MINUTES
Marine Protected Areas Federal Advisory Committee Meeting
February 15-17, 2005
Arlington, VA

TUESDAY, FEBRUARY 15, 2005

The Committee Convened at 8:06 AM

Meeting Opening

Lauren Wenzel, Designated Federal Official, opened the meeting and turned the meeting over to Chair Dan Bromley. Dr. Bromley asked for a motion to approve the minutes for the September 2004 meeting. George Lapointe moved that the minutes be approved; Steve Murray seconded the motion. The minutes were approved.

Dr. Bromley reviewed the agenda.

Dr. Bromley recognized Dr. Brian Melzian, ex officio member of the Committee representing the US Environmental Protection Agency (US EPA). Dr. Melzian updated the Committee on several EPA and interagency initiatives related to MPAs, including the recently issued EPA Coastal Condition Report, progress on the International Ocean Observing System, and the U.S. Ocean Action Plan, the Administration's response to the U.S. Commission on Ocean Policy. Dr. Melzian noted that the U.S. Ocean Action Plan calls for the development of a National Water Quality Monitoring Network, which will include both freshwater and marine components.

Dr. Bromley reviewed the proposed process for reviewing the Draft Synthesis report on Wednesday and Thursday. The process had been sent out by email in advance of the meeting, and proposed collecting comments on the draft document by section, then discussing comments. The Committee supported this approach.

NOAA Update

Joe Uravitch, Director of the Marine Protected Areas Center, introduced Scott Rayder, NOAA Chief of Staff. Mr. Rayder provided background to the Committee on NOAA's Strategic Plan, and the fiscal year 2006 budget, which increased over 6% from fiscal year 2005. He thanked the Committee for their work in developing recommendations to the Secretaries of Commerce and the Interior, and noted that MPAs are an important tool for conserving both natural and cultural marine resources. He emphasized that both the Secretary of Commerce and the Administrator of NOAA are very committed to balancing conservation and commercial needs and identifying win-win solutions. Mr. Rayder then accepted questions from Committee members. In his exchanges with the Committee, Mr. Rayder emphasized the

importance of performance measures to gauge success and demonstrate the need for additional resources. He also explained NOAA's recent progress toward ecosystem-based management, including defining the term and working across NOAA to support an integrated approach. Committee members emphasized the importance of biological, social and economic monitoring, which are currently not addressed in the Integrated Ocean Observing System.

Federal and State Workshops on the National System of MPAs

Joe Uravitch updated the Committee on the Federal Agency Workshop on the national system of MPAs, which was held January 26-27 in Washington, DC. The Workshop involved approximately 75 staff from 10 federal agencies, including NOAA, the National Park Service, the Fish and Wildlife Service, the Mineral Management Service, the U.S. Geological Survey, EPA, the Navy, the Army Corps of Engineers, the U.S. Agency for International Development and the State Department. The purpose of the workshop was to inform federal agencies of the planned process for developing the national system, and to solicit feedback from them on barriers and opportunities associated with the national system. Among the common themes raised by the federal agency participants were a need for a common vision for the national system; the need to address the needs of existing sites within the system, as well as filling needed gaps; and the need to coordinate planning and implementation of the system across all levels of government.

Tony MacDonald, Executive Director of the Coastal States Organization (CSO), then briefed the Committee on the first of three workshops that CSO co-hosted with the MPA Center to obtain state input on the national system of MPAs. The workshop was help February 2-3 in Tiburon, California, and targeted state coastal, fisheries and cultural resource managers from Alaska, Washington, Oregon, Hawaii, Alaska and American Samoa. Mr. MacDonald referred to a report issued by the MPA Center in 2004 that summarized State MPA policies and recommendations related to the national system of MPAs. The state representatives expressed their hopes and fears about the national system. Their feedback suggested a greater need to explain the purpose and benefits of the national system, and emphasized that states want to be partners in the development of the system and have meaningful opportunities for substantive input.

Summaries of both workshops will be posted at www.mpa.gov when complete.

Fisheries Management Councils

Bonnie McCay introduced representatives of two Fishery Management Councils (FMCs) who had been invited to present their activities related to MPAs to the Committee: George Geiger, Vice Chair of the South Atlantic FMC, and Dan Furlong, Executive Director of the Mid-Atlantic FMC. Mr. Geiger described the South Atlantic Council's process to identify MPAs to protect spawning aggregations for snapper/grouper. Initially, the Council attempted a top-down, science-based process, but met with strong

opposition from fishing interests. They then established a bottom up process to work with fishermen to identify potential MPA sites. Nine sites have now been identified, and will be implemented through the Fishery Ecosystem Plan now in development.

Dan Furlong noted that the Mid-Atlantic Council does not use the term "MPA," but is using other types of spatial management, such as identifying essential fish habitat (EFH) under the 1996 Sustainable Fisheries Act. This provision provides for the review of projects conducted by federal permits that may impact EFH, and is one of the ten national standards required for Fishery Management Councils in developing fishery management plans. He noted that most of the bottom habitat in the Mid-Atlantic is mud and sand, and that the impacts of fishing gear on the bottom are minimal. Mr. Furlong also noted that the Mid-Atlantic FMC is quota-managed. They use some restricted areas, mostly driven by bycatch issues.

Lunch Presentation: Patricia Zell, U.S. Senate Committee on Indian Affairs

The Committee broke for lunch and reconvened to hear a lunch presentation by Patricia Zell, Minority Staff Director and Chief Counsel, U.S. Senate Committee on Indian Affairs. Ms. Zell provided an overview of federal relations with tribes, and more recent issues and conflicts related to fishery resources, such as salmon treaties in the Pacific Northwest and the controversy over Indian spearfishing in Wisconsin and how it was resolved, in part, due to sound science that demonstrated Indian stewardship of the resource.

Panel Presentation: Tribal Perspectives on Marine Protected Areas

Dolly Garza performed a spirit song, and introduced members of the tribal panel: Jack Lorrigan, Sitka Tribe; Jim Zorn, Great Lakes Indian Fish and Wildlife Commission; and Billy Frank, Northwest Indian Fishery Commission. Jack Lorrigan described the Tlinget Tribe's practice of sustainably harvesting herring roe, in contrast to the commercial herring sac roe fishery. He emphasized the importance of subsistence fishing to the tribe, and its recent successful efforts to gain subsistence fishing rights within the salmon and halibut fisheries. Jim Zorn described tribal fishing issues in the Great Lakes. He provided more background on the Wisconsin spearfishing controversy, which became violent, and was defused by federal legal action and the issuance of the tribal report, "Casting Light Upon the Waters." Billy Frank described management issues relating to salmon in the Pacific Northwest, where the 20 tribes of the Northwest Indian Fisheries Commission co-manage the fishery with the State of Washington. Mr. Frank explained that tribes have the management capability, science and enforcement to effectively manage their fishery resources, but all partners need to take responsibility and act as stewards for the fishery to thrive.

Public Comments

At 4:00, public comments were heard from:

- Jim Woods, Makah Tribe Sustainable Resource Coordinator
- Steve Joner, Makah Tribe Biologist

- Shawn Yanity, Stillnghamish Tribe
- Randy Kinley, Lummi Nation

Committee Discussion of the Draft Synthesis Document
Dr. Bromley asked for discussion of key issues that are currently absent or not adequately represented in the current draft document. The Committee members brainstormed the following issues:

- ✓ Strengthen Introduction
  - Value of a national system
  - Why are we doing this?
  - What are the benefits?
  - Define intersection between national system and ecosystem approaches to management

- ✓ Definition of MPA, MMA and national system

- ✓ Classification system - Need to describe multiple purposes of MPAs

- ✓ Political reality/political will / Buy-in

- ✓ Implementation

- ✓ Regional emphasis

The meeting adjourned for the day at 5:24 p.m.

WEDNESDAY, FEBRUARY 16, 2005

Committee Convened 8:10 AM
The Committee reviewed and discussed the list of issues compiled the afternoon before. It was agreed that an Executive Summary and list of recommendations are needed. Dr. Bromley then asked for volunteers to meet in small groups to draft language to address the issues that were identified. The following groups were formed:

Regional issues: Michael Cruikshank, George Lapointe, Tony Chatwin, Rod Fujita, Bob Zales, Gil Radonski.

Classification System: Max Peterson, Jim Ray, George Lapointe, Terry O'Halloran, and Steve Murray.

Value of the National System: Rod Fujita, Mark Hixon, Terry O'Halloran, Bob Bendick, John Ogden, Jim Ray, and Steve Murray.

Implementation: Eric Gilman, Mary Glackin, John Halsey, and Mike Cruikshank

International: Maggie Hayes, John Halsey, Bonnie McCay, Eric Gilman, Lelei Peau, Daniel Suman, Lisa Phelps and Mike Cruikshank

Customary Knowledge: Bonnie McCay, Lelei Peau, and Max Peterson.

The groups met from 10:30 until 12:00, and then broke for lunch.

Reporting Out From Issue Groups
At 1:07 the Committee reconvened to hear the reports of the issue groups.

MPA Science
Dr. Ed Houde and Dr. Patrick Christie gave presentations on the "knowns and unknowns" of MPA natural and social science, respectively. Dr. Houde presented information on MPAs for both fishery management and protection of biodiversity. There is broad support for MPAs to protect nursery areas, threatened and endangered species, and severely impacted habitats, as well as to reduce bycatch. Establishing MPAs that benefit fisheries through spillover has been more controversial, and results have been variable. The location, size and shape of MPAs are important in designing for spillover. These factors should all be determined by the MPA's objective. Dr. Houde also discussed the importance on monitoring and evaluation and suggested some potential benchmarks for determining the effectiveness of MPAs.

Dr. Christie discussed the importance of community support for MPA success. Citing case studies in the Philippines, he described MPAs that were "biological successes and social failures," and noted that the lack of community support for MPAs can ultimately undermine their success. There are hundreds of MPAs in the Philippines, typically small "no take" areas where recreational uses are permitted. In many cases, community support for these MPAs was initially high, but eroded over time as stakeholders were cut out of the management process. Dr. Christie noted that too often we ignore the social dimensions of MPA management, and fail to see that management processes have broken down, diminishing MPA effectiveness.

THURSDAY, FEBRUARY 17, 2005

Committee Reconvened, 8:10 AM

Public Comments
Public comments were heard from:

- Kate Wing, Natural Resources Defense Council

Synthesis Document Discussion
The Committee continued its discussion of the proposed language for the report developed by the subgroups that met on Wednesday. The members discussed and provided comments on the Introduction, and then charged the subgroup and any other interested members to make revision to that section. Next, the Committee discussed the sections on Implementation.

They also agreed to have a subgroup revisit the outline and propose a reorganization of the document to improve the flow and remove redundancy.

The Committee then asked members to provide any additional specific editorial comments on the document on flip charts posted on the walls.

The Committee then discussed the next steps for revising the document. They agreed that the Executive Committee should incorporate the suggestions from the various subgroups and individuals and send a new draft out to the full Committee for review. It was agreed that at the May meeting, no new issues should be introduced to the document, and the Chair will seek consensus on the report. Members should vote for or against it without seeking major changes. Members agreed that anyone with a significant outstanding issue should raise it and work to resolve it before the May meeting. It was agreed that the document needs an Executive Summary and Recommendations that follow the contents of the full report.

James Connaughton, Council on Environmental Quality (CEQ)
Mr. James Connaughton spoke to the Committee about the Administration's response to the U.S. Commission on Ocean Policy (USCOP) report. The U.S. Ocean Action Plan outlines the actions proposed to address the USCOP recommendations. It focuses on short term actions that will yield outcomes within two years, and aims to integrate environmental concerns with economic and social development goals. The Plan calls for the formation of a Cabinet level committee, chaired by Mr. Connaughton, to coordinate and implement the Administration's response over the next 18 months. States will be full partners, and regional initiatives led by the Governors of California and Florida are planned for the Pacific coast and the Gulf of Mexico. Other priorities include addressing the problem of overfishing and protecting deep sea corals.

In discussion with the Committee, Mr. Connaughton noted that "MPAs are an essential and necessary tool for marine management," and that they need to be developed with community support. He said that he strongly supported coordination and integration of marine management, and cited the Florida Keys as an example. He also noted that the FAC's recommendations will be received by an active interagency process for addressing marine conservation issues.

After Mr. Connaughton left, the Committee discussed his remarks and their implications for the Committee's report. Among the items discussed were:

- Need to coordinate with the U.S. Coral Reef Task Force on local action strategies;
- Need to identify items in the FAC's recommendations that can be done in the short term.

Members noted that the FAC's focus on partnerships with states and tribes, and working at the regional level was in line with CEQ's approach.

Next Steps and Wrap Up

Lauren Wenzel proposed the following schedule of work, which was accepted.

Feb 18-March 17	Exec Committee incorporates comments from Feb meeting
March 17	Send draft out to MPA FAC for review
April 8	Comments due
April 29	2nd draft out for May MPA FAC meeting
May 17-19	MPA FAC meeting to review and adopt report

The group discussed the agenda for the May meeting and agreed that presentations needed to be minimized to allow enough time for the Committee to complete its work on the report. It was also agreed to allow time to discuss the Committee's next charge with the Departments of Commerce and the Interior.

Committee members also discussed opportunities to engage other stakeholders, make them aware of the FAC's work, and hear their views on the issues discussed in the FAC report.

The group discussed holding the Fall 2005 meeting in the Gulf of Mexico region and a future meeting (perhaps Spring 2006) in Alaska.

The meeting was adjourned at 4:45.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Lauren Wenzel
Designated Federal Official

Dr. Daniel Bromley
Chair
Marine Protected Areas Federal Advisory Committee

These minutes will be formally considered by the MPA FAC at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.

Committee members present:

Dr. Tundi Agardy
Mr. Bob Bendick
Mr. David Benton
Dr. Dan Bromley, Chair
Dr. Anthony Chatwin
Dr. Michael Cruickshank
Ms. Carol Dinkins
Dr. Rod Fujita
Dr. Dolly Garza
Mr. Eric Gilman

Dr. John Halsey
Dr. Mark Hixon
Mr. George Lapointe
Dr. Bonnie McCay, Vice-Chair
Mr. Mel Moon
Mr. Robert Moran
Dr. Steve Murray
Mr. Mike Nussman
Dr. John Ogden
Mr. Terry O'Halloran
Mr. Lelei Peau
Mr. R. Max Peterson
Mr. Gil Radonski
Dr. Jim Ray
Dr. Daniel Suman
Mr. Bob Zales

Ex officio members/representatives present:
Ms. Mary Glackin, Department of Commerce
Ms. Margaret Hayes, Department of State
Mr. Larry Maloney, Department of the Interior / MMS
Dr. Brian Melzian, US Environmental Protection Agency
Lt. Jeff Pearson, Department of Homeland Security/Coast Guard
Ms. Lisa Phelps, Department of Defense/U.S. Navy

National Marine Protected Areas Center staff:
Mr. Joseph Uravitch, Director
Mr. Jonathan Kelsey, National System Coordinator
Ms. Heidi Recksiek, Training and Technical Assistance Institute
Ms. Bunny Sparks, Committee Support
Ms. Dana Topousis, Communications Director
Ms. Lauren Wenzel, Designated Federal Officer
Dr. Charles Wahle, Science Institute Director