



# COASTAL STATES ORGANIZATION

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Hall of the States • 444 North Capitol Street NW • Suite 322 • Washington DC  
tell 202-508-3860 • fax 202-508-3843 • email [csosso.org](mailto:csosso.org) • [www.coastalstates.org](http://www.coastalstates.org)

**Marine Protected Areas Federal Advisory Committee  
Crystal City Hilton  
2399 Jefferson Davis Highway  
Arlington, VA  
February 15, 2005**

**Remarks of Tony MacDonald, Executive Director of the  
Coastal States Organization**

***"Pacific State and Territorial Perspectives on the National  
System"***

***Introduction:***

Thank you for the invitation to talk with you today about the state perspectives coming out of the Workshop that Coastal States Organization hosted two weeks ago with the National MPA Center. At the outset, I want to thank the MPA Center for its support of the workshop and MPA Federal Advisory Committee (FACA) Member, Rod Fujita, for participating in the discussions. I would also like to extend the regrets of Brian Baird who is the Assistant Secretary for Coastal and Ocean Policy in California, Vice-Chair of CSO, and Chair of the MPA State Advisory Group. Brian hoped to be here today. It is also a pleasure to see Lelei Peau today as a Member of the FAC. Lelei has served for many years on the CSO Board and as a leader of the Island Affairs Committee.

These remarks do not reflect the formal report from the Workshop, but represent my characterization of the tenor of the discussion and primary recommendations. In the most general terms, I think the perspective of the Workshop is illustrated by the group's recommendation that when we write up the report of the proceedings we put the term "national system" in quotes. This recommendation reflects some confusion regarding what that term means, what the objectives of the 'system' are, and some healthy skepticism from the states about buying into a "national system" of

individual sites that would be selected from among a very diverse group of MMA's around the country. I am sure that this is not the first time you have heard from states or other stakeholders that federal efforts to develop a "national system" may be too top-down and not fully reflect state and local realities or needs.

Before I get into the specifics of the Workshop, let me step back for a brief introduction and background. I am the Executive Director of CSO. CSO represents the interests of the Governors of the nations 35 coastal state and territories in Washington, DC on matters relating the national coastal ad ocean policy. We are partnering with the national MPA Center on supporting the regional workshops and a State MPA Advisory Group.

***The Role of the State Advisory Group:***

The State SAG was established to provide guidance and support to National Marine Protected Areas Center and the NOS Special Projects Office 1) in conducting an inventory of marine protected areas; 2) in identification and analysis of state programs and policies to manage marine protected areas state concerns, issues, policies, programs; and 3) in identifying policies and best practices from states as they relate to a regional and national MPA systems. I would like to acknowledge and thanks, FAC Member, John Halsey for his participation on the SAG.

Their efforts to date have primarily focused on working with states to collect information data and information for the inventory, and preparation of two reports documenting state MMA program and activities and MMA state case studies. These reports are available on the CSO ([www.coastalstates.org](http://www.coastalstates.org)) and MPA Center websites ([www.mpa.gov](http://www.mpa.gov)). This year the SAG efforts will continue support for the inventory and coordinate three State MPA workshops. The first, which is the subject of these remarks, was in Tiburon, VA two weeks ago. A workshop for the Gulf and South Atlantic states will be held next month in St Petersburg, FL. The third is tentatively scheduled for early-June for the Mid-North Atlantic and Great Lakes states. The SAG will also coordinate a plenary session at Coastal Zone '05 in New Orleans in July to present some of the conclusions and recommendations coming out of the state workshops.

***Preliminary Recommendations for an Effective National MPA System:***

Some of the recommendations coming out of the first SAG report, "*State Policies and Programs related to Marine Managed Areas: Issues and Recommendations for a national System.*" are relevant to my remarks and the discussions today.

Integrated national, regional, and state marine managed area systems and networks have the potential to improve the management of ocean and coastal resources. However, state officials are taking a hard look at whether the potential benefits warrant their participation in new MPA-related initiatives, especially given current institutional and political challenges and constraints. State decisions will likely hinge on the establishment of a clearer identification of the benefits of the so-called system to states and public stakeholders and federal support for state participation.

After reviewing current state programs, the report provided the following six preliminary recommendations, many of which are being addressed by the FACA, and were also raised during the Workshop.

STATE-LEVEL RECOMMENDATIONS:

- 1) Consider adopting legislative authorities for providing clearer, consistent direction for state Marine Managed Areas programs

For example: Two laws were recently passed in California to: 1) establish clear processes and authorities for MPA establishment; and 2) improve, organize, and standardize the diverse types of marine managed areas in state waters. Other coastal states, territories and commonwealths lack clear legal authorities and standardized classifications for MPAs. Coordination among states, or between state and federal MPA programs, will otherwise be limited by the current complexity of state-level MMA systems.

- 2) Utilize existing state coastal policies and programs to integrate with state fisheries management and historic preservation agencies to enhance state MPA/MMA systems.

Through coastal programs state could 1) enhancing ocean governance to planning 2) coordinate the diverse state

programs 3) incorporate MMAs as enforceable program policies to trigger the federal consistency, and 4) improve partnerships with national estuarine research reserves and other terrestrial based sites with marine components to provide an information clearinghouse for environmental, policy, monitoring, research, and spatial data related to state MPAs.

#### FEDERAL-LEVEL RECOMMENDATIONS

- 3) Develop a consistent national terminology and classification system

There is a need for consistent national terminology and classification system for marine protected areas / marine managed areas. While we don't all need to use the exact same words, there does need to be some common point of reference. A consistent national terminology and common set of characteristics will help to clarify discussions, improve collaborations, and provide comparability across states and diverse stakeholders. A national classification system should take into account the diverse area-based approaches found at the state and local levels.

- 4) Provide federal financial, technical, administrative, and scientific support

Many state programs face significant obstacles to improving their own MMA systems, much less participation in a national MPA initiative. There is a lack of resources for research, monitoring, evaluation, enforcement, outreach, and other long-term commitments. In the absence of these onsite management activities, MPAs can quickly become 'paper parks,' and can be falsely perceived as providing sufficient resource protections. A formal mechanism for federal financial, technical, administrative, and scientific support is needed to help states overcome these constraints.

- 5) Establish a clear process and legislative authority for federal MPA designations

Future assessments may form the basis for recommendations for an MMA or MPA in federal waters, or across federal/state boundaries, or demonstrate connectivity among established in federal or nearshore state MMA's. However, current federal authorities and processes for the establishment of MMA/MPAs that comprehensively address

marine resources and human uses are currently unclear. The current suite of national sanctuaries, parks and fisheries management laws may confuse rather than support development of a 'national system. Improved guidelines and/or new statutory provisions may be needed for federal MPA/MMA designations.

6) Utilize a regional framework for the national MPA system

Federal officials should consider a regional approach for the proposed national MPA system. Such an approach is necessary to take into account the differing issues, environments, and objectives of coastal states, territories, and commonwealths within regional settings. Regional boundaries should be aligned with the U.S. Commission on Ocean Policy with respect to regional ocean governance.

**The Pacific and West Coast MPA Workshop:**

As previously mentioned, the Workshop was held on February 2<sup>nd</sup> and 3<sup>rd</sup> in Tiburon California. It involved approximately 24 state representatives from American Samoa, Hawaii, Alaska, Washington, Oregon and California. Representatives from Guam and the Northern Mariana's were also invited but were unable to attend. The state group included fisheries, cultural resource, and coastal and natural resource managers. There were also @ 6 federal agency representatives, including the MPA Center and regional partners from Sanctuaries, Parks and the national refuge systems.

The Meeting Goals were to: 1) obtain feed back from state and territorial decision-makers on participation of the national system; 2) provide a forum for a diverse group of state managers to network and discuss opportunities and challenges presented by state-federal MPA coordination; and 3) foster greater understanding of the development of a national/regional system. While I think the meeting was successful in meeting these overall goals, there was a sense that there is still a long way to build bridges among the various state and federal programs. There also needs to be a greater focus on how to build public consensus around MMA and MPA efforts from the bottom-up, and how to address the public and stakeholder conflict that often

dominate MMA and MPA discussions at the state and local level.

After the presentation by the national MPA Center on the process for developing the national system and framework for the national system, there was a rapid facilitated exercise on "*Hopes and Fears: for a National/Regional System from a State Perspective*", which quickly raised many of the themes that were discussed throughout the workshop. A random unedited list of those is set out below to give you a flavor of the issues.

#### Fears

- "national system" lack definition
- approach is top-down not bottom up
- push for a "national" system scares the public
- view from the national level dilutes the focus and success of placed-based efforts and programs
- focus on site selection for "national system" creates a club of special sites and distracts from the important elements of system connectivity
- Federal resources and support will not be realized
- Federal efforts under Executive Order may conflict with state priorities and processes.
- Site identification may encourage visitors without a plan to manage impacts.

#### Hopes

- simplified, pragmatic approach
- federal leadership and resources will be provided
- focus on relevant regional networks
- consistent terminology, information, data and facilitated information flow
- increased focus and better identification on cultural and historic resources
- integrate and strengthen MPA and fisheries management structures
- capture and build on opportunities to cooperate and partner
- use existing sites and processes are to build national system (not exclusive)
- common ethic encouraged and inspired in public

There was considerable push back to the national MPA Center regarding their opening presentation which focused

on the policy and planning approach and next steps for development of a national system under the Executive Order. (In fairness, much of the concern was over presentation and style, rather than substance.) The presentation appeared -- at least to the state participants -- to be wired to lead inexorably to the holy grail of selecting sites for a "national system." But, the presentation did not make clear why that was the desired goal or what the benefits would be to states and local stakeholders.

The state participants urged the MPA Center to focus more attention and effort on educating stakeholders about the potential benefits a national system - or better yet a system of systems that builds upon rather than supercedes current activities. It was important for the MPA enter to focus more on clarifying roles for states and other stakeholders to participate as partners in developing and implementing the framework, and 'ownership' of activities for building what may eventually emerge as regional and national MPA systems.

Even among some of the state participants there was a significant learning curve in learning the new language of the developing MPA system. This may come as a shock to y'all but most people haven't a clue what a FACA is...nor do they want to know. The need for broader engagement was particularly evident in the comments of the historic and cultural resource participants, who felt that cultural resources were often tagged on as an afterthought and observed that there are few opportunities for their community to engage at state and federal level in meetings or other MPA focused fora.

There was a small - if constructive - rebellion at the end of the first day when the group decided to switch the focus for the second day breakout groups from a discussion of how to identify sites for inclusion into the national system to developing a shared vision of "What is an endpoint for the national "system'..." . State representatives were driven by the pragmatic question of what an effective national/regional system will accomplish that also benefits state and federal MPA programs, and that the current ad hoc programs and activities cannot?

## **Workshop Preliminary Conclusions**

We will provide the FACA with a copy of the final recommendations and workshop recommendations when it is been finalized.

One of the most important things to come out of this workshop was the desire of coastal states to define what the end product of the system will be. As I indicated earlier, the terminology regarding "system" has been confusing to say the least. Suggestions focused around the need for value added products.

Products would include the potential for:

- A national inventory with a standardized classification system that is accessible to users for comparison purposes to understand the national and regional picture.
- A clear identification of federal jurisdiction, role of states and clearly defined authority to establish MPAs in federal waters. Right now it appears to be fragmented and difficult. Leadership at the federal level is necessary.
- The development of products to help states such as: Information and technical services; support for monitoring, research, enforcement, and general management... Etc.
- The integration of the needs for various objectives i.e. living marine resource management, cultural resources, recreational, maybe even water quality.

Other general recommendations, many of which were mentioned earlier include:

- The need to more clearly define the terms and definitions of this national system to ensure that there is a comfort level for all and some consistency.
- Outreach to the public and stakeholders needs to recognize the diversity of interests and be coordinated at the state and local level.



- A national system is really more of a network of regional systems and that the way to start and complement the ongoing efforts of the States is to look at the value added to link activities across a region.
- Focus on site designation should be deemphasized and not create negative connotation for sites not selected for the national system
- More attention should be focused on information related to connectivity, including geospatial data and information that reflect spatial, management and policy information.
- A regional perspective needs to include the opportunities to link across jurisdictions between States and also between nations e.g. US and Canada or US and Mexico or between Am. Samoa and Samoa and Tonga.
- As we begin to discuss things from a cultural perspective we need to be inclusive of not just sites and artifacts but of living cultures and the things that they treasure of cultural and traditional value. (Also, we need to be inclusive in our definitions of who are going to discuss management with. It should be with both the tribes and the indigenous peoples.)
- Sustainable production needs to look beyond fishing and at all opportunities for use such as tourism, etc.
- There is a need to more fully incorporate historical and cultural resources into the system development,

Thanks for the opportunity to talk with you today. This is a work in progress. We will build on the Workshop report and preliminary recommendations in subsequent workshops, vetted with the SAG, and shared with other state interests for feedback

