

**WRITTEN TESTIMONY OF MR. ROBERT TALBOT
CHAIR, BOARD OF TRUSTEES
NATIONAL MARINE SANCTUARY FOUNDATION**

**FIELD HEARING ON THE NATIONAL MARINE SANCTUARIES ACT
held by the
HOUSE COMMITTEE ON NATURAL RESOURCES
SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND OCEANS**

**November 3, 2007
Santa Barbara, CA**

Madam Chairwoman, I would like to thank you and the other Members of the subcommittee for holding this hearing to discuss an important piece of legislation that is now more than two years overdue for reauthorization—the National Marine Sanctuaries Act (NMSA or the Act). I would particularly like to thank Congresswoman Capps for requesting that the hearing be scheduled and hosting it here in her district. As the co-chair of the National Marine Sanctuary Caucus and the representative of the beautiful Channel Islands National Marine Sanctuary, she definitely knows and appreciates the value of protecting our nation's underwater treasures.

I come before you today not only as a longtime resident of California, which is home to four National Marine Sanctuaries, but also as the Chairman of the Board of Trustees for the National Marine Sanctuary Foundation. The Foundation is an independent, non-profit, 501(c)(3) organization that was created to preserve, protect and promote stewardship of our national marine sanctuaries.

The National Marine Sanctuary Foundation Board is made up of ocean champions from broad backgrounds, many of whose names you will probably recognize, including:

- Filmmakers, photographers, and artists such as myself and Robert Lyn Nelson;
- Explorers such as Dr. Bob Ballard, Jean-Michel Cousteau, and Dr. Sylvia Earle;
- Non-profit organization representatives such as Terry Garcia from the National Geographic Society and Justin Kenney from the Pew Charitable Trusts;
- Policymakers and public servants including Hon. Ernest Hollings, Hon. Lowell Weicker, and Joint Ocean Commission Initiative co-chairs Hon. Leon Panetta, Adm. James Watkins (USN, Ret.);
- Scientists and educators like Dr. Kumar Mahadevan, CEO of Mote Marine Laboratory, and Dr. Kathy Clark, former Chief Scientist for NASA's International Space Station Program;
- Industry representatives from a variety of sectors including Bob Hollis, Greg Conklin and Bob Holston from the dive industry, Xavier DeShayes and Jeffrey Mora from the culinary world, Stephanie Curry and Patricia Thompson from the financial sector and Tom Fry from the oil and gas industry.

As Trustees, we use our expertise to help the National Marine Sanctuary Foundation fulfill its mission. Currently, three of our major priorities are 1) to help pass a strong reauthorization of the National Marine Sanctuaries Act, 2) to support expansion of the National Marine Sanctuary System, and 3) to increase appropriation levels for both the National Marine Sanctuary Program and NOAA as a whole. Therefore, we are troubled that NMSA is overdue for reauthorization, and we urge you to make it a legislative priority in the 110th Congress. The longer we wait to reauthorize this act, the longer it will take to strengthen its provisions and provide a clear framework for the future.

Since original enactment of the NMSA in 1972, our understanding of the capacity and resiliency of the ocean has changed drastically. As highlighted by both the Pew Ocean Commission and the U.S. Commission on Ocean Policy in their respective 2003 and 2004 reports, our ocean is in peril and cannot continue to sustain itself in the face of increasing human pressures. Both commissions recommended reform and emphasized the need for ecosystem-based management in the face of multiple uses of the ocean and Great Lakes. Marine protected areas, like sanctuaries, are one valuable tool to do so, as demonstrated by the purposes and objectives of the National Marine Sanctuaries Act, including:

- Permanently protecting nationally significant areas of the marine environment by designating them as national marine sanctuaries;
- Managing these areas as ecosystems to maintain and enhance their natural biodiversity, historical and cultural heritage, and other unique qualities;
- Enhancing public awareness, understanding, and stewardship towards the marine environment;
- Promoting, supporting, and coordinating scientific research and monitoring of these areas;
- Managing other public and private uses of the areas that are compatible with resource protection; and
- Supporting the indefinite endurance of sanctuaries for the benefit of current and future generations.

The original act provides an important foundation upon which to build. However, as you consider reauthorization, we urge you to seek to update, strengthen, and clarify the law to allow the Secretary of Commerce and NOAA (through the National Marine Sanctuary Program) to be more effective and efficient in meeting its mandates in managing the National Marine Sanctuaries. To do so, we think it is necessary to make such changes as:

- Lifting the moratorium on the designation of new sanctuaries and creating ways to identify and prioritize places to be considered for designation;
- Strengthening the National Marine Sanctuary Program's ability to fulfill its primary objective of resource protection while managing competing uses within sanctuary boundaries by allowing managers to certify that uses are compatible, by authorizing temporally and spatially managed areas within sanctuaries, and by allowing greater permitting discretion;
- Elevating the National Marine Sanctuary Program to at least an office within the National Ocean Service;
- Improving the efficiency of the process for designating sanctuaries and amending designation documents after a sanctuary is designated;

- Improving the National Marine Sanctuary Program’s ability, through this Act, to manage marine national monuments for which they now have or are later given jurisdiction;
- Addressing the conflicts that arise regarding fishing regulations within sanctuary boundaries, as to better allow sanctuary managers to effectively protect sanctuary resources on an ecosystem basis; and
- Increasing the appropriation authorization levels to more adequately support the size and functions of the National Marine Sanctuary Program and the National Marine Sanctuary System as a whole.

As you know, there are currently 14 sites within the National Marine Sanctuary System. These include 13 national marine sanctuaries in both nearshore and offshore areas, one of which is in the Great Lakes. The system also includes the Papahānaumokuākea Marine National Monument, which was established in June 2006 in the Northwestern Hawaiian Islands and provides protection to approximately 140,000 square miles of area. The sanctuary system as a whole provides protection for such sensitive marine ecosystems as coral reefs and kelp forests, for habitats used by important or vulnerable marine species, and for historically significant shipwrecks and artifacts—protecting more area than all of the U.S. National Parks combined.

Despite their management mandate, NOAA’s National Marine Sanctuary Program has had relatively few resources with which to carry out its prescribed mission. As a comparison, the operating budget for the National Park Service is \$1.2 billion, compared to NMSP’s \$36 million. More Federal funding goes to Yellowstone National Park alone than all 14 site in the sanctuary system collectively. We hope that with the leadership of the members of this committee that such low funding levels for NMSP will be increased, and we thank the Chairwoman and Congresswoman Capps for the support you have already shown to this end. We also appreciate the efforts to attain elevation of the National Marine Sanctuary Program to an office level within the National Ocean Service, a step which would significantly increase the Program’s effectiveness. The funding levels and elevation language being proposed in both the House and the Senate Commerce, Justice, and Science appropriations bills for Fiscal Year 2008 are good signs of progress, and we hope that the President will ultimately see fit to sign this appropriations bill.

Despite some of these important steps forward, the value that the sanctuaries add for our country still greatly surpasses what we are willing to invest in them. And yet, the National Marine Sanctuary Program has still managed, through a talented and dedicated staff, to achieve incredible successes in carrying out their management, conservation, research, education, and outreach duties. For instance, they have turned years of research into effective management and conservation by—

- Improving the protections in the Channel Islands National Marine Sanctuary by developing a network of marine reserves in the federal waters, the largest such network in the continental U.S.;
- Gaining approval from the International Maritime Organization to shift shipping lanes in and around Stellwagen Bank National Marine Sanctuary to reduce whale strikes of critically endangered right whales by up to 58 percent and to other whale species by up to 81 percent;

- Creating the Tortugas Ecological Reserve in the Florida Keys National Marine Sanctuary, which recent data has shown has increased the number and sizes of commercially and recreationally important species of fishes and other marine life in the past five years since it was established;
- Recently completing the world’s largest whale research project ever attempted—the Structure of Populations, Levels of Abundance and Status of Humpbacks (SPLASH)— from which data will have a significant effect on management of the most highly mobile mammal in the world in its second-largest ecosystem habitat, the North Pacific Ocean Basin;
- And to build on such efforts as these, launching new sanctuary vessels to improve research, monitoring, and enforcement capabilities.

The National Marine Sanctuary Program has also worked diligently to increase public awareness about sanctuaries and wider ocean issues. The National Marine Sanctuary Foundation is proud to have partnered with the program in:

- Creating a new web portal called *OceansLive!* to give the general public access to the ocean environment through live underwater expeditions;
- Opening new sanctuary visitor centers to improve the visibility of sanctuaries and engage the public, including the Nancy Foster Eco-Discovery Center in the Florida Keys;
- Partnering with the State of California to launch the Thank You Ocean Campaign; and
- Conducting an education-focused mission called “If Reefs Could Talk” at *Aquarius*, the world’s only undersea laboratory, to help bring ocean science to classrooms around the country.

Though the above accomplishments are worthy of applause, increased support is needed to maintain momentum and continue fulfilling the sanctuary mission. The list of changes we suggest in this testimony would make much needed strides towards helping the National Marine Sanctuary System reach its full potential.

In the nearly 30 years since I started photographing whales and dolphins in the open seas, I have made it my life’s work to foster a respect for animals and to fight to protect their habitat, especially when it comes to marine species and the ocean environment. I realize that since the beginning of life as we know it, the sea has supported our planet; from it has come the air we breathe, the food we eat, and the water we drink. In short, the sea has given us life, so perhaps it’s time we returned the favor. Continuing to support and update the National Marine Sanctuaries Act is one way to do that, as it is currently one of the strongest pieces of federal legislation ever created for protecting ocean and cultural resources. The protections that the Act provides, especially with some of our suggested improvements, would help maintain these nationally significant places for future generations, so that my children can spend time enjoying healthy oceans with their children and grandchildren.

Thank you, again, for this opportunity to testify before you today, on behalf of the National Marine Sanctuary Foundation’s Board of Trustees, in support of a strong National Marine Sanctuaries Act. Expedited reauthorization of this vital and unique piece of legislation will

allow for the continued and enhanced protection of the National Marine Sanctuaries, and by extension, our oceans. Please do not hesitate to contact us if you have any questions and/or if we can be of assistance in helping to reauthorize NMSA.