the founding purposes of each of these
15 protected areas and its role within the National
16 System could be obtained in a most cost effective way
17 and most efficacious.

18 The assessment of the effectiveness and
19 the impact of MPA's, advising on how to improve
20 program planning, public participation, technologies
21 that might enhance the effectiveness of management,
22 and providing guidance on questions of general
23 compliance with MPA implication.

24 So Subcommittee Two in a sense is looking
25 at effectiveness measures, how to help

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1 administratively accomplish what it is that MPA's are
2 intended to do.

3 Subcommittee Three, National and Regional
4 Coordination, as we know and as we will see tomorrow,
5 there are elaborate inter-connected structures that
6 are already in place for managing the oceans, and
7 Subcommittee Three is tasked in a sense with helping
8 us assess the issues in coordination, collaboration,
9 conflicts where they might occur, what have you. And
10 the point here is to advise " to bring recommendations
11 to us to advise the Government, make sure that the
12 system or network, under various names, works well,
13 that inter-jurisdictional issues do not become
14 pretentious and in a sense debilitating.

15 That's the charge that we come to you
16 with. I want to make a few other observations and get
17 to Wally's point here.

18 The subcommittees in a sense are the place
19 where our work is going to be done, it would seem to
20 me. I can't imagine in a group this size that we will
21 be able to dig in at the depth necessary to come to
22 grips with many of the issues in these three, and I
23 believe it is our sense on the Executive Committee,
24 the more work that can be done at the subcommittee
25 level, the better off we will be.

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1 And we have issues of decision-making.
2 One of the things that has come up is minority
3 reports, majority reports. I would hope that as the
4 subcommittees go about their work, they would focus on
5 two or three priority issues, that they would identify
6 those, they would come back to us as a full Committee
7 to tell us what it is they see, the two or three
8 things that they believe they want to focus on. And I
9 say this now because we're going to start this morning
10 down that road, and the first step, it would seem to
11 me, is for the subcommittees to identify those
12 priority issues that they plan to address.

13 Now the issue is going to arise, what if
14 we get in a position in our subcommittees where we
15 cannot reach agreement, where we have a strong
16 division. It seems to me, the first thing one might
17 think about when you find yourself in that position
18 is, you might want to go back and look at the language
19 of the particular proposition that causes the division
20 among you and see if you can't work that out. My hope
21 would be that when the subcommittees bring
22 recommendations to the full group, that they have
23 worked as hard as possible to avoid a situation in
24 which votes or positions are firmly entrenched, that
25 the subcommittee is almost evenly divided, and to look

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1 for ways to compromise on language, look for ways to
2 re-work what it is you think you have before you, so
3 that when it does come time for a vote, we don't
4 expect unanimity. We understand there are going to be
5 times when there will be strong disagreements that you
6 cannot mediate, but the harder we can work in our
7 subcommittees to re-craft language to bring to the
8 full Advisory Committee, clear and generally agreed
9 upon ideas, the better off we're going to be. I can't
10 imagine it would do any of our principals; that is,
11 Secretary Palmer, Secretary of Interior, I can't
12 imagine it would do them any good for us to send
13 forward recommendations that are split down the
14 middle. If I was one of those folks I would believe
15 that, you know, okay, thanks a lot, this doesn't help
16 me.

17 And so my hope is that we can, in our
18 subcommittees, struggle with these things that do seem
19 divisive, keep working on them in small groups.
20 That's the advantage of work groups of eight or nine,
21 ten people. And keep going over the same ground,
22 looking for points of contention, and then coming to
23 us with these recommendations, that are for the most
24 part highly consensual, which is a little bit short of
25 unanimity. That's what' consensual means to me. And

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1 I understand that some people use consensual as a
2 synonym for unanimous, but I don't, and I think
3 unanimity is too much to ask for on important issues,
4 but we ought to try to get close.

5 Now, Wally, I don't know if this really
6 addresses your point, but everything that the
7 subcommittees do must come to us for approval. Is
8 that "

9 DR. PEREYRA: That's what I wanted.

10 CHAIRMAN BROMLEY: We as a full group, in a
11 sense as we said in San Mateo, it is our job to in a
12 sense approve the work plans of the subcommittee.
13 What are the points that you intend to dig into and I
14 would hope that as we go through these next two and a
15 half days that we would set in motion a way of
16 operating into the future so that the subcommittees
17 are clear that they report back to us and as a full
18 Committee. We are the ones that in a sense say, "You
19 know, maybe you don't want to spend so much time on
20 this thing right here, but why aren't you looking more
21 at that?"

22 That is also something that this full
23 group ought to do, I think. Okay. Is that okay?

24 DR. PEREYRA: Yes.

25 CHAIRMAN BROMLEY: Subcommittees do nothing

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1 on their own, and yet they do everything on their own.

2 But we must approve everything that they do.

3 Do you want me to repeat that? They can
4 do nothing without us, but we can do nothing without
5 them.

6 (Laughter.)

7 CHAIRMAN BROMLEY: When you're in a hole,
8 stop digging they say. So let me just leave it there.

9 You get the picture, right. They work for us and
10 they do our work. Is that okay with everyone?

11 I will " is your hand up, Lelei? I'm
12 accustomed to looking at students and their fingers
13 and often not sure they want to raise their hands. So
14 when I see pencils in motion I get nervous. Lelei?

15 DR. PEAU: Thank you, Chair.

16 I noted that you skipped the other item on
17 the Committee business and I was wondering if I can
18 make a suggestion.

19 CHAIRMAN BROMLEY: Yes. I'm not through,
20 but go ahead. Please, go ahead.

21 DR. PEAU: I have a proposal on the agenda.
22 Three of the Committee members attended the Regional
23 Meeting in Kuna last week and I suggested a proposal
24 that we set aside a few minutes before the break-out
25 session and allow Charlie to report on some of the

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1 findings or highlights of what transpired last week.
2 I think it would be valuable information to all the
3 three subcommittees and I'm sure some of those could
4 be discussed more in detail during the break-out
5 session. But I would like to suggest that we have a
6 few minutes for Charlie to highlight some of those.

7 CHAIRMAN BROMLEY: That's fine.

8 DR. PEAU: Thank you.

9 CHAIRMAN BROMLEY: Is that okay with
10 everyone?

11 Go ahead, Charlie.

12 DR. WAHLE: We have a brief power point
13 together in response to this. Would you like me to do
14 that or I can just speak from my notes, whichever.

15 CHAIRMAN BROMLEY: What is your preference?

16 DR. WAHLE: I prefer to do the power point.
17 It should be about five minutes.

18 It's probably no news to all of you that
19 MPA's are a very complicated and often contentious
20 endeavor and central to that are the human being
21 involved in the system, and so we've developed a
22 social science research program to begin to address
23 some of the issues underlying people's engagement in
24 MPA's, both pro and con.

25 And this has been going on for a couple of

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1 years, principally with Sarah Lyons and Anna Spaulding
2 on our staff. The key piece to this is a national
3 strategy for social sciences of MPA's, and the purpose
4 of that strategy which was published late last year is
5 to strengthen the use of social science and MPA
6 planning, design, management and evaluation. The way
7 we're going about that is, or target, if you will, is
8 to increase both the use, but also the allocation of
9 critical resources people and dollars to the
10 development of the understanding of the human
11 dimension that will allow us to do a better job with
12 MPA's.

13 The audience for this strategy is really
14 for the high level group, decision-makers, funders,
15 ultimately Congress, and academia who may use this
16 very general strategy as a way to both frame their
17 projects as well as to allocate and prioritize their
18 resources. And again, it was published last year. We
19 have copies here, I believe.

20 Next please. The strategy which was
21 developed with in-put from a variety of scientists and
22 practitioners and stake-holders over a couple of
23 different workshops identifies and focuses on six
24 somewhat distinct themes. One is use patterns, which
25 is exactly how it sounds, how people use and interact

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1 with the ocean and its resources. The second one is
2 economics. The third is attitudes, perceptions and
3 beliefs about how people actually value and perceive
4 the ocean, which is often fundamental to all the
5 others. The fourth has to do with cultural heritage
6 and resources, that's the artifacts as well as the
7 more complicated and maybe more interesting aspect of
8 the traditional approaches of coastal societies to the
9 ocean.

10 Next is communities, how groups of people,
11 both geographically and by user sector, are organized,
12 how they interact, how they transfer information. And
13 finally, one on governance, which of course is the big
14 one, where the rubber hits the road, how MPA's are
15 planned and how they're managed.

16 Just an example of what is in the
17 strategy, we lay out under each of those broad themes,
18 topics for essential research project, and for each we
19 provide what we believe is useful information on the
20 relative utility and importance of these different
21 topics at difference phases of an MPA's life cycle,
22 planning phase and management, as well as some
23 generalized estimates on practical matters of
24 complexity and cost an duration. And the aim here
25 again, is to give an agency person some clue about

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1 what they're getting into if they want to devise a
2 research program on any of these themes and topics.

3 Next please. Finally, in the strategy we
4 go beyond the topics and talk about what's in effect
5 program building, cross-cutting needs that have been
6 identified across the board for things like baselines,
7 data and monitoring of the human dimension, ways to
8 value effectiveness, ways to manage and make
9 accessible data, and tools and methods for better
10 understanding the human dimension.

11 We also talk a bit about developing agency
12 expertise, which is a serious issue, and developing a
13 National Research Program which integrates ultimately
14 the social and natural sciences.

15 This then led us to the next step, which
16 is where we are now, is making this document a little
17 more real. The National Strategy is, as you can
18 imagine, very general, conceptual. What we're doing
19 now is a series of workshops around the country in
20 different regions, aimed at taking these very broad
21 concepts and identifying within them regionally
22 relative priorities for MPA research. And in those
23 meetings we bring together stakeholders and
24 practitioners and social scientists to develop real
25 projects.

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1 We've done three so far. We just finished
2 one in the Pacific Islands, and we're thinking the
3 next one will be on the Pacific coast.

4 The way this works is, we take the
5 National Strategy, the six themes on your left, and on
6 a regional scale take one of those themes, break it
7 out into a number of questions, and then for each of
8 those questions develop specific research projects.
9 These are all done by the people in the region.

10 And then finally, this is sort of where we
11 are right now. We've done three. These workshops are
12 very broad based in their participation. In advance
13 of the workshop we provide some means of existing
14 social science research projects in the region.
15 Institutions and resources and the regulatory
16 framework for MPA is in a list of the existing managed
17 areas of the region, to give the participant sort of a
18 universe within which to work.

19 So far what we're seeing is, we're getting
20 a lot of projects out of each region. They vary quite
21 a lot, as you might imagine, within broad themes.
22 Some of the common threads that are emerging
23 interestingly across all the regions are the
24 importance of the historical and current uses, the way
25 in which information flows within and among

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1 communities, the way participatory processes are
2 structured and managed, and finally, and this was
3 particularly important in the Pacific Region, is the
4 role of indigenous and native people's approaches to
5 marine conservation in the MPA arena.

6 We're very pleased with the way things are
7 going and we hope that we will be coming to one of
8 your regions soon.

9 That's it.

10 CHAIRMAN BROMLEY: Thank you.

11 Lelei, do you want to elaborate on that?

12 DR. PEAU: I think Terry.

13 CHAIRMAN BROMLEY: Terry? Okay.

14 MR. O'HALLORAN: I'd just like to say that
15 I would encourage any of the Committee members when
16 there is a workshop in your region to attend. I found
17 this extremely valuable. I learned a lot. And I also
18 want to basically say that I think what Charlie and
19 Sarah and those folks are doing are extremely critical
20 to the overall success of our efforts.

21 So I really encourage everyone to attend
22 those and see and understand the importance of what
23 Charlie's work is.

24 One other thing, and I'm not sure where
25 the appropriate time would be, Mr. Chair, but the

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1 participants at that workshop developed a reso that
2 they would like to introduce to this Committee, of
3 which I have copies here. I'm not sure when that
4 time, or whether this is the right time.

5 CHAIRMAN BROMLEY: Could we hold that off
6 and bring it maybe later today or tomorrow morning?

7 MR. O'HALLORAN: Certainly, that would be
8 fine.

9 CHAIRMAN BROMLEY: George?

10 MR. LAPOINTE: Charlie, when do you plan to
11 bring the show to this region?

12 DR. WAHLE: Sarah, you can correct me if I
13 get this wrong. The next one we believe is the
14 Pacific coast in the early fall, right?

15 MS. LYONS: No, it's not early fall.

16 DR. WAHLE: And what's after that?

17 MS. LYONS: No, I'm not sure. I think we
18 had talked about New England.

19 DR. WAHLE: We were thinking New England
20 might be next. We would like to get some feedback
21 from you and others about whether that's appropriate
22 and when the best time might be.

23 CHAIRMAN BROMLEY: Thank you. Okay, thank
24 you very much.

25 Let's get back to the subcommittees. One

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1 of the things that you're probably aware of is that we
2 have been urging, we, meaning the Executive Committee,
3 have been urging the subcommittees to create a
4 structure that in a sense mirrors what we have with
5 the full Committee, which is an Executive Committee,
6 and I think you're at different stages in that
7 process. I think the point here was to help share the
8 burden of work and organization at the subcommittee
9 level, beyond just the Chair or the Vice Chair.

10 And so one of the things that I believe we
11 want to move forward on at this meeting is the firming
12 up and the formalization of that structure at the
13 subcommittee level. I will be " when we do break out
14 into subcommittees I will move among the three and
15 when I come in to your room I'd like to visit with you
16 again about this and about some other things.

17 Let me just talk about the scope of our
18 work a moment, and let me go back to the decision
19 rules issue, because on of the things that we keep
20 hearing is what if we can't agree. And one of the
21 things I'd like to propose is, as you think about the
22 recommendations you're struggling with, as you think
23 about these issues that you hold in your mind, a
24 decision rule that's sort of super majority. In other
25 words, you work hard towards crafting things you

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1 believe 75 percent of your members can agree to, so
2 that we get out of the box of simple majority voting
3 and so on. It's just a suggestion. There are " it is
4 up to you to decide how you want to settle these
5 matters, but if you go into an issue with the idea
6 that you need a super majority of some sort, then it
7 causes you to think hard, as I said a moment ago,
8 about the language.

9 We have, it seems to me, some decision
10 points that I'd like to remind you of, all of us; and
11 that is, we have one more meeting in the fall some
12 time, probably September. We'll be finding out from
13 you what works best for you. We will have a meeting
14 in the spring of 2005, and as you notice in the charge
15 to the subcommittees, June, '05 is indicated as a
16 critical time.

17 And one of the things that I'd like to ask
18 you to do as you think about your work, is to be
19 conscious of the schedule. It may be asking too much,
20 at this leading, for you to have anything definitive
21 that you wish us to act upon, but it would be
22 marvelous if by the time we leave and as we go
23 forward, you could come back and visit with the full
24 group about what you're working on, where you see it
25 going, where you " how you see the timing work, so that

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1 by September we would have before us, the full group
2 would have before us, most everything that you
3 believe, your subcommittees believe, we ought to act
4 upon. And so that by September it would be very nice
5 to have that so that then we could spend time as a
6 full group looking at that, reflecting on it,
7 discussing it, sending it back to you for more work,
8 so that by our spring meeting we will sort of have a
9 second reading, as it were, of those things and be in
10 a position to act. Because by April or May of `05 we
11 do need to be ready to come to closure on those issues
12 that all of us agree must be addressed.

13 So we have this meeting which you could
14 treat as a serious effort to set your own agendas,
15 your own rough outlines of what it is you wish to
16 address, the fall meeting which ought to be, as I say,
17 kind of the first meeting, the first broad discussion
18 of those issues, and the idea being that when we go to
19 our spring meeting in `05, there's nothing new before
20 us and we then have time for a serious deliberation on
21 those issues.

22 Is there any discussion about that? Would
23 any of you like to pursue the scheduling and the way
24 that I spelled this out? I'm open to your
25 suggestions. This is just offered as kind of a

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1 working model of how we might do this.

2 Yes?

3 MR. CHATWIN: Thank you, Mr. Chairman. I
4 just have a question and maybe you've yet to address
5 it, but the way you described it, it seems that we're
6 going to continue working within the subcommittees
7 under the themes that are being established and
8 mandate, but then there are also these bridging
9 issues, and that has some procedural implications.

10 CHAIRMAN BROMLEY: Thank you. If one looks
11 at the final page of the charge to the subcommittees,
12 showing in a sense where the three subcommittees
13 connect, where they link, where bridging is required,
14 it is our hope that early on in this process, today,
15 tomorrow, each subcommittee thinks about what these
16 linkages are with other subcommittees. You talk with
17 the leadership of the other subcommittees, you figure
18 out when it is and what it is you believe you need to
19 meet jointly to iron out. You may " you can do this as
20 you wish. You might ask a subcommittee of your
21 subcommittees to interact with the subcommittee of
22 another subcommittee. I don't think we're constrained
23 in terms of how we operate and that would be, it seems
24 to me, in this very first section this morning, one
25 wants to think not only about these bridging, these

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1 intersections where you connect, but with the larger
2 subcommittee tasks.

3 So I'll leave that " I think we can leave
4 that to the subcommittees to figure out how best to
5 work out that collaboration. For instance, I mean one
6 of the obvious ones is cultural resources, you know,
7 the term shows up in a number of places and it has a
8 special meaning in Subcommittee Three, but it also has
9 a special meaning in One and Two. And there are
10 others. I mean that shows up here. Cultural
11 resources has a Three and an asterisk, so it means
12 that it sort of fits in Three at the moment but it's
13 pertinent to the others. You're free to do that as
14 you wish.

15 Terry?

16 MR. O'HALLORAN: Regarding cultural
17 resources and the defining of cultural resources, in
18 the Subcommittee One the term is used as cultural
19 assets. And I think it's important early on that we
20 understand how we are defining cultural resources. I
21 know in the Pacific Region side the term assets
22 probably doesn't apply. There we're talking about a
23 lot of native uses, historical traditional uses. So
24 it might be worthwhile to make sure that we all I
25 think understand how we're referring to that and maybe

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1 using the same terminology and all of that.

2 CHAIRMAN BROMLEY: Subcommittee One, as
3 Bart has already told me, he's struggling with a
4 glossary just for his own work, and we do need " we
5 need to come to an agreement on what these terms mean.

6 Bonnie and then Mark.

7 DR. McCAY: In that light too, we have
8 cultural assets and cultural resources, and so far not
9 appearing in the charges but certainly evident in
10 Subcommittee Two and others, is cultural values, for
11 example. We may want to have a discussion at some
12 point about how we want it and how we want to deal
13 with these.

14 CHAIRMAN BROMLEY: Mark?

15 DR. HIXON: Just to finish up this
16 discussion briefly. My subcommittee, Subcommittee
17 One, is " does not want to deal with the cultural
18 resource definition, mainly because our subcommittee
19 doesn't have the expertise. So we would like to defer
20 to Subcommittee Three and whatever in-put from
21 Subcommittee Two is on defining that particular issue.

22 Because I believe actually the charge, it's one of
23 the primary goals for Subcommittee Three. So that's
24 how our subcommittee would like to deal with it, is
25 give us your definition and we'll incorporate it into

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1 our work.

2 DR. FUJITA: Thank you, Mr. Chair.

3 I think the timing that you've laid out
4 makes sense if we're going to try to seek closure in
5 June. I would just note two things.

6 One, that monitoring listed as a cost
7 cutting issue here, as it should be, I would just note
8 that Subcommittee Two has had some discussion about
9 monitoring in terms of indicators to measure metrics,
10 to use an adaptive management move, technologies. We
11 haven't got that far but it's in our outline and I
12 just wanted to put that out so that other
13 subcommittees know where we're at.

14 The second thing I would say is that I
15 think it's possible for the subcommittees to make a
16 lot of progress between meetings through e-mail
17 exchanges. We found that to be a bit of a useful way
18 to communicate and to bat ideas and get the things
19 down on paper.

20 CHAIRMAN BROMLEY: John Halsey.

21 DR. HALSEY: It's my understanding in
22 talking to Joe that really our domain consists of
23 what's underwater in these various sanctuaries,
24 preserves. I know that there's an increasing movement
25 in many areas to talk about cultural landscapes when

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1 dealing with maritime resources, not only the
2 shipwrecks and resources or assets that may be on the
3 bottom, but the shoreline communities, the
4 lighthouses, whatever other appurtenances go along
5 with living next to the water. And I just want to be
6 sure that we all understand that there are limits to
7 what our charge can be. We can't go very far beyond
8 the beach; is that correct, Joe?

9 CHAIRMAN BROMLEY: How far beyond the beach
10 can we go?

11 MR. URAVITCH: Well, we are charged
12 specifically with looking at Marine Protected Areas,
13 and so we're basically out in the water and up into
14 the basically mean high tide. So we're not looking at
15 areas specifically in terms of Marine Protected Areas
16 that have a land-side component. I mean there are
17 obviously historical relationships, et cetera. But
18 for example, if you had a coastal lighthouse that's in
19 a state park, if there was no even inner-tidal area
20 that was part of the boundary of that area, then we
21 would not consider that a Marine Protected Area.

22 So technically speaking, in terms of
23 designating Marine Protected Areas as defined under
24 this Executive Order, that those would not count.

25 CHAIRMAN BROMLEY: So we're going to end up

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1 slicing off some major portions of the cultural whole,
2 just through the limits of what our charge is.

3 MR. URAVITCH: I think those could be
4 noted, but you'd have to " and in terms of what we need
5 to do in terms of the Executive Order, we understand
6 the connection, but the section such as the MPA list,
7 what the National System would look like, would
8 probably exclude any of those land areas.

9 CHAIRMAN BROMLEY: Thanks, Joe.

10 I have John Ogden, Tony and Bonnie. So
11 John?

12 DR. OGDEN: Cultural ethics aside, I fail
13 to see how we could possibly define Marine Protected
14 Areas without including the singular in-put of land-
15 based sources of pollution. I mean take this
16 sanctuary as an example. It's one of the two key
17 action plans that we have in order to try to protect
18 those marine resources. So, you know, I understand
19 there's a problem here, but I think this requires
20 resolution across the board.

21 CHAIRMAN BROMLEY: Joe, you want to "

22 MR. URAVITCH: I'm not saying you exclude
23 those considerations because those are obviously part
24 of the stresses and threats to the System. It's just
25 formally in terms of when we get down to developing

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1 the official list of Marine Protected Areas or
2 defining what areas might be gaps in a National
3 System, the land-based side would not be included.
4 But you'd certainly consider land-based sources of
5 pollution, for example, as a stressor on the System
6 that we'd be concerned about.

7 DR. OGDEN: Or the linkage between " I mean
8 it would strike me that where we have the opportunity
9 within the debate that will happen in this group to
10 link a substantial protected area on land with a
11 substantial protected area at sea under our
12 definitions, this would not be easily overlooked, or
13 should not be easily overlooked.

14 CHAIRMAN BROMLEY: Tony?

15 DR. CHATWIN: Thank you, Mr. Chairman.

16 I have a question and a comment, and
17 they're not related to this present discussion. It's
18 more toward the work of the subcommittees and what
19 we're working towards in terms of "

20 We're charged with coming up with
21 recommendations, but we haven't really discussed what
22 format those recommendations are going " would be most
23 useful for those recommendations. And I see that we
24 have this interesting diagram here that shows the
25 decision pathway for that recommendation. But I think

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1 in addition to talking about the pathway, I think it
2 would help the work of the subcommittees if we will
3 all have in mind the same vision of what the product
4 is that we're going to develop. And it might not be
5 something that we can resolve right now, but I think
6 it's an issue that we need to address, because we
7 might end up with three very different products from
8 these subcommittees, although they come back to " it
9 might be more efficient.

10 CHAIRMAN BROMLEY: That's a nice point. I
11 would propose that one of the other first things each
12 subcommittee does is think about what it " how it sees
13 its recommendation coming, how it sees its work
14 product. It's very clear we do not want large
15 documents. We don't need them. There may be lots of
16 background material, lots of background stuff, but
17 maybe the thing that each subcommittee wishes to do is
18 independently formulate what it thinks its out-put
19 ought to look like. And we can talk about that. But
20 to talk about it in the abstract, I agree with you,
21 Tony, maybe now is not the time.

22 DR. CHATWIN: Just to follow up on that.
23 Another thing that would be useful is to get the in-
24 put from the receiving parties, what product would be
25 most useful to fit into this decision pathway, in

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1 addition to us thinking about it at subcommittees.

2 CHAIRMAN BROMLEY: Yes. Mary sees me
3 looking at her. I would " Mary, are you " probably
4 you're familiar with one subcommittee? You are,
5 aren't you?

6 MS. GLACKIN: Yes.

7 CHAIRMAN BROMLEY: You're on "

8 MS. GLACKIN: Subcommittee One.

9 CHAIRMAN BROMLEY: On one, yeah. It might
10 be nice if you could, roam among the other two as I'm
11 going to do. Maybe not at the same time I am, but I
12 think it would be nice if Mary and others who have
13 some idea about what the demand side of this market
14 looks like.

15 MS. GLACKIN: I'd be happy to do that.

16 CHAIRMAN BROMLEY: I think we're back to
17 Bonnie.

18 DR. McCAY: I think this topic is a very
19 key one, but I just want to say for the record that
20 cultural resources is one phenomenon that we're
21 charged to deal with, but cultural " there are other
22 aspects of culture that come up, and certainly in
23 Subcommittee Two this is a very key area because we're
24 looking at the effectiveness of MPA's and their
25 effectiveness will depend on cultural use patterns, on

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1 cultural heritage, all of those things that Charlie
2 had put up there on the slide and those are not
3 encompassed by the underwater definition necessarily.

4 They include that but they're not limited by it.

5 CHAIRMAN BROMLEY: Yes, it reminds me that
6 " I mean we've been " I'm intrigued that this cultural
7 assets and cultural resources both sort of have an
8 economic spin to it and I'd like to say the first
9 thing we might need to do is define culture and then
10 we can turn our attention to other assets or resources
11 or values. And I think we're all in favor of culture
12 and we're just not sure we know it when we see it.

13 (Laughter.)

14 CHAIRMAN BROMLEY: If we're going to get
15 clarity on this, and I know it's kind of humorous, the
16 point is we want to be very clear what we mean by
17 culture, first of all. Can you help us with that?

18 DR. McCAY: Yes. I will be the token
19 anthropologist on this.

20 CHAIRMAN BROMLEY: You are anyway, whether
21 you want to be or not. That would be nice, before we
22 get to assets and resources and values, if we could
23 offer clarity about what it is we mean when we talk
24 about culture.

25 One final thing. In terms of the charge

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1 to the subcommittees, there are other events going on
2 around us. The National Ocean Commission is going to
3 come forth with something in a week or two. The PEW
4 Ocean Commission is out there. I would imagine that
5 one of the most valuable things we might do would be
6 to as subcommittees, but ultimately then as a full
7 Committee, to look at what they have done, what they
8 will report, and dig into their work and their
9 recommendations as it pertains to each of the three
10 subcommittees, and formulate our own reaction to what
11 we see there, because one of the things I could easily
12 imagine is that the Government officials to whom we
13 are supposed to send recommendations might be
14 understandably curious if we have views about what the
15 National Ocean Commission said about Marine Protected
16 Areas, what PEW said about it.

17 So that's another sort of thing on our
18 plate here, is that each of our subcommittees needs to
19 look very hard at these other events that have come
20 out and that will come out in two or three weeks and
21 figure out what you like and don't like, we like and
22 don't like about those as they pertain to Marine
23 Protected Areas.

24 Does that make sense to you? George?

25 DR. LAPOINTE: Except in timing, Mr.

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1 Chairman. I mean the recommendations of the National
2 Ocean Commission are supposed to come out on the 20th.

3 We have a thirty day comment period so we have to set
4 up some structure, if we want to come in formally.

5 CHAIRMAN BROMLEY: No, I'm sorry. I wasn't
6 very clear. Thank you.

7 I don't mean that we become a body that
8 comments during that thirty day comment period. I
9 mean any of us as individuals are free to enter into
10 the business of commenting, and I'm glad you brought
11 that up, George.

12 My point is that when the National Ocean
13 Commission report comes out, we will not have a
14 meeting again until September, but there are ways for
15 your individuals members to get your hands on this, to
16 look at it, to have e-mail discussions about "Gee, did
17 you know this Recommendation 14 on Page 27, that bears
18 on what our subcommittee's thinking about," and fold
19 that into your conversations so that in September you
20 will come to the September meeting, we will come
21 there, with our thoughts roughly formulated about
22 these different recommendations and be able to discuss
23 it and bring your reactions to us as a group.

24 Is that okay? Michael? Oh, I'm sorry.
25 Barbara and then Michael. Barbara?

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1 MS. STEVENSON: I have a lot of concern
2 about the suggestion in that where simply setting
3 aside our main objective, which is to do the task
4 assigned to us, we have a limited amount of time, we
5 have a limited amount of resources, and how do we
6 chose which other external forces, reports that we're
7 going to read and review? Do we review them? Do we
8 review other ones? I think that we should stick to
9 the task that we're assigned.

10 Obviously some of the information that are
11 in those reports will be germane to our discussion,
12 but that's very different than reviewing the reports.

13 CHAIRMAN BROMLEY: That's right. Go ahead.
14 Mike?

15 MR. NUSSMAN: I will speak to that issue,
16 at least briefly, perhaps disagree, but speak to it
17 nonetheless.

18 It would strike me that when they release
19 the Ocean Commission here in a couple weeks, our works
20 tends to be " the work of this Committee may well be
21 thrown into something of a turmoil, depending on what
22 that broader group does. Now with regard to the other
23 reports out there, obviously we as individuals or we
24 as subcommittees can use or not use them as we please.

25 We're reporting to two secretaries. This is a

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1 Presidential level commission that's been set up, so
2 somehow, some way, I think we're in that mix and we
3 have to pay attention to those specific comments.

4 What I would like to ask is, it seems to
5 me that obviously as that commission works towards "
6 makes recommendations, only a small piece of them will
7 focus on Marine Protected Areas, and I know Joe and
8 his staff have thought about this, but it would help
9 us as Committee members to understand, have someone to
10 analyze those recommendations and feed to us sort of
11 what that broader commission is saying on Marine
12 Protected Areas so we wouldn't have to spend a huge
13 amount of time trying to do " each one of us do that
14 analysis.

15 So I know Joe must have thought about
16 this, although I haven't talked to him. I'm hoping
17 Joe has. So Joe, tell us what you're thinking. Can
18 you provide us with some fairly quick turnaround and
19 some review of this document?

20 MR. URAVITCH: I don't see that as a
21 problem at all. I mean obviously the PEW Commission
22 report's been out for awhile and it was fairly
23 specific on its recommendations and we've been
24 following the Ocean Commission. So I'm sure that we
25 could generate a short document. But again, this

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1 Committee has to make its own decision on what these
2 things mean. I mean we can't " and it might not be
3 appropriate for us to produce something for you, given
4 that this whole effort is being chaired by the
5 President's Council on Environmental Quality. All the
6 comments on the report that are coming out of the
7 Administration, coming out of the Council on
8 Environmental Quality.

9 So I think what we can do is excerpt the
10 appropriate sections of these documents and provide
11 those. But I don't think it would be appropriate for
12 us as members of the Administration to try and even
13 tailor those in any way or do any analysis, because
14 that's being done across Executive branch level.

15 MR. NUSSMAN: Perhaps my term analysis is a
16 bit over-stated. What I'm really asking is someone to
17 maybe more collate and bring to our attention the
18 materials.

19 MR. URAVITCH: Yes, we can certainly do
20 that. We will identify the appropriate sections and
21 pull those together in a rational fashion and make
22 those available as soon as we can.

23 CHAIRMAN BROMLEY: Thanks, Mike.

24 Barbara, do you feel better with this?

25 MS. STEVENSON: Well now we are going to be

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1 provided information on it as opposed to review,
2 right? If that's correct, then that's fine.

3 CHAIRMAN BROMLEY: And what I took from
4 this was that Joe and his staff will organize some
5 summary of what they think is pertinent to the MPA,
6 and that summary needs to come to us, as a whole
7 group, to be acted upon and to say, "Okay, this looks
8 like it fits in the purview of Subcommittee One, this
9 thing sort of looks like Three."

10 Would that be acceptable to you, if we
11 sort of did that, and then this whole group would in a
12 sense send those tasks off to the subcommittees. It
13 doesn't mean that a subcommittee couldn't say, "We'd
14 like to think about that one as well."

15 What do you think? Okay, Mike had his
16 hand up, and then we've got Ted and then Rod and then
17 Max Peterson. Michael?

18 DR. CRUICKSHANK: I assume that this whole
19 document will be on the internet.

20 CHAIRMAN BROMLEY: That's my understanding.

21 Okay, Ted?

22 MR. THOMPSON: Thank you.

23 Several weeks ago there was a National
24 meeting of the Directors of the National Marine
25 Sanctuaries. And it seems to me a lot of the things

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1 that they're looking at are very similar to what we're
2 looking at, how to manage their sanctuaries, what the
3 issues are, what regulatory actions are needed and
4 whatnot.

5 How does that activity or how should that
6 activity relate to what we're doing here? How do we
7 interface with those Directors of the National Marine
8 Sanctuaries and make sure that our activities are
9 coordinated and we're not stepping on each other's
10 toes, et cetera?

11 CHAIRMAN BROMLEY: I'm looking out of the
12 corner of my eye to see if Joe has raised his hand,
13 but in the absence of that, it would seem to me that
14 we would want to make arrangements to visit with them,
15 just as we want to make arrangements to visit with the
16 Council Chair's of the Fishery's Management Councils
17 or whatever.

18 Is this a plausible sort of assumption,
19 that this is " that this group represents one of a
20 number of people who would like to meet with us and
21 that it would be good for us to meet with them
22 somehow?

23 MR. THOMPSON: Could we get the minutes of
24 those meetings and see just what it is they're doing?

25 CHAIRMAN BROMLEY: Joe, please?

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1 MR. URAVITCH: I will talk to Dan Boston,
2 the Director of that office, and see what can be
3 arranged and made available. And Billy Causey, the
4 Superintendent of the Florida Keys National Marine
5 Sanctuary, he's obviously at that meeting, might have
6 some insight to that. If you don't mind, Billy?

7 MR. CAUSEY: Sure. Welcome to the Florida
8 Keys.

9 My comment is I think it would be an
10 excellent opportunity for us to integrate some of the
11 activities, and I think we should try to get on one
12 another's agendas at different times. I just want to
13 welcome all of you to the Florida Keys and I'm looking
14 forward to the next three days and working with you.

15 I think beside the National Marine
16 Sanctuary Program, we also have the Estuarine Research
17 Reserves, we have other entities that are in fact
18 viewed in various ways as Marine Protected Areas.
19 Here in this area we are located, we have national
20 parks, state parks, aquatic preserves. So I think
21 there's ways that each of us sanctuary superintendents
22 and managers can bring to you areas that we have
23 identified as areas to network with in our various
24 regions. So I think that's an excellent idea.

25 CHAIRMAN BROMLEY: Good, thank you very

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1 much.

2 I guess we have Rod?

3 DR. FUJITA: Thank you, Mr. Chairman.

4 I just want to get back for a minute to
5 the issue of the PEW and U.S. Commission Reports. I
6 think it's an excellent suggestion for us to be
7 briefed on that by the MPA Center and to use what we
8 will in developing our own recommendation. I think
9 it's important for us to do that. I just want to
10 emphasize though that there's much more in those
11 reports than just MPA's, and they address "
12 particularly the U.S. Commission Report is a very
13 comprehensive review, all ocean policy, and it
14 includes Governments, the integration of Federal
15 jurisdiction, resource management, both living and
16 non-living. I think that if you limit the information
17 that's gleaned from those reports as to the MPA's,
18 we'll be missing a lot of context that will be really
19 important for us to think about as we develop our
20 recommendations. There's going to be lots of linkages
21 between the recommendations and those two reports and
22 whatever we come up with.

23 So I just wanted to urge the MPA Center as
24 they develop their synthesis of information for us and
25 all of us Committee members who review this thing

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1 broadly about all the stuff that's on both of those
2 reports.

3 CHAIRMAN BROMLEY: Very good. And I would
4 second that. I would hope that each of us in our role
5 both on this as well as members of subcommittees would
6 be reading those reports, would be flagging those
7 issues that you believe are pertinent to your own
8 subcommittee or to some other subcommittee, and that
9 at our meeting in September not only would we have the
10 MPA Center's list of issues, but many of us also would
11 have issues or connections that we wanted to explore
12 or that we thought the group ought to look at.

13 But the only reason I talk about it in
14 this way, is that I do believe it is important that
15 this full Advisory Committee in a sense ratify those
16 things that our individuals members believe that it is
17 important for us to dig into and think about, so that
18 we're not just getting this thing too big, too out of
19 control. So I think we ought to be open for
20 suggestions, not only that Joe and the Center will
21 bring to us, but that others will bring, either as
22 subcommittee positions, once they've looked at these
23 reports and come back or individuals, but I think we
24 wanted to follow through here and then back to the
25 subcommittees for further deliberation. That would be

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1 my hope.

2 CHAIRMAN BROMLEY: Max Peterson and then
3 John Halsey. Max?

4 MR. PETERSON: I'm just going to simply ask
5 Joe when that Commission report comes out if he could
6 simply advise us as to where it's posted so we can
7 look at it, because you might take a little time to
8 make your little report and it's only thirty days. So
9 it would be helpful when it's posted to let us know.

10 MR. URAVITCH: Yes, sir, we'll be glad to
11 do that. We'll send out an e-mail as soon as we have
12 the web location.

13 MR. PETERSON: And then if somebody wants
14 to read the whole thing or spend a lot of time on it,
15 as Rodney has suggested, they can do that.

16 CHAIRMAN BROMLEY: Thank you, Max. That's
17 good.

18 John?

19 DR. HALSEY: Mr. Chairman, I remind you
20 that last meeting we were advised the Department of
21 Interior and the National Park Service also had
22 enormous underwater holdings in the forms of national
23 parks and protected areas. It ought to certainly be
24 given equal consideration to the National Marine
25 Sanctuaries.

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1 CHAIRMAN BROMLEY: Good.

2 Okay, other questions?

3 Is there any " we have a few minutes. Is
4 there any interest in discussing subcommittee work,
5 subcommittee challenges, subcommittee structures,
6 because in a sense we're going to have Rick Spinrad
7 and then we're going to have Joe talk and then we have
8 our break and then you go into your subcommittees. So
9 this is our last change for awhile to make sure that
10 everyone feels comfortable with what it is we would
11 like to get from our subcommittees.

12 Bonnie?

13 DR. McCAY: Just in relationship to the
14 discussion of the National Sanctuaries and the
15 Estuarine Reserves and Interior and so forth, the
16 website has very, very detailed information about
17 existing Marine Protected Areas and their location
18 within different agencies of Government and it's
19 available to all of us.

20 CHAIRMAN BROMLEY: Bob?

21 MR. BENDICK: I just think it's important
22 that we try to crystalize the subcommittee
23 recommendations so they have sort of an action or come
24 down to the ground aspect to them, that they're not
25 just theoretical or general in nature, that they

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1 actually end up being usable by the people in the
2 field. And I think we need to keep that in mind.
3 There's a tendency to be sort of theoretical or
4 philosophical and I think if we're to be of real use
5 we've got to be practical also.

6 CHAIRMAN BROMLEY: And on that same vein,
7 it seems to me we want clear, concise recommendations
8 with perhaps elaborations and then maybe supporting
9 materials. So I can envision these things having
10 three pieces, the recommendation which is brief,
11 clear, an elaboration, and kind of a justification
12 that might be at most a half a page or one page, and
13 then whatever other supporting materials.

14 So I agree with you, Bob, that we want
15 them to be practical, we want them to be able to stand
16 on their own, but then there can be supporting stuff.

17 Rod, was your hand up?

18 DR. FUJITA: Yes, thank you, Mr. Chairman.

19 It seems to me that before we go into the
20 subcommittee break-out groups, there's an opportunity
21 for us to avoid duplication of effort, depending on
22 how far the subcommittees have gotten. Subcommittee
23 Two, for example, has kind of already discussed
24 priority issues and developed an outline for our
25 recommendations. If the other subcommittees have

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1 gotten to some point similar, maybe there's a way that
2 we can each use a minute to just make sure that we're
3 not, you know, duplicating efforts, we're not talking
4 about " or we're not dealing with the same issues in
5 each subcommittee or, you know, streamline our efforts
6 somehow.

7 CHAIRMAN BROMLEY: That scares me a little
8 bit, Rod. I would ask your permission to hold off on
9 that a little bit. I think there's enough early going
10 for the subcommittees that if I may, I'd like to ask
11 that we perhaps do that at one o'clock before we go
12 back, but I think we've been away from each other for
13 six months, maybe we need some time in our
14 subcommittees to sort of " I don't think this morning
15 we're going to get a great deal of redundant effort
16 coming out of the three groups. We may, but I'd be
17 surprised. Is that okay, Rod?

18 DR. FUJITA: Yes.

19 CHAIRMAN BROMLEY: Okay. Thanks.

20 Mel Moon.

21 MR. MOON: I think that there's going to be
22 some lively discussion that's going to take place in
23 the subcommittees. I'm looking forward to it. But
24 there are a couple of points that I thought were very
25 meaningful in terms of getting some place in this

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1 process, and that was the work product, what is it
2 that we are trying to do that has some similarities
3 between each other, and the Agency and the Center need
4 for information, a real clear sort of an understanding
5 of what would be helpful and what format that would be
6 needed to be the most helpful. Those are two key
7 questions that are still kind of " that's what's going
8 to be somewhat lively, I think, as part of the
9 discussions, along with, you know, I mean this is
10 helpful that we have, you know, some guidance in terms
11 of trying to go in on the subject matter in three
12 parts.

13 But it still seems a little left open.
14 We're going to be having a lot of discussions about
15 those two points and I'm not clear in my mind, anyhow,
16 as to what the deliverable really is, what the
17 Agency's needs are and how we're going to answer those
18 questions without a little more in-put.

19 CHAIRMAN BROMLEY: Okay. That's fair
20 enough. That's why I say, I plan to rotate among the
21 three subcommittees this morning, not that I have the
22 final word on that, but that will be a chance for us
23 to visit about it a little bit. And again, I think
24 that's something we could, after our initial get
25 together this morning, we could meet as a group at

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1 one. In fact, I would like to sort of amend the
2 agenda, if I may, to take account of Rod's
3 intervention idea as well so that one o'clock we start
4 here for a brief time, rather than just going right
5 into subcommittees. Let's meet here at one o'clock as
6 a full Committee with the idea that we will spend ten
7 minutes, fifteen minutes at most, and then get on back
8 to work. Is that okay, Mel?

9 MR. MOON: Yeah.

10 CHAIRMAN BROMLEY: Okay, Mike Cruickshank,
11 was your hand up?

12 DR. CRUICKSHANK: No.

13 CHAIRMAN BROMLEY: No. Okay.

14 Other issues you'd like to raise? Yes,
15 Tony?

16 DR. CHATWIN: It's not an issue. It's a
17 question. Are we at some point going to go get an
18 explanation from someone on this flow chart?

19 CHAIRMAN BROMLEY: Yes. Yes.

20 DR. CHATWIN: Thanks.

21 (Laughter.)

22 CHAIRMAN BROMLEY: It calls for explanation
23 and we will have it, but not right now.

24 Lelei?

25 MR. PEAU: I just want to follow up on

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1 discussions on the process. I'm glad that we decided
2 to come back in the afternoon and do some sort of
3 realty check, make sure that everyone's on the same
4 page. At the same time there are some issues that
5 need to be " like definitions, discussions that we had
6 earlier. Do you presume that will be done at one
7 o'clock, because I think that will help facilitate
8 some of the discussions that we have in the
9 subcommittees. I'd also like to get some
10 clarification, Mr. Chair, in terms of the
11 expectations. The afternoon you just want to see
12 where are we at in terms of our deliberations within
13 the subcommittee, because that will help determine
14 some discussion in the afternoon. Then tomorrow I
15 presume that we'll continue deliberations in terms of
16 whatever feedback we get from the group as a whole.

17 CHAIRMAN BROMLEY: Right.

18 MR. PEAU: So then you envision that the
19 final presentations of reports will be on Wednesday "
20 I'm sorry, on Thursday morning in terms of whatever we
21 decided as a group. Because I think we've come to
22 this meeting with the hope that we can iron out some
23 of those discussions and some of those issues within
24 our subcommittee deliberations.

25 CHAIRMAN BROMLEY: Right.

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1 MR. PEAU: The only suggestion, Mr. Chair,
2 I would like to put forward is that we have a little
3 more time for the Committee as a whole to maybe
4 perhaps review whatever progress we made before we go
5 into the third day of our meeting. That way I think
6 it will help all of us to make sure that we are
7 operating on the same guidelines, we all have the same
8 expectations in terms of what "

9 CHAIRMAN BROMLEY: Good. I'd call your
10 attention to the agenda for tomorrow morning at 8:35,
11 full Committee receives provisional reports from
12 subcommittees. That is a wonderful time for us as a
13 full group to hear back from you, saying "Here are the
14 things that we feel we're clear about, I mean in a
15 sense we haven't reached agreement, but these are the
16 things we're clear we need to do. Here are some
17 things we are still a little bit vague about in our
18 own mind. We would appreciate some clarity from the
19 full Advisory Committee."

20 So I could imagine that the time tomorrow
21 at 8:35 being used for precisely that. The idea here
22 seems to me is that the subcommittees figure out today
23 what it is they believe they want to do. Some
24 subcommittees are a bit further along than others. In
25 that period tomorrow morning some could come and say,

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1 "You know, we've reached closure on this. We feel
2 good about that."

3 My preference would be rather than acting
4 on that at the moment, that we say, "Fine, that's
5 good. Let's put that over in the column called
6 completed, more or less," and then they say, "Here are
7 some other issues that we still want to work on some
8 more," and people around this table will say, "Yes,
9 but; yes, but; yes, but," okay. And that then maybe I
10 guess if we look ahead to Thursday morning, we have
11 time for the subcommittees to report back to the full
12 Committee.

13 So I assure you we will have lots of time
14 over the next two and a half days to interact with the
15 subcommittees in this room about questions they have,
16 about where they believe they've reached closure, and
17 they can put that to one side and keep bringing along
18 the other stuff.

19 Is that okay?

20 Okay, Terry?

21 MR. O'HALLORAN: Just a clarification for
22 my own mind is, in our subcommittee meetings will
23 representatives from the MPA Center be at each of the
24 different committees?

25 CHAIRMAN BROMLEY: I think they have

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1 allocated themselves, yes.

2 MR. O'HALLORAN: Because I know they've
3 done a lot of work and I only would want to make sure
4 that we access that information.

5 CHAIRMAN BROMLEY: That's right.

6 Rick looks completed, ready, and the clock
7 says it's time for Rick Spinrad. So welcome, Rick,
8 and please come up. Joe is going to introduce you.

9 MR. URAVITCH: I'm really pleased to have
10 the opportunity to introduce my boss, Dr. Richard
11 Spinrad. He is NOAA's Assistant Administrator for
12 Ocean Services and Coastal Zone Management, a title
13 you don't hear very often, but certainly in terms of
14 this group the Ocean Services is important and so is
15 Coastal Zone Management. That tends to get to that
16 land-based sources of pollution and other kinds of
17 issues that we've discussed earlier here in the
18 Committee.

19 Rick is a native of one of the nation's
20 oldest seaports and still a major international port
21 and center of cultural heritage, New York City. He
22 did his undergraduate work at Johns Hopkins University
23 and holds both a Doctoral and Master Degree in
24 Oceanography from Oregon State University. He's been
25 in the NGO community serving as Executive Director for

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1 Research and Education at the Consortium for
2 Oceanographic Research and Education. He has a long
3 distinguished career as a researcher with the
4 Department of the Navy. And before joining us,
5 slightly over a year ago in NOAA, he was the Technical
6 Director to the Oceanographer of the Navy.

7 And it's my pleasure to introduce Dr. Rick
8 Spinrad, a great guy and a great boss.

9 MR. SPINRAD: Thanks, Joe.

10 (Applause.)

11 MR. SPINRAD: I'll take it now because I
12 won't get it later.

13 (Laughter.)

14 MR. SPINRAD: And I just have a few brief
15 comments. It shouldn't take me more than about ninety
16 minutes. I'm sure that's okay.

17 (Laughter.)

18 MR. SPINRAD: Thank you all. It really is
19 a pleasure to be working with you again. I'm looking
20 forward to this. I'm also looking forward to, based
21 on your discussion earlier, the Committee's definition
22 of culture, and when you're done with that simple
23 problem I'd like you to work on the definition of NOAA
24 culture.

25 It's nice to see that most of the

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1 Committee members are here today, and many of our ex-
2 officio representatives. I hope I've got it, got it
3 right. We've got the Department of Interior here,
4 obviously. We've got DHS Coast Guard here as well.
5 We've got Navy. We've got Agriculture. AID.
6 National Science Foundation, are they here yet? They
7 will be, I suppose. And I want to welcome all the
8 rest of the folks as well.

9 This is obviously a critical activity. I
10 also want to make a special mention and nod to my
11 colleague, my co-AA at NOAA, Mary Glackin, who I know
12 joins me with the Department of Interior in supporting
13 the activities of the Committee, and especially their
14 definitions and activities of the subcommittees.
15 These are critical functions and I'm really looking
16 forward to what comes out of the subcommittees.

17 I want to take a couple of minutes to talk
18 about some of the things that are going on with NOS,
19 the National Ocean Service, NOAA's National Ocean
20 Service, including what's being done at Committee
21 relevant to the MPA activity.

22 The first thing I want to point out is, as
23 Joe indicated, I started just about a year ago, and
24 one of the first things I wanted to do was engage with
25 a diversity of constituents. Those of you who know

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1 the National Ocean Service know that it's a rather
2 diverse and broad portfolio that we hold, everything
3 from sustaining and maintaining many of the Nation's
4 navigation and transportation services, to dealing
5 with a variety of resource issues, to of course, as
6 Joe pointed out, the Coastal Zone Management issues.
7 So it's rather diverse, and I'm convinced that nobody
8 coming into the NOS Assistant Administrator position
9 brings a broad enough base of expertise and to fully
10 understand the sweep of issues.

11 So we engaged in a series of roundtables.
12 They're still going on right now. Let me just give
13 you a flavor of what those roundtables are focusing
14 on. We've had roundtables on marine transportation,
15 safety charting and navigation. We've had a
16 roundtable on advancing our understanding of the
17 oceans, on enhancing ocean value and vitality, which
18 is where we focused on many of the MPA related issues,
19 and we've had one on living on the edge, which is
20 dealing with a lot of the Coastal Zone Management
21 issues. We're going to have upcoming roundtables on
22 international issues, on promoting ocean awareness and
23 a stewardship effort, really the educational focus,
24 and then the future, sustaining a national ocean
25 policy. That last one will take place some time

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1 probably in June and you can see we are thinking about
2 alignment with the U.S. Commission on Ocean Policy as
3 well, and I'll have a couple more things to say about
4 that, including some specific recommendations.

5 And before I get, www.oceancommission.gov.
6 somebody asked about where will you see the report
7 released. Among other places it will be released on
8 that website. How do I know that? Because NOAA runs
9 that website for the U.S. Commission on Ocean Policy.

10 There are some other things we've done
11 within NOS. One of the things that I'm striving to
12 work towards within NOS is that the National Ocean
13 Service really become the National Ocean Service, not
14 the National Ocean Services. When you think of the
15 weather service, you think of a service. That's the
16 goal we need to obtain within the National Ocean
17 Service, which means integrating many of these kinds
18 of activities that I described earlier, NAV Services,
19 Resource Management, Coastal Zone Management.

20 And so what we have worked on over the
21 last six to nine months is development of that
22 cohesive vision for the National Ocean Service in a
23 manner consistent with the broad NOAA strategy. And
24 that vision is something we call Global Leadership for
25 Integrated Management of the Oceans, which encompasses

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1 everything from the NAV Services, Coast Survey,
2 National Geodetic Survey, Response and Restoration,
3 Coastal Zone Management, Marine Protected Areas,
4 Sanctuaries, all of these are encompassed in this
5 Global Leadership for Integrated Management of the
6 Ocean.

7 Specific focal points for this leadership
8 vision including things like modeling, observations,
9 partnerships, watersheds. I mean that in the literal
10 sense. What is our responsibility in terms of
11 management of watersheds? And then technology is part
12 of that as well. So you can see that those kinds of
13 themes for this Global Leadership for Integrated
14 Management of the Ocean transcend the individual
15 program offices that are the responsibility of NOS.

16 That's going to help us set some
17 priorities. That's going to help us express our
18 responsibilities better, whether it's to the Hill, to
19 the American public, the stakeholders in general.
20 It's a vision we are developing. And so one of the
21 things I am really keen about is looking to the
22 activities of this Federal Advisory Committee in the
23 context of strengthening that vision. So there's a
24 lot of feedback going to take place between the
25 Committee and between what we're trying to do in NOS.

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1 Obviously an important part of these
2 efforts will be the three MPA programs housed within
3 the National Ocean Service. Of course, that's the MPA
4 Center and the Sanctuary Program.

5 The activities of the MPA Center, I think
6 you're all reasonably aware of what Joe and his staff
7 have been doing. You'll get a chance to hear a little
8 bit more a little bit later, but clearly, focus on
9 Subcommittee One's activity associated with the
10 framework in establishing the framework of the
11 National System of MPA's, of the inventory for that
12 activity. The Center expects to complete that
13 inventory in 2005; right Joe, and then it will undergo
14 an assessment from which the list of MPA's called for
15 in the Executive Order will be developed, and
16 developing the criteria for the list will be a public
17 process. That's an important point.

18 Of course you're going to hear a little
19 bit more about the role that technology has. We
20 already hear a little bit of some of that discussion
21 earlier today. That's going to be a critical
22 component of the subcommittee discussions as well.

23 Let me take a slight diversion and talk budgets
24 for a minute. We've got to do that. We're at a stage
25 right now where we are in fact defending our `05

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1 budget submission on the Hill right now. The
2 Assistant Administrators in the Leadership of NOAA are
3 spending a lot of time talking to staff, members in
4 Congress, a variety of folks, explaining the details
5 of the budget.

6 There is one point I want to make clear. Some
7 of you may have seen rather dramatic articles about
8 NOAA's 35 percent reduction in its ocean services.
9 Let's clarify it. In fact, what we're seeing is, even
10 by some measures, a slight growth in the National
11 Ocean Service budget. When you look at what our
12 submission was in 2004 and our submission in 2005 and
13 you consider the earmarks and the adjustment to base,
14 in fact we are seeing about a ten million dollar
15 increase within the NOS budget. We are a heavily " we
16 are the " NOS is the most heavily earmarked line office
17 within NOAA in the 2004 appropriation, nearly two
18 hundred million dollars of earmarks. So let's be
19 careful when we consider the reference point in terms
20 of what's happening with the budget.

21 That's an important point, because Admiral
22 Laudenbacher (Phonetic) has made it clear it is his
23 intent to strengthen NOAA's ocean responsibilities.
24 There's some things that we're doing; I'll talk about
25 them in a few minutes, that reflect that

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1 strengthening. So I want people walking out of here
2 understanding that NOAA is working towards a very
3 healthy ocean budget, but we're working with the Hill
4 to try to insure that we can handle stability in the
5 budget and we can also work with the earmarks.

6 If I talk specifically about the MPA
7 center. It's a three million dollar request. It's
8 level with the President's request for FY04, but it is
9 a million below the `04 appropriation. So that is
10 symptomatic of what I just described for all of NOS,
11 level in the request.

12 The MPA Center plans to continue its
13 outreach activity, obviously. It's going to continue
14 supporting research and analysis, maintaining the
15 public information web access and providing technical
16 and training assistance as called for.

17 There's also some important points. I
18 know Billy Causey had a chance to talk to you earlier
19 and you'll get a chance to hear a little bit more
20 about some of the connections. I was intrigued by the
21 question and the small discussion earlier about con-
22 activity between sanctuaries, between NEARS. I would
23 argue, let's take that same sense " and the MPA
24 activities " let's take that same sense and consider
25 the con-activity across the board. I am interested in

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1 knowing what is the con-activity between activities,
2 for example, of our Coastal Services Center,
3 activities of our Office of Response and Restoration.

4 Where does the Coast Survey activity fit in here?
5 I'll give you a hint. We're looking at integrated
6 ocean mapping right now. One of the critical issues
7 for MPA's is accurate characterization of the
8 environment through mapping. We're going to have to
9 involve components of Coastal survey to do that.

10 I think you get the sense of what I'm
11 looking for in terms of the cohesive development of
12 the NOS portfolio.

13 Let me make a final comment along the
14 lines of the opportunities. As I told all the folks
15 within NOS, and I want to share with you all, this is
16 a seminal time in the business of marine policy,
17 marine operations, marine research. It's probably the
18 once in a career time for many of us from the
19 standpoint of the convergence of any number of
20 activities.

21 As a shopping list, we talked about PEW
22 Commission, U.S. Commission on Ocean Policy. There's
23 abundant legislation coming out. There are some new
24 forums for discussion. I'll go through each of these
25 bullets briefly, new forums for discussion in the

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1 Federal sector, and then within NOAA there is a strong
2 push towards even better strategic planning and
3 development.

4 Let me talk about each of those in a
5 little bit more detail.

6 The U.S. Commission on Ocean Policy is
7 probably the most important thing that the Web site of
8 NOAA is facing right now, so much so that I can tell
9 you it's thirteen days and twenty-two hours before
10 we're going to look at that Web site. And figure out,
11 April 20th at eight o'clock in the morning is when
12 we're going to be paying attention to the report
13 coming out.

14 There is a thirty day public response
15 period and the states have that same thirty day
16 period, so May 21st. Then it's not clear how long the
17 Commission will take to revise, revamp, edit the
18 report, but every indication is it will take about two
19 months. So we're looking something in the
20 neighborhood of the end of July before report is
21 officially delivered, the final report.

22 The Administration then has ninety days,
23 August, September, October. The Administration is
24 going to be pretty busy toward the end of October with
25 some other stuff, but nevertheless, we are pushing

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1 hard, and I will tell you, within NOAA we have set up,
2 there are at least six FTE's working full-time on our
3 development, NOAA's contribution to the Administration
4 Response to the U.S. Commission on Ocean Policy. NOAA
5 has also established for this first time an Ocean
6 Council, which is an across the organization forum for
7 discussing how to deal with a number of issues, like
8 the Commission. We have now developed within NOAA our
9 responses to the Commission's recommendations. We
10 haven't seen the recommendations, but we've developed
11 our responses, and this is based on the best
12 information that's available, and we all have access
13 to that information, the mid-term report, the table of
14 contents, the responding briefings that have been
15 given by any number of Commissioners as well as
16 Advisory bodies. Based on that we've identified some
17 forty-three themes, we've identified the several
18 hundred potential recommendations, and what we believe
19 our response should be. And we are working closely
20 with CEQ in the development of that response. CEQ
21 does have the lead.

22 So I was intrigued by the discussion you
23 all had earlier, and Joe knows all the background on
24 this and what's going on within the Council. We need
25 to find out where is that nexus between the Federal

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1 Advisory Committee -- you all are different from the
2 public in the sense of the role and responsibilities.

3 Where is that nexus between what we are trying to do
4 within the Administration, what the fact the Committee
5 here is doing. At the very least, during the next
6 several months what I have argued with any number of
7 groups, including these roundtable discussions I've
8 had is, let's be cognizant of the focal points, let's
9 be cognizant of what the hot issues are, and let's
10 recognize where the areas of unanimity may lie within
11 the community and where the areas that are going to
12 have some rough bumps might lie. Because I guarantee
13 you that those areas where there is significant
14 disagreement will probably be the toughest ones to
15 convince anyone to take action on. But the areas
16 where there is consistent agreement, we can really
17 make some hay. And so let's learn early on what some
18 of those areas of consistent agreement are, and I will
19 be glad to task Joe with finding out what's the right
20 mechanism for establishing the linkage between what
21 we're doing within NOAA and the Administration. And I
22 say that on behalf of CEQ, and all of the Agencies
23 around the table as well as another dozen more are
24 sitting at the table with CEQ to develop that
25 Administration response. Let's find out where the

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1 linkages are between them.

2 I know at the very least, for example, we
3 can share what our definition of the forty-three
4 themes is that we suspect the Commission report will
5 focus on. That's a highly charged discussion, no
6 doubt.

7 Legislation. If I can real briefly,
8 there's a window of opportunity here. Oceans and
9 Human Health just passed the Senate about two weeks
10 ago. Every indication is that this is part of what
11 will be Senator Hawling's (Phonetic) swan song.

12 Ocean Observations, this is Senator Snow's
13 S1400. It's been referred to four committees on the
14 House side. A lot of discussion about CZMA re-
15 authorization. There is abundant legislative activity
16 that is specific to the ocean community. We need to
17 make sure it's well connected with your discussions
18 and deliberations. Your advisory role could be
19 critical in terms of things like Agency response,
20 Agency opinions, views letters, that sort of thing.

21 So as long as we can work the timing,
22 we're counting on your advice on a number of these
23 issues.

24 I talked about active bodies within DC.
25 Finally, we have within the Office of Science and

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1 Technology Policy a group with ocean in its name, and
2 it's the Joint Subcommittee on Oceanography. That is
3 the subcommittee or the Committee on Environment and
4 Natural Resources and the Committee on Science. We
5 never had that until about six months ago. That's a
6 body that we can take advantage of. It's also well
7 represented by every agency that has a penny in
8 investment in ocean science.

9 And finally, NOAA's strategic plan
10 development, and Mary can certainly give you all you
11 want to know about where we're going with strategic
12 development. I am extremely impressed with what we
13 are trying to do within NOAA in terms of bringing
14 together the forces to bear on a wide range of
15 seemingly disparate societal needs, and the strategic
16 plan development. If you have not seen our strategic
17 plans from last year, please take a quick look. It's
18 a readable read. It explains in clear terms what
19 we're trying to do. The further development of that
20 is going to depend on the good advice that we get,
21 especially from Committees like this.

22 So closing that point. There are any
23 number of legislative policy organizational
24 programmatic opportunities that we can take advantage
25 of, and we are counting on the advice of this

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1 Committee to help us. I say that with two hats on.
2 One, the broad Administration hat, and then two, the
3 specific NOS hat.

4 So let me just close by reiterating that
5 we are looking forward to your critical work, your
6 important work. I'm going to try to wander as well
7 among some of the subcommittees, if I can, over the
8 next few hours, and just am delighted to have had the
9 opportunity to take a few minutes to talk with you.

10 Thank you.

11 CHAIRMAN BROMLEY: Thanks, Rick.

12 (Applause.)

13 CHAIRMAN BROMLEY: And I'm happy that you
14 will be here at least for part of the day to visit
15 with the subcommittees. I think that's marvelous.

16 Okay, Joe, you have something?

17 MR. URAVITCH: Thank you. I was asked to
18 make a very brief presentation on where we are in
19 terms of the action items from the last Committee
20 meeting and any major issues or activities that the
21 MPA Center is involved with that you ought to know
22 about.

23 In your folder there is a hand-out on the
24 action items that says MPA Federal Advisory Committee
25 Action Items from November 2003 meeting. And next

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1 slide, please. If someone could get the lights.

2 This is the list of the action items. The
3 first was to recruit an EPA ex-officio member. We're
4 almost there. We've been in discussion with EPA over
5 the past several months. There was a formal letter
6 sent over and we hope to have an EPA member at the
7 next meeting.

8 We were asked to investigate the potential
9 for an Army Corps of Engineers member. We did have a
10 Federal inter-agency working group meeting that was
11 attended by Lynn Martin of the Corps. The charter
12 right now does not call for a member from the Army
13 Corps of Engineers, but we'll discuss that with the
14 Department of the Interior when we move forward with
15 developing the next charter for the Committee. But we
16 do have Corps involvement now at the Federal inter-
17 agency level.

18 We work with the NOAA library, developed
19 the list of MPA related articles for the Advisory
20 Committee and those are available via the internet
21 site.

22 Let's see, subcommittee work plans. I
23 don't think we have seen all of those at this point.
24 So that's left open as an action item, but I think
25 that's really your action item and not ours.

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1 Consult legal counsel on the Advisory
2 Committee and motions on the Charter. We did consult
3 the counsel and that is now clear and approved.

4 You asked that we prepare a letter and
5 information document for the stakeholders. We've done
6 that. We have not mailed it out yet, but you have an
7 advance copy. We did a special hard version of our
8 monthly newsletter, MPA Connections, and that will be
9 going out shortly to the various stakeholder
10 communities.

11 You asked that we clarify issues related
12 to the OCS areas. That's still under deliberation at
13 the policy level within the Department of the
14 Interior, but there's been considerable progress made
15 on that and we'll have a report for you at our next
16 meeting.

17 The official approval of the subcommittee
18 structure that you all proposed at the last meeting
19 has been given by both the Department of the Interior
20 and the Department of Commerce.

21 And you asked for a flow chart on how NOAA
22 will review Federal Advisory Committee
23 recommendations, and that was the one that was asked
24 about earlier today, with all the arrows and boxes
25 which I believe will be discussed later.

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1 Next slide, please. I thought I'd just
2 bring a couple other things to your attention, because
3 I think they are related to the work of this Committee
4 and its activities that I've become involved with
5 since the last Committee.

6 Obviously " and this relates to the
7 National System development efforts. Obviously, you
8 all are working with us on the framework for the U.S.
9 National System. However, I have recently become
10 involved with two other activities. There is a
11 Commission for Environmental Cooperation which is
12 U.S., Canada and Mexico. It's an environmental side
13 agreement to NAFTA and I'm now the NOAA representative
14 on the group meetings to develop the North American
15 MPA Network, and Mel Moon and I were actually at a
16 meeting in San Francisco two weeks ago on that
17 specific issue.

18 The other thing that has happened is now
19 that the U.S. had rejoined UNESCO, the U.S. Man of the
20 Biosphere Program is reconstituting itself, and I was
21 the NOAA representative when the Committee existed
22 before and I've been sort of revived again. We are
23 going to be meeting in St. Louis, Missouri the first
24 week in May, and in looking at the draft agenda that
25 they had, I noticed that they had something called a

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1 Biosphere Reserve Network for North America, and so
2 given the fact that we're working on National System
3 and the NAFTA side agreement is working on a North
4 American network and now I see the Biosphere Reserve
5 Programs talking about it, I thought it made sense for
6 me to try and make some sense about these three
7 networks. So I will report back to you on what I hear
8 from these other meetings. But that's really all I
9 know at this point.

10 Next slide, please. This should just be
11 one slide. Just keep going until we fill in " there we
12 go. Just keep filling it in.

13 The other thing we did is at the annual
14 meeting of NOS' Office of Ocean and Coastal Resource
15 Management, we did a quick kick-off on where we are in
16 the process for the development of a National System,
17 and I just wanted to lay out for you the activities
18 that are taking place long-term. This includes the
19 goals, definitions, inventory analysis, science and
20 network design, but you can see that we've begun the
21 process for laying out the various steps and
22 activities that are taking place or will take place
23 related to the design of the National System.

24 And I won't go through all this today.
25 We'll provide you with a copy of this, but you've seen

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1 over the past year how we've been evolving in terms of
2 this National System process. And these are just some
3 of the specific activities that are taking place in
4 terms of design of this system.

5 Next slide. And that is it. I thought
6 I'd leave some time open for questions, if people had
7 any questions on our activities or future activities.

8 CHAIRMAN BROMLEY: Tony?

9 DR. CHATWIN: It's not necessarily a
10 question, but in identifying the other ethics that are
11 underway that have relevance to the United States,
12 there's also under the Catahana (Phonetic) Convention,
13 the SPAWL, Special Protected Area and Wild Life.
14 They're having a meeting in Guadalupe later this month
15 which I'm going to attend, where they're talking about
16 criteria for identifying protected areas that will
17 meet the SPAWL designation. And that has relevance to
18 the U.S. in terms of the U.S. Carribean.

19 MR. URAVITCH: Yes, and as a matter of
20 fact, we commented on that proposal last week, and
21 Arthur Patterson from the International Office and
22 National Ocean Service will be attending that on
23 behalf of NOAA. So we are aware of that, thank you.

24 CHAIRMAN BROMLEY: George?

25 MR. LAPOINTE: In terms of the CEC and the

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1 UNESCO efforts, what's the timing line, Joe?

2 MR. URAVITCH: UNESCO, I don't know. The
3 group has never met. The first meeting will be the
4 first week in May. And so right now they're just
5 developing the agenda for that. So I think that the
6 timing on that is unclear.

7 But Man of the Biosphere has not met for
8 four or five years, so my guess is it's way down the
9 road at this point.

10 In terms of the CEC work, we agreed
11 basically to look at a sort of pilot representative
12 activity from Baha to Behring on the west coast, built
13 around the corridor traveled by the gray whale. And
14 there's been really little effort focused on the east
15 coast of the United States at this point. It's one of
16 the things that we've talked about internally within
17 NOAA, that the Commission on Environmental
18 Cooperation's work has really been focused on the
19 Pacific. They really focused on two efforts. In the
20 water looking at protected areas, corridor, network, a
21 pilot one, in this case based on the gray whale, as
22 well as focusing on three species, leatherback turtle,
23 the humpback whale and the pink-footed shearwater,
24 from the bird side of all this. And it runs parallel
25 to a land-based effort that's being done which is

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1 called YUY, which is called Yellowstone to Yukon,
2 which is focusing on a natural resources corridor
3 going from mid-U.S. all the way up to the Yukon. They
4 have not laid out a specific time table on how they're
5 going to proceed to the east coast, but we, for
6 example, have been talking to the sanctuaries program
7 as well as folks from the Gulf of Maine, Department of
8 Fisheries Ocean in Canada, on integrating our U.S.
9 inventory work with Canadian inventory work, and we're
10 hoping to co-fund a project, pull together information
11 for the Maritimes and the Gulf of Maine this year.

12 MR. LAPOINTE: If I may, Mr. Chairman. In
13 terms of what you described on the west coast and the
14 east coast, as that relates to this Committee, is it
15 safe to assume that they'll be slower than we are?

16 MR. URAVITCH: Yes, I believe that's
17 certainly the case. We're trying to get three
18 countries to agree on something, so I think we'll
19 actually proceed faster.

20 CHAIRMAN BROMLEY: I was going to say maybe
21 we should look forward to Havana to Halifax.

22 So, 10:15. I think we're scheduled for a
23 break. Other comments?

24 MR. BENDRICK: Just that last slide, Joe,
25 development of the National System. There seem to be

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1 a lot of specific issues there that obviously
2 interface closely with the Committee, and we've got
3 our three subcommittees, but I'm not sure how what's
4 behind me here meshes exactly with the Committee and
5 potential in-put from the Committee on specific items
6 that are part of that work program.

7 MR. URAVITCH: Why don't I turn the
8 response to this over to Charlie Wahle who's the lead
9 in the science and analysis part of this effort.

10 DR. WAHLE: Much of this is in the broad
11 purview of Subcommittee One; not all, there's some
12 overlap. But at this meeting we'll be specifically
13 talking about the row of goals, both the draft and the
14 development ultimately of the final goals for the
15 system. Under the definitions row we're beginning to
16 just very preliminarily talk about some of the key
17 components of the definition of the Marine Protected
18 Area as opposed to the broader umbrella of marine
19 managed area. And chief among those is the idea of
20 this lasting protection, what do we really mean by
21 that.

22 And then finally, down on the analysis
23 row, the fourth one, if time permits and we may not
24 get there, but we plan to hear a preliminary
25 discussion about the ways in which we might go about

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1 documenting and analyzing the potential impacts of
2 human uses which will ultimately be folded into
3 information on the contribution of existing sites to
4 identify gaps in protection, which will ultimately
5 lead us to identifying priorities of MPA actions,
6 which is of course many years away.

7 But one of the key steps is what is the
8 problem we are seeking to solve with this tool. So
9 those are the things that we'll be beginning to kick
10 around in a substantive way here today.

11 CHAIRMAN BROMLEY: Thanks, very much.

12 Okay, I think we need to keep on schedule.

13 That was a great discussion. Joe, thank you, and
14 Charlie and Rick, again, thanks for your presentation.

15 We have a break scheduled, 10:15. At
16 10:30 we are to meet in subcommittees. Subcommittee
17 One meets in the African Queen Room. That's the
18 African Queen Room. Subcommittee Two meets in
19 Casablanca II, there, and Subcommittee Three meets in
20 this room. There's a table right there for you.

21 Thank you very much. We had a nice start
22 and we'll see you back in your individual sections.

23 (Recess taken from 10:15 a.m. to 1:05
24 p.m.)

25

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A F T E R N O O N S E S S I O N

(1:05 p.m.)

CHAIRMAN BROMLEY: We're a bit shorthanded, but may we resume for a brief, I guess you might call it reconnaissance conversation. The idea in the morning was that after the first little go-around with the subcommittees that we have just a brief chance here before we go back into subcommittees to share in a preliminary way what we're thinking about, where we are and so, and Rob proposed that and I think it's a nice idea.

So I will ask Mark Hixon from One and then Lelei from Two and Mel from Three to very briefly share with us what they're thinking about.

Mark is not here. Lelei is here and Mel is here. So Lelei, can we ask you to go ahead? Just a couple of minutes or three minutes, and some limited questions if there are and then we'll go back into our subcommittees.

MR. PEAU: Thank you, Mr. Chair.

Our Committee, as you know, we met this morning and we went over each individual's outline from our last meeting. Each member were tasked to provide an outline addressing the issue pertaining to effectiveness and stewardship. And then we " as we

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1 were going through each of the outlines there were
2 specific recommendations that fall out from that
3 process. We were able " we were only able to go
4 through half of our tasks this morning. But the whole
5 " at the end of this exercise we were generating some
6 specific recommendations or highlights that will be
7 submitted for the Committee as a whole for validations
8 and also reactions.

9 We felt that " and we certainly appreciate
10 this opportunity to see where everybody is at in terms
11 of their progress, but we continue to struggle in
12 terms of we don't want this to turn into a thesis or
13 anybody's report, but we recognize that this will all
14 be consolidated or compiled by staff, but " specific
15 recommendation at the end of the process. I think
16 I'll defer to specific recommendation until we
17 complete our exercise.

18 CHAIRMAN BROMLEY: Good, thank you. Are
19 there any questions of Lelei in Group Two?

20 MR. PEAU: Or is there anyone from Group
21 Two that would like to add?

22 DR. FUJITA: I would say, Lelei, that I
23 think we did, or at least we discussed the idea of
24 four major elements that are going to be discussed in
25 our recommendation. And if I recall correctly, one of

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1 them was about education and constituencies for MPA's.

2 What was the other one, Lelei?

3 MR. PEAU: Planning.

4 DR. FUJITA: Oh, planning, processing and a
5 third was compliance and enforcement. So basically
6 what I had in mind was a lay-out with a very general
7 statement like that and to see if we're tackling
8 separate elements or whether some integration is
9 required.

10 MR. BENDICK: The question came up in our
11 group, to what extent is your Committee going to deal
12 with the issue of inter-governmental coordination on
13 things like enforcement or planning? We're trying to
14 wrestle with what our subcommittee is supposed to be
15 doing.

16 DR. CHATWIN: We haven't really talked
17 about inter-governmental coordination in our
18 discussions. I think the approach that we're taking
19 is recognizing that many different agencies have
20 different mandates and that you guys are going to be
21 addressing how the coordination between those agencies
22 happens. We had finally come up with the guide to
23 improve stewardship and effectiveness for whatever
24 agency would be, mainly within Commerce and Interior.

25 CHAIRMAN BROMLEY: Okay. Good, thank you.

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1 Mel, do you want to continue?

2 MR. MOON: Well, we discussed what had been
3 on the agenda from San Mateo and the response by the
4 Committee for some of the proposed modification from
5 the e-mails that we had received from them in the
6 past. We also followed up on some of the other
7 assignments that we had in terms of cultural papers
8 that had been developed John Halsey in that document
9 that had been presented to the group in San Mateo, and
10 the letter that had been requested to be forwarded,
11 and then we revisited again the Group Number Three
12 charge of purpose or function, you know, are we still
13 on the same track.

14 I think we were able to get a little bit
15 of feedback on some of the issues that were important
16 to the MPA Center and the Federal Agencies, such as
17 inter-jurisdictional issues and gaps where conflicts
18 exist. And then we were able to reaffirm our desire
19 to get some work groups together on inter-governmental
20 coordination and culture, in particular.

21 We had a lot of good discussions about
22 parts of that topic that we could move forward with.
23 I think we were willing to look at it in two parts.
24 One part would be that which would be recommendations
25 that would come to this group on Thursday. The other

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1 part would be more of an assignment based approach
2 that would be more long-term with specific subjects
3 such as legislation, enforcement, monitoring,
4 coordination, things of that nature.

5 So I think we're ready to talk about
6 specific assignments. We were going to break out by
7 two's. Specifically, we were talking about the
8 cultural aspects, inter-governmental coordination,
9 things of that nature.

10 So that's kind of what we've got so far.

11 CHAIRMAN BROMLEY: Thank you. Okay, Mark,
12 you want to talk a little bit about Group one?

13 DR. HIXON: Thank you, Mr. Chairman. I
14 apologize for being delayed.

15 Subcommittee One is focusing on deepening
16 and finishing a vision and goal statement for National
17 System of MPA's. Over the past six months we've been
18 working through a one-page document throughout that
19 we've been posting on the secure web page. We're now
20 going deeply within that document and grappling with
21 key concepts and terms that tend to have nebulous
22 multiple definitions, depending upon who the reader
23 is, and our intent is to come up with very explicit
24 definitions for some of these key thorny terms before
25 proceeding onward.

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1 So, for example, what's on the table right
2 now is what is lasting protection and the definition
3 of a Marine Protected Area, which is what we're going
4 to start with after lunch.

5 This morning we discussed the differences
6 and similarities between a system of Marine Protected
7 Areas versus a network of Marine Protected Areas,
8 things of that sort.

9 Our intent thereafter is to once
10 completing this vision and goal statement with an
11 attendant glossary, to then forward that to the full
12 Committee for consideration and then go on to the
13 issues of approaches for implementing those goals and
14 eventually examining approaches for documenting and
15 analyzing human uses and impacts on the U.S. ocean.

16 Would anyone from my subcommittee like to
17 add anything?

18 CHAIRMAN BROMLEY: Okay. Then are you
19 ready to go back to work? Before you do, I've been
20 asked to announce that there seems to be room on the
21 boat tomorrow if your spouse or good friend is with
22 you, I think there's capacity on the boat. Is that
23 right, Lauren?

24 MS. WENZEL: Yes, there's a few spots. But
25 if people would like to bring their spouse, just let

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1 me know.

2 CHAIRMAN BROMLEY: Yes, please let Lauren
3 know.

4 So, there we are. We are to be back here
5 at three o'clock. I ask that you be quite punctual
6 both at three and 3:15, because 3:15 starts our public
7 comment period and we wouldn't want the public to
8 think that we don't run on time. We want the public
9 to think we do run on time. So please let's go to
10 work and be back in the next room for your break at
11 three and then we're ready to go at 3:15.

12 (A recess was taken until 3:15 p.m.)

13 CHAIRMAN BROMLEY: I think we are ready to
14 reconvene from our recess. This is the public comment
15 period. We have instructed people who wish to speak
16 that they would have five minutes. We have only four
17 speakers. So in an early show aggressive generosity
18 we've given them seven minutes each. And even so,
19 with four, you can see that unless things get entirely
20 out of hand, we're going to finish a bit early, finish
21 that is with the public comment period. And so when
22 that happens, and I think it might be around quarter
23 til four, four o'clock, something like that, depending
24 on how things go, I'll have some announcements to make
25 and then I think we might be finished for the day. I

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1 won't use the word adjourned because I don't believe
2 we adjourn until Thursday. I believe we go into
3 overnight recess or something. Is that right,
4 Charlie, because if we adjourn then we're in trouble.
5 We'd have to bang the gavel again.

6 So we have four individuals who signed up
7 to make public comments. And the first is Mr. Dan
8 Clark who's with Cry of the Water, and Stephanie Clark
9 will be part of this presentation. They have a video
10 they want to show us and we have an agreement that the
11 video will go for ten minutes; is that right, Dan, is
12 that our agreement, taking three minutes from
13 Stephanie Clark, but she's promised to finish off. So
14 I think we will within seven minutes for the two of
15 them should be just about right on schedule.

16 So our first individual making to wish
17 public comment is Dan Clark from Coral Springs and he
18 represents Cry of the Water.

19 MR. CLARK: Thank you. I'm going to show
20 some video here. This video is taken two counties
21 north of here, Ft. Lauderdale, Florida for a reference
22 for all of you from out of town.

23 The first portion of this video, if it
24 comes up and plays here I believe, this is taken in
25 2001. This reef still looks pretty much the same as

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1 this. We've been out in the fall and early winter and
2 went out and surveyed these reefs and they're pretty
3 much the same. As you can see, these are in a very
4 big way essential fish habitats. We have some really
5 remarkable corals here. Everything you see in this
6 video is going to be what was shot from beach dives.
7 All these huge corals and these great resources are
8 right off the beaches in Ft. Lauderdale.

9 Unfortunately, these reefs are currently
10 threatened by a proposed dredge and fill project up
11 there where they take and they dredge sand from
12 offshore pile pits and they pump that sand onto the
13 beaches to make the beaches wider.

14 We've seen past projects destroy many of
15 these same near shore reefs. What happens is the fill
16 material that the use, it's high in silt content.
17 I've got a bottle here. I took this bottle of sand of
18 a Boca beach which was done about a month ago. I'm
19 going to shake this bottle up. First I'm just going
20 to move it a little bit, move it around, and you'll
21 see the silt that gets re-suspended off the bottom
22 here, this is the problem with this fill material. It
23 has a lot of this silt content in it, and every wave
24 event this silt fills these near shore reefs out.

25 Now this area I'm showing you here has

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1 never seen a beach project and it's probably some of
2 the best near shore beach diveable coral reefs left
3 anywhere in the country. There's some really ancient
4 corals here. Some of these corals are decades " I'm
5 sorry, centuries old, some of these big ones. And
6 it's one of the only places left in the country where
7 you can take your snorkel and go off the beach and see
8 some of these things. Most of this is in twelve to
9 about eighteen or nineteen feet of water.

10 It's a pretty diverse area, as you can see
11 here. They're not all great big huge corals like
12 that, but then we have good coral cover and once again
13 you can see a lot of juvenile fish in here. It's
14 really important to our local marine fisheries, and
15 not just our local fishery in Broward County, but
16 fisheries all up and down the east coast, because like
17 this field of serva cornish (phonetic) you see here,
18 it's just a huge juvenile fish habitat and it's
19 important to even the pelagic species like the
20 sailfish and the marlin, and it's stuff the big guys
21 in their sport fishers chase because even though those
22 fish, we don't see them in these shallow reefs, the
23 stuff they eat, the grunts and all that kind of stuff,
24 grow up in these shallow reefs, and they supply food
25 for the whole food chain out there and the whole part

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1 of the ecosystem.

2 So if we lose these near shore habitats,
3 we're going to lose part of our fisheries. It's going
4 to have a cascading effect as well. And here in the
5 middle of all this serva cornish you still see some
6 nice mound corals.

7 These areas are being impacted two-fold.
8 One, by nutrients in the water. Let me get to that
9 here in a little bit. Here's some more of that serva
10 cornish though. The color's not real good here.
11 Maybe it's the projector. We've got a little bit
12 better color on the screen down here. But as you can
13 see, once again, this is in a big, big way a juvenile
14 fish habitat. It's crucial to marine fisheries. If
15 we lose these near shore habitats it's going to have a
16 cascading effect.

17 Now here in the Keys you have the bay side
18 and the grass flats and all that. We've lost most of
19 that up there to developments. These near shore reefs
20 kind of fill that glitch, and there will be some more
21 of that stuff coming up here in just a minute.

22 But these reefs are currently, like I
23 said, being impacted by nutrients. You've seen some
24 of that. This was taken back in September. This is a
25 local dive operator out there trying to save his

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1 livelihood. We're actually trying to pick the
2 bacteria off the reef there. All this red fuzzy stuff
3 looks like cotton candy. It doesn't belong there.
4 It's there from too many nutrients in the water.

5 Now this reef is getting a double whammy.
6 It's also near a sewer out-fall pipe. We pump
7 millions of gallons a day of treated affluent to sea
8 in Broward County. We need to better treat this
9 affluent. Here you can see even after pulling this
10 stuff off, we got a permit from the state to pull this
11 stuff off, but as you can see, the tissue is dead
12 underneath, so we kind of gave up on it. It really
13 wasn't doing a whole lot of good to go out and try to
14 harvest the stuff off the reef. We're able to save
15 some corals. But much of the stuff after the
16 sunlight's blocked out for a short period of time, the
17 tissue underneath was dead by the time we pulled it
18 off.

19 But the real solution is to clean up the
20 out-falls and what's coming out of these out-fall
21 pipes. It's only secondary treated. We need advance
22 water treatment.

23 Here you can see some serva cornish.
24 There's talk of putting this on the endangered species
25 list, and here you see the serva cornish being

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1 smothered by that same bacteria.

2 Now years ago this used to be just around
3 the actual sewer out-falls, but it's migrating further
4 and further, now it goes miles up and down the reef.
5 And if we don't address this and make this job one,
6 we're not going to have a whole lot to make an MPA out
7 of up there and save.

8 As you've seen earlier, some of those
9 really nice corals, I mean that should be the number
10 one MPA priority in this country. It's some of the
11 best stuff left anywhere.

12 Here, this really surprised us. This is a
13 pillar coral with that same bacteria growing upon it.

14 We were really surprised because we figured the
15 pillar coral with its tentacles usually extended, we
16 figured it could sluff this stuff off. But in this
17 case, as you can see here, even the pillar corals
18 aren't immune to this stuff. Once the nutrient level
19 gets so high it just grows on them and smothers them.

20 In fact, most of that pillar was killed afterward.
21 Steven was back there. This first portion of the
22 video is compliments of Vone Research and he went back
23 there and most of that pillar coral was destroyed
24 after that video was taken.

25 Here again, you see a big eel in the

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1 middle of all of this stuff. Again, none of this red
2 stuff belongs there. It makes good cover for the eel
3 when he wants to stick his head in and hide, but it
4 doesn't do anything for the gargonians and things
5 living around them. They're being smothered and
6 killed.

7 We probably walked about a third of this
8 particular reef this past summer into the fall, the
9 nutrients and the algae growing over things. The
10 problem now is they proposed to go and dredge next to
11 this " this is right between the two borrow sites for
12 the proposed beach projects. And when they dredge,
13 this is what it does to the water, okay, and all the
14 water will stay milky until tomorrow sometime and then
15 that layer of silt will be back on the top. This is
16 the big problem with the dredging.

17 Okay, besides the area that have the
18 really great corals and all that, we also have things
19 that are going to be buried by these dredge projects.
20 They're going to bury " they were going to bury
21 initially thirty-eight acres. Got them down to about
22 thirteen that they admit to. The scientist tells us
23 it's going to be more than that. And these areas are
24 essential fish habitats. In the case of the red
25 grouper like these, they'll stay there for about the

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1 first three or four years of their life before moving
2 out. You see him laying on his side up under a hole.

3 These areas are highly leafed, but in the case of the
4 red grouper they'll use them for about three or four
5 years.

6 Also juvenile fish habitat in a very, very
7 big was, juvenile french angel, and a lot of these
8 holes and crevices are where these juvenile fish are
9 growing up. Here's another red grouper.

10 Almost every dive we do in these near
11 short habitats, we'll see multiple reds there. This
12 one's actually got a hole excavated. You see the sand
13 in the foreground. He's actually got a hole excavated
14 up under the rock that he's going to use and go and
15 hide in here in a second. And once again, not a lot
16 of highly leaf, but very crucial and important part of
17 the ecosystem and the food chain up there.

18 Also, here it's hard to see in this video,
19 but there's a lot of little tiny fish. They're almost
20 transparent. You can barely see them. But again,
21 this is essential fish habitat. We don't have the
22 flats and stuff like you have here in the Keys, so it
23 fills that niche. Here's one of the small corals
24 growing in these hard bottoms that will be buried.
25 Again, not a highly leaf, not a huge coral, but there

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1 are corals there. And we see also see some bigger
2 critters that come in and visit these near shore hard
3 bottoms as well.

4 Again, the creature you would typically
5 see here in the Keys in the bay side or in the flat
6 side here, and they're using these near short hard
7 bottoms instead because it kind of fills that niche.

8 Also, green sea turtles. Almost every
9 dive we do off of Ft. Lauderdale area, they're going
10 to bury these areas too, are forging grounds for
11 adolescent greens. Sometimes we see more than one at
12 a time here. There was a ship grounding there last
13 week, a 550 some foot freighter blew in under the reef
14 there and there were so many turtles there that the
15 ship actually flattened a turtle when it blew in under
16 the reef. So that will give you an idea of the turtle
17 population. The odds of that happening have got to be
18 pretty long, I would think, for a ship to blow up on
19 the reef and actually kill a turtle, flatten a turtle
20 like that.

21 The turtles that have been tagged here
22 have been found nesting back in Costa Rica. We
23 weren't aware that they go that far, but they actually
24 go back that far, they migrate that far and nest.
25 They spend their adolescent years here in these flats

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1 and near short hard bottoms and they actually migrate
2 I guess back to wherever they had come from. I'm not
3 quite sure how that works. There's probably some
4 turtle people in the room that could tell you more
5 about that.

6 We actually have an agreement with the
7 Costa Rican Government. They objected to these areas
8 being buried because we have an international
9 agreement that says that they'll protect turtle
10 habitat. We have filed a grievance with the task
11 force about burying these areas.

12 Also, another areas that's going to be
13 buried, this is John Lloyd Park. There's a large
14 population of conch there. If they do bury this area
15 we'd like to have people in the Keys come up and look
16 and perhaps come and take some of these conch. They
17 could add to their gene pool here in the Keys. We did
18 a single dive here. They're hard to see when they're
19 covered with algae like this. But we did a single
20 dive in this location and counted fifty in a single
21 dive. And we've been up there just in the past few
22 weeks near shore and seen little three, four inch long
23 conchs up by the beach. So it is a breeding
24 population there and we hope that if this area does
25 become buried that somebody will come along and maybe

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1 scoop some of these up and try to save them, bring
2 them down here, add to your gene pool or something
3 here in the Keys.

4 Once again, this is another issue that
5 wasn't put in the EIS or any of those things. Again,
6 not highly leaf here but you can see how it holds a
7 lot of juvenile fish. Right here in the middle of the
8 screen, here's another one of those red groupers.
9 He's got his cammy's on. You can't see him until he
10 moves. He's going to take his camouflage off here in
11 a minute. This is pretty cool. Watch, he'll change.

12 There he goes. And once again, these near shore
13 habitats are in a very, very big way a red grouper
14 habitat, and important to a lot of other species as
15 well. We're as much concerned about the burial of
16 these areas as we are to the secondary impact from
17 silt, sediment and turbidity to the reefs that lie
18 just beyond them.

19 Like I showed you this bottle, you see it
20 still ain't cleared up here. It's all still all white
21 and milky. And once this happens, these reefs are
22 already stressed from the nutrients and such. Here's
23 a coral " this coral is bigger than any vehicle you
24 drove in here today in, okay. This is centuries old.

25 And this is really one of the redwoods of the sea, if

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1 you will, and this area should get the utmost
2 importance as far as MPA. This should be on your
3 radar screens. If we're not protecting this area,
4 what are we doing here? I mean seriously, there is no
5 protection for this area right now. There's no
6 management in place for these reefs, okay.

7 I challenge you to go out here in the
8 sanctuary tomorrow and find anything that looks like
9 this. There may be a few but I don't know if you'll
10 see any tomorrow. There is stuff in the Tortugas that
11 looks like this, but once again, this area deserves
12 protection and we hope that it will be on your radar
13 screens and you'll do what you can. Okay.

14 I'm going to get out of here and leave.
15 Stephanie will just let this play. And the rest of
16 this, just kind of look and see the coral cover here.
17 These aren't monster coral heads, but once again,
18 there's lots of it.

19 MS. CLARK: Can talk up here?

20 CHAIRMAN BROMLEY: Thank you. Sure. Now
21 this is Stephanie Clark.

22 MS. CLARK: Thank you very much for giving
23 us the time.

24 We're going to submit the video and a
25 petition asking for the protection of our reefs in

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1 Broward County to the official record. I sat in on
2 the stewardship and MPA effectiveness Group Number Two
3 in there for the afternoon, part of the afternoon, and
4 I wanted to make a couple of comments.

5 One of them is that NOAA was part of a
6 socioeconomic study of the reef that was done for
7 Broward County and the four southern counties, Palm
8 Beach, Broward, Miami-Dade and Monroe, and Broward
9 County generated 2.1 billion, the reefs generated,
10 which was more than Monroe, the Keys, West Palm Beach
11 or Miami. So I just wanted to put in that we do have
12 socioeconomic study of the reef that was done by NOAA.

13 And also, part of that study took a poll
14 of users and the majority of the people they polled
15 also said that they would support an MPA in Broward
16 County.

17 The other things I had to say about the
18 meeting this afternoon was I wanted to thank you about
19 talking about public comments and how early and often
20 engagement of stakeholders and the importance of
21 engaging the stakeholders in these meetings. And they
22 also talked about managed marine areas and how "
23 basically I was just really happy to see that you
24 wanted to engage us and have our comments and use our
25 comments. That was one of the things, not to just

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1 listen to us and " but to actually take them and
2 incorporate comments into what you were doing.

3 We have a local action strategies formed
4 for the area, West Palm Beach, Miami-Dade and Broward
5 from the U.S. Coral Reef Task Force, and we could use
6 a little more of that early and often engagement in
7 the meetings, not just meetings where we go and speak,
8 but actually engaging us in the process of putting
9 everything together.

10 Thank you.

11 CHAIRMAN BROMLEY: Wonderful. Thank you
12 very much, both of you.

13 Okay, wonderful, thank you. Don't forget
14 your sediment, ma'am. That has great value.
15 Wonderful.

16 Okay, our next speaker " yes, Tim?

17 MR. THOMPSON: Could we ask any questions?

18 CHAIRMAN BROMLEY: I think so. Yes, I know
19 so. We're legally allowed, yes. So please, do.

20 MR. THOMPSON: How far off shore does this
21 reef go?

22 MR. CLARK: There's actually three reef
23 structures in Broward County. Everything I showed you
24 was on the twenty foot or less reef. The outside edge
25 of the twenty foot reef, it varies. In places it's

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1 probably I'd say anywhere from 1100 to 1500 feet from
2 the shore. But you actually encounter the near shore
3 edge of the hard bottoms in places about 400 to 450
4 feet from the beach. And then you'll start on the
5 flat hard bottom and then you'll come to kind of like
6 a little rise, and most of all those big corals you
7 see around that rise, that real high coral cover is
8 the outside ledge of those ridges, which is probably
9 about anywhere from 1100 to 1500 feet.

10 MR. THOMPSON: The second question I had
11 is, has there been any water testing down to show what
12 the nutrient level is in those areas that have that
13 bacteria growing on the coral?

14 MR. CLARK: No. In fact, we're trying to
15 get some grant money right now to go out and do some
16 real time instrumentation stuff from a boat, using the
17 same kind of instruments actually used in the water
18 treatment industry. We can drop probes over the side
19 and get some real time numbers.

20 The EPA was there. They brought the
21 Anderson in the fall. They were there right after
22 that video was taken in fact, the following week or
23 two. They did bring the Anderson and I gave them the
24 marks for those reefs, and they did go dive those out-
25 falls and the reefs around them, but they've been

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1 pretty tight lipped about what's going on there. They
2 haven't given any report. So if you've got some
3 connections with the EPA you can get more answers than
4 I've gotten. They have elevated on the beach project
5 though. Because one of the problems we saw with the
6 beach project was, they weren't looking at the current
7 condition of those reefs when they want to start
8 adding the silt and sediment and all those things to
9 them.

10 MR. THOMPSON: One other question. How far
11 from the out-fall do you see the bacteria growing?

12 MR. CLARK: Further and further all the
13 time. Also there's beginning to be places where
14 there's non-point sources. What we think is that it's
15 possibly percolating up from the deep well injection
16 process. They put just about equal amounts a day of
17 treated affluent into the ground, as what they pump to
18 sea, and there's places " one of the places we call the
19 caves where the sharks sleep on the bottom, you see
20 sharks laying there over the years, and we thought
21 water had come out of these caves over the years. And
22 also the old time fishermen talk about there used to
23 be a fresh water boil there, or some of the old
24 timers. And we think now this summer, that became
25 covered with the same bacteria. So we're thinking

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1 that maybe some of this stuff is percolating up,
2 that's in the thirty foot reef, the next ridge out.
3 And possibly non-point sources are showing up because
4 we've got places where there's other concentrations of
5 it that we can't put our finger on, we can't find,
6 there's no out-fall pipe, there's no inlet per se.

7 CHAIRMAN BROMLEY: Thank you. Yes, Rod?

8 DR. FUJITA: Just one comment. Thanks for
9 that, it was great.

10 I believe there was tracer studies that
11 have been done here in Monroe County that show a
12 linkage between septic tanks, et cetera, it's on land,
13 and submarine discharge in the near shore reefs,
14 because of the carbonate geology of the Keys. I don't
15 know what the geology is in Broward County, but that
16 might be a factor, not just the deep well injection,
17 but all the stuff that goes into the sediment.

18 MR. CLARK: The old part of Florida does
19 have some septic as well, and that's a possibility as
20 well, it might be percolating up from those.

21 DR. FUJITA: Right. My other question is,
22 I think you mentioned that some or all of the habitat
23 you're talking about is essential fish habitat. Did
24 you mean that as the official designation under the
25 Fishery Management Council?

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1 MR. CLARK: Yes. Actually, under Fish and
2 Management " official " everything now is official "
3 Fish and Management, this is essential habitat of
4 particular concern as designated by the Management
5 Council.

6 DR. FUJITA: So since it's an AKPC, have
7 you initiated formal consultations with the Army Corps
8 and EPA about these external threats?

9 MR. CLARK: Well, if you call filing " yes,
10 I have " we have tried to work with the Corps.
11 Basically, the Corps said that their agenda is to do
12 this beach project. The beach project that's proposed
13 is twelve miles of our coast and that's been their
14 number one priority. And we haven't got a whole lot
15 of satisfaction out of them. I sent a letter to
16 Colonel Carpenter showing him some of this video and
17 the pictures and all that, and basically he sent us
18 something back saying that it didn't have " that they
19 really weren't interested, that the project was going
20 to go forward. And it was at that point that we filed
21 a grievance with the U.S. Coral Reef Task Force and
22 we're hoping for some sort of mediation. If we don't
23 get that, the next correspondence with the Corps will
24 probably be litigation over what's going on up there.

25 DR. FUJITA: I heard the thing about the

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1 Task Force, but the body with jurisdiction over ESH is
2 the Regional Council and Commerce because it's a part
3 of the Magnussen-Stevens Act, that's the statute under
4 which its actionable, I think. If the consultation
5 process doesn't proceed in a way that's acceptable to
6 you, then that's where legal action could occur.

7 MR. CLARK: I would follow that "

8 DR. FUJITA: Under Magnussen-Stevens,
9 because the ESH is a mandate under that Act which
10 governs the Regional Fish and Management Counsel and
11 NOAA.

12 MR. CLARK: We thought NEPH (phonetic) was
13 going to elevate on this. In fact, they did or
14 threatened to, and then there was some political
15 maneuvering that went on and that objection was
16 dropped awhile back.

17 DR. FUJITA: All right, thank you.

18 CHAIRMAN BROMLEY: Good, are there other
19 questions?

20 If not, our third speaker is Cheri Recchia
21 from the Ocean Conservancy.

22 MS. RECCHIA: Thank you, Mr. Chairman, and
23 thank you to the Committee for the opportunity to
24 speak. It's nice to see you all here today. I think
25 that this, at least from my personal perspective, is

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1 somewhat more salubrious surroundings than San Mateo,
2 with no offense to my California colleagues.

3 I am Cheri Recchia, Director of the
4 Ecosystem Protection Program at the Ocean Conservancy,
5 for those of you who don't know me, and a colleague
6 from our Key West office, Nancy Klingener, will speak
7 later. So I will try to keep my comments quite brief.

8 I have one process comment based on
9 sitting in on the deliberations of Subcommittee Number
10 One earlier today. And the subcommittee during one of
11 their sessions was discussing a draft document which
12 was not distributed to the audience and the rationale
13 given for this was that this document was a work in
14 progress and was evolving very quickly and was
15 obsolete almost the moment it was handed out and so
16 forth. And I think there are also some
17 confidentiality concerns which I respect and
18 appreciate.

19 However, I'm wondering if there can be
20 some other approach that is reached, because obviously
21 if subcommittee members are discussing Line 73 and
22 Line 17 and so forth, not only is the audience
23 completely incapable of following the discussion,
24 having any sense of what the subcommittee is
25 discussing, we also can't provide informed in-put, and

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1 I think that could be useful to the Committee and the
2 subcommittees in their deliberations. So I'm hoping
3 there may be some alternative to that and I'm sure
4 Committee members who have experience with other kinds
5 of committees might have some other approaches that
6 are valid.

7 The other thing is I noticed that tomorrow
8 you're having a briefing on inter-agency coordination
9 for the Florida Keys Sanctuary. I think that's
10 terrific. I think there are some other things going
11 on right now in the U.S. that might be useful for the
12 Committee to consider as it moves forward in its
13 deliberations.

14 One that I would point you to is some of
15 the crime to date going on around the northwestern
16 Hawaiian Islands where there is a proposed national
17 sanctuary moving forward. And one of the really
18 interesting things that's happening there that is new
19 in the history of the sanctuaries is consideration of
20 an explicit goal and in protecting the natural
21 character of those ecosystems. And one of the reasons
22 that's so exciting is because protecting natural
23 character, it basically excludes the possibility of
24 conventional fisheries management which seeks
25 deliberately to reduce target fish populations to

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1 maximize productivity.

2 I think both kinds of goals are
3 legitimate, and we need both areas, but this is one of
4 the first times in a substantial area and certainly in
5 a national sanctuary context where there's explicit
6 consideration of setting a place aside to protect
7 national character and allowing uses that are
8 consistent with that but not going with the sort of
9 same old, same old approach that we considered
10 everywhere else.

11 We're not saying that's what should be
12 done everywhere. The northwestern Hawaiian Islands is
13 a very special and specific case. But I would just
14 highlight that for the Committee as you continue to
15 move forward considering a wide range of MPA options,
16 goals, opportunities, and therefore levels and types
17 of management.

18 And I will stop there.

19 CHAIRMAN BROMLEY: Thank you very much.
20 Are there questions for Ms. Recchia?

21 Yes, Rod?

22 DR. FUJITA: Thank you, that was very
23 interesting. I hadn't heard that.

24 My first question is, what was the status
25 of that objective? Is it being headed by the Reserve

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1 Operations Council or the Sanctuary Program or what?

2 MS. RECCHIA: Yes. The objective initially
3 comes from the Executive Orders that establish the
4 Coral Reef Ecosystem Reserve and has been adopted in
5 the Reserve Operations Plan. The final Reserve
6 Operations Plan has recently been made public and it's
7 available for public comment up until I believe May
8 15th.

9 The Reserve Advisory Council has
10 wholeheartedly embraced this goal and in fact has
11 implemented it in a draft mission statement for the
12 sanctuary which has been approved by the full Reserve
13 Advisory Council and forwarded on to the Sanctuary
14 Program for their consideration.

15 So they are not only happy with that, they
16 are seeing " implementing that, delivering that level
17 of protection, in part through an approach that is, if
18 you like, closed and less open. In other words,
19 taking the approach that activities that are not
20 specifically allowed are prohibited, which is the flip
21 of the usual approach, was that everything's okay
22 until it's specifically ruled out.

23 So the Reserve Advisory Council is very
24 strongly behind this goal.

25 DR. FUJITA: And the second question,

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1 Cheri, is what basic justification or rationale for
2 that kind of a goal? Is it to help protect the base-
3 line, the ecological base-line? Is it for future
4 generations legacy? Did whoever developed this goal
5 provide the justification or rationale?

6 MS. RECCHIA: I think, as I recall the
7 language in the Executive Orders, and I actually have
8 the final Reserve Operation Plan, a copy of it with
9 me, which includes the two Executive Orders that
10 together establish the Ecosystem Reserve, so I could
11 look it up for you specifically. But it talks about
12 the importance of the areas from a sort of heritage or
13 legacy perspective and also recognizes that the
14 northwestern Hawaiian Islands is one of the last, if
15 not the last, intact apex predator dominated
16 ecosystems in the U.S.

17 So as I would interpret the overall
18 objective of the Executive Orders, this place is
19 really special and it's not messed up yet, so let's
20 stop it from being messed up for culture reasons,
21 scientific reasons, and legacy reasons.

22 DR. FUJITA: Thanks.

23 CHAIRMAN BROMLEY: Yes, Wally?

24 DR. PEREYRA: Thank you very much. A
25 question I had is, how are they dealing with the

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1 recreational fisheries with regards to this Ecosystem
2 Reserve?

3 MS. RECCHIA: I think they haven't decided
4 yet. The intent of the Executive Orders is that
5 recreational fishing, and indeed I think all fishing,
6 be capped at levels approximating what was occurring
7 at the time or in the years preceding the
8 implementation of the Executive Orders, which the
9 first Order was issued in December of 2000 and the
10 second in January of 2001. And the Secretary is to
11 make a determination on what constitutes capping. And
12 the first area of focus is on the commercial bottom
13 fishery which comprises approximately nine active
14 boats at the moment.

15 So I believe there will be a Federal
16 Register notice forthcoming sometime relatively soon
17 on determining the caps for the commercial fishing
18 industry. I think people haven't yet wrestled with
19 the recreational fishing industry and how to really
20 manage that at this point. And of course, there's
21 been a change in the situation with the closure of the
22 recreational fishing activity of the Midway Island,
23 which at this moment is not proceeding.

24 CHAIRMAN BROMLEY: Yes, Mark?

25 DR. HIXON: As Chair of Subcommittee One,

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1 I just wanted to make it clear that in restricting the
2 distribution of documents, my intent is to " one is to
3 make the context of our discussion clear to the
4 audience and clearly, I haven't done a very good job
5 of that. So I'd like to assure you that I will
6 redouble my efforts to make sure that what we're
7 talking about is fairly obvious.

8 MS. RECCHIA: That's great, and I
9 appreciate there are sensitivities, so I recognize
10 that.

11 CHAIRMAN BROMLEY: Yes.

12 MS. (SPEAKER): I would just suggest that
13 perhaps at future meetings we can pass things out and
14 ask that they be returned at the end.

15 CHAIRMAN BROMLEY: Thank you. Other
16 questions, comments?

17 Thank you very much, Ms. Recchia.

18 Our last registered commentor is Nancy
19 Klingener. I guess the local representative of the
20 Ocean Conservancy; is that right? Is Key West local?

21 (Laughter.)

22 MS. KLINGENER: My name is Nancy Klingener.
23 I'm the Florida Keys Program Manager for the Ocean
24 Conservancy and I'd like to welcome you here to the
25 beautiful Florida Keys and thank you for coming down

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1 here to see firsthand that you can establish marine
2 reserves in the United States and live through it.
3 And I think the Florida Keys National Marine Sanctuary
4 specifically, superintendent Billy Causey, and the
5 State of Florida, deserve enormous credit for
6 persevering and for doing the right thing in the Keys.

7 Tomorrow I believe you have a social mixer
8 with the Sanctuary Advisory Council. I serve on the
9 Sanctuary Advisory Council. I will not be able to be
10 here tomorrow because the Monroe County Marine and
11 Port Advisory Council scheduled a meeting for the same
12 time and I'm a member of that as well. That's where
13 I'll be, but I hope you really learn a lot from our
14 colleagues. The Sanctuary Advisory Council is a
15 really interesting, diverse group of folks and we all
16 get together every other month and talk about what's
17 going on in the Keys ecosystem. It was through
18 working with that process that we did establish
19 reserves here in the Keys, and especially the Tortugas
20 Ecological Reserve. I hope you've learned about that
21 process and that you'll learn some more over the next
22 couple of days, because I think that's just a
23 fantastic example of how stakeholders, scientists and
24 just the general public can really work together to
25 work in favor of our marine areas.

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1 I also wanted to mention in advance of
2 tomorrow afternoon, I think you're getting a panel on
3 some efforts going on here in South Florida.
4 Specifically my concern is about the current
5 Management Plan Reviews for Biscayne National Park.
6 Biscayne is adjacent to the Florida Keys National
7 Marine Sanctuary and in fact a working group formed
8 under the Sanctuary Advisory Council is currently
9 examining the Fishery Management Plan and the Ocean
10 Conservancy has a representative on that working
11 group.

12 We're somewhat concerned that marine
13 reserves are not even on the table in that process
14 right now, and one of the reasons we're very concerned
15 about that is because in 2001 the National Park
16 Service issued a report from their National Park
17 System Advisory Board titled "Rethinking the National
18 Parks for the 21st Century." And this report in some
19 ways really anticipated what we heard from the PEW
20 Commission last year and I think what we might expect
21 to hear very soon from the U.S. Commission on Ocean
22 Policy and I'll just read you some very brief
23 excerpts.

24 "If human stewardship has been lax on land
25 it's been even worse in the sea. A separate

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1 environment lies beneath the water off our shores, but
2 we know little of it and seem to care less because it
3 cannot readily be seen."

4 Later it goes on to say, "To insure the
5 long-term survival and health of our marine systems we
6 must create a strategically designed system of no-take
7 marine reserves covering a broad range of
8 representative marine habitats, especially those
9 important to spawning. The Park Service is one of the
10 Federal Agencies focused on conserving wild life for
11 future generations should play a leadership role in
12 developing and implementing such a system."

13 And I think if you look into what's going
14 on at Biscayne, you'll see that the science is there,
15 the socioeconomic research is under way, and that
16 there's a really good case for at least considering
17 them, which is really what we're asking for.

18 So I'd just like you to keep that in mind
19 tomorrow when you're hearing about the current efforts
20 under way in South Florida.

21 CHAIRMAN BROMLEY: Thank you very much.
22 All of you were very punctual.

23 Yes?

24 MR. CLARK: Somebody asked me how far off
25 shore those reefs stopped. I was talking about the

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1 first reef. I didn't want to give you misconception
2 that 1500 feet off shore there's no more reefs in
3 Broward County. There's a different depth reef
4 structure. There's a mid reef and deep reef, and the
5 deep reef actually goes out to just about a mile off
6 shore.

7 CHAIRMAN BROMLEY: Thanks for doing that.

8 Other questions for Ms. Klingener? Yes,
9 Rod?

10 DR. FUJITA: Yes, I have one, Nancy,
11 thanks.

12 I'm wondering as someone who's lived
13 through the marine reserve designation process here in
14 the Keys " I left during the height of accomplishment.
15 I don't know what happened later. When I left
16 everybody kind of hated each other. Have things
17 changed? Have attitudes "

18 MS. KLINGENER: Yes. I haven't seen any
19 effigies of NOAA along the highway lately.

20 (Laughter.)

21 MS. KLINGENER: Things have definitely
22 improved. Yeah, absolutely. And I think Tortugas is
23 actually an excellent example where things as you
24 experienced really sort of came to a head in the mid
25 `90's and NOAA said, "Wait a minute, you know, this is

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1 not working. Let's go back to the beginning. Let's
2 make sure we have the science. Let's make sure all
3 the stakeholders are involved. Let's really do this
4 right."

5 And I think the unanimous approvals you
6 saw for Tortugas pretty much all the way up the line
7 demonstrate that.

8 CHAIRMAN BROMLEY: Good. Other questions?

9 Yes, Bonnie?

10 DR. McCAY: Again Nancy, thank you for the
11 presentation, and maybe thank you for leading me to
12 this question.

13 Why are marine reserves not on the agenda
14 for Biscayne?

15 MS. KLINGENER: I think that's a question
16 you should probably direct towards the Park Service.

17 CHAIRMAN BROMLEY: Okay. Oh, yes, Dan
18 Suman.

19 DR. SUMAN: I'm on that Committee and I
20 think it's an interesting case, a test case to a
21 certain extent, between " well, for the Department of
22 the Interior and the National Park Service and
23 Fisheries Management, because of course it seems like
24 the main experience with Marine Protected Areas and
25 fishery management has been through NOAA and the

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1 Department of Commerce.

2 But here we have an Interior led attempt
3 to manage fisheries. With Biscayne National Park,
4 through legislation, there is joint management over at
5 fisheries between the Florida Fish and Wild Life
6 Conservation Commission and the Department of
7 Interior. And there also is an MOU between the Fish
8 and Wild Life Conservation Commission and the
9 Department of the Interior which would consider " which
10 suggests that marine reserves would be considered as a
11 fishery management tool of last resort.

12 So the story remains to be seen what will
13 happen there. Of course the Fishery Management Plan
14 is only one part of the general management plan and
15 it's possible that some other type of closed area
16 could be used, it could approximate a marine reserve,
17 but not specifically for fishing. It might be for
18 protecting reefs for divers, or separating uses.

19 CHAIRMAN BROMLEY: Yes, Michael?

20 MR. NUSSMAN: I had a question on the
21 question. Would you " I heard the marine reserves were
22 the last resort, but clarify for me, if you would,
23 from whose perspective was that coming?

24 DR. SUMAN: I believe that it's an MOU
25 between the State and the Department of Interior. I

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1 believe.

2 CHAIRMAN BROMLEY: Yes? Identify yourself,
3 please.

4 MR. CRABTREE: I'm Roy Crabtree. The MOU
5 is between the Florida Fish and Wild Life Commission
6 and the Department of Interior. And in Biscayne
7 National Park it was conveyed to the park service in a
8 couple of pieces, and some of the conveyances, State
9 of Florida retained all of the fishing rights, and
10 then in other conveyances the Secretary of Interior
11 had rights to put in fishery regulations in
12 consultation with the State of Florida. And when the
13 MOU with the State of Florida was put in place and it
14 was discussed at the Florida Commission, it was agreed
15 that in the portions of the park that were subject to
16 the MOU and where Florida retained fishing rights that
17 as she said, that no fishing zones essentially would
18 be a method of last resort. But there is a center
19 portion of the park where the Secretary of Interior
20 would have jurisdiction and consultation. They put
21 fishing regulations in place.

22 CHAIRMAN BROMLEY: Thank you. Could I ask
23 a clarifying question about what last resort means?

24 MR. CRABTREE: I'm the say guy who wants to
25 know what culture is.

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1 CHAIRMAN BROMLEY: We've heard it from two
2 witnesses, that's enough. Last resort, would that
3 mean, Dan, do you think it means, and maybe others
4 know the answer to this, it means that when the fish
5 have disappeared or are on the cusp of disappearing or
6 when the best science suggests that we're on a
7 trajectory that will deliver bad outcomes if we don't
8 do something soon. What is last resort; do you know?

9 MR. BOWMAN: I would just suggest that the
10 Superintendent will be here tomorrow as part of the
11 panel and should be able to answer that.

12 CHAIRMAN BROMLEY: Good. Michael?

13 MR. NUSSMAN: I was going to answer it, but
14 I'll actually leave it to someone who knows.

15 (Laughter.)

16 CHAIRMAN BROMLEY: Now there's a precedent
17 worth following. That's a wonderful thing, Michael.
18 Can you imagine that?

19 Okay. Other questions? If not, I guess I
20 can declare the public comment period over.

21 We do have some business as a Committee,
22 not much. May we go ahead and do that, Joe? Is that
23 your understanding?

24 MR. URAVITCH: Yes.

25 CHAIRMAN BROMLEY: They're basically some

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1 announcements; that is, that those of you who have
2 spouses with you, they are welcome at our dinner
3 tonight, the Committee dinner. The trip tomorrow for
4 the members of the Committee will be " it says here
5 will be a snorkeling one and you should dress
6 accordingly. And if you have a spouse, he or she
7 should do likewise. Are snorkels provided? Yes.

8 And spouses are also welcome " oh, I guess
9 I've done that. It's all about spouses here, the
10 Committee dinner, the boat trip tomorrow, snorkeling.

11 How am I doing? Have I gotten everything?

12 Oh, yes, those of you that are going to
13 snorkel, you need to let the Federal Government off
14 the hook and that means that there's a form you have.

15 MS. WENZEL: There's a form in your packet
16 and you have to sign it and leave it at the
17 registration table where you came in so we can make
18 sure that we have them all in hand before you set out.

19 CHAIRMAN BROMLEY: So that your children
20 may not sue the Government.

21 And then I have one more announcement and
22 that pertains to our discussion tomorrow morning. I
23 say this now because some of you are going to go back
24 into your subcommittees. The period between 10:15 and
25 11:15 tomorrow, there will be a chance for a sub-group

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1 of each of the three subcommittees to meet and to
2 discuss culture. And so I think we have two
3 volunteers from each of the three subcommittees that
4 will do that, so in a sense what we will have tomorrow
5 will be four break-out groups and maybe the small
6 group working on culture can meet up at this end of
7 this room, perhaps.

8 So that would be something that you might
9 want to think about this evening. I think two of you
10 plan to go back and meet for a little bit yet this
11 evening on stuff. So I want you to be aware that
12 that's in the offering for tomorrow morning.

13 Are there other things that need to be
14 raised?

15 Do I declare a recess? I declare a recess
16 until eight o'clock tomorrow morning.

17 (Whereupon, the meeting was in recess at
18 4:00 p.m. until 8:00 a.m., Wednesday, April 7, 2004.)

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