

# U.S. COMMISSION ON OCEAN POLICY



## MINUTES

**First Meeting of the U.S. Commission on Ocean Policy  
Department of Commerce Auditorium, Washington, DC  
September 17 and 18, 2001**

### **Commissioners in Attendance**

Dr. Robert D. Ballard  
Mr. Ted A. Beattie (teleconference)  
Dr. James M. Coleman (teleconference)  
Ms. Ann D'Amato (teleconference)  
Mr. Lawrence Dickerson (teleconference)  
Vice Admiral Paul G. Gaffney II, USN  
Professor Marc Hershman  
Mr. Christopher Koch  
Mr. Paul L. Kelly (teleconference)  
Dr. Frank Muller-Karger  
Mr. Edward B. Rasmuson  
Dr. Andrew A. Rosenberg  
Honorable William D. Ruckelshaus  
Dr. Paul A. Sandifer  
Honorable James D. Watkins, (Admiral, USN (Ret.))

### **Commissioners Absent**

Mrs. Lillian Borrone – It was announced that Mrs. Borrone had been called back by the Governor of New Jersey to lead certain humanitarian efforts associated with the tragic events that occurred on September 11 in New York.

### **Welcome**

Welcoming remarks were provided on behalf of the President by the Honorable James Connaughton, Chair of the White House Council on Environmental Quality, and by the Honorable Paula Dobriansky, Under Secretary of State for Global Affairs.

### **Taking of Oath**

The Commissioners were sworn in by Beverly Holman, a notary public from the Department of State.

### **Election of Chair**

The Commissioners unanimously elected Admiral James D. Watkins to be Chair of the U.S. Commission on Ocean Policy. The Chair led a round of introductions by the Commissioners.

### **Legal and Administrative Briefings**

Mr. Dan Ross, counsel for the General Services Administration's Agency Liaison Division, provided an overview of various ethical considerations and related responsibilities of the Commissioners. Mr. Chuck Howton, counsel for the General Services Administration's Committee Management Secretariat, provided an overview of the Commission's open meeting and record keeping responsibilities under those provisions of the Federal Advisory Committee Act that pertain to this Commission.

### **Commission Funding**

The Chair announced that the briefing material provided to all Commissioners and the public adequately addressed this issue. Further discussion was not considered essential. The Chair noted that \$4.5 million had been appropriated; that an additional \$1.5 million was anticipated to match the authorized \$6.0 million; and that necessary oversight, including monthly financial reports, would be provided by the General Services Administration (GSA). No further discussion ensued.

### **Administrative Discussions**

The Chair led a discussion among the Commissioners on a variety of issues.

#### **Ground Rules**

It was suggested and accepted that public comment be allowed at the beginning of meetings or at times during meetings in a way that more closely tracked the issues being discussed. The Chair suggested that the issue of what makes a quorum be put off until the organizational structure was established. He expressed his commitment to holding open public meetings and that executive sessions would be limited to matters of personnel or other matters permitted by law, such as matters of national security.

#### **Personnel and Space**

The Commission had received 73 applications for the Executive Director position and a team of the Commissioners had begun a review. In addition, the Commission would hold several Executive Sessions (as indicated on the agenda) to discuss the candidates. The net result of those sessions was to reach agreement on a group of six candidates that would be interviewed in the first week of October. The Commission is seeking office space and will fill out its staff after hiring the Executive Director. The Commissioners discussed the role of the Science Advisory Panel. A list of nominees has been presented to the Commission by the Ocean Studies Board. No action was taken.

### **Organization and Committee Structure**

Admiral Watkins provided a proposed committee structure. It included three proposed committees: Governance; Investment; and Research, Marine and Environmental Operations.

The “Turning to the Sea” model was proposed as the working overlay of ocean-related issues for all Committee and Commission work. The original proposal and reference documents are contained in Appendix 1. During a professionally facilitated session, Commissioners were asked to share either their concurrence with the proposal or issues, points of discussion and alternative structures.

That discussion resulted in the following committee structure adopted by the Commission:

- Four Committees (Research, Education and Marine Operations; Stewardship; Governance; and Investment and Development) - See Appendix 2.
- The Investment and Development Committee is established but would be activated on a later schedule, migrating members from other Committees.
- The Committee Chairs would fine-tune and coordinate the scope of each Committee’s work
- Crosscutting issues and key interfaces would be addressed by all Committees.

### **Commission/Commissioners Relations and Communications**

The Commissioners were encouraged to speak publicly about the work of the Commission. There was agreement that Commissioners should not speak in terms of outcomes, forecasts or results of the Commission’s work at this time. It was agreed that the Commission should keep a record of all appearances made by Commissioners. Outreach to all interested groups was encouraged.

Communications with the Congress and Administration should be coordinated with the Chair. A communications plan is being developed and the Chair stated that hiring of public affairs staff would be a priority.

### **Scheduling and Timing**

It was suggested that time should be set aside at the next meeting to further discuss overall goals for the Commission. Presentations by and discussions with offices within the Executive and Legislative Branches of Government, as well as major Washington, D.C. regional entities who are national-level stakeholders in ocean matters addressed in the Ocean Act and Law will be a significant part of the next meeting. Information on the current state of Federal ocean-related programs should be sought from agencies in written form and not duplicated during these presentations.

The Chair provided a proposed schedule for the regional meetings. There was general agreement to hold the six regional meetings as described in the Act, plus a meeting in the Great Lakes area. To the extent practicable, all Commissioners would attempt to participate in these seven major public meetings required by the Oceans Act. The Commissioners would also conduct other meetings in the “seven” regions (with no less than three Commissioners).

It was agreed that Commissioners should plan on a minimum of two days for the seven major meetings and, when possible, more time to conduct outreach while visiting any region. Commissioners will submit calendars to the Chair so that common dates can be identified and participation maximized. Issues relevant to the regions should be highlighted both before and during these meetings and subsequently integrated with other ongoing business of the Commission. Commissioners from regions being visited should provide support and help coordinate relations between their regions and the Commission.

There was general agreement that the first statutorily-mandated regional meeting will be held in January in the Southeast in Charleston, South Carolina, with other Southeast sites added for smaller Commission meetings.

#### **Additional Speakers Addressing the Commission**

During the two-day meeting, the Commissioners were also addressed by the Honorable Christine Todd Whitman, Administrator, EPA, and the Honorable Donald L. Evans, Secretary of Commerce. Both spoke of the importance of this Commission and looked forward to the Commission’s results.

#### **Start Date for the 18-Month Commission**

The Chair informed the Commissioners that he would, on their behalf, inform the appropriate leadership in both House and Senate that, unless they indicated otherwise, it would be the Commission’s assumption that start date for the 18-month effort was 17 September 2001, the day of the first meeting. This approach was accepted and a report target date for reporting out would then be Spring 2003.

#### **Public Statements**

- Mr. Eli Weissman of the Ocean Conservancy provided views of the ocean conservation community and that community’s willingness to work with the Commission. The Chair suggested that Commissioners try to meet with these groups in October.
- Dr. Charles Higginson, Executive Director of the Council on Ocean Law, recommended the Commission meet with various United Nations officials working on global ocean issues. He will provide a copy of an upcoming U.N. Director General’s report on global ocean issues to the Commission.
- Mr. Justin Leblanc of the National Fisheries Institute urged the Commission to work with the commercial fishing and seafood industry and offered assistance in conducting outreach to these groups and individuals.

- Dr. Bruce Molnia, staff for the House of Representatives Oceans Caucus, invited the Commissioners to meet with the four Co-Chairs of the Caucus and offered to provide information on what the Caucus has accomplished.
- Dr. Gerhard Kuska of the Center for the Study of Marine Policy at the University of Delaware submitted comments for the record urging the Commission to include representatives from the social sciences on its science advisory panel, specifically representatives from the fields of political science, public administration, economics, law and others.

At the end of the public comment the meeting was adjourned.

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 1 – List of Attendees

### September 17 - 18, 2001 Ocean Commission Meeting Attendees

<u>Name</u>	<u>Affiliation</u>
Laurie K. Allen	NOAA/NMFS
Dottie Anderson	NOAA Central Library
John Aquilino	IFCNR
Kathy Archer	GSA
Larry Atkinson	Old Dominion University
Linda Bauch	American Petroleum Institute
Paul Bea Port	Authority of NY & NJ
Janice Beathie	NOAA Library
Heather Blough	National Fisheries Conservation Center
Kenneth Brink	Woods Hole Oceanographic Institute
Mara Browne	NOAA/DUS
Richard W. Brown	American Petroleum Institute
Dennis Bryant	Haight, Gardner, Holland & Knight Maritime Law Association of U.S.
Laura Cantral	Laura Cantral Associates
William J. Chandler	Marine Conservation Biology Institute
Dennis J. Clark	Carderock Division, Naval Surface Warfare Center
Melynda Clarke	U.S. G.S.A.
Harlan K. Cohen	Department of State
Muriel Cole	NOAA - Ocean US
Gene Cope	NOAA/NMFS/OHC
Patrick Cotter	U.S. EPA
Kathy Croff	NOAA Ocean Exploration
Tom Cuff	Office of the Oceanographer of the Navy
Mary Lou Cumberpatch	NOAA Central Library
Margaret Davidson	NOAA/NOS
Penny Dalton	CORE
Cynthia Decker	CORE
Patrick Dennis	OCEAN.U.S.
Cheryl Dybas	National Science Foundation
Milen F. Dyoulgerov	No affiliation provided
Wayne Estabrooks Navy	Oceanographer of the Navy
Dan Fager	Chevron
David Feary	National Research Council

**September 17 - 18, 2001 Ocean Commission Meeting Attendees, Cont'd**

<u>Name</u>	<u>Affiliation</u>
Andrew Fedynsky	Institute for Exploration North Shore Consultants
Terri Fish	DOC/OCIA
Amy Fraenkel	US EPA
Josh Gabriel	BXA/U.S. Dept of Commerce
Peter Gibson	National Ocean Service
Bailey Giester	Defenders of Wildlife
Anne Marie Goldsmith	NOAA Budget
Morgan Gopnik	National Academy of Sciences
Zeke Grader	Pacific Coast Federation of Fishermen's Associations
David M. Graham	PGI Speerhead Ltd (Oceanspace)
Susan K. Gregersen	Department of Energy
Patrick Hagan	Bermuda Biological Station for Research
Robert Hansen	NOAA PA
Stephanie Harrington	NOAA/OAR
Darryl J. Hathaway	Dewberry & Davis
Natalie Hearvy	Greenwire
Herb Herrmann	Naval Facilities Engineering Command
Charles Higginson	Council on Ocean Law
Kathy Hurld	EPA
Richard Innes	Conservation Strategies, LLC
Dr. Alexandra Isern	National Science Foundation
Garth Jensen	Naval Surface Warfare Center
W. Pete Jensen	National Academy of Public Administration
Lindy Johnson	NOAA
John Justus	Library of Congress
Marlene Kaplan	NOAA Legislative Affairs
Mary Hope Katsouros	The Heinz Center
Kim Kendall	NOAA-GC
Justin Kenney	Pew Oceans Commission
Thomas R. Kitsos	Minerals Management Service
LCDR James Kraska	Navy International Law
Gerhard Kuska	University of Delaware
Jennifer LaBarre	Senate Commerce Committee
Keith LaFoe	Washington Nichiki Consultants
Andrew Larkin	NOAA
Justin LeBlanc	National Fisheries Institute
Sydney Levitus	NOAA/NESDIS
Ted Lillestolen	NOAA/NOS
Emily Lindow	NOAA Legislative Affairs
Chris Mann	Pew Oceans Commission
David Martin	Ocean.US

## September 17 - 18, 2001 Ocean Commission Meeting Attendees, Cont'd

<u>Name</u>	<u>Affiliation</u>
Kathleen Martin	Contractor w/DOC
Jill Meedon	OFA
Thomas Michels	NOIA
H. Crane Miller	FEMA/OAC
Jeannie Mills	NOIA
Kathy Mills	Senate Commerce Committee
Albert Modiano	U.S. Oil & Gas Association
Bruce F. Molnia	House Oceans Caucus
Bob Moran	National Ocean Industries Association
Fredrika Moser	Maryland Sea Grant
Jennifer Murphy	The Heinz Center
Tony MacDonald	Coastal States Organization
Betsy McEvoyDiaz	Island Press/COMPASS
Rob Neely	NOAA/NOS
Thomas Nelson	Office of Naval Research
Norman Neuneiton	Department of State
Roxanne Nikolaus	CORE
William Nuckols	Coastal America
Craig O'Connor	NOAA GC
Brian Pawlak	NOAA/NMFS
Michael Peccini	Rep. Farr
John P. Philbin	U.S. Coast Guard
Richard J. Podgorny	NOAA
Jimmie Powell	Pew Oceans Commission
Jeffery Rank	The Heinz Center
Sloan Rappoport	Department of Commerce
J.D. Rathbun	NOAA
Scott Rayder	CORE
John Rayfield	House Resources Committee
Michelle Reed	NOAA
Gary Reisner	EXOP - OMB
Andrew Reynolds	Department of State
Nicole Ricci	No affiliation provided
Katie Ries	NOAA/NOA
Eric Rizzo	NOIA
Captain Robert G. Ross	U.S. Coast Guard Headquarters
Dana Rudd	Phillips Petroleum Co.
Terry Schaff	National Science Foundation
Carl Schmid	TMS Inc for (DOE)
Rick Schwabacker	Cousteau Society/RAS Associates
Elinor Schwartz	Western States Land Commissioners Association
Nori Shoji	NOAA/NOS



**September 17 - 18, 2001 Ocean Commission Meeting Attendees, Cont'd**

<u>Name</u>	<u>Affiliation</u>
Michael Sissenwine	NOAA/NMFS
N. Eugene Smith	NOAA/OAR
Glen Spain	Institute for Fisheries Resources
Rick Spinard	Oceanographer of the Navy
Margaret Spring	Senate Commerce Committee
Sonya Stewart	NOAA/CFO/CAO
Robert H. Stockman	NOAA/OFA
Anne Tenney	National Science Foundation
Liz Tirpak	Dept. of State/CORE/OES/OS
Virginia Tippie	Coastal America
Diane Thompson	Pew Charitable Trusts
Christophe A.G. Tulou	Christophe Tulou Associates
Ken Turgeon	MMS/DOI
Kelly Turner	NOAA/NESDIS
Dan Walker	NRC
Eli Weissman	The Ocean Conservancy
Mary Beth West	State Department
Susan White	US FWS/DOI
James A. Yoder	National Science Foundation

## **Appendix 2**

# the OCEANS ACT of 2000

**The law** establishes a Commission, which in coordination with the states, a scientific advisory panel, and the public, develops a National Oceans Report. This report makes recommendations to the President and Congress on ocean and coastal issues. The President then responds to these recommendations in a “National Ocean Policy” that he submits to Congress.

**Purpose:** To establish a Commission to make recommendations for a coordinated and comprehensive national ocean policy that will promote:

- Protection of life and property
- Stewardship of ocean and coastal resources
- Protection of marine environment and prevention of marine pollution
- Enhancement of maritime commerce
- Expansion of human knowledge of the marine environment
- Investment in technologies to promote energy and food security
- Close cooperation among government agencies
- U.S. leadership in ocean and coastal activities

# the OCEANS ACT of 2000

**Scope of Recommendations:** The Commission's report is required to include a review of the following:

- Facilities  
(people, vessels, computers, satellites)
- Federal activities
- Cumulative effect on federal laws
- Supply and demand for ocean and coastal resources
- Relationships between federal, state, and local governments, and the private sector
- Opportunities for the investment in new products and technologies
- State and federal integration efforts
- Modification to federal laws and/or the structure of federal agencies
- The effectiveness of existing federal interagency policy coordination

**The Commission** is to give equal consideration to environmental, technical feasibility, economic, and scientific factors. In addition, the recommendations may not be specific to the lands or waters within a single state.

# TURNING to the SEA: AMERICA'S OCEAN FUTURE

*Follow up to Year of the Ocean and National Ocean Conference 1999*

## **Sustaining Economic Benefits**

- Marine transportation
- Safe navigation
- Coastal tourism
- Domestic fisheries
- International fisheries
- Aquaculture
- Biotechnology
- Offshore oil and gas
- health

## **Strengthening Global Security**

- The Law of the Sea Convention
- Freedom of navigation
- Maritime law enforcement

## **Protecting Marine Resources**

- Submerged heritage resources
- Coral reefs
- Estuaries
- Marine protected species
- Marine protected areas
- Ocean and coastal habitats
- Water quality
- Non-indigenous species
- Marine debris

## **Discovering the Oceans**

- Ocean education
- Ocean observations
- Ocean research
- Ocean and coastal exploration

# PROPOSED COMMITTEES

## **Research and Marine/Environmental Operations**

- S and T, technology
- Marine operations
- Maritime law enforcement

## **Governance**

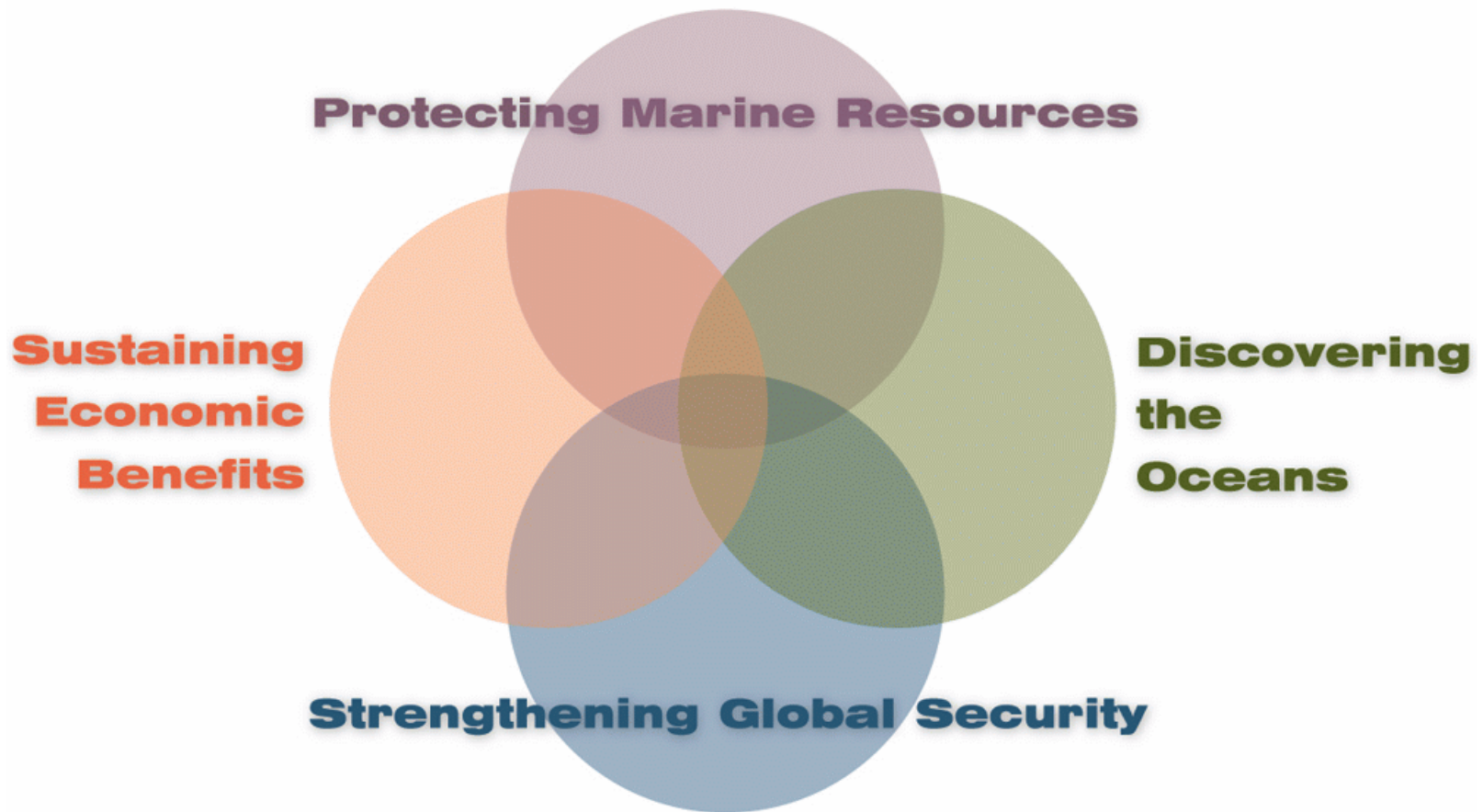
- Public policy
- Legal and regulatory issues
- Federal/state/local coordination
- Living and non-living marine resources

## **Investment**

- Adequate funding
- People
- Facilities
- Government structure

# WORKING OVERLAY for FULL COMMISSION

**“Driving” all committee recommendations...**





# PROCESS FLOW and GROUND RULES

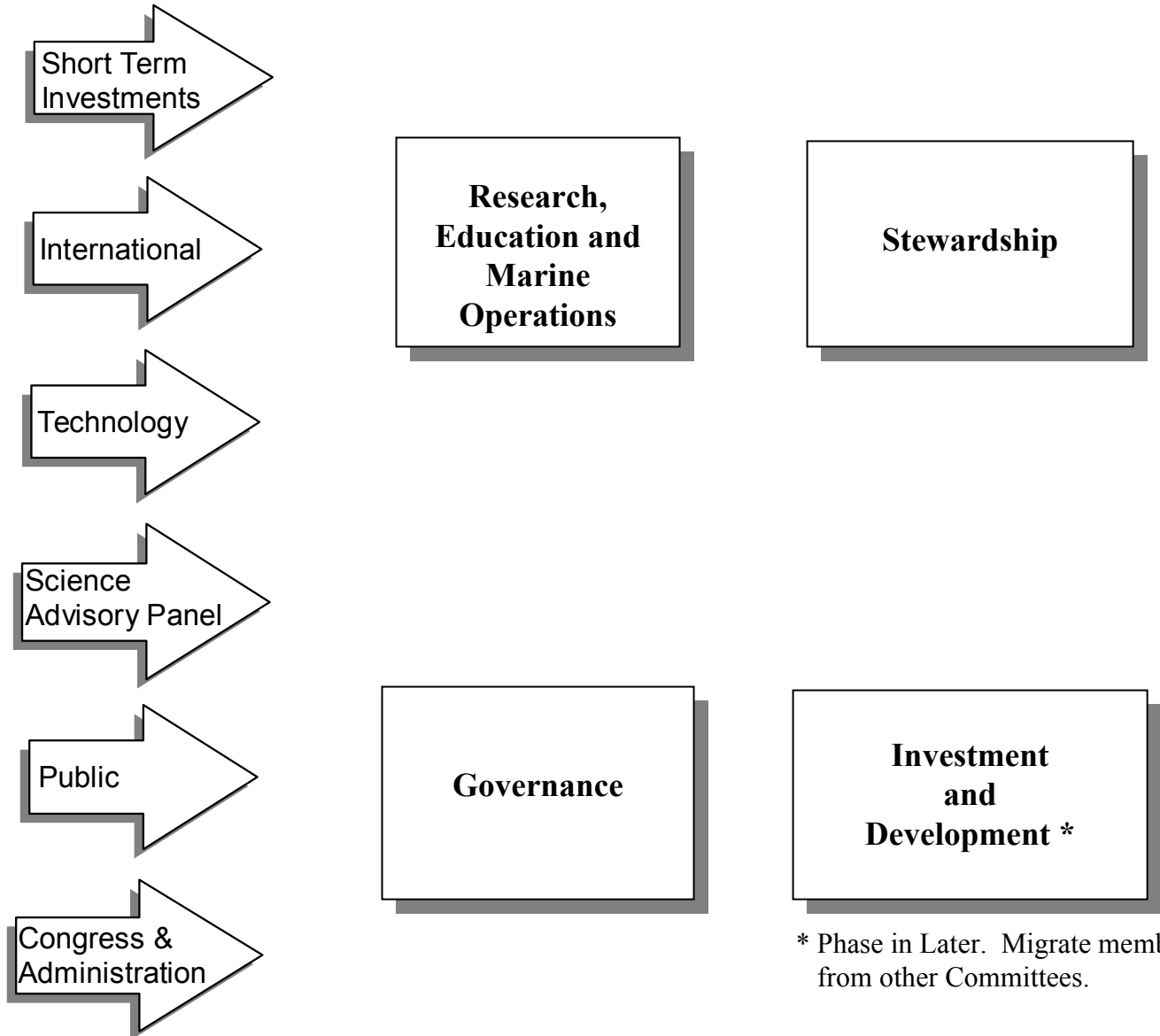
- Admiral Watkins completes overview of options and preferred organization structure.
- Committee members discuss proposed structure for understanding.
- Committee members each offer concurrence or issues and alternative approaches.
- Commission members collaborate to address outstanding issues toward an agreed upon structure.
- Final structure is agreed upon.
- Members consider decision overnight for final resolution Tuesday morning.



## **Appendix 3**

# Proposed Committee Structure

## Cross-cuts and Key Interactions



\* Phase in Later. Migrate members from other Committees.

# Products: Assessments and Proposals

## Research, Education and Marine Operations

- *Expansion of human knowledge of the marine environment*
- *The Oceans role in climate change including health impacts*
- *Marine operations and observations*
- *Ocean education (K-12 and higher education)*
- *Marine research including academia*
- *Ocean and Coastal Exploration*

## Governance

- *Federal activities*
- *State and Federal integration efforts*
- *Cumulative effect on federal laws*
- *Relationships between Federal, state and local governments and the private sector*
- *Modifications to Federal laws and/or the structure of Federal agencies*
- *The effectiveness of existing Federal interagency policy coordination*
- *Law of the Sea and other international issues*
- *Protection of life and property*
- *Close cooperation among government agencies U.S. leadership in ocean and coastal activities*

## Stewardship

- *Stewardship of ocean and coastal resources (including enforcement)*
  - ~ Fisheries
  - ~ Marine protected species
  - ~ Marine protected areas
  - ~ Coral Reefs
  - ~ Cultural & Historical
- *Protection of marine environment and prevention of marine pollution (including enforcement)*
  - ~ Water quality
  - ~ Marine debris

## Investment and Development

- *Enhancement of maritime commerce*
- *Supply and demand for ocean and coastal resources*
  - ~ Tourism
  - ~ Non-living Resources
  - ~ Energy
  - ~ Biotechnology
  - ~ Aquaculture
- *Opportunities for the investment in new products and technologies*
  - ~ Including investment in IT and data collection as a cross-cutting requirement of all committees
- *Investments in technologies to promote energy and food security*
- *Facilities (people, vessels, computers, satellites)*

# Addressing Member Input

- Three or four committees desired or acceptable (some concern about four)
- Clearly addresses environment and education
- Creates more substance for Investment committee
- Balances committee workload
- Captures issues raised in Purposes (Sec. 2) and Reporting requirements (Sec. 3(f)) of the Act
- Highlights crosscuts and includes national security as one of the many important crosscutting issues that needs addressing.
- Clarifies scope of each committee for committee chairs
- Clarifies intent that committee membership was not intended to restrict Commissioners full participation in the issues of other committees, and that all Commissioners will have an equal voice on the issues considered by all the committees.

# Input on Roles

**Role of the Commission:** Make Recommendations for a coordinated and comprehensive national ocean policy

- Decision making body
- Listening and learning as a Commission
- Keep Committees responsive – no silos
- Set the vision, set strategic goals
- Articulate where we want to go and define the more desirable future
- Over see sequencing of activities
- Ensure cross Committee integration
- Ensure appropriate interface with Congress, Administration, Academia, NGOs, private sector, etc.

## Role of the Committees

- Flesh out specific areas of focus
- Meet and produce information
- Advisory to the full Commission, not decision making
- Provide near-term investment recommendations (track federal budget)
- Need to clearly define role of Committees vs. Commissions

## Science Advisory Panel

- Early interaction with Commission and Committees
- Be flexible regarding membership of the SAP (consider evolutionary model)
- Clearly articulate desired role of the SAP
- Advise all Committees and Commission as a whole

# Desirable Process Features

- Utilize a clear vision and strategic roadmap set by the Commission.
- Solicit public input at the beginning of the meeting.
- Ensure meaningful communications.
  - ~ Across Committees
  - ~ Within the Commission
  - ~ With Public (e.g., academia, NGOs, etc.)
  - ~ With Congress, Administration
- Plan for the efficient use of member time and travel.
  - ~ Excellent pre-work/staff work
  - ~ Long work days
- Ensure cross Committee integration
  - ~ Need to manage the cross-cuts effectively
  - ~ Members participating in more than one Committee
- Ensure full Commission understands current state of environment, economics, science, law, infrastructure (e.g., white papers).

## Next Steps

- Agree on Committee structure
- Elect Committee Chairs
- Chairs meet to refine and finalize scope of Committees
- Hire Executive Director
- Consider how Committee structure may impact staff requirements, selection and tasking



# Committee Structure and Membership

## **Stewardship Committee\***

Dr. Paul A. Sandifer, **Chairman**

Dr. Frank Muller-Karger

Mr. Paul L. Kelly

Ms. Ann D'Amato

Vice Admiral Paul G. Gaffney II, USN

Admiral James D. Watkins, USN (Ret)

## **Research, Education and Marine Operations Committee\***

Dr. James M. Coleman, **Chairman**

Dr. Robert Ballard, Ph.D.

Mr. Ted A. Beattie

Mr. Edward B. Rasmuson

Admiral James D. Watkins, USN (Ret)

## **Governance Committee\***

Mr. William D. Ruckelshaus, **Chairman**

Mrs. Lillian Borrone

Mr. Lawrence Dickerson

Professor Marc J. Hershman

Mr. Christopher Koch

Dr. Andrew A. Rosenberg

Admiral James D. Watkins, USN (Ret)

## **Investment and Development Committee\*\***

Admiral James D. Watkins, USN (Ret), **Interim  
Chairman**

\*\* It was agreed that while the Investment and Development Committee would be activated at a later date, the three Committee Chairs would constitute the preliminary committee membership and keep its charge in mind in the beginning stages of all Committee activities.