

Testimony of
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before the
United States Senate Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard:
“Marine Sanctuaries: Fisheries, Access, the Environment, and Maritime Heritage”
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Room 253 Russell Senate Office Building

Good morning, Mr. Chairman, Ranking Member Peters and Members of the Subcommittee. Thank you for the opportunity to testify before you today on the role that National Marine Sanctuaries play in marine conservation and the nomination and designation process for these sanctuaries.

As requested I will also include comments on the coordination between the Sanctuary Program and Fishery Management Councils, the role of stakeholders, the new nomination process for sanctuaries, and the contribution of sanctuaries to the economy.

National Marine Sanctuaries and Conservation

As a short preamble to the specific topics requested, I emphasize that a major purpose of the programs under question is to contribute to the maintenance of a healthy ocean including the Great Lakes. The ocean today is not healthy; much more needs to be accomplished to reverse the course of decline that has occurred over the last century or more. The worldwide rates of decrease in diversity and quantity of fish stocks, the increasing acidity of the ocean, the proliferation of marine debris, particularly plastics, and the destruction of coastal estuarine areas that provide protection and habitat for the human race and their economies around the world are alarming, and require our highest priority to reverse. At the same time, the world population is increasing rapidly to levels which could easily top 9 – 10 billion within the next two generations.

National Marine Sanctuaries play a major role in stemming this decline and with increased support can play a major role in actually reversing the downward trend. Managed protected areas have been proven to restore fish populations where depletion has already occurred. Their example in fostering economically beneficial conservation can serve as a model to the world.

Designation

Congress emphasized in the creation of the National Marine Sanctuaries Act (NMSA) that the legislation was to allow for multiple uses in the ocean. It was purposely intended to allow compatible, multiple uses of the ocean suited to the needs of stakeholders and delivering economic benefit while conserving the resources. In essence, Congress intended through the NMSA to create a management system for the entire marine environment that balanced conservation and human activities sustainably.

The NMSA created National Marine Sanctuaries to consist of special areas in marine and Great Lakes waters that protect nationally significant natural, historical, and cultural resources. NOAA manages 13 national marine sanctuaries tailored to the areas of coverage by each to preserve and ensure that invaluable ecological services will be maintained in perpetuity for future generations. Note that a healthy ocean is the basis for thriving recreation, tourism, and many other diverse commercial activities that drive coastal and national economies.

The National Marine Sanctuaries Act authorizes the Secretary of Commerce, through NOAA, to identify, designate, and protect areas of the marine and Great Lakes environment with special national significance due to their conservation, recreational, ecological, historical, cultural, archeological, educational, or esthetic qualities. Sanctuaries are designated by NOAA under the NMSA or through Congressional action and are managed by NOAA using the authorities granted through the NMSA.

The designation process is long and complex, designed to be an extensive public activity, including robust community engagement, stakeholder involvement, and citizen participation.

There are four phases:

Scoping including the announcement of intent to designate;

Sanctuary proposal with draft management plan and an Environmental Impact Statement;

Public Review to consider all input, including among others, Congress, regional fishery councils, and local governments;

Sanctuary Designation which sets forth the final decision and includes the final organizational documents.

This entire process is complex, and is inclusive, involves many meetings, reviews, formation of a community based Advisory Council, setting up a local office, and fully engaging the community, as well as national organizations with local interests. It is a process that routinely takes years to complete.

Nomination

It should be noted that the process just described details how a Sanctuary is designated as such according to the NMSA. There is also a process initiated in 2014 for “nominating” candidates for “designation” as a National Marine Sanctuary. Be aware, they are very different processes. There are six steps in nomination process, <http://www.nominate.noaa.gov/nominations>:

Step 1. A community builds a nomination, and every nomination begins at the community level.

Step 2. The community submits the nomination to NOAA after gathering the necessary information.

Step 3. NOAA provides an initial review and may decline or return to the community for additional information.

Step 4. NOAA takes a close look at nominations that met Step 3 goals and may bring in outside reviews as well as work with the community to answer any questions that arise. This is serious and comprehensive vetting for meeting all the parameters of a viable Marine Sanctuary.

Step 5. Nomination is accepted if step 4 successful.

Step 6. Nominated area is added to the inventory of potential candidates for designation at some time in the future.

To date, there have been:

2 nominations declined by NOAA,

5 nominations accepted and added to the inventory, and 2 nominations selected for entry into Sanctuary designation:

Mallows Bay – Potomac River (Maryland, Potomac River) and Lake Michigan (Wisconsin).

Economic Benefit

National Marine Sanctuaries bring significant overall economic benefit to the nation. Across all national marine sanctuaries, about \$8 billion annually is generated in local and ocean dependent economies from diverse activities including among others: commercial fishing, research, recreation, and tourism-related activities.

One small example of economic activity: between 2010 and 2012, there were on average, \$155.6 million in spending for recreational fishing in the four California national marine sanctuaries. The spending generated, with multiple impacts, \$213 million in output, \$129 million in value-added (gross regional product), and \$74.6 million in income, which supported 1,376 jobs in the coastal counties of California.

Additional detailed examples of the extensive economic impact of Sanctuaries can be found on the NOAA website, <http://sanctuaries.noaa.gov/science/socioeconomic>.

But the bottom line is that National Marine Sanctuaries provide a very significant economic benefit to the stakeholders in the regions in which they operate. And thanks to the NMSA, stakeholder representatives serve on the advisory boards that contribute directly to sustainable management of our natural resources. Also significantly contributing to the local and regional

connections are the local sanctuary management offices staffed with knowledgeable people who live in the area.

Sanctuaries and Fishing Regulation

The regulation of fishery resources in national marine sanctuaries is a collaborative process, where sanctuary managers work with other fishery managers in the region to ensure that these important resources are protected. The NMSA provides sufficient authority to regulate fisheries and fishing activities as necessary to address specific issues at a particular sanctuary. Any such regulation would be developed in cooperation with appropriate state and federal authorities as well as fishery management councils.

By and large, fishing regulations in most of the sanctuaries are enacted by other government or state agencies. These rules have been, and continue to be evaluated to ensure they meet the requirements of the NMSA. Additional regulations are put in place only after consultation with all parties involved, including the relevant Fishery Management Council (FMC). There are only five such situations: Monitor (NC), Florida Keys, Flower Garden Banks (TX), Channel Islands (CA), and Gray's Reef (GA). In federal waters, the relevant FMC would be given the opportunity to prepare draft sanctuary regulations to start the process. In the end however, if these rules were not sufficient, and all mediation failed to resolve differences, NOAA would be required to prepare rules that conform to all national regulatory guidance.

Marine National Monuments

NOAA's Office of Marine Sanctuaries also manages two marine national monuments. Papahānaumokuākea and Rose marine national monuments. Papahānaumokuākea Marine National Monument was the outcome of what began as a sanctuary designation process in 2000 and then changed by President Bush declaring it a monument under the Antiquities Act in 2006. While not being managed under the full force of NMSA, the intense work accomplished at the stakeholder level locally and nationally created a strong majority coalition of organizations and citizens that strongly supported the President's action. The monument was then further expanded by President Obama.

In 2009, President Bush established Rose Atoll in American Samoa as a Marine National Monument and directed Fagatele Bay National Marine Sanctuary to begin developing a management plan to incorporate the area into the sanctuary. In 2012, at the culmination of a sanctuary management review process, NOAA expanded the sanctuary to include the area at Rose Atoll Marine National Monument. It should be noted that President Bush at the same time in 2009 also designated a long list of Pacific Ocean waters surrounding atolls and islands as marine national monuments, significantly increasing the areas in the Pacific under special protection. President Obama also expanded these areas as well.

My congratulations to both Presidents Bush and Obama and past Congresses for their bipartisan support of National Marine Sanctuaries and the protection of our marine resources for all Americans to enjoy!

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