

Introduction to Policy Discussion

16 CHAIRMAN WATKINS: For the Commission now,
17 before we start our deliberative process here, we will
18 take a break until five minutes to 11:00 -- I mean, five
19 minutes to 10:00, I'm sorry.

20 (Whereupon, there was a pause in the
21 proceedings from 9:45 a.m. to 10:05 a.m.)

22 CHAIRMAN WATKINS: Come back to the dais and

- 1 we will commence our next phase of the meeting.

2 INTRODUCTION TO POLICY OPTION

3 PRESENTATIONS AND PROCEDURES

4 CHAIRMAN WATKINS:

5 All right, we are going to

6 commence the introduction to policy option presentations

7 and the procedures that the Commission intends to follow

8 now in its open, deliberative process on a variety of

9 issues that we are prepared within our working groups to

10 present to the Commission as a whole.

11 The topics are going to be presented for the

12 Commission's consideration in order that they appear in

13 the draft table of contents. Now, that draft table of

14 contents is going to be provided to the public at the

15 end of our meeting today, and all of the slides that you

16 see.

17 They will be up here, but they will also be
18 available for public access on the table outside
19 following our meeting today, so I want everybody to know
20 that. I think you will be able to follow here, and you
21 will also be able to get copies later.
22 The draft table of contents was prepared as

1 the mechanism to be used by the Commission to ensure it
2 encapsulated all of the issues that have come to our
3 attention during the multiple hearings and visits
4 throughout the country. We believe that at this point
5 in time, although it is still a draft, that it is a good
6 starting point for our efforts here today.

7 The whole point of the open session now for
8 this Commission at this point in time is to give
9 guidance to the Commission staff in which direction to
10 go as they prepare a draft, the first draft, of a report
11 to be considered at a later time by the Commission as a
12 whole.

13 That obviously will be an iterative process as
14 we move through. There will be much debate, both in

15 public and within the individual working groups as they

16 prepare their final documents, but this is a first start

17 at the real work of the Commission.

18 I am going to ask the relevant working group

19 chair -- and as you know from our Web site, we have

20 three working groups at this point in time that are

21 activated and working. The Implementation and

22 Investment Working Group will be much more able to do

1 its work after a first draft is received. We can
2 begin to look at how implementation and investment might
3 then follow. Until we see something like that, it is
4 probably impossible for the fourth working group to do
5 its job.

6 We have a facilitator today sitting next to me
7 on my left, Dr. John Ehrmann, experienced in this
8 business, who will announce the rules for debate and
9 facilitate discussion of the recommendations. As a
10 matter of fact, I think I will turn it over to John now
11 to review what he considers to be the rules of debate
12 for today's activities.

13 John?

14 DR. EHRMANN: Thank you, Mr. Chairman.

15 The process we are going to follow as the
16 Chair has introduced will be for each of the working
17 group co-chairs to say a few words to introduce a
18 particular recommendation. There are about 16 to 18
19 sets of recommendations that we will be going over today
20 that have been forwarded to the full Commission by the
21 working groups.

22 Given the time we have allotted on the agenda

1 for discussion, that will allow us about 15 minutes per
2 issue area for discussion. After that brief
3 presentation by the chair, there will be an opportunity
4 for discussion among the Commission members.

5 Again, the goal here, as the Chair indicated,
6 is to provide guidance to the staff as they go forward
7 with additional work in drafting, moving toward the
8 initial draft of the Commission's report. We are
9 looking for input from the commissioners to be specific,
10 be concise, given the amount of issues we need to get
11 through, and to focus particularly on those areas that
12 the Commission would suggest modifications or changes to
13 the ideas that are being put forth by the individual
14 working groups.

15 This is not intended to be a word-smithing
16 session, but really a chance to raise issues, focus and
17 direct the staff as they go forward with the drafting
18 for future consideration. As the Chair also indicated,
19 we are not looking for final approval of any items
20 today. This is a discussion opportunity.

21 The Commission, of course, will need to view
22 its entire draft entire report before anyone formally

1 signs on in a binding way to the recommendations in the
2 report. As we go through the discussion, we will keep
3 adjusting our time allotments accordingly; but, as I
4 say, we have a lot to get through, so we will try to
5 move those with about 15 minutes per recommendation.

6 Thank you, Mr. Chairman.

7

8 (A slide presentation in progress.)

9 CHAIRMAN WATKINS: Let me have the first slide
10 on the chapter headings. These are the current chapter
11 headings that we have in the draft table of contents
12 against which we are going to be discussing the issues
13 today.

14 As you can see, on each one of these slides we

15 have the words "Draft - Predecisional Document." We are
16 asking that it not be cited and quoted because these are
17 working group documents being presented for the first
18 time in the public session to the Commission as a whole.
19 Therefore, there is no indication that all of these
20 things are in concrete in any way.

21 These are all flexible working tools that we
22 are using now as we move towards our final product. Not

1 all of the areas that are in the more expansive version
2 of the table of contents are going to be addressed
3 today. The estimate is that we are probably at about
4 the one-third point of all of the time and effort on
5 issues that still have to be placed in our report
6 language, but this is the first time.

7 There will be a follow-on session at some
8 point, an open session, where we will pick up additional
9 or the remainder of the items and discuss those in open
10 session and give further guidance to the staff as we
11 move towards the second and third, perhaps, edition of
12 our draft report.

13 At any rate, this is the process we are going
14 to follow today, and you will see presented on the slide

15 as I introduce each of the chairs to present about a
16 five-minute overview. We will flip up a repeat of the
17 chapter heading, but under that will be some of the
18 broad elements which will be addressed by the chairs of
19 each working group as they get to that point.

20 But right now, I am going to introduce each of
21 the working chairs for about a five-minute summary of
22 their progress in the major areas and perhaps what they

1 have left to do. With that, I will open the
2 presentations here with Chairman of the Governance
3 Working Group, Mr. Bill Ruckelshaus.

4 MR. RUCKELSHAUS: Thank you, Mr. Chairman.

5 The other members of the working group, the
6 Governance Working Group, are: Andy Rosenberg,
7 Marc Hershman, Lillian Borrone, Larry Dickerson, and
8 Chris Koch. The Governance Working Group has been hard
9 at work. One of the things that you mentioned that is
10 in this outline, topic outline, under the chapter
11 headings is not there, and that is the question of
12 principles. We will be addressing that.

13 The Governance Working Group has worked on a
14 set of principles, and the Stewardship Working Group has

15 done this as well. These are principles that underlie,
16 will underlie our final report, and we will be talking
17 about those in more detail in a few minutes.

18 The three broad areas that our Governance
19 Working Group has been focusing on are coastal
20 management, non-living resources, and of course the
21 question of governance itself, which is, if you look at
22 this outline, sort of tying it all together as to how do

1 we do this with a governance structure either as it
2 currently exists or as we would recommend it be changed
3 so that all of these other recommendations would, in
4 fact, work.

5 We have been talking about issues and ways of
6 resolving many of the questions that have arisen during
7 our working group meetings. We will spend most of the
8 time today on coastal management. Mark Hershman will be
9 presenting that a little later on this morning. We have
10 drafted some tentative draft recommendations to
11 consider. We are probably further along on those
12 recommendations than the others, and that is the reason
13 for scheduling them for a formal presentation this
14 morning.

15 The kinds of issues that we will be talking
16 about have to do with the framework for coastal
17 management, habitat protection, restoration and
18 management of things like natural hazards, sediments.
19 There are other issues like federal consistency and
20 nonpoint source pollution, which, in fact, we are
21 sharing with the Stewardship Working Group, which we
22 will not reach today. We have not come close enough to

1 resolving those issues even among our working group to
2 bring them in front of the broader Commission.

3 Non-living marine resources is another issue
4 we won't be touching on today in a more formalized way.
5 That involves issues like oil and gas and other
6 minerals. New and emerging ocean issues -- for example,
7 renewable resources such as wind farms, offshore
8 aquaculture, bio-prospecting -- those are issues that we
9 are addressing, but they are not ripe enough for
10 presentation to the larger Commission. Submerged
11 cultural resource is another example of that kind.

12 Governance is obviously the issue that must
13 underpin a good deal of our recommendations. We have
14 discussed this a lot and we sort of need to find out

15 where we are headed in terms of recommendations in many
16 of these other areas in order to suggest a governance
17 regime, either that exist currently or one that would be
18 changed.

19 I think it is fairly apparent to most of us at
20 this juncture that we are going to need to have some
21 kind of transition mechanism into a new form of
22 governance in order for us to get from where we are

1 today to where we would like to be. In fact, it was
2 much along the lines that Admiral Collins mentioned in
3 his testimony and made recommendations for some kind of
4 coordinating mechanism transition mechanism that our
5 deliberations have been taking place.

6 We are not far enough along yet really to
7 discuss them with the whole Commission. In fact, the
8 rest of the working groups have been working on some of
9 these issues involving governance as well. It is
10 inevitable when you begin to make recommendations for
11 things like stewardship and management of our science
12 education issues that governance comes in.

13 The governance structures are important.

14 Obviously, whether we should have a national ocean

15 policy, as suggested by statute, obviously we need
16 better coordination, better alignment of government
17 functions than they now are. All of these things will
18 be discussed and be part of our recommendations. We are
19 not ready yet to service them for more broader
20 discussion.

21 That is sort of an outline of where we are and
22 what we look forward to, Mr. Chairman.

1 CHAIRMAN WATKINS: Thanks, Bill.

2 Dr. Sandifer, on stewardship.

3 DR. SANDIFER: Thanks, Mr. Chairman.

4 Among many other things, the Oceans Act of

5 2000 tasked this Commission with making recommendations

6 for, and I quote, "Coordinating comprehensive national

7 ocean policy that will promote responsible stewardship

8 including use of fishery resources and other ocean and

9 coastal resources." That statute also tasked our

10 Commission to develop recommendations for, "the

11 protection of the marine environment and prevention of

12 marine pollution."

13 The Stewardship Working Group that I have been

14 privileged to chair this last 13 months or so was given

15 the responsibility to develop recommendations in these
16 two areas, that is the living marine resource management
17 and pollution and water quality.

18 I have been privileged to serve with several
19 other commissioners -- Ann D'Amato, Paul Gaffney,
20 Paul Kelly, and Frank Muller-Karger -- in attempting to
21 fulfill these very challenging tasks.

22 Today, the report I will give a little later

1 will focus on the recommendations from the Stewardship
2 Working Group in three areas: primarily it related, but
3 not exclusively, to living marine resources. These will
4 include three guiding principles, several fairly
5 specific recommendations related to marine fisheries
6 management, and a recommendation regarding marine
7 protected areas.

8 Other recommendations related to living marine
9 resources, and especially to the water quality and
10 pollution area, are still under development. Like Bill
11 Ruckelshaus just said, these will take a little bit
12 more time to come to fruition and they will be reported
13 later.

14 Our working group has been assisted

15 tremendously in our efforts by the vast amount of
16 information we have received during nearly a year of
17 public meetings across the country, information we have
18 received from numerous experts including our Scientific
19 Advisory Panel members, other members of this
20 Commission, a variety of other sources, and especially
21 by the dedicated and extremely conscientious staff. I can't
22 tell you how much that has meant to us in accomplishing

1 what we have done to date.

2 With regard to living marine resources,
3 several major themes emerged during our information
4 gathering and review processes. One message that has
5 been consistently emphasized is the need for management
6 decisions to reflect the complexity and the
7 interdependence of ocean ecosystems. Activities
8 impacting the ocean cannot be viewed in isolation.

9 In this context, our working group has focused
10 on the need to approach marine resource management
11 including living marine resource management, fisheries
12 management in a broader ecosystem-based context. I will
13 give some more on that a little bit later.

14 A second consistent message has been the need

15 for a science-based precautionary approach to resource
16 stewardship. In addition to change some changes in
17 overall management philosophy, this will highlight the
18 need to develop a substantially more comprehensive and
19 coordinated research monitoring and data management
20 program in support of ocean stewardship initiatives.

21 The third overarching principal, we will
22 discuss a bit later, is the need to consider

1 conservation of biological diversity in our management
2 activities. With regards specifically to the fisheries
3 management arena, the Stewardship Working Group has
4 considered and will present specific recommendations to
5 improve the long-term sustainability and the economic
6 viability of America's marine fisheries.

7 Our recommendations will be grouped in six
8 areas based upon the existing system of reasonable
9 fishery management councils. These six areas are: the
10 use and review of scientific information in the council
11 process, the nomination and appointment of council
12 members, delineation of lead jurisdiction, the
13 involvement of fishers and other non-scientists in
14 appropriate cooperative research activities, the use of

15 dedicated access privileges as a management tool, and
16 the need to reduce overcapacity in some fisheries.
17 After I present these, a little later we will also
18 present a relatively brief but very important
19 recommendation with regard to marine-protected areas.
20 In addition, the Stewardship Working Group is
21 continuing its work on other living marine resource
22 issues including those related to marine mammals, coral

1 reefs, aquaculture and a lot of other things. We are
2 also actively considering water pollution and water
3 quality issues within the larger context of the
4 ecosystem-based management approach.

5 What we will be attempting to do is look at
6 the cumulative impacts within an entire watershed on
7 coastal ocean and human health. We are focusing on such
8 diverse issues as nonpoint source pollution, invasive
9 species, and toxic contaminants.

10 Our goals are to identify and recommend
11 improvements in infrastructure and resource management
12 practices that will help the nation better deal with
13 emerging challenges to ecosystem health. We will
14 continue to work closely with members of the

15 Commission, our scientific advisors, and others as we
16 move forward in the process of developing our
17 recommendations in these areas, and those you will hear
18 at a later time.

19 Thank you, Mr. Chairman.

20 CHAIRMAN WATKINS: Thank you, Paul.

21 We will shift now to the Chair of the
22 Research, Education and Marine Operations Working Group,

1 Dr. Coleman.

2 DR. COLEMAN: Thank you, Mr. Chairman.

3 We refer to our working group as REMO, so when

4 you hear me refer to that, it is "Research, Education

5 and Marine Operations." Besides myself, there are three

6 other commissioners: Mr. Ted Beattie,

7 Dr. Robert Ballard, and Mr. Ed Rasmuson.

8 During the past two days at our retreat, these

9 commissioners and some of our science advisors have

10 reached consensus on the recommendations in six major

11 issue areas: The first one was a rational investment

12 strategy for the U.S. ocean sciences in which we reached

13 two recommendations, and those will be presented later

14 this afternoon.

15 The second issue area is research partnerships
16 and roles. Again, two recommendations have been brought
17 forward. The third issue area is an integrated and
18 sustained coastal and ocean observing and prediction
19 system, a topic that was mandated in the Oceans 2000
20 Act. We have seven recommendations in this area.

21 The fourth issue area was data management.
22 Throughout our visits around the country we heard

1 testimony after testimony of the sad shape that data
2 management, from a national perspective, are in. We
3 have four recommendations in that area.

4 Of prime importance to this particular working
5 group is a K-12 education in the marine and ocean
6 sciences. We had excellent support from some of our
7 science advisors, and we have five recommendations in
8 this area. The last issue area that we have reached
9 consensus on is the ocean sciences graduate education in
10 the workforce. Again, we have five areas, five
11 recommendations.

12 We deferred during our discussions, making
13 recommendations or trying to reach consensus on
14 recommendations in the marine transportation system

15 arena. The reason for this is a very complex issue.

16 Several of our working group and on our Science Advisory

17 Panel felt that they did not have the capability and

18 knowledge in order to discuss this, and so we have

19 deferred this until the January meeting and have invited

20 about six of the other commissioners who have expertise

21 in this area to convene with us.

22 Again, something has been mandated by the

1 Oceans Act of 2000 that concerns vessels, laboratories,
2 submersibles, satellites, computers, and so forth. We
3 are in the process of drafting our recommendations in
4 that area. The second area that we have deferred until
5 a later date is oceans and human health. A third area
6 is ocean exploration. And an area that we have really
7 just started obtaining the data in order to help us
8 arrive at recommendations is in the field of academic
9 research.

10 Then, the last two are public outreach, which
11 we are working with Stewardship on that area. The last
12 one really has an emphasis on the international
13 activities, U.S. leadership in the ocean sciences. The
14 reason for the delay in these is that we are still

15 waiting on background and informational reports so that
16 the working group can formulate their recommendations.

17 Mr. Chairman, I think we had an excellent
18 discussion and debate, and I look forward to presenting
19 the recommendations this afternoon.

20 CHAIRMAN WATKINS: Thank you, Jim.

21 Now I want to remind everyone here,
22 commissioners as well, that we are operating under the

1 Federal Advisory Committee Act. None of the debate on
2 the working group presentations to the Commission as a
3 whole has taken place anywhere; this is the first time.
4 We are doing that in compliance with the Act and its
5 provisions.

6 I also want to remind everybody,
7 Commissioners, nothing is being presented here for your
8 approval today. The whole point of this drill today is
9 to give guidance to staff to start writing. None of us
10 are going to agree to anything, I believe, until we see
11 the package as a whole and understand its supportive
12 rationale and the like. So, I want to reemphasize that.

13 Not all areas of the report will be covered,
14 as the working chairs have indicated, and those issues

15 not discussed today are going to be discussed in an open

16 session at some future date not yet pinned down. With

17 that, I would like to shift to the slide that you now

18 see up.

19 (A slide presentation in progress.)

20 CHAIRMAN WATKINS: You can see "Guiding

21 Principles" underlined. Each time one of the chairs

22 will make a presentation, he will do it under the

1 context of where that particular issue sits within the
2 Table of Contents and this happens to be in Chapter I,
3 which happens to include a number of things, and they
4 will be the basis for executive summary preparation,
5 which will come much later.

6 So, "Guiding Principles," then, and that is
7 under the purview of the Chairman of the Governance
8 Committee, and I will turn it over to Bill Ruckelshaus
9 to present to the Commission as a whole what guiding
10 principles that working group has come up with for
11 consideration by the Commission.

12 Bill?