

MINUTES
Marine Protected Areas Federal Advisory Committee Meeting
April 24-26, 2006
Corpus Christi, Texas

MONDAY, APRIL 24, 2006

The Committee Convened at 8:50 AM

Meeting Opening

Lauren Wenzel, Designated Federal Official, opened the meeting and turned the meeting over to Acting Chair Dan Bromley. Dr. Bromley asked for a motion to approve the minutes for the May 2005 meeting. George Lapointe moved that the minutes be approved; Steve Murray seconded the motion. The minutes were approved.

Dr. Bromley reviewed the agenda. Bob Bendick asked that Kacky Andrews be given more time on the agenda to present the views of the states on the national system. This time was granted.

New and Returning Members

The returning and new members of the committee introduced themselves, as did staff and members of the audience. The new members of the committee are Charles Beeker, Ellen Goethel, Dennis Heinemann, and Jim Woods. Lauren Wenzel noted that new member Andrew Sansom was unable to attend for medical reasons. She also announced that Dolly Garza, Mike Nussman and Bob Moran had resigned from the Committee recently and that new members would be sought to fill those vacancies.

Election of Chair and Vice Chair

Lauren Wenzel announced that the previous Chair, Dan Bromley, and Vice Chair, Bonnie McCay, had expressed willingness to continue serving in those capacities. She asked if any other members wished to be considered for Chair or Vice Chair. There were no other candidates. Dr. Bromley and Dr. McCay were re-elected as Chair and Vice Chair, respectively, by voice vote.

DOC/DOI Response to the MPA FAC

Joe Uravitch, Director of the National Marine Protected Areas Center, gave a presentation on the response of the Departments of Commerce and the Interior to the MPA FAC report delivered in June 2005. Mr. Uravitch noted that the MPA FAC report was an important foundation for the Framework document developed by the MPA Center to describe the goals, objectives, processes and structure of the national system of MPAs. Drawing on the work of the MPA FAC, the Framework has a strong emphasis on national criteria and regional planning, stakeholder involvement, using the best available information for decision making, and building on existing MPA programs. Mr. Uravitch also explained ways in which the Framework differs from the MPA FAC report, including the definition of "lasting," and a more streamlined approach to nominating sites for inclusion in the national system.

Development of the National System Framework

Jonathan Kelsey, the MPA Center's National System Development Coordinator, described the Framework as a document that balances the diverse input the MPA Center received from the MPA FAC, federal agencies, states, and the public through

dozens of meetings over the past year, as well as information gleaned from preliminary analysis of the Marine Managed Areas Inventory. He also noted that the Framework could change between this meeting and when it is released for public comment. Mr. Kelsey described the principles, goals and regional planning process included in the Framework. He also described the public comment process planned for the Framework, as well as the process to finalize and begin implementing the Framework. NOAA and the Department of the Interior plan to release the Framework document in May or June, and allow a long (145 day) comment period to provide ample opportunity for all to comment.

Members had questions about the ways in which the Framework diverged from the FAC report. They were eager to review the Framework, and asked that it be sent to the FAC as soon as possible. There were questions about the inclusiveness of the national system; how regions would be defined for the regional planning process; and how the document addresses the requirement in Executive Order 13158 to "avoid harm" to the resources protected by an MPA.

New Charge for the MPA FAC

Mary Glackin, Department of Commerce Ex Officio member of the FAC, noted that as one of the co-chairs of the Subcommittee on Integrated Management of Ocean Resources (SIMOR), she supports a federal role in supporting state-led regional efforts around specific sets of problems. She then reviewed the new charge to the MPA FAC, including the assignments to each of the three Subcommittees. The Committee is asked to complete its work by October 31, 2007. This could take the form of several short reports rather than a single report.

Priorities for the MPA Center

Joe Uravitch gave a presentation on the MPA Center's priorities in light of its budget for FY06 and the FY07 request. Recent reductions have reduced the scope of the MPA Center's work, and activities relating to training, technical assistance and education have had to be eliminated. In addition, activities supporting MPA science and regional coordination have been reduced. Mr. Uravitch noted that level funding or further reductions may require the Department of Commerce to reduce the size of the MPA FAC during the next major round of appointments. Members commented on the need for a champion to support the idea of a national system of MPAs.

Dr. Bromley directed the Subcommittees to meet directly after lunch, and asked them to discuss their charge and elect leaders at the end of their meeting today.

The committee broke for lunch at 12:00.

At 3:30 the committee reconvened.

State Perspectives on a National System of MPAs

Kacky Andrews, Executive Director of the Coastal States Organization, provided information on the views of the 35 coastal states on the national system of MPAs. She noted that the states have diverse opinions, and emphasized the importance of the states to the national system effort, as most MPAs are in state waters. Ms. Andrews said that some states were concerned that new MPA authorities might supercede state authorities, and that regional MPA planning should be integrated with other regional ocean management efforts. Ms. Andrews reviewed the seven recommendations in the State report, and noted that the full report would be available to the Committee in

May. Committee members noted that many of the state comments echoed comments by FAC members.

Other Issues

Dennis Heinemann shared information with the FAC on draft legislation by Representative Pombo that has implications for how existing MPAs are managed. The bill would give the National Marine Fisheries Service jurisdiction over fisheries management within National Marine Sanctuaries.

Brian Melzian announced the development of the National Water Quality Monitoring Network, a collaborative effort across many federal agencies that will soon be available for public review. He also announced the availability of the first development plan for the Integrated Ocean Observing System.

Public Comment

No public comment was offered.

The committee recessed for the day at 5:00 p.m.

TUESDAY, APRIL 25, 2006

Dr. Bromley called the Committee back to order at 8:08 a.m.

Subcommittee Reports to the Full Committee

Each Subcommittee reported on the previous day's discussions to the full Committee.

Subcommittee 1 elected Max Peterson and Bob Zales as co-chairs. The Subcommittee decided to look for best practices in regional planning to inform the national system of MPAs. They identified several case studies and developed key questions about regional planning to be answered for each case study. Members recommended various possible sources of information on case studies.

Subcommittee 2 elected Tony Chatwin and George Lapointe as co-chairs. The Subcommittee discussed the questions in the charge, and developed a draft outline for their work on incentives and implementation. They also raised the issue of how to avoid duplication and agreed to consult with the other two Subcommittees on areas of potential overlap. Committee members commented on the importance of incentives for sites in the national system, and suggested looking at examples of other protected areas systems.

Subcommittee 3 elected Steve Murray and Ellen Goethel as co-chairs. The Subcommittee discussed the linkages between MPAs and ecosystem approaches to management, as well as other science issues related to MPA design and management. The Subcommittee identified key products and a timeline.

The Subcommittees met from 9:30 until 12:00.

The Committee reconvened at 1:15 p.m.

MPAs and Marine Management Issues in the Gulf of Mexico

Dr. John Tunnell presented information on the Harte Research Institute (HRI), which was established to support the long term sustainable use and conservation of the Gulf

of Mexico. He described various initiatives of the HRI, including an updated scientific characterization of the Gulf of Mexico, and the establishment of endowed research chairs. Dr. Tunnell described the Gulf of Mexico Alliance, a regional coordination effort with Cuba and Mexico, and noted that Cuba has one of the strongest protected areas networks in the world. Committee members asked about the involvement of stakeholders in the Gulf of Mexico Alliance and the HRI research plan, and about priority projects for HRI.

G.P. Schmal, manager of the Flower Garden Banks National Marine Sanctuary, described the resources and management of the sanctuary, the northern most coral reef in the U.S. Mr. Schmal described the complex salt dome geology of the Central Gulf, and the high biological productivity of the coral reefs. The Minerals Management Service has designated many areas of high biological importance as “no activity zones” for oil and gas development. Many of these areas have also been designated as Habitat Areas of Particular Concern by the Gulf Fishery Management Council. The sanctuary is mapping habitat using ROVs. Mr. Schmal also noted damage to corals from salvagers exploring for shipwrecks and explained that there is no legal protection against this activity. Committee members had questions about coral health in the Gulf, and about potential expansion of the sanctuary.

Challenges of Cultural Resource MPA Management

John Halsey introduced the panel, noting that this is the first extended discussion of submerged cultural resources the Committee has had.

Brian Jordan, maritime archeologist with the MPA Center, gave an overview of submerged cultural resource management issues. He described current legislation governing cultural resource management in federal and state waters, and emphasized that there is no comprehensive protection for cultural resources in US waters. He also commented on the lack of resources to protect cultural resources, especially at the state level. Cultural resources are part of the ecosystem and the historical landscape, and their management is a multi-disciplinary endeavor, relying on both the natural and social sciences.

Charles Beeker, Director of Underwater Science at Indiana University and a new FAC member, described his experience working with state and federal agencies to protect and interpret cultural resources. There has been rapid growth in scuba diving in the US, and this has helped drive interest in submerged cultural resources. In the Florida Keys, the national marine sanctuary has developed a shipwreck trail. This includes mooring buoys to protect sites from anchoring, and underwater signage for divers.

John Halsey, state archeologist for Michigan and returning FAC member, described the importance of the state’s 1,500 shipwrecks to its history. In 1980, the state passed legislation to limit impacts from salvage with the support of sport divers. The state struggles with a lack of resources for cultural resource management, and has relied on volunteers and some funds through Coastal Zone Management and the National Historic Preservation Act. Dr. Halsey also mentioned the Thunder Bay National Marine Sanctuary, which is the second sanctuary focused on cultural resources and has helped spur economic revitalization in the Alpena area.

The Subcommittees met from 3:15-5:00. The Committee recessed for the day at 5:00.

WEDNESDAY, APRIL 26, 2006

Dr. Bromley brought the Committee to order at 8:25 a.m.

Public Comment

No public comment was offered.

High Seas MPAs

Michael Cruikshank mentioned the Greenpeace report on High Seas MPAs that was distributed to the MPA FAC electronically earlier in the month. He expressed concern about exploitive fishing practices on the high seas based on his experience in the Pacific, and suggested that the MPA FAC might wish to support the concept of high seas MPAs. Joe Uravitch replied that he serves on NOAA's high seas working group, and participated in a multi-national workshop of technical experts last fall in Ottawa on science issues to support conservation in the high seas. He noted that this is an evolving issue and that the position of the U.S. is that an MPA must have a clearly delineated impact area, a strong causal link between the management measures and the harm being addressed, and enforceable measures consistent with customary international law as reflected in the UN Convention on the Law of the Sea. The emphasis is on identifying the threat and addressing it with the appropriate mechanism, which may or may not be an MPA, or some combination of tools.

Analyzing the Marine Managed Areas Inventory

Charles Wahle, Science Director of the MPA Center, presented the results of the initial analysis of the marine managed areas inventory (MMA inventory). The inventory was initiated by the MPA center in 2001 to gather information on the extent and type of marine management in US waters. Currently, the inventory includes over 1,500 sites, but this is growing as data gaps are filled. These will serve as the pool of sites from which those meeting the criteria for the national system will be selected, and will help in future efforts to identify conservation gaps and priorities. The initial analysis shows that over 75% of MMAs are located in state waters, and that most MMAs were established to protect natural heritage (biodiversity). It also shows that 90% of MMAs are multiple use, with just 10% designated as "no take" areas. GIS data are also being collected for the sites, but are not yet available for analysis nationwide. Committee members were very interested and had many questions about the analysis. Dr. Wahle noted that additional information, including the spatial analysis, will be available this Fall.

Ecosystem Approaches to Management

Steve Murray introduced the panel of scientists who were invited to speak on ecosystem approaches to management and MPAs.

Steve Gaines, Director of the Marine Science Institute at the University of California, Santa Barbara, discussed how science has been used in California's Marine Life Protection Act (MLPA) process. The MLPA was passed in the late 1990s, and calls on California to identify MPAs to fulfill broad conservation goals focused primarily on ecosystem protection. Most recently, implementation has focused on the Central Coast, where a stakeholder group was formed to refine conservation goals for the region and propose a plan for MPAs to meet those goals. An independent science panel was established, including natural and social scientists, to provide stakeholders with scientific guidance and to give feedback on draft stakeholder plans. The science

panel informed this process by providing data on habitat availability to help stakeholders design representative networks. Scientists also provided data the movement of different species and the implications of this for MPA network design. Dr. Gaines also described work to forecast the economic costs of different management options. This is critical, but difficult to gather on a spatially explicit basis. Finally, the science panel provided stakeholder groups with maps and analysis of species persistence, which includes data on habitats, MPA locations, and fishing effort outside MPAs.

Lance Morgan, at the Marine Conservation Biology Institute, presented information on the Commission for Economic Cooperation (CEC) process to identify priority conservation areas from Baja California to the Bering Sea. This was a top down process involving the US, Mexico and Canada, but with significant participation by non-governmental experts. The goal was to identify unique places with high ecological value, anthropological threat, and conservation opportunity. CEC defined marine species of common concern, including turtles, whales and seabirds. They worked through a process of consensus mapping - having small workgroups develop maps of priority areas, then overlaying these maps to identify areas of common concern. Dr. Morgan also discussed the impacts of different types of fishing gear on marine habitat. He recommended marine zoning as a tool for managing multiple uses of the marine environment, and noted that it is being used in the Great Barrier Reef and some marine sanctuaries in the U.S.

Ned Cyr, Chief of the Marine Ecosystem Division for NOAA Fisheries, and representing the NOAA Ecosystem Goal Team, explained the current effort to move toward an ecosystem approach to management within NOAA. Dr. Cyr explained that an ecosystem approach to management is one of NOAA's four strategic goals, and described the structure of the nine programs located within NOAA's ecosystem goal. These programs are now working together to identify ways in which place-based management can be better coordinated. The Goal Team has identified the seven characteristics of ecosystem approaches to management, has adopted the large marine ecosystems as the boundaries for ecosystem management within the agency, and is now working to develop ecosystem-specific indicators. He also described how MPAs can help advance an ecosystem approach as reference sites, and as examples of an ecosystem approach on a smaller geographic scale.

Designation of Mission-Aransas National Estuarine Research Reserve

Sally Applebaum, of the University of Texas Marine Science Institute, provided an overview of designation of a new National Estuarine Research Reserve (NERR) in Texas at nearby Aransas Bay. The goal of the NERR system is to provide a stable platform for research, education and stewardship. The process has taken seven years, and has included the development of an environmental impact statement and a management plan for the site. The process began by looking at 65 sites on the Texas coast, through a site selection committee that included 120 stakeholders. Ultimately, Aransas Bay was selected and will be formally designated in May 2006.

Direction to Subcommittees

Dan Bromley directed each Subcommittee to report back to the full Committee later in the afternoon with the following information: what does the Subcommittee plan to do before the next meeting; work products; schedule; and ideas for speakers or panels at the October meeting to advance Subcommittee work.

The Committee broke for lunch at 12:00, followed by Subcommittee meetings.

Full Committee Reconvened

The Committee reconvened at 3:15. It received progress reports from each of the three Subcommittees.

Committee Business

Some members expressed concern about having too great an emphasis on speakers, and not enough on deliberation by the Subcommittees and full Committee. It was agreed that all speakers should directly advance the work of the Subcommittees, and that, in some cases, speakers should be invited to address and work with Subcommittees.

Dennis Heinemann urged NOAA and DOI to get the Framework to the FAC as soon as possible. Others also requested that the public review period be long enough to encompass the dates of the next FAC meeting in October.

Lauren Wenzel announced that the next meeting will be held on the Oregon coast from October 10-12, which means that Monday, October 9 (Columbus Day) is a travel day. We will schedule the Spring 2007 meeting soon, and will look at the Great Lakes as the preferred location. She also announced the logistics for the field trip.

Dan Bromley said that he was pleased to see such enthusiasm and hard work from the Committee members. He thanked the members for their commitment.

Lauren Wenzel adjourned the meeting at 4:45 p.m.

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. Charles Beeker
Mr. Bob Bendick
Dr. Dan Bromley, Chair
Dr. Anthony Chatwin
Dr. Michael Cruickshank
Mr. Eric Gilman
Ms. Ellen Goethel
Dr. John Halsey
Dr. Dennis Heinemann

Dr. Mark Hixon
Mr. George Lapointe
Dr. Bonnie McCay, Vice-Chair
Dr. Steve Murray
Dr. John Ogden
Mr. Lelei Peau
Dr. Wally Pereyra
Mr. R. Max Peterson
Dr. Jim Ray
Dr. Daniel Suman
Mr. Jim Woods
Mr. Bob Zales

Ex officio members/representatives present:

Mr. Randal Bowman, US Department of the Interior / Office of the Assistant Secretary
for Fish, Wildlife and Parks
Ms. Mary Glackin, US Department of Commerce
Dr. Brian Melzian, US Environmental Protection Agency
LT Jeff Pearson, US Coast Guard / Department of Homeland Security

NOAA National Marine Protected Areas Center staff:

Mr. Joseph Uravitch, Director
Dr. Brian Jordan, Marine Archeologist
Mr. Jonathan Kelsey, National System Development Coordinator
Ms. Bunny Sparks, Committee Support
Ms. Dana Topousis, Communications Director
Ms. Lauren Wenzel, Designated Federal Officer
Dr. Charles Wahle, Science Institute Director