



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

**Charlotte Amalie, V.I. 00802
340-774-0001**

June 2, 2004

James D. Watkins
Chairman
U.S. Commission on Ocean Policy
1120 20th Street NW
Suite 200 North
Washington, DC 20036

Dear Mr. Watkins

Enclosed are our comments on the Preliminary Report of the U.S. Commission on Ocean Policy, as requested by you.

The Preliminary Report was reviewed and commented on by the Department of Planning and Natural Resources (DPNR).

If you have any questions or concerns, please feel free to contact Dean C. Plaskett, Esq. Commissioner of DPNR at (340) 774-3320.

Sincerely,

A handwritten signature in black ink that reads "Charles W. Turnbull".

Charles W. Turnbull
Governor

Comments on the Preliminary Report of the U.S. Commission on Ocean Policy are hereby provided. This document reflects the comments made by the Senior Staff of the Department of Planning and Natural Resources which have been categorized by chapter.

Introduction

Coastal Zone Management:

The guiding principles developed by the Ocean Commission are admirable and worthy for consideration for many programs. It is vitally important that federal and local governments keep the concepts of sustainability; individual and collective stewardship and awareness of coastal and ocean resources; strong scientific research with an emphasis on the interconnections between the atmosphere, land and waters; ecosystem-based management that takes into account multiple uses while preserving marine biodiversity; and having adaptive management measures that utilize the best available natural, social and economic science and information in mind when making decisions concerning our coastal and ocean resources.

The report recommends the creation of a National Ocean Council (NOC) and a nonfederal Presidential Council of Advisors on Ocean Policy (Council) within the President's Executive Office to provide better federal leadership and coordination of programs for the coasts and oceans. An Assistant to the President would chair the NOC; the Council would be co-chaired by the Assistant to the President and a nonfederal Council member. As described, these two bodies would provide or develop the following:

- Broad principles and national goals for governing the coastal and ocean waters and periodically reviewing and revising these goals.
- Make recommendations to the President on developing and implementing national ocean policy, including the implementation of international ocean agreements.
- Coordinate and integrate activities of federal agencies and provide incentives for meeting national goals.
- Develop strategies to identify and resolve overlapping or omitted statutory and regulatory structures, and address new and emerging ocean issues for national and regional benefits.
- Develop and support partnerships among governmental and nongovernmental agencies, the private sector academia and the public and guide the effective use and availability of science in ocean policy decision-making at all levels.
- Expand education and outreach efforts by all federal, local and coastal groups.
- Assist in the development of regional ocean councils composed of nonfederal governmental and nongovernmental stakeholders.
- Regularly assess the state of the nation's oceans and coasts.
- Make recommendations for federal agency reorganization, as needed, to improve ocean and coastal resource management.

There would be a number of offices and committees that would also be established to assist in the advancement of the various goals and objectives. These include the Office of Ocean Policy, the Committee on Ocean Science, Education, Technology, and Operations, Committee on Ocean Resource Management and a number of regional ocean councils (ROCs). The ROCs would be

very important as the report calls for the federal agencies with ocean or coastal-related responsibilities to improve their coordination and eventually to re-organize around the ROCs. The ROC would be composed of state, territorial, tribal, and local governments and non-government organizations. Based upon the ROC concept, federal agencies would work towards implementing an eco-system based approach to managing coastal and ocean resources. Scientific, social and economic information would be developed for each particular region and disseminated through a regional ocean information program that would be linked to the ROC, if one were developed for that region. The regional ocean information program would also be responsible for developing and periodically updating regional ecosystem assessments.

Care must be taken with the proposals so that a larger, more cumbersome federal bureaucracy with multiple, overlapping responsibilities is not created. Many of the proposals are extensions of what already exists, but there sometimes seems to be a misunderstanding of how things work in real life. Extreme care must be taken to ensure that all roles and responsibilities are well defined and that a top-down approach to managing coastal resources does not develop. The states and territories have long histories and much traditional knowledge that can be shared, but federal agencies must be prepared to listen and not assume that they know what is best or correct for certain conditions or situations. A much stronger role for state and territorial governments to participate in the creation of the new national strategy is needed, but not clearly spelled out. This should be clarified.

The following chapters begin discussing actual management recommendations and policies for various topics and levels of government. For ease of reference the comments are based on each chapter and, where appropriate, the particular recommendation made in the Preliminary Report.

Environmental Protection:

The US Commission on Ocean Policy *Preliminary Report* identifies a great many issues that DPNR and the territory face on a daily basis with managing our territorial seas. For the most part this *Preliminary Report* reflects the range of concerns and gravity of the precarious health of our territorial seas, the spectrum of both land and water use management issues, and adequately represents the urgency and energy necessary to improve our territorial and national waters.

Many of the issues identified as national problems are also territorial problems. This memo provides comments on the *Preliminary Report* and focuses on the issues managed by the Division of Environmental Protection and are primarily water quality related. Please contact Syed Syedalif if you have any questions.

Fish & Wildlife:

Draft Recommendations – A summary of recommendations is provided in the Executive Summary. In addition, many very specific recommendations are provided throughout the text of this report. Many of these recommendations are logical and appear to attempt to streamline the operations of the federal government and related agencies as they relates to ocean resources.

Our Oceans: A National Asset

Chapter 1: Recognizing Ocean Assets and Challenges

Fish & Wildlife:

Unfunded Mandates – Many of the draft recommendations in the Executive Summary and the text require additional funding. It is not clear where these funds will come from. Many sound good. The draft suggests that oil and gas royalties from offshore oil leases be used to fund their numerous recommendations. These were the funds that were previously proposed to support various fish and wildlife programs under the U.S. Fish and Wildlife Service's Federal Aid CARA Program, a much broader based program which would include purchase of lands for wildlife preservation, historical preservation, general environmental education, etc. This program apparently has been killed in Washington D.C. It sounds like funds were taken from the proposed CARA initiative to support this initiative. No new long-term funding sources are obvious.

Government Efficiency - There is discussion in the text about making government more efficient. Is the way to do that by creating another government agency whose mandate overlaps that of other existing federal agencies? There is discussion about making the various federal agencies that deal with the oceans more efficient. Are there significant inefficiencies now? Most relevant organizations were probably already under NOAA. Also, many of the problems of current agencies and organizations are related to being under-funded. If existing agencies were fully funded and fully staffed, they should be better able to fulfill their mandates.

Blueprint for Change: A New National Ocean Policy Framework

Chapter 4: Enhancing Ocean Leadership and Coordination

Environmental Protection:

Coordination

One problem area that affects many of the Divisions of the Department of Planning and Natural Resources, including the Division of Environmental Protection, is the issue of Federal agency regional office coordination. As national policy is set at the headquarters level, there is a great deal of coordination and collaboration between the federal environmental regulatory and research agencies such as NOAA, EPA, USCG, USGS, and USDA. There is also a great deal of coordination and collaboration of similar local programs within the territorial government. Where the greatest weakness of holistic national policy implementation exists in the US Virgin Islands is at the regional management level of the federal government. The US Virgin Islands is incorporated into the various national programs through the regional offices of NOAA, EPA, USCG, USGS, and USDA. Each of these offices has different geographical extents and are not similar between them. While regional offices may coordinate well with the territory individually, they have not been able to coordinate well with each other. This may be due to each of their differing geographic localities and management extents. Federal initiatives that originate at the headquarters are disseminated to the local level through regional offices that all have different geographical regional management structures that deal with the US Virgin Islands. These differing regional management structures often result in overlapping efforts that are rarely coordinated at the regional agencies before being brought to the territory.

One solution may be to create a federal environmental coordination office in the territory through which federal ocean-related programming could be channeled. This would eliminate the multiple and dispersed contact points throughout the federal government that the Department must now seek to implement federal programs locally.

Chapter 5: Advancing a Regional Approach

Fish & Wildlife:

Regional cooperation or subjugation – If additional federal agencies are created and additional federal funds become available, then states will be asked to participate in ocean management programs. However, these programs will be organized and directed by a national agency. They probably will not target the same priorities as that of a state. However, in order to receive funding, the state will have to change its priorities and follow the guidance from the federal government. Regional cooperation is the term used throughout this report. However, in fact, it may just be another form of state subjugation to federal requirements and priorities.

Enhanced regional cooperation – This is a nice concept, but many states and territories are extremely under budgeted or have had their budgets recently slashed. Without additional federal funds, states ability to cooperate will be limited. One problem is that federal funds always have strings attached and require a significant in-house capacity just to manage such grants. Also, most federal grants require state matching funds. Federal funds may become available, but if the state government can't make the match requirement, then the assistance is not real. Also, it may be politically correct to invite the public to participate in various meetings and workshops. However, these individuals give up time from work to assist. They should be supported and compensated at the same level as federal employees. Local agencies and businesses often do not have the luxury of being able to support staff and employees to go to federal meetings.

Links with other federal agencies – In Chapter 14, various existing federal agencies are mentioned that have roles in management of coastal areas. The draft suggests that the proposed Ocean Committee liaise or coordinate with these various agencies (Army Corps of Engineers, USEPA, Department of Agriculture, etc.). The new committee can make suggestions to these other agencies, but without top management commitment, these suggestions are just suggestions. They are not mandates. Also, many of these agencies are already under-funded. Rather than create additional bureaucracies, perhaps it would be more appropriate to fully fund existing agencies and allow them to do what they were mandated to do.

Coastal Zone Management:

The Government of the Virgin Islands has already begun collaborating with the other states and territories through the U.S. Coral Reef Task Force, the U.S. All-Islands Coral Reef Initiative Committee and the U.S. All-Islands Coastal Zone Program Managers group. Through these organizations, the Virgin Islands is given a stronger voice as the primary objective of these groups is to maintain each jurisdiction's priorities and unique values, while addressing issues of common concern. The Freely Associated States in the Western Pacific are welcomed to sit at the U.S. All-Islands Coral Reef Initiative and provide valuable insight and information, as well as implement ocean and coral reef management measures in coordination with the Department of

the Interior. Staff recommends that representatives from each jurisdiction in the region be allowed to sit on the regional ocean council.

Chapter 6: Coordinating Management in Federal Waters

Coastal Zone Management:

This chapter primarily discusses policies and procedures that could be adopted by the federal government to facilitate coordination with other federal agencies, research, assessment and the monitoring of new offshore activities. Again, the Preliminary Report recommends a coordinated ecosystem-based approach to managing all offshore federal waters.

The process as outlined in this section does not include any participation by any local populations or affected parties such as commercial or recreational fishers, charter boat fishers, commercial or recreational boaters, scientists, etc., unless a ROC or other **regional entity** solicits the public participation. As creation of, and participation in, a ROC is strictly voluntary, if there is no regional entity, there could very easily be very little or no public participation in the development of a marine protected area that is in federal waters. Provisions should be developed to insure public participation into the development and implementation of a marine protected area in federal waters, regardless of whether or not Regional Ocean Council or other regional entity exists.

Chapter 7: Strengthening the Federal Agency Structure

Fish & Wildlife:

Eco-system approach to management – This is proposed and may be a more practical approach to resource management than the species approach currently taken. It is currently a popular approach in fisheries as well as wildlife management.

Coastal Zone Management:

The Preliminary Report categorizes a long history of recommendations, reports and efforts by members of Congress to remove NOAA from the Department of Commerce and establish it as either a stand-alone agency similar to the Environmental Protection Agency, or as a component agency within a broad Department of Natural Resources. While any strengthening and clarification of NOAA's missions, structure and functions is greatly welcomed and strongly supported, it is the recommendation of staff that the Government of the V.I. strongly urge the establishment of NOAA as a stand-alone agency, or it be included in a wider federal governmental Department of Natural Resources as has been recommended on numerous occasions. This would allow for the easier implementation Recommendation 7-2, concerning NOAA's budget review process.

These are worthwhile recommendations that would greatly assist local governments in many ways. While there would be many offices within such a structure, it could allow for the development of uniform processes that would make it easier for local governments to locate, apply for, and manage grants. Under the current federal organization, it is difficult for local governments to efficiently determine all of the relevant grants that may be applicable for a particular project or program. Once the grants are located, the different application procedures and reporting requirements frequently require the hiring of one or more persons just to ensure

that one program meets all of the various grant requirements. Any reorganization of the federal government that could reduce the local government's burden in locating, applying for, and managing grants is a necessity and should be strongly supported.

Ocean Stewardship: The Importance of Education and Public Awareness

Chapter 8: Promoting Lifelong Ocean Education

Fish & Wildlife:

Education – Support for ocean education programs is recommended. Again, this costs money. Also, why set up another agency to deal with this? Why not just strengthen the existing Sea Grant Program? Sea Grant has a national organization in existence. Does it have to go through the proposed Oceans Commission to get funds? Rather than getting funding directly as now.

Ocean information – This should already be the function of NOAA. If not, then NOAA needs additional funding to collect and disseminate information on oceans related subjects. It would not be appropriate to create another federal agency to deal with this issue.

Education for an ocean-related career – There is discussion in the text about educating people for careers in ocean-related areas including science. However, little is mentioned about who will hire these newly trained people. Employment opportunities in fisheries and marine biology traditionally have been extremely limited. Training people with little prospects for future employment does not sound appropriate. There are many under-employed and non-marine job employed marine biologists.

Coastal Zone Management:

Staff strongly supports any the recommendations of this chapter that will lead to increased scientific, social, and economic research on coastal and ocean resources, increased funding of local education and outreach efforts, the establishment or expansion of educational opportunities, the development of educational materials, or the enhancement of underrepresented and underserved groups in the ocean-related workforce.

Living on the Edge: Economic Growth and Conservation along the Coast

Chapter 9: Managing Coasts and their Watersheds

Coastal Zone Management:

For island jurisdictions a watershed approach may be the best way to address some issues of resource management. Care should be taken not to lose sight of the ecosystem however, as there will be crossover effects from adjoining watersheds and neighboring islands. An ecosystem approach, with guidelines and training on how to implement such an approach, cannot be forgotten. Staff strongly supports the reauthorization of the CZMA with the proposed amendments, as long as sufficient support is provided for the hiring of new staff, the purchasing of necessary equipment, and the provision of suitable training.

Prior to any wholesale changes in federal funding and infrastructure programs, close study should be made to how this will affect the island jurisdictions. Islands have limited amounts of land and most islands have already developed the easily developed areas. Remaining areas that can be developed can frequently only be developed through the destruction of increasingly valuable natural resources such as salt ponds or mangrove forests. Other areas such as steep slopes, solid mountain rock, coastal flood plains, or high population densities, will require extensive engineering, costly construction practices, or other expenses to ameliorate the effects of the project on the local population. All changes to federal funding and infrastructure programs that will affect the island jurisdictions should be undertaken only after a careful analysis of the social, economic, and environmental impacts that will occur.

The Department of Planning and Natural Resources has long recognized the importance of addressing issues on a watershed approach. Initiatives have been undertaken to strengthen the collaboration and interaction among the various divisions (CZM, EP, DF&W) to ensure that water quality problems are addressed through a watershed focus. Closer alignment of federal agencies along these same principles will reduce the duplicate requirements DPNR faces for the location, application, and management of numerous grants that are spread through several federal agencies, thereby increasing governmental efficiency and the ability to procure additional funds.

Environmental Protection:

Watershed Based Management

TPDES permitting, TMDLs, non-point source pollution reduction strategies, and coastal water quality assessments are now being performed at the watershed scale throughout the territory. As a territory made up of islands linking watershed management to coastal management and water quality management is both essential and challenging. This effort is ongoing and significant accomplishments include the VI coastal water body delineation and the ongoing wetlands inventory.

DPNR is interested in aiding the establishment of and supporting watershed community organizations.

Chapter 10: Guarding People and Property against Natural Hazards

Coastal Zone Management:

Any changes to the National Flood Insurance Program or federal hazards-related financial and infrastructure support should only be undertaken after careful consideration and input from the island jurisdictions. Any changes to the relevant programs can have an out-sized impact on the social, economic or natural resources on an island jurisdiction, especially in comparison to a state where more land is available for relocation of people, projects and infrastructure. Second, current programs do not allow FEMA to provide financial support to address the environmental aspects of natural disasters. This can lead to an inadequate response to a natural disaster, longer community recovery time, impeded response times, and higher financial costs after future natural disasters. One suggestion would be for FEMA to assist states and territories to develop local action plans for responding to natural disaster impacts on both the man-made and the natural environments. The plans would assist FEMA's and the jurisdiction's response capabilities and priorities. Staff recommends these concerns be raised with the Ocean Commission for possible inclusion in the final report.

Chapter 11: Conserving and Restoring Coastal Habitat

Coastal Zone Management:

The development of these programs is greatly needed in the Virgin Islands. Not only could programs of this type be used to protect land, beaches, wetlands and other natural resources on the highly developed islands of St. Thomas and St. John, but could also be utilized on St. Croix to protect areas prior to them becoming threatened by inappropriate development.

Recommendation 21-2: Congress should codify and strengthen the U.S. Coral Reef Task Force (CRTF) and place it under the oversight of the NOC. (Numerous bullets)

Staff strongly supports this recommendation, especially the inclusion of the U.S. Department of Energy and the U.S. Army Corps of Engineers on the CRTF, with the following concern.

- One of the strengths of the CRTF is that it is co-chaired by Under Secretaries from NOAA and the Department of the Interior. Staff encourages that this level of commitment be maintained at the federal level as it has brought increased visibility to territorial concerns and increased coordination between the federal and local agencies. Examples of this increased coordination include the development of the St. Croix East End Marine Park and a federal law enforcement training program that will bring trainers from the U.S. Department of Justice, the U.S. Department of the Interior, the National Marine Fisheries Service, and possibly the U.S. EPA to collaboratively train staff from several divisions of the Department of Planning and Natural Resources.

The U.S. Agency of International Development prepared a report in March 2000 that addressed the international trade in corals and coral reef species. Based upon some of the findings and current scientific knowledge, staff suggests that procedures for coral cultivation through fragmentation and sperm/egg reproduction be made widely available to all countries, states and territories where coral is currently harvested. Workshops describing the processes could be developed and widely presented to aid in the dissemination of the information. Second, a program could be developed that is similar to the one that identifies tropical hardwoods that are cultivated or harvested in a sustainable manner. Business groups could create this program to ensure that corals and coral reef species are similarly cultivated and harvested in a sustainable manner.

Corals and their associated ecosystems are intricately linked to the land and its uses in the territory. Current research does not provide managers and other government decision makers information in a timely manner. Consequently there is an increased risk that problems or their solutions will not be identified until too much damage has been done and the coral reef ecosystem we rely on is irretrievably damaged. Staff strongly supports any increase in research and data acquisition that will allow more timely decisions to be made, with one note of caution. Deep-water corals are basically an unknown ecosystem due to difficulties and expense of conducting research. Demands for funds to study this “new frontier” of science could easily consume all increases in funding and other resources. Staff recommends that all questions concerning deep-water corals should be addressed in a manner that does not detract from current shallow-water coral programs.

Clear Waters Ahead: Coastal and Ocean Water Quality

Chapter 14: Addressing Coastal Water Pollution

Environmental Protection:

Point Source Discharge Regulations

The Territorial Pollutant Discharge Elimination System (TPDES) permit regulations mirror that of the National Pollutant Discharge Elimination System (NPDES) but with one key difference. TPDES applies to all waters of the Virgin Islands whose definition is far more encompassing than the federal Water Pollution Control Act's definition for waters of the United States to which NPDES permits are applied. TPDES regulations are planned for use as the primary tool to implement developing storm water regulations and decentralized wastewater treatment plant performance regulations. Once general permit authority is received permits will be managed on a watershed scale.

Sewage System Overflows

Sewage system overflows and failures are arguably the single largest source of nutrient loading and pathogenic contamination in the territory's coastal waters. The territory's aging wastewater infrastructure needs extensive refurbishment or replacement.

Septic Systems

DPNR through a Department-wide approach is eliminating the use of conventional septic systems throughout much of the territory. Alternative Onsite Disposal System regulations have been developed and decentralized wastewater treatment plant performance regulations are being drafted. These will be applied to all septic/wastewater-generating facilities throughout the territory that do not currently require a TPDES permit.

Nutrient Pollution Reduction

The territory needs additional support to perform nutrient assessments in coastal waters. Current techniques, though meeting federal guidelines, may not detect low-level nutrient pollution that is likely causing long-term detriment to coastal resources.

Non-Point Source Pollution Control

Nonpoint Source pollution, in the form of polluted runoff, impairs more water bodies than any other source of pollution in the Virgin Islands. Two of the major nonpoint source problems affecting the Virgin Islanders are sedimentation and bacterial contamination. Sedimentation occurs when soil is eroded from the land surface, such as at construction sites, and deposited onto the land surface or into coastal water bodies. Sedimentation results in problems such as habitat losses and marine life mortality. Bacterial contamination from sources such as failed septic systems; runoff from animal operations, and sewage discharged from boats can cause serious threats to human health

Special characteristics unique to the Virgin Islands such as, wet/humid tropical climate, steep slopes, short but heavy rainfall events, small insular watersheds, clayey impermeable soils, large coastline to land area ratio, proliferation of septic tanks, and large tracts of unpaved roads, etc. must be considered when addressing nonpoint source control.

Land Use Management

Urban development is the largest cause of nonpoint source pollution in the Virgin Islands. Because of the scarcity of flat land, especially on St. Thomas and St. John, development has taken place in areas that far exceed the typical environmental constraint of 15 percent slope. A more realistic cut-off point for development in the Territory would be areas with slopes in excess of 45 percent. Topography is therefore one of the most severe natural constraints to development in the Virgin Islands

Earth Change and Stormwater Permitting

All urban development in the second tier of the coastal zone begins with an earth change application process. Under the Nonpoint Source Program of the Division of Environmental Protection, Earth change plans are reviewed to determine if they meet the minimum standards required for the adequate protection and conservation of the soil and water, and for water disposal in and from the construction area.

The major flooding problems that occur in the Virgin Islands are due to increased runoff volumes associated with development and improper use and development of historic floodplains. The denuding/paving of a significant portion of urban areas has had an effect on the increased velocity and volume of storm water runoff. Rain falling in the upstream part of a basin reaches the downstream part in less than an hour; therefore flooding can occur after short periods of intense rain.

Presently, the Division of Environmental Protection is finalizing the rules to achieve consistency with Federal Storm Water Regulations and the revised VI Water Pollution Control Law.

Coastal Zone Management:

The Government of the Virgin Islands adopted effective building ordinances for septic systems in 2001. Due to the need to significantly upgrade the public sewage treatment systems in the Virgin Islands, staff strongly supports this measure. Many beaches have to be closed for various periods of time throughout the year. More stringent federal testing and monitoring requirements may require more beach closures. As the territory is dependent upon tourism for much of its revenue, as there is a culture of beach use by residents and as development along the V.I. shoreline is dependent upon coral reefs and seagrass beds for protection from storm-generated waves, staff strongly supports these recommendations.

The Department of Planning and Natural Resources has already begun aligning its programs to address the issue of on-site sewage disposal systems within impaired watersheds. It has also developed a Memorandum of Understanding with the Department of Agriculture to begin addressing nonpoint source pollution from agricultural lands. Staff supports any coordinating, strengthening and streamlining of all federal programs that address these issues.

The merging of successful programs should be approached carefully to ensure the goals and objectives of both programs are maintained. The merging of an enforcement program into a project-oriented program may not be appropriate, as the goals and objectives are not necessarily complementary. Staff does not support this particular recommendation.

The Department of Planning and Natural Resources has begun developing programs to address the issues addressed in this recommendation. The Department has already developed and begun implementing a model watershed management plan. The model plan has been used as a basis by which to apply for federal grants by the Department and other local nonprofit organizations. The Department has almost completed development of, and plans to implement, a Smart Growth education program. This program is focused on architects, engineers, homeowners and the general public. Departmental staff has been involved in a Nonpoint Education for Municipal Officials (NEMO) Program and expects to begin aggressively developing such a program in the Virgin Islands in the near future. These programs, once implemented will address many of the issues raised in the recommendations above. The Department has also moved to strengthen the rules and regulations concerning stormwater management. Several programs already require the use of best management practices, including developments and projects developed or inspected by the Divisions of Coastal Zone Management and Environmental Protection.

One question concerning water quality monitoring that should be addressed is whether current monitoring efforts and standards are actually to address the needs of the new system of ecosystem management. The present standards may be sufficient to detect pathogens or other toxins that can impair human health or safety. Under the new ecosystem approach to management, standards may have to be revised to address weaker members of the ecological chain if ecosystem health is to be maintained. A second concern involves the testing of sediments for toxins. Sediments are frequently re-suspended in the water column and attached heavy metals and other toxins have frequent opportunity to enter the food chain. The routine testing of sediments and the proper disposal of contaminated sediment should be addressed in a more comprehensive manner. Staff strongly supports any federal initiatives that will strengthen and improve the water quality of the Virgin Islands.

Chapter 15: Creating a National Water Quality Monitoring Network

Environmental Protection:

National Water Quality Monitoring Network

The US Virgin Islands has an extensive network of coastal water quality monitoring stations. The information gathered from these monitoring stations is used to perform individual water body assessments. The data collected is sent to EPA national water quality database (STORET) on a quarterly basis. DPNR continues to strive to improve this network of water quality stations by assuring that all territorial water bodies are assessed on a frequent basis and that they are assessed for pertinent parameters. That yields the most useful information to allow program managers and policy makers to tailor their land and water use decisions for the greatest effects of protecting natural resources.

Chapter 16: Limiting Vessel Pollution and Improving Vessel Safety 183

Environmental Protection:**Vessel Pollution**

Vessel pollution impacts to territorial waters are not fully understood. Significant vessel traffic and waste discharges occur within the territory. From the billions of gallons of gray water and ballast water that are discharged throughout the territory without being monitored coming from cruise ships, tankers and freighters; to the numerous smaller craft operating throughout the territory, where there is an increase in vessel activity there is a decrease in environmental quality.

Coastal Zone Management:

The Department of Planning and Natural Resources strongly supports any federal initiative that will decrease the amount of pathogens and sewage entering V.I. waters. The Department has assisted in the installation of several pump out facilities at marinas located on St. Thomas and St. Croix. Increased funding will allow the Department to increase its supervision of these facilities and expand the program to other marinas in the territory. Staff strongly supports these recommendations.

Ocean Value and Vitality:**Enhancing the Use and Protection of Ocean Resources****Chapter 19: Achieving Sustainable Fisheries****Fish & Wildlife:**

Regional fisheries management councils – It was recommended that science be used as a basis for fisheries management. However, it will be extremely difficult to cut out the political inputs to management of these resources. With almost all fisheries issues at the local, national, and global level, political agendas will prevail over the best available scientific information. Without the political will to take hard management decisions, it is unlikely that any management decision based only on science will prevail without a significant amount of enforcement.

Enforcement - In the Executive Summary, no mention was made about the need for more enforcement. Current local and federal levels of enforcement are woefully inadequate for fisheries management. If an oceans commission is formed, their mandates will require additional enforcement resources. Is this realistic? There is some discussion on enforcement in Chapter 19 (page 238) where the recommendation was made for increased cooperation and funding.

Voluntary regional ocean councils – The draft proposes formation of voluntary regional ocean councils. Voluntary management will probably not work. Also, the model of the regional fisheries management councils may not be suitable here. These councils have recently been under public criticism, as they are perceived as being the hen house that is watched by the fox. Also, what will be the relationship between the regional fisheries councils and the regional ocean councils? It appears that the responsibilities of each overlap significantly. Wasn't the mandate here to streamline government and reduce duplication of effort?

Guiding Principles – The guiding principles stated on page 32 and the precautionary approach (see page 36) are good. This can be used in some of the USVI DPNR/DFW's fisheries and wildlife conservation planning work.

Increasing the Role of the Scientific and Statistical Committee of the Regional Fisheries Management Councils – Recommendation 19-2 (page 223) is to require the SSCs to provide scientific information to the councils for management decisions. It is suggested that some of the decision-making capacity of the Fishery Management Councils be revoked and that the equivalent of the SSCs make decisions regarding such management measures as catch quotas. The councils would be relegated to determining how these quotas would be allocated among fishers. The problem with this is that “the best available scientific data” may be woefully inadequate to allow accurate determination of such measures as quotas. Management measures developed by a council to meet quotas developed in data poor situations may result in unnecessary hardship to and resentment by fishers. This is also a dramatic increase in the role and responsibilities of the SSCs. The councils currently do not have the resources for this. The members of the SSC volunteer for this committee. To create a scientific group to provide support is to create another bureaucracy. At this time, NOAA Fisheries is supposed to provide the best available scientific advice to the councils. Is this duplication of effort? Or the creation of more agencies? Other related recommendations indicate that NOAA Fisheries role would be changed to that of a reviewer, rather than the agency to do the actual stock assessments.

Increase Cooperative Research Program – Recommendation 19-9 (page 227) is for increased cooperative research funding. The USVI periodically is able to get grants from this program. However, the research priorities are formulated by NOAA Fisheries and are often not the local priority. It is rather meaningless to provide funds for low local priority issues. It would be more appropriate if this program also supported research related to local priorities.

Regional Fisheries Management Council Operations – There are various recommendations regarding the operation and composition of the regional fisheries management councils. These have ramifications for the USVI. There are national public concerns regarding these councils. Some consider the councils as the fox guarding the chicken house. It may be time to consider the addition of local concerned citizens and conservation groups on these councils.

Chapter 20: Protecting Marine Mammals and Endangered Marine Species

Fish & Wildlife:

Endangered Species – The draft mentions that there is a Marine Mammal Commission (page 253). It appears that the role of the proposed Ocean Committee may overlap the functions of this commission.

Chapter 21: Preserving Coral Reefs and Other Coral Communities

Fish & Wildlife:

Coral Reefs – Chapter 21 is on coral reef preservation. It would also be appropriate to consider protection of other eco-systems. Coral reefs are just one of many benthic habitats in the ocean. Yes, they are colorful and can support a diverse amount of marine life. However, there are a number of other benthic habitats that also deserve and require protection and preservation.

Coastal Zone Management:

The National Oceanic and Atmospheric Administration currently receives some funding for coral protection and research. This money is provided on a year-to-year basis. The monies received by the Government of the V.I. has led to expanded monitoring of fish stocks throughout the territory and the development and implementation of the St. Croix East End Marine Park. An emphasis should also be placed on federal programs or federally funded projects that provide research, data and technical assistance to address local management needs of coral reef ecosystems. To ensure local management needs are met, state and territorial members of the U.S. CRTF should be allowed to share scientific and management expertise in a variety of coral reef programs. Staff recommends support for this recommendation with the noted revisions.

Chapter 23: Connecting the Oceans and Human Health**Coastal Zone Management:**

Staff recommends that policies and procedures be built in to return a percentage of any profits from products developed through this or any other initiatives to the local communities where the natural resources are obtained. This could be patterned on similar agreements created to address the issues surrounding businesses and industries profiting from products that were discovered and developed from rainforest plants. Such an agreement can return badly needed monies to local economies, and provide incentives for local businesses to develop to help sustain the natural resources and provide needed local expertise to the researchers. Another benefit could be an increase in the emphasis placed on the educational system of a jurisdiction.

Chapter 24: Managing Offshore Energy and Other Mineral Resources**Coastal Zone Management:**

Staff recommends that any possible increases in federal funds to coastal states and territories should be fully supported.

Science-Based Decisions: Advancing Our Understanding of the Oceans**Chapter 25: Creating a National Strategy for Increasing Scientific Knowledge****Fish & Wildlife:**

Additional funding of scientific research – The draft notes that funds for ocean research have decreased over the last two decades. Additional funding is recommended. The draft suggested a doubling of the current \$650 million research budget is required. This funding level would be necessary to carry out the mandate described in this document.

Scientific basis for management – This approach is suggested. However, it does not indicate that management decisions will be based on the best available scientific data.

Coastal Zone Management:

Staff support this recommendation as a portion of those funds will be utilized by the Sea Grant offices at the University of the Virgin Islands; support other on-going research by both the University of the Virgin Islands and the Government of the Virgin Islands; and will support other

high priority areas mentioned throughout the report (water quality monitoring, fish population analysis, etc.).

Recommendation 25-2: The NOC should develop a national ocean research strategy that reflects a long-term vision, promotes advances in basic and applied ocean science and technology, and guides relevant agencies in developing ten-year science plans and budgets.

Staff strongly supports this recommendation. Many research projects are funded for only a very few years (1-3) and may have to be discontinued prior to the collection of sufficient data over a sufficiently-long time period to provide any conclusions or information to managers or governmental decision makers.

Recommendation 25-3: The NOC should create a national program for social science and economic research to examine the human dimensions and economic value of the nation's oceans and coasts. All ocean research agencies should include socioeconomic research as part of their efforts.

Staff strongly supports this recommendation. Many managers and government officials do not have sufficient access to data that will allow them to make decisions that are in the best interests of the general population. Increased data and analysis will allow decisions that benefit the general public to be made, especially when questions arise concerning the use of trust lands and other natural resources.

As a final comment, staff points out that there are a very large number of recommendations that this report makes, however, except for repeating the key themes of sustainability, ecosystem or watershed approach to problems or management, increased resources for science and public education, and regional coordination, there are no priorities. Staff is concerned that this situation could lead to confusion on how to implement the Report's recommendations and may lead to no action being taken at all. Recommendations and actions should be prioritized in a manner that will allow clear actions to be taken to implement the Report's recommendations.

Additional Comments made by Fish & Wildlife

Map of US EEZ – The authors forgot to include the U.S. E.E.Z. around Navassa Island in the Caribbean. This is the forgotten U.S. territory in the Caribbean.

Report Font – The font used in this draft is probably 8. This is very small and difficult to read. Standard report font is 12.