

# U.S. COMMISSION ON OCEAN POLICY



## MINUTES

Second Meeting of the Commission on Ocean Policy  
U.S. Navy Memorial Foundation, Washington, DC  
November 13 and 14, 2001

### Commissioners in Attendance

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

### Commissioners Not Present

Ms. Ann D'Amato  
Honorable William D. Ruckelshaus

### Meeting Attendees

A list of meeting attendees, including affiliation where provided, is included in Appendix 1.

**TUESDAY, NOVEMBER 13, 2001**

**Welcome**

The Chair called the meeting to order at 9:00 a.m. with remarks welcoming the Commissioners and audience.

**Senate Members**

Senator Fritz Hollings (D- South Carolina)

Following his remarks, Senator Hollings answered questions from the Commissioners on a wide range of topics. In response to questions on increasing public awareness of the need for ocean science and getting ocean science into the K-12 classrooms, Senator Hollings noted the success of NASA education initiatives and suggested duplicating the NASA model by having an Oceans Day in elementary schools. When asked how the Commission could facilitate interdisciplinary and multi-sector partnering, the Senator replied that researchers want interdisciplinary partnering across sectors, but there can be difficulties taking action within Washington, D.C. Regarding a need to enhance the state role in the federal/state/local relationship, Senator Hollings noted that the Coastal Zone Management Act gives the states the preeminent role. He commented on the importance of involving all interested parties, particularly at the local level, and noted the significance of the Commission's regional meetings. In response to questions on how to increase the NOAA share of the research budget, Senator Hollings stated that the Commission hearings should help resolve such budget issues.

**Commission Business**

The Consent Calendar (see Appendix 2) was approved with no changes.

The Commission discussed the role of the Science Advisory Panel and appointment of members. The primary concern is that the Working Groups have access to the best science available. It was suggested that the Panel should include social scientists, but some concern was expressed as to whether the legislation allows for this. Commission staff were directed to determine the intent of the legislation regarding Panel membership.

The Oceans Act of 2000 charges the Commission to consult with National Academy of Sciences in appointing Panel members, but the Commissioners noted their selection is not restricted to the National Academy's list of suggested nominees. The number of Panel members is still to be determined.

The Commission discussed how the Panel will be utilized. It was agreed that Panel members should attend the regional meetings as necessary and appropriate. A suggestion was also made that the Working Groups have informal access to the Panel,

but not require the Panel to submit a formal report. The Executive Director and Chair will prepare a draft Science Advisory Panel charter for review by the Commissioners. The charter will be posted on the Commission web site once final. It is hoped that the Panel will be in place by the first regional meeting scheduled for Charleston, SC January 14-16, 2001.

The Commission discussed public relations and how to ensure that all individuals who want to speak before the Commission have the opportunity to do so. Commissioners will work at the regional level to ensure that the invited panelists for each regional meeting represent the entire region and all of the issues of that region. Regional site visits will also be arranged to provide the Commission with input on a wide range of local interests. The suggestion was made that once the date for each region is finalized, advanced notice be given to the local media as a way to alert stakeholders.

It was generally agreed that the Working Groups should be consulted in setting the regional agendas to allow regional representative from each Working Group the opportunity to suggest appropriate speakers. It was noted, however, that the Commission as a whole, not the Working Groups, is the point of public input and will distribute the input as necessary.

### **House of Representatives Members**

Representative Robert Underwood (D-Guam)

Following his remarks, Representative Underwood answered specific questions from the Commissioners. When asked if Congress would be open to recommendations from the Commission on a less complex Congressional committee structure, Representative Underwood responded that there is currently an effort underway to do that, and while he would not predict a reorganization of Congress, the Commission's recommendations would be taken under advisement. Admiral Watkins assured Representative Underwood that the Commission will maintain open and continuous communication with Congress throughout the deliberation process.

Representative Sam Farr (D-California)

Representative Curt Weldon (R-Pennsylvania)

Time constraints precluded a discussion period with Representatives Farr and Weldon.

### **Pew Oceans Commission**

The Honorable Leon Panetta, Chair

Mr. John Adams, President, Natural Resources Defense Council

Dr. Jane Lubchenco, Professor, Oregon State University

Mr. Patten White, Executive Director, Maine Lobstermen's Association  
VADM Roger Rufe, Jr. USCG (Ret.), President, The Ocean Conservancy

Once the panelists had provided their statements, Admiral Watkins asked that the Pew Commission consider the elements outlined in the Oceans Act in order that the reports from the two Commissions be complementary. Mr. Panetta commented that the Pew Commission hopes to establish a strong working relationship with the Ocean Commission and that the issues in the Oceans Act do overlap with the issues of importance to Pew.

When asked how the economic ramifications of the Pew Commission's recommendations will be framed in the report, Mr. Panetta replied that the main challenge is to find the right balance, and the Pew Commission looks forward to working with the Ocean Commission to find that balance. He also noted that the economic impact of the recommendations is taken into consideration in all regions.

In response to a question on how the Pew Commission is involving the public, Mr. Panetta explained that Pew Commission meetings have been planned to have a maximum impact on the community, including public hearings at which anyone is welcome to speak. Through local media, the Pew Commission has reached out to the public by hosting children's programs and appearing on local radio and television programs.

Regarding the issue of perspective in determining what activities should be restricted versus what activities should be allowed, Mr. Panetta noted that the biggest challenge is ensuring equality of representation among various interests. He cited the Chesapeake Bay Program as an example of a good cooperative effort, and noted the need to consider a regional approach to governance that incorporates all interests. Dr. Lubchenco commented that a common vision and set of goals is important, but must be set in a broader context of the consequences of an "anything goes" policy. An item on the Pew Commission agenda is to address the unexpected problems that are a consequence of such a policy. Mr. Adams noted that the goal of establishing sustainable fisheries is not being reached under the current situation. He discussed the need for science-based actions and commented on the need to be able to eliminate damaging fishing equipment, resolve the by-catch issue, and set aside no fishing areas to rebuild stocks. When asked to what degree the Pew Commission recommendations are based on sound science, Dr. Lubchenco commented that the deliberations are informed by, but not dictated by, science.

Regarding the need for national oversight of coastal population and tourism given the increases in both, Mr. Panetta responded that national interests do need to be considered equally with state and local interests and noted the need to think in an ecosystem approach, involving all parties.

## **Conservation Organizations**

VADM Roger Rufe, Jr. USCG (Ret.), President, The Ocean Conservancy  
Dr. Carl Safina, Vice President for Marine Conservation, Audubon  
Mr. D. Douglas Hopkins, Senior Staff Attorney and Acting Program Manager,  
Oceans Program, Environmental Defense

Following their presentations, the panelists commented on a number of issues raised by the Commission. VADM Rufe discussed the need for umbrella legislation that would cover all activities within the U.S. EEZ and encompass all relevant laws dealing with ocean issues and provide guidelines for other legislation. Regarding marine debris, he commented on educating the public and agreed to make The Ocean Conservancy's Coastal Cleanup data available to the Commission.

When asked whether any existing environmental outreach programs could be adjusted to change curriculum, VADM Rufe agreed with the need to generate public enthusiasm and make people aware that the oceans are a vital part of the nation's heritage. Dr. Safina added that agencies need to listen when the public expresses its desire to see things done differently or better.

In response to comments that the Commission is tasked with examining how to manage 71% of the planet as the coastal population is increasing, Mr. Hopkins suggested that the U.S. does not have to pursue an "all or nothing" approach to management. He explained that one thing the U.S. does both right and wrong is involve regional stakeholders. He also cautioned that too much responsibility for setting limits has been delegated to the regional Fishery Management Councils, and stated that these decisions need to be science-based.

## **House of Representatives Members (cont.)**

Representative Wayne Gilchrest (R-Maryland)

Following his remarks, Representative Gilchrest commented on additional issues raised by the Commissioners. In response to comments on the lack of a cohesive strategy to address coastal oceanography, Representative Gilchrest described the Chesapeake Bay Program as an example of an extraordinary research effort, but noted there is a question of what to do with this research. Regarding public outreach efforts, he explained that the program has made an effort to communicate information to county commissioners and zoning boards, but he noted the need for implementation efforts.

## **Ocean Research, Education and Policy Organizations**

Dr. Carolyn Thoroughgood, Chair, Board of Governors, Consortium for  
Oceanographic Research and Education  
Mr. Robert Hirshon, President, American Bar Association

Following his formal statement, Mr. Hirshon addressed questions from the Commissioners regarding the United Nations Convention on the Law of the Sea (LOS). He recommended that a strong signal needs to be made early with respect to the importance of ratification of the Law of the Sea Convention, and suggested that the most effective action the Commission could take would be to submit a clear and unequivocal statement to the Congress and the Administration to that effect. Ms. Peggy Tomlinson of the American Bar Association noted that Administration has agreed to list LOS ratification as a priority issue for Congress. Mr. Kelly explained that one issue of urgency is electing U.S. representatives to two bodies, the Outer Continental Shelf Council and the International Tribunal for the Law of the Sea. The next opportunity for electing representatives to both bodies is May, 2002, but the U.S. needs to ratify the Convention by February, 2002 in order to be eligible. After May of 2002, the next opportunity for electing representatives is in 2005.

The Commission agreed to prepare a resolution on the urgency of U.S. ratification of LOS, and the Governance Working Group was tasked to prepare the draft. Admiral Watkins commented that he would like to see a document detailing the Administration's position on LOS.

Following her presentation, Dr. Thoroughgood commented on additional issues raised by the Commission. She noted that CORE does intend to make recommendations on broader recapitalization needs beyond the UNOLS fleet and including laboratories. In response to questions from the Commissioners, she stated that the U.S. has not prepared the mapping necessary to define the U.S. continental shelf. This would be required in order to file an application to extend the limits with the LOS Continental Shelf Commission should the U.S. ratify the convention. At the request of several Commissioners, she also agreed to provide more information on research versus operational oceanography and additional input on an integrated ocean observing system.

### **Federal Agencies**

ADM James M. Loy, Commandant, U.S. Coast Guard, Department of Transportation  
Dr. Eric Lindstrom, Oceanography Program Scientist, National Aeronautics and  
Space Administration  
Dr. Rita Colwell, Director, National Science Foundation

Following their formal presentations, panelists addressed questions raised by the Commission. The Marine Transportation System (MTS) Initiative was discussed as a way to establish order, but it was noted that the effort appears to not be moving forward. Admiral Loy responded that had the MTS Report to Congress been

submitted in sections rather than as whole document, there may have been identifiable Congressional committees to take responsibility for implementing each particular section. He emphasized that the recommendations in the MTS Report to Congress can be implemented by issue rather than as a single unit. He also commented that managing the MTS is a multiple-party challenge with a need for coordination across organizational lines, across levels of government and between the public and private sectors. Admiral Loy also stated that local versions of the required multi-party coordination mechanism, usually called Harbor Safety Committees, are being established in many areas.

Regarding resource security and enforcement, Admiral Loy noted that the Coast Guard is doing radically less in this area at the present time as a result of the events of September 11th. He stated that the Coast Guard must return to its pre-9/11 maritime law enforcement functions, including drug enforcement and fisheries. The level of activity in these areas may be lower in the future due to urgent Homeland Security demands, but these pre-9/11 functions are also in the national interest.

The Commission discussed how to generate support for an integrated ocean observing system from the entire ocean community, including the conservation organizations. Dr. Colwell noted that such a system is key to learning about the environment and will provide a finely tuned monitoring capability.

On the issue of education, Dr. Colwell commented that oversight of education efforts should be a cooperative effort. Dr. Lindstrom added that he has been leading an effort within the National Oceanographic Partnership Program (NOPP) to establish ocean literacy guidelines.

### **Ocean Business Organizations**

Mr. Red Cavaney, President, American Petroleum Institute  
Dr. Andrew Clark, President, Marine Transportation Society  
Mr. Thomas Fry, President, National Ocean Industries Association

Once panelists had provided their statements, they commented on issues raised by the Commission. Regarding the potential for using methane hydrates as an energy source, Mr. Cavaney noted the extensive technological challenges. He commented, however, that they are a likely future energy source, and are being examined. He continued, stating that this is an area in which the government should be initiating the research efforts, with industry becoming a partner once baseline data and approaches have been established and commercial technology can be put to the best use.

The coastal zone management process was raised by panelists as a serious obstacle to offshore development. The Commissioners asked for comments on how to meet the objective of effective state and local participation, while allowing for development. Mr. Fry commented on the many opportunities for states to review development

plans, but noted the need from the industry standpoint for certainty in the decision-making process at the federal level.

On the topic of data collection and sharing of environmental data, including proprietary environmental information, Mr. Cavaney noted that such information is shared, though not in a formalized process. He stated that he will work with a group that addresses this issue to provide more complete information to the Commission. Mr. Kelly commented that there should be an increase in the opportunities for technology exchange from industry to other areas of oceanography.

Regarding the role of industry in developing and implementing an integrated ocean observing capability, Dr. Clark commented that cables abandoned by the telecommunication industry are currently being turned over to an international consortium to be enlisted for scientific research use. Beyond this, he added that within the telecommunications industry there has also begun development and deployment of a network of moored communications buoys, specifically with the intent to collect and transmit oceanographic data back to shore but that a sustainable market for this capability has yet to materialize.

### **Public Statements**

Ms. Suzanne Giles, Water Quality Program Coordinator at the American Oceans Campaign requested that the Commission consider making recommendations for the following: reauthorization of the Coastal Zone Management Act with strong provisions to control polluted runoff; development and enforcement of policies to protect against harmful development; implementation of an effective system of marine protected areas; and development of an ocean budget that describes the many federal ocean-related activities, including funding levels.

David Helvarg, journalist, commentator on Marketplace Radio and author of *Blue Frontier – Saving America's Living Seas*, commented on the opportunity the Commission has at this time to effect change in ocean policy and the opportunity the nation has to redefine itself through the new frontier of the ocean.

The first day of the meeting was adjourned at 5:20 p.m.



**WEDNESDAY, NOVEMBER 14, 2001**

**Welcome**

The Chair called the meeting to order at 9:00 a.m. with remarks welcoming the Commissioners and the audience.

**Fisheries Organizations**

Dr. Ghassan Rassam, Executive Director, American Fisheries Society  
Mr. Michael Nussman, President, American Sportfishing Association  
Mr. Lee Crockett, Executive Director, Marine Fish Conservation Network  
Mr. Richard Gutting, President, National Fisheries Institute

Following their presentations, panelists answered questions from the Commissioners on a number of topics. Panelists were questioned on what “best science available” means as it is used in the Magnuson Fisheries Act and what the Commission can do to emphasize science and better science management in an interdisciplinary, multi-sector fashion. Mr. Crockett commented that the National Marine Fisheries Service has made efforts to involve the fishing industry and Outer Continental Shelf revenues have been made available to work with states. Congress has also provided more funding for stock assessments. He commented that the extent of the problem is profound, noting that 78% of managed stocks that are fished have not been assessed, and advocated a precautionary management approach. Dr. Rassam stated that science changes with time and emphasized the need for more science and research in decision making. He commented that management should strike a balance between science and human needs. Mr. Gutting commented on funding competition in the research community between fisheries biologists and oceanographers and suggested the Commission consider establishing an independent body to address this issue and examine peer review as it is practiced in fisheries management. Dr. Rosenberg cautioned against liberal use of the term “scientific uncertainty,” noting that there is significant knowledge in some areas of fisheries management research.

In response to a question on the benefit to the fishing community of an integrated ocean observing system that could provide information on vessel locations, Mr. Crockett noted that he would advocate such a system because of the difficulty in obtaining such data with current technology.

When discussing what the fishing community proposes as an alternative to the current management structure, Mr. Crockett noted that there are organizations in the community that feel it may be time to establish an ocean agency to include parts of NOAA, the Coast Guard, and MMS. He also commented on the need for an organic act with the purpose of conserving ecosystems. He agreed to provide any available documentation of these suggestions to the Commission.

Regarding the possibility of changing legislation to create a more coordinated effort, Mr. Gutting agreed this would be beneficial, but because each law has an entrenched constituency, he commented that it may be difficult to make any significant change at this time.

Comments were made on aquaculture versus wild stocks, and Mr. Gutting noted his enthusiasm about the enhancement aspect of aquaculture. He noted, however, the difficulty in gaining acceptance within the local community. He also commented on water access issues and the need for a better structure to examine and assess individual areas.

Mr. Gutting informed the Commission that the authoritative source of information on fish stocks is the Committee of Fisheries within the Food and Agriculture Organization of the United Nations. He noted that he believes the trajectory of the stock situation is positive. He also commented that there are tools available in the management process to address overcapitalization and that the community is dealing with this issue.

Several Commissioners requested information be submitted at a later date on a range of topics including a new vision for fisheries management, public education in fisheries, fisheries management solutions implemented in other nations, locating aquaculture activities offshore, involving sport fishers in stock rehabilitation, and the future of aquaculture and fish hatcheries.

### **State/Local Perspectives**

Mr. Kurt Nagle, President and CEO, American Association of Port Authorities  
Mr. Tony MacDonald, Executive Director, Coastal States Association  
Ms. Sarah Cooksey, Administrator, Delaware Coastal Programs, representing the National Governors Association

Once they had made their formal statements, the panelists made additional comments on issues raised by the Commission. Regarding international models and opportunities in the international community, especially for partnerships, Ms. Cooksey responded that the governors would prefer to utilize existing activities, but with a change of focus. Mr. MacDonald commented that while international issues are not something the states typically address, they do realize the importance of these issues and have developed a plan in relation to the World Summit on Sustainable Development, also known as “Rio Plus-10.”

When asked about the impact of competition on port development and efforts to broaden cooperation among public ports, Mr. Nagle noted that overall, competition is in the nation’s best interest, stating that it provides choices and increases national security. He commented that there are cooperative programs, and ports authorities in the same area do discuss common issues and projects of concern.

Regarding the need for super ports in the future, Mr. Nagle commented that while his organization is not involved in determining such issues, growth dictates that the port system continue to expand to meet the needs of new ships and increasing commerce.

Comments were made on the use of Outer Continental Shelf revenues for farm conservation. Ms. Cooksey noted her opinion that the governors would support implementation of the best agricultural management practices.

Several Commissioners requested information be submitted at a later date on a range of topics including how to engage inland states in ocean policy; whether the estimates on port infrastructure take into consideration the likely increase in oil imports; and how to improve coastal zone management consistency issues.

### **Federal Agencies**

The Honorable Samuel W. Bodman, Deputy Secretary, Department of Commerce  
Mr. Chris Kearney, Deputy Assistant Secretary for Policy and International Affairs,  
Department of the Interior  
Dr. Robert Wayland, III, Director, Office of Wetlands, Oceans and Watersheds,  
Environmental Protection Agency

Following their presentations, the panelists commented on question raised by the Commission. It was noted that integrated programs do not readily translate to integrated budgeting, and Mr. Bodman was asked to comment on how to overcome conflicts and start laying the groundwork for developing an integrated ocean policy. Mr. Bodman encouraged the Commissioners to consider what they ideally want to see accomplished. He suggested that more may be possible than is imagined and noted his opinion that the Commission has an ally in President Bush.

On the issue of NOAA becoming an independent agency, Mr. Bodman noted his opinion that any action the Commission believes will improve the position of the U.S. regarding its oceanographic assets and responsibilities is open for consideration. He commented that if there are benefits to taking such a step, then it should be encouraged. In making its determination, however, he asked the Commission to consider the following: 1) the advantages of NOAA being within the Department of Commerce because of fishing and other commercial activities; 2) the broader set of questions involved that make this more than an oceanographic matter; and 3) whether such an independent agency would be large enough to survive budget in the budget process.

Regarding the impact of terrorism on sharing environmental data and the EPA policy on data sharing, Dr. Wayland replied that there has been some concern, for example with drinking water sources and chemical storage sites. The EPA is currently examining what information is available and how it is available.

On the topic of non-point pollution, Mr. Wayland noted that there are gaps in the mechanisms to address the issue and educate the public. He commented on the Total Maximum Daily Load Program, a new program at EPA to identify non-point pollution sources and provide resources to address this issue.

Dr. Sandifer stated that NOAA has an opportunity to lead the nation in integrating atmospheric information with oceanographic and biological information. He asked that NOAA not only consider the mechanics of accomplishing this but also look into other available resources.

Several Commissioners requested information be submitted at a later date on a range of topics including additional information on Total Maximum Daily Load Program, integration of policies and regulations when determining activities to prevent, use of the National Estuary Program as a model of coordination, and K-12 education programs.

### **Federal Agencies**

RADM Dick West, USN, Oceanographer of the Navy  
RADM Mike Lohr, JAGC, USN, Deputy Judge Advocate General and Commander,  
Naval Legal Service Command  
Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries,  
Department of State

After making their presentations, panelists provided additional comments on issues raised by the Commission. On the issue of science and foreign policy, Ambassador West noted that the Department of State has a new Science Advisor, Dr. Norman P. Neureiter, and recognizes that science-based issues will be increasingly at the forefront of policy issues.

Admiral Watkins noted that the Commission will be voting on a draft resolution urging Congress and the Administration to move quickly on U.S. ratification of the Law of the Sea Convention. Ambassador West noted her opinion that the Commission's statement could be very useful. She added that there is a long-term benefit to the U.S. joining the Convention at any time. Admiral Watkins assured the panelists that the Commission will be sensitive to national security issues throughout the deliberation process.

In response to a question regarding Navy funding for and commitment to basic research, Admiral West stated that he does anticipate funding will continue, with a possible increase.

When asked the status of releasing Navy bathymetric maps to the civilian community, Admiral West replied that requests for this information are reviewed on a case by case basis. He commented that to his knowledge, most requests have been approved to date.

In response to a question regarding freedom of navigation, Admiral Lohr stated that under international law, ships and aircraft enjoy freedom of navigation and overflight

while operating beyond the territorial sea, which may extend out to 12 nautical miles. Ships are entitled to operate in innocent passage within the 12 nautical mile territorial sea.

The issue was raised of U.S. delineation of the outer continental shelf in order to claim territory beyond the 200-mile EEZ. Ambassador West noted that the time by which nations that were parties to the Convention in May of 1999 need to file their recommendations with regard to their continental shelves is May of 2009.

Several Commissioners requested information be submitted at a later date on a range of topics including the effectiveness of large, international programs led by the U.S., how the State Department helps other agencies weigh in with the Office of Management and Budget and the Congress in terms of international priorities, how best to involve the U.S. Army Corps of Engineers in the Commission's efforts, and encroachment on military training areas.

### **National Academy of Sciences**

Dr. Bruce Alberts, President, and Chair, National Research Council

Following his formal statement, Dr. Alberts responded to questions from the Commissioners. On the topic of communicating scientific information to Congress, Dr. Alberts noted that funds are not provided to the National Academy of Science (NAS) for the dissemination of information. The NAS reports are intended to provide a platform for discussing issues.

Admiral Watkins requested that NAS review the broad reports it has prepared and determine what actions have been taken as a result of the Academy's recommendations. Dr. Alberts noted the need for a strong Office of Science and Technology Policy (OSTP) that is tied directly to the Office of Management and Budget. He stated that NAS will be working with Dr. John H. Marburger III, Director of OSTP, to raise the profile of science and create a stronger agency. Admiral Watkins stated that he would like the Commissioners to meet with Dr. Alberts, Dr. Marburger and others.

Dr. Ballard recommended that the Commission maintain communication with the NAS Exploration of the Seas project and suggested that social scientists be included on the project's committee. Dr. Morgan Gopnik, Director of the National Research Council's Ocean Studies Board, stated that the project committee shares Dr. Ballard's interest in coordinating efforts.

### **Commission Business**

Working Group Process and Issues:

Dr. Hershman, Dr. Coleman and Dr. Sandifer provided an overview of the potential issues to be addressed by each Working Group (see Appendix 3). Dr. Kitsos described the staff-level coordination effort to address the Working Group issues. This effort will include three Associate Directors working under the direction of the Executive Director to coordinate activities.

The Commission discussed the focus on issues in the coastal ocean and agreed that there are many issues beyond the exclusive economic zone (EEZ) that need to be considered. It was determined that these issues can be addressed within the existing Working Group structure. A recommendation was made that the Commission also examine issues specific to the Southern Hemisphere, as well as international issues. The Commission agreed that the ultimate goal is to describe a vision for the future that covers all issues, including those outside the EEZ. Dr. Ruckleshaus has prepared the first draft of such a “vision statement,” which will be made available for review by the other Commissioners.

The Commission discussed marine protected areas and agreed that the first priority is to map the extent of the existing areas. A request to the appropriate federal agencies to provide such a map, including a description of uses and restrictions of each area, will be made through the Executive Director and Chair.

Dr. Hershman commented that the Commission needs to address its charge to examine the cost of infrastructure. ADM Watkins suggested the Commission may want to have an advisor for economic issues, infrastructure needs, and other concerns that go beyond pure science matters who could also advise the Working Group on Investment and Development that will be established at a later date.

Meeting Statutory Requirements of Section 3(F)(c) of the Oceans Act of 2000:

The Commission discussed how to address the task put forth in Section 3(F)(c) of the Oceans Act of 2000 (See Appendix 4). Dr. Hershman commented that the Governance Working Group considers the task to be too broad an effort and recommended the Commission focus on reviewing the cumulative effect of ocean-related laws. The Governance Working Group and Executive Director will develop a draft approach for addressing this section of the legislation.

Regional Meetings Plan:

The Commission discussed the draft regional meetings plan (see Appendix 5) and made recommendations for changes and noted potential conflicts. The date for the Northeast regional meeting will be switched with that of the Alaska regional meeting. The Gulf of Mexico regional meeting will be reduced from four to three days, with the major meeting site being New Orleans. The draft plan was approved with the changes noted. The Commission agreed a wrap-up meeting should be held in Washington, D.C. following the last regional meeting, with additional meetings scheduled as needed.

Commissioners expressed interest in meeting as Working Groups independent of the Commission as a whole. It was agreed the regional meetings should be scheduled with some flexibility to allow Working Group meetings or other activities as necessary.

Resolution on the United Nations Convention on the Law of the Sea:

The Commission discussed the draft Resolution on the United Nations Convention of the Law of the Sea (See Appendix 6), noting that while comments were made during the public dialogue on the Administration's support for U.S. ratification of the Convention, no official statement has been released. The Resolution was passed unanimously by voice vote. The Executive Director and Chair will determine how to distribute the Resolution to ensure maximum effectiveness.

Acceptance of Additional Written Statements for the Record:

Written materials from Dr. John Norton Moore, Director of the Center for Oceans Law and Policy at the University of Virginia, and Ms. Suzanne Giles, Water Quality Program Coordinator at the American Oceans Campaign, were accepted for the record.

### **Public Statements**

Ms. Tanya Dobrzynski, Marine Ecosystems Specialist with Oceana, commented on the status of U.S. marine fisheries. She noted the opinion of Oceana that these fisheries are in crisis and discussed potential solutions. She urged the Commission to direct the National Marine Fisheries Service to obtain the necessary information to manage ocean resources in a sustainable manner. She also urged the Commission to recommend that Congress provide the agency with the funds necessary to carry out this task.

Mr. William Chandler from the Marine Conservation Biology Institute discussed Marine Protected Areas (MPA) and urged the Commission to discuss this issue with knowledgeable scientists. He recommended that MPAs be implemented, tested and evaluated in order to demonstrate that they are effective and beneficial to all interests.

Ms. Katlin Antrum, from the Council on Ocean Law, discussed a database of tasks and responsibilities that was presented to the United Nations as the U.S. input to the first meeting of the Commission on Sustainable Development. She commented that the Commission may want to access this database. Dr. Hershman suggested that the Commission request a report on the results of the follow-up meeting, the World Summit on Sustainable Development (Rio Plus-10).

The second day of the meeting was adjourned at 3:40 p.m.

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 1 – Meeting Attendees

### **November 13-14, 2001 Ocean Commission Meeting Attendees**

<u>Name</u>	<u>Affiliation</u>
Eileen Alicea	NOAA Restoration Center
Dottie Anderson	NOAA Central Library
Caitlyn L. Antrim	Council on Ocean Law
Ellen Athas	CEQ
Mitchell Baer	DOE
Linda Bauch	API
Jeff Benoit	JR Benoit Consulting
Jonathan Berkson	U.S. Coast Guard
Barbara Best	USAID
Bowen Brooks	No affiliation provided
Timothy Brown (LT)	U.S. Coast Guard
Jessica Butts	National Parks Conservation Association
Jan Campbell	Marine Fish Conservation Network
Sally Campen	Japan Fisheries Association
Laura Cantral	Laura Cantral Assoc.
James Caponiti	U.S. Maritime Administration
Joanne P. Carney	AAAS
Jared Carpenter	CREA
Michael Carter	Maritime Administration
Michael B. Cerne (CDR)	U.S. Coast Guard
William J. Chandler	MCBI
Thomas J. Chase	American Association of Port Authorities
Sarah Chasis	Natural Resources Defense Council
Andrew M. Clark	Marine Technology Society
Bob Clarke	U.S. Coast Guard
Roz Cohen	NOAA
Diana Combs	Coast Alliance
Sarah W. Cooksey	State of Delaware DNREC
Patrick Cotter	U.S. EPA Office of International Activities
Emily Crum	American Geophysical Union
Mary Lou Cumberpatch	NOAA Central Library
Penny Dalton	CORE
Margaret Davidson	NOAA
Cynthia Decker	CORE



**November 13-14, 2001 Ocean Commission Meeting Attendees, Cont'd.**

<u>Name</u>	<u>Affiliation</u>
Jason Delp	Rep. James C. Greenwood
Adam DeMella	No affiliation provided
Betsy McEvoy Diaz	Island Press/Compass
Tanya Dobrzynski	Oceana
Richard Doege	Harvard University
Arnold Donahue	NAPA
Kimberly S. Dons	The Ocean Conservancy
David Duplautier	Chevron Texaco
Cheryl Dybas	NSF
Mileu Dysulgerov	No affiliation provided
Deborah Elcock	Argonne National Laboratory
Marjorie Ernst	NOAA
Wayne Estabrooks	U.S. Navy
Robert S. Faron	Law Offices of Robert S. Faron
Libby Fayad	National Parks Conservation Association
Andrew Fedynsky	Institute for Exploration
Madilyn Fletcher	Baruch Institute University of South Carolina
Harrison S. Ford	U.S. Department of Commerce
Bill Fornes	CORE
Eugene S. Fritz	AFS
Adrienne Froelich	American Institute of Biol. Sci./Amer. Soc. of Limn. & Ocean.
Steve Gavey	Pew Oceans Commission
Rene Gibson	Shell Exploration Production Co.
Bailey Giesler	Defenders of Wildlife
Dierdre Gilbert	Rep. Tom Allen
Suzanne Giles	American Oceans Campaign
L. K. Glover	U.S. Navy
M. Gorina-Ysern	AU-SIS
David M. Graham	Oceanspace
Susan Gregersen	U.S. Department of Energy
David Guggenheim	The Ocean Conservancy
Hannah Guillelan	Marine Conservation Biology Institute
Richard Gutting (Jr.)	National Fisheries Institute
John Haines	U.S. Geological Survey
Janet Hall	Jason Foundation for Education
Stephanie Harrington	NOAA/OAR
Joseph Hartenstine	NOAA/SDIA
Julia Hathaway	The Ocean Conservancy
Margaret Hayes	State Department OES/OA
Nathanael Heasley	Taxpayers for Common Sense/Friends of the Earth
David Helvarg	Author/Journalist

**November 13-14, 2001 Ocean Commission Meeting Attendees, Cont'd.**

<u>Name</u>	<u>Affiliation</u>
Robert Hendrickson LCDR (sel)	U. S. Coast Guard Office of Fisheries Enforcement
Natalie Henry	Greenwire
Wolcott Henry	Munson Foundation
Herb Herrmann	U.S. Navy – NFESC
Charles Higginson	Council on Ocean Law
Mike Hirshfield	OCEANA
David Hoskins	The Ocean Conservancy
Bob Houtman	Office of Naval Research
Kathy Hurld	EPA
Nathan Hurst	The Ocean Conservancy
Garth Jensen	South Florida Ocean Measurement Center
W. Pete Jenson	National Academy of Public Administration
Peter Johnson	National Academy of Sciences
John Justus	Library of Congress/CRS-RSI
Fred Kenney	U.S. Department of State
Scott Kenney (CDR)	U. S. Navy
Keelin Kuipers	NOS/NOAA
Judith J. Kildow	University of Southern California
Fred Klein USN (Ret.)	Mitretek Systems
Jennie Kopelson	CORE
David Kramer	Science & Government Report
Gerhard Kuska	Center for the Study of Marine Policy University of Delaware
Jennifer LaBarre	The Nature Conservancy
Keith LaFoe	Washington Nichibei Consultants
Robert Landis	NOAA-NWS
Conrad C. Lautenbaucher	CORE
Gerry Leape	National Envir. Trust
Steve Leathery	NOAA/NMFS/House Resources Comm.
Justin LeBlanc	National Fisheries Institute
Jen Lechuga	NOAA
Margaret Leinen	National Science Foundation
Lester S. LeVay	Maritime Admin.
Dianne-.0	
Karin Lynn	U.S. Navy/MTS
Tony MacDonald	Coastal States Organization
Gary Magnuson	National Ocean Service/NOAA
David Martin	Ocean.US
Sally McGee	Rep. Gilchrist
Elena Melchert	U.S. Department of Energy
Thomas Michels	NOIA
Beth Millemann	Clean Ocean Action

**November 13-14, 2001 Ocean Commission Meeting Attendees, Cont'd.**

<u>Name</u>	<u>Affiliation</u>
Peter E. Miller	USAID
Richard Miller	DOI
Jeannie Mills	NOIA
Bruce F. Molnia	House Oceans Caucus
Cristina Montejo	Marine Fish Conservation Network
Sarah Morison	Sea Grant Fellow/House Resources Committee
Fredrika Moser	Maryland Sea Grant College
Jennifer Murphy	The Heinz Center
Harriet Nash	Friends of the Earth
Jay Nelson	The Pew Charitable Trusts
Thomas Nelson	ONR/NDU
Damien Newton	Marine Fish Conservation Network
Judy Olmer	Sierra Club
Elizabeth Parr	Think Energy
Jason Patlis	Environmental Law and Law Development Association
Robert Pawlowski	Thales Geosolutions Pacific
Emil Petruncio	U.S. Navy
Brian T. Petty	IADC
Lisa Pinsker	Geotimes
Rob Quartel	Freight Desk Technologies
Jeff Rank	Heinz Center
J.D. Rathbun	No affiliation provided
Scott Rayder	CORE
John Rayfield	House Resources Committee
Christy Reed	Geotimes
Mike Reeve	NSF
Nicole Ricci	USGS
Carl Richards	MN Sea Grant – University of Minnesota
Robert G. Ross (Capt.)	USCG Headquarters
Robert Rowland	Rowland Stones Geo. Services
Roger Rufe	The Ocean Conservancy
Bob Sandilos	Chevron Texaco
Kevin Schexnayder	Naval Meteorology and Oceanography Command
Amy Schick	Pew Oceans Commission
Carl Schmid	TMS Inc. (for DOE)
Gregg Schmidt	The Ocean Conservancy
Rick Schwabacher	Cousteau Society
Jennifer Sergent	Scripps Howard
Bob Shephard	Harbor Branch Oceanographic Institute
Noriko Shoji	NOAA
E.A. Silva	Bison MDR/MDY

**November 13-14, 2001 Ocean Commission Meeting Attendees, Cont'd.**

<u>Name</u>	<u>Affiliation</u>
Larry J. Silverman	Attorney
Ashley Simons	SeaWeb/Compass
Charles M. Smith	No affiliation provided
Eugene Smith	NOAA/OAR
Holly Smith	NSF
Russell Smith	U.S. Department of Justice
Jordan St. John	NOAA
Joshua Stearns	NOAA
Stan Stevens	National Environmental Trust
Robert H. Stockman	NOAA/OFA
Kandace Studzinski	National Ocean Industries Association
Heidi Taylor	Marine Fish Conservation Network
Anne Tenney	National Science Foundation
Randi Thomas	U.S. Tuna Fnd
Diane Thompson	Pew Charitable Trusts
Carolyn Thoroughgood	CORE
Virginia Tippie	Coastal America
Peggy Tomlinson	American Bar Association
Amanda Truett	UMD
Ken Turgeon	DOI
Beth Tyler	American Fisheries Society
Gregory J. Washington	Chevron Texaco
Janet Waustein	No affiliation provided
Heidi W. Weiskel	Pew Oceans
Eli Weissman	The Ocean Conservancy
David Whaley	House Resources Committee
Stephen Whelan	No affiliation provided
Susan White	USFWS
Nobuyuki Yagi	Embassy of Japan
Mary Helen Yarborough	Platts Inside Energy

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 2 – Consent Calendar

### **Meeting of the Commission on Ocean Policy November 13-14, 2001 Washington, D.C.**

1. Approval of draft minutes of the September 17-18, 2001 Commission meeting.
2. Regarding the organizational structure for governing the Commission's work, acceptance of the title "Working Group" in lieu of "Committee," i.e.:
  - Stewardship Working Group
  - Governance Working Group
  - Research, Education and Marine Operations Working Group
  - Investment and Development Working Group
3. Approval of the third public meeting of the Commission (or the first regional public meeting) to be held at Charleston, S.C. January 14-16, 2002 for the Southeast Region of the United States.

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 3 -Working Group Issue Papers

### **Governance Working Group**

The Governance Working Group will examine the current roles of Federal, State and local governments as they relate to the oceans, and make recommendations or provide options to the full Commission for reform or improvement.

#### **Working Group Members**

Mr. William D. Ruckelshaus, Chairman  
Mrs. Lillian Borrone  
Mr. Lawrence R. Dickerson  
Professor Marc J. Hershman  
Mr. Christopher Koch  
Dr. Andrew A. Rosenberg  
Admiral James D. Watkins, USN (Ret.)

#### **Issues** (subject to revision)

The Working Group intends to examine the following general areas for their relevance to governance, recognizing that the list is preliminary, may need to be expanded, and will be coordinated with the other Working Groups.

- Territorial Sea and Exclusive Economic Zone governance regimes.
- Improved coordination among Federal bodies with direct and indirect ocean responsibilities.
- Federalism: Managing the intersection of Federal, State, and local governments.
- Place-based collaborative decision processes involving stakeholders.
- International leadership by the U.S. in marine affairs, including ratification of the Law of the Sea Convention.

#### *Territorial Sea and Exclusive Economic Zone governance regimes.*

The U.S. has declared the area between the coastline and seaward 12 miles as our territorial sea and, therefore, sovereign territory. Between zero and three miles, jurisdiction is vested in the coastal state, but federal interests beyond three miles are established only through specific laws dealing with fisheries, mineral development and water quality. There is no general law or governance regime for this area.

In 1983, the U.S. proclaimed an Exclusive Economic Zone contiguous to the

territorial sea and extending seaward to 200 nautical miles from the baseline. Rights and responsibilities exercised by the U.S. in this zone are authorized through laws dealing with specific resources only. There is no general law asserting broad control over this vast offshore area (in which there are reserved international rights) in the same way that we have asserted responsibility for onshore public lands (e.g., national forests, grazing lands, etc.). Such a law could provide the vehicle for establishing broad goals, coordinating mechanisms, research/mapping tasks and other functions.

*Improved coordination among Federal bodies with direct and indirect ocean responsibilities.*

In recent years, there has been a continuous demand for better coordination of coastal and marine government programs and services to avoid conflicts, redundancies and costs. Improved integration can occur in a variety of ways ranging from improved communication to agency mergers with many variations along the way. In the late 1960's, the U.S. had a marine council. In more recent times, the National Oceanographic Partnership Program (NOPP) was established. At the state level, there are examples of coastal and marine coordinating programs with varied success. Consideration should be given to the potential for a new coordinating body and the benefits and costs that would result.

*Federalism: Managing the intersection of Federal, State and local governments.*

Federalism issues permeate virtually every aspect of coastal and marine affairs. All federalism issues have legal, financial and political dimensions that reflect the U.S. system of governance. Federalism issues vary depending on the topic being considered and the applicable authorizing legislation. There are examples of management tools that have improved federal-state relations, such as the Coastal Zone Management Act. More attention needs to be given to examples of federal-state partnerships and collaborations that have worked and the reasons for success.

*Place-based collaborative decision processes involving stakeholders.*

The U.S. governance structure is complex and normally involves many agencies with differing mandates and time schedules. Additionally, individuals are accorded considerable access to the administrative process and the judiciary processes, and their civil liberties and property rights are carefully protected. Because the hurdles to overcome in any decision process can be daunting, various forms of collaborative decision processes among stakeholders have evolved. There is considerable experience in the use of these processes, and the potential is there for more extensive use. Greater institutionalization of the methods and techniques may be warranted, as well as greater application of the processes designed to manage and protect the coastal and marine environments.

*International leadership by the U.S. in marine affairs, including ratification of the Law of the Sea Convention.*

In addition to the areas for inquiry noted above, there are more specific problems that should be examined. Without providing an exhaustive list, these include:

- Reducing ocean pollution;

- Managing coastal zone development;
  - Improving living resources management;
  - Planning offshore oil and gas development; and
  - Protecting and restoring urban harbors.
- 

## **Research, Education, and Marine Operations Working Group**

The Research, Education and Marine Operations Working Group will acquire data on and assess the existing knowledge of ocean and coastal research, education, and marine operations. The Working Group will analyze such data and the state of knowledge to assess their adequacy in achieving the national goals set forth in the Oceans Act of 2000. The findings and recommendations of the Working Group will be reported to the full Commission as the basis for discussion and possible action.

### **Working Group Members**

Dr. James M. Coleman, Chairman  
Dr. Robert D. Ballard  
Mr. Ted A. Beattie  
Mr. Edward B. Rasmuson  
Admiral James D. Watkins, USN (Ret.)

### **Issues (subject to revision)**

- The Working Group intends to examine the following general areas (presented in no priority order) for their relevance to research, education and marine operations.
  - > Long-term ocean and coastal issues (effects of sea-level rise resulting from global change, coastal hazards, coastal land loss, ocean pollution and debris, non-point source pollution in estuaries and related matters)
  - > Maritime transportation and port infrastructure (financing, regulatory, tax mechanisms, safety and related matters)
  - > Coastal tourism and recreation (public/private partnerships and policies, resource management to foster sustainable tourism and related matters)
  - > Natural hazards in the coastal zone (regulations and policies, national response and related matters)
  - > Coastal environmental quality (in response to stresses related to nutrient, chemical, debris, transportation, and development causes, and related matters)
  - > Ocean and coastal facilities and technology (coastal and ocean observing systems, sea floor observatories, oceanographic vessels, facilities for data assimilation and integration, research institutions and laboratories, and related



matters)

- > Human and fiscal resources for research in the ocean and coastal areas
- > Coastal and ocean data acquisition, analysis and archiving
- > State of remote sensing technology in oceanic and coastal research
- > Relative roles of stakeholders (academia, government, industry and public) in ocean and coastal science
- > Status of marine biotechnology research
- > Communication and coordination among various federal and state agencies in estuarine protection
- > Ocean and coastal habitat mapping and description
- > Coastal and ocean dredging and dumping
- > Coordination of K-12, undergraduate and graduate education in the ocean and coastal sciences
- > Research infrastructure in oceanography and marine and coastal ecosystems
- > Strategy to expand exploration of the oceans, and use and sharing of technology (academia, government, private) and utilization of technology (submersibles, ROVs, and others)
- > Non-conventional ocean energy resources (hydrates, power generation and others).

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## **Stewardship Working Group**

The Stewardship Working Group (SWG) of the Commission on Ocean Policy will assess the current status of the United State's stewardship of living and non-living marine resources in coastal and EEZ waters and in the world oceans. The SWG will review our knowledge of global climate change, its relationship to ocean resources, and strategies to deal with change. It will also provide recommendations on those ocean qualities that are important from the point of view of non-extractable ocean resources. The SWG will concentrate on what we, the people of the United States, can do to responsibly and sustainably use our contiguous ocean areas and their resources and the global ocean system to which they connect. The SWG will report its findings and recommendations to the full Commission as the basis for discussion and possible action.

## **Working Group Members**

Dr. Paul A. Sandifer Ph.D.,  
Ms. Ann D'Amato  
Vice Admiral Paul G. Gaffney II, USN  
Mr. Paul L. Kelly  
Dr. Frank Muller-Karger  
Admiral James D. Watkins, USN (Ret.)

## **Roles of the Working Group**

In carrying out this charge, the SWG will consider various trends (e.g., in such areas as the use and status of extractable and non-extractable resources, water quality, human health, atmospheric phenomena and weather, stakeholder perspectives, regulatory decisions and the impacts of such decisions, ecological, economic, social and political impacts of use and regulation, investments in science, technology, management, and regulation, etc.) and identify and evaluate a range of alternatives for consideration by the full Commission. The SWG will work to ensure that the highest priority issues are addressed on a region-by-region and national level, that opportunity for input is provided to interested entities, that relevant questions are posed to presenters at public meetings of the Commission or subunits of the Commission, that staff or research papers are prepared as needed by the SWG, and that key issues and possible options for addressing them are identified.

## **General Areas of Assessment/Interest**

The SWG intends to examine a wide range of issues on ocean use, conservation, management, recovery and enforcement within the context of the following ten broad areas, which are listed in no order of priority.

1. *Education/Monitoring*: People in the U.S. need to be sufficiently educated on ocean and weather matters to ensure that a strong stewardship ethic develops with regard to use of the ocean. What are some means to engage the public in a continuing effort of stewardship of the ocean? Are we investing effectively in educating the public about ocean/coastal issues so that they can act and vote intelligently? Are we educating the public to ensure they understand the value of science and the meaning of uncertainty? Are we investing sufficiently in ongoing, long-term monitoring of the coastal and marine environments and the upland ecosystems to which they connect, to be able to determine whether change is occurring, and the direction, magnitude and likely cause of such change? Does the public understand the link between the ocean, weather, and climate? Does the public understand the connection between ocean health and human health? Are we pursuing opportunities to provide international leadership through education and training?
2. *Science Underpinning for Regulations*: We cannot manage individual resources without considering the impacts on other species or resources; we must instead recognize interrelated systems within the oceans and manage accordingly. Are U.S. rules and laws that regulate behavior in the use of the broad range of ocean resources based on the best available scientific understanding and best available data? Do we have the necessary tools to be

- good stewards of the ocean environment? What is the best strategy to map resources? Is our understanding of the physical, chemical, and biological connections between the atmosphere and the ocean robust enough for use in defining responsible and sustainable resource use practices? Do we understand the human health repercussions, including possible risks of infectious disease or contamination associated with land development or changes in the ocean environment? Are we developing new tools to help monitor these risks? Specifically, is there sufficient credible science to support stewardship and resource management decisions? Is this science used appropriately? Is there a need for coordination and synthesis of the scientific endeavors of the U.S. and the international community?
3. *Governance*: The U.S. needs to develop sufficiently clear and unambiguous governmental organizational structures spanning comprehensive jurisdictional and geographic regimes so as to encourage rather than discourage responsible use of the oceans. How can the U.S. coordinate what appear to be numerous, disjointed, overlapping and/or contradictory organizational, regulatory and process regimes that render ocean management ineffective? What are the appropriate roles of the Federal government, of States and local governments, and of the private sector? Do our interagency and Federal-State management mechanisms work sufficiently well from a stewardship perspective? Do existing management structures suffer from conflicting mandates? With regard to regulatory regimes, what positive incentives, deterrent restrictions, or combination of management tools could be utilized within the marine management structure to enhance sustainable use of resources?
  4. *Stewardship Investment*: Has the U.S. made sufficient investment in understanding how well it is behaving with regard to the sustainability of ocean uses? Are we investing sufficiently in ongoing, long-term monitoring of the coastal and marine environments and the upland ecosystems to which they connect, to be able to determine whether change is occurring, and the direction, magnitude and likely cause of such change? Are these investments properly scoped to address the connections between the atmosphere, the ocean, human society, and living resources? Can we tell which resources are in good condition and which are in trouble? Can we determine cause and develop solutions to resolve these problems? Do we know the status of U.S. stewardship of fisheries and other living marine resources and the habitats upon which they depend? Are the Federal and State fisheries management mechanisms resulting in effective stewardship of targeted and non-targeted fishery populations? Is there need for a national policy and plan for management and protection of underwater cultural resources in the nation's marine environment?
  5. *Coastal Development*: Today, over 40 percent of new commercial and residential development is along the coast, and it is estimated that by the year 2025, about 75 percent of Americans will live near an ocean. The U.S. needs to develop a strategy to manage such growth and maintain a dynamic shoreline. Unbridled coastal development and its related non-point-source runoff, runoff from non-coastal areas, and erosion pose pervasive and highly significant threats to coastal and marine environments and communities. Likewise, coastal tourism and population relocation are major contributors to the economic value derived from the nation's coastal environments and also

- to growth-related impacts on marine resources. What can the country do as a matter of national policy to reduce and better manage these threats, while maintaining the vibrant economic engine of our coasts? Should the U.S. consider developing a comprehensive management strategy and structure related to coastal development and tourism?
6. *Enforcement:* Effective enforcement of rules and regulations is an essential element of successful stewardship efforts. Does the U.S. have effective enforcement of stewardship regulations? How can such enforcement be improved without impacting enhanced national security efforts, or how can it be coordinated jointly with such efforts? Are new technologies being developed to assist in stewardship enforcement? How can the Department of Defense test its existing and new security systems, as well as train its people in the ocean so as to be effective in its national defense missions but with minimal impact on living marine resources and habitats? How can the Federal government, States and local jurisdictions work together to improve enforcement of stewardship rules within the Nation's coastal and marine environments?
  7. *Marine Transportation:* A vibrant marine transportation system, including competitive ports, is essential for the economic future of the nation. How can port development, management, expansion, rehabilitation and impacts of such activities on the surrounding coastal communities and marine environments be managed within a national context? Are actions by agencies such as the U.S. Corps of Engineers and other Federal, State and local entities consistent with regional ecosystem requirements and a stewardship ethic? Can the U.S. develop an integrated, national transportation strategy that considers sea, land, and air routes in the modernization of its ports infrastructure, and do this by capitalizing on natural resources in a sustainable fashion? Are there stewardship issues related to transportation on the high seas? Are incentives available, or could such incentives be developed for the shipping industry to minimize issues of biological and chemical contamination associated with ballast water and other discharges? What are the lessons learned so far in terms of what works in promoting stewardship in these industries?
  8. *Planned Use Management:* Zoning and land use planning are widely accepted practices in managing land resources. Are these concepts transferable to oceanic areas? Should the U.S. develop a national "Ocean Use Plan" based upon "Designated Use Areas" for the U.S. Exclusive Economic Zone (EEZ)? What are the optimal mechanisms to partner with States and link with coastal land-use plans? Can we capitalize on the Coastal Zone Management Act of 1972 or other existing Federal statutes as a basis for an integrated ocean use plan? There are many different kinds of "Marine Protected Areas" (MPA's) under different jurisdictions, in different environments and created or considered for vastly different purposes (protection of fragile environments, enhancement of target populations, security zones, defense practice ranges, etc.). Does the U.S. have/need a systematic approach to MPA's? Are the various kinds of MPA's effective or ineffective? Is there a most effective way to design MPA's and use them in combination with other management tools for improved resource management? What other zonation concepts simplify resource management in the ocean?

9. *Global Climate Change*: Climate change is a matter of urgent global concern, particularly with regard to stewardship of natural resources. Is the U.S. investing sufficient resources in research and monitoring of oceanic processes and ocean-atmosphere interactions to adequately address climate change issues? Does the U.S. have effective programs and national leadership to determine the roles of the open ocean, continental margins, coastal zones and estuarine areas in climate and climate change?
  
10. *International and Multi-Jurisdictional Issues*: Many ocean issues are international in nature, including extractable minerals and a number of important stocks of living resources. Is the U.S. able to influence the international community significantly with regard to responsible and sustainable uses of the global ocean commons? How can the nation improve its performance in this regard? Are there specific and near-term opportunities for the US to take the lead in management of cross-jurisdictional fisheries resources such as those in the Gulf of Mexico and the Gulf of Maine or among highly migratory species? Can the U.S. help improve the structure of international institutions to simplify governance of the oceans around the globe?

Stewardship is about responsible use of our ocean and its resources, and it is about sustainability; thus, it is all about behavior, both societal and individual. Ocean constituencies focused principally on conservation, on use, or on managing ocean resources often see each of the questions (and many others) posed above from their different perspectives. The SWG aims not to look at these and related issues from the viewpoint of any one group or interested party, but rather from the point of view as to whether the necessary mechanisms are in place to enable the Nation to use its ocean resources in responsible and sustainable manners.

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 4 – Meeting Statutory Requirements of Section 3(F)(c) of the *Oceans Act of 2000*

*Oceans Act of 2000*  
Section (3)(F)(c)

A review of the cumulative effect of Federal laws and regulations on United States ocean and coastal activities and resources and an examination of those laws and regulations for inconsistencies and contradictions that might adversely affect those ocean and coastal activities and resources, and recommendations for resolving such inconsistencies to the extent practicable. Such review shall also consider conflicts with State ocean and coastal management regimes.

# U.S. COMMISSION ON OCEAN POLICY



## Appendix 5 – Regional Meetings Plan

### **January 14-16, 2002**

#### **Southeast Regional Meeting - Delaware to Georgia**

January 14 - Regional Site Visits

January 15 and 16 - Public Meetings, Charleston, S.C.

### **February 21-22, 2002**

#### **Florida and the Caribbean Regional Meeting**

February 21 - Regional Site Visits

February 22 - Public Meeting, St. Petersburg, FL

### **March 6-8, 2002**

#### **Gulf of Mexico Regional Meeting - Alabama to Texas**

March 6 - Regional Site Visits

March 7-8 - Public Meetings, New Orleans, LA

### **April 17-19, 2002**

#### **Southwest Regional Meeting - California**

April 17 - Regional Site Visits

April 18 and 19 - Public Meetings, Los Angeles, CA

### **May 13-14, 2002**

#### **Hawaii and Pacific Islands Regional Meeting**

May 13 - Regional Site Visits

May 14 - Public Meeting, Honolulu, HI

### **June 12-14, 2002**

#### **Northwest Regional Meeting - Washington and Oregon**

June 12 - Regional Site Visits

June 13 and 14 - Public Meetings, Seattle, WA

### **July 22-24, 2002**

#### **Northeast Regional Meeting - New Jersey to Maine**

July 22 - Regional Site Visits

July 23 and 24 - Public Meetings, Boston, MA

**Regional Meetings Plan Cont'd.**

**August 21-23, 2002**

**Alaska Regional Meeting**

August 21 - Regional Site Visits

August 22 and 23 - Public Meetings, Anchorage, AK

**September 23-25, 2002**

**Great Lakes Regional Meeting**

September 23 - Regional Site Visits

September 24 and 25 - Public Meetings, Chicago, IL



# U.S. COMMISSION ON OCEAN POLICY



## Appendix 6 – Draft Resolution on the United Nations Law of the Sea Convention

Draft Resolution of the Commission:  
United Nations Law of the Sea Convention

The National Commission on Ocean Policy unanimously recommends that the United States of America immediately accede to the United Nations Law of the Sea convention. Time is of the essence if the United States is to maintain its leadership role in ocean and coastal activities. Critical national interests are at stake and the United States can only be a full participant in upcoming Convention activities if the country proceeds with accession expeditiously.