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PROCEEDINGS

DR. BROMLEY: Perhaps I should, with great reluctance, call us to order. All of us were so exhilarated to finish yesterday that I really hate to start it all over again, but maybe we are at a different place this morning and I think we are.

I was such a monster yesterday about keeping pushing that I think we will just open the meeting and we will just sit here and do nothing for about a half an hour. Would you like that? And if you average out the pace at which we worked yesterday and this morning, it would be just about right. At any rate, here we are.

I am going to call the meeting to order. We have a public comment period. We have one person who has asked to appear before us and we are a bit late, but you deserve it. Lauren, I am going to ask you, if you would, do you have a few logistical issues to address to us, please.

MS. WENZEL: Just for those who are going on the field trip, if they could give Bonnie the $10 for lunch for tomorrow and if anyone -- again, just if any
plans changes, let us know because we are working out transportation. And that will be at 8:00 tomorrow.

DR. BROMLEY: Do you want to talk about the report or anything in particular?

MS. WENZEL: Sure. As far as other logistics, I think you all have a copy of the version of the report that was agreed to yesterday afternoon and I just wanted to note that I made all the changes, but I would like a chance to kind of go over it very carefully and make sure that everything is correct and also with an eye for the technical corrections that were raised just to make sure that there aren't any errors.

So what I would prefer to do, if it is okay with the group, is to e-mail it out to you all early next week. That way you all with have a version that, you know, is close to -- is very final and then our intention is, obviously, to have it laid out, have our graphic designer help us make out a really nice copy of it and then put it up on the website and distribute it more broadly. Okay.

DR. BROMLEY: Thank you. The press release.
MS. WENZEL: Okay. And then I just also wanted to mention that the Department of Commerce did issue a press release or is going to issue a press release today about the unanimous vote on the release of the report.

(Applause.)

DR. BROMLEY: Thank you very much. Okay. We have -- the public comment period is officially open and Mr. Dennis Heinemann, please.

DR. HEINEMANN: Mr. Chairman and the Committee, thank you again for the opportunity to speak to you. I would like to commend this committee for its diligent efforts over the last two years and really for masterfully achieving a consensus yesterday. I think it was -- the contrast between where you were on Tuesday afternoon and where you were yesterday afternoon was quite impressive.

I would like to revisit the comments that I made on Tuesday just briefly. There I raised two issues. One was that I felt that the raising access to an objective of an MPA system was illogical and I also suggested that appropriate, the modifier for access
needed criteria to define it.

I think you did an excellent job in providing criteria by linking appropriate to the goals and objectives to the system, and in particular MPA, and by defining carefully the terms; however, it does not change the fact that by adding that language, you have elevated access and use to an objective of an MPA system and for MPA's themselves.

There can be no question, and The Ocean Conservancy completely agrees, that access and different uses are going to be completely appropriate in some areas in some circumstances, but not necessarily in others.

Thus, we agree for the need to provide for appropriate access and use, but we are deeply concerned, The Ocean Conservancy is deeply concerned that the FAC is recommending that the MPA system should exist to provide access and use among other purposes and that that will be -- that that recommendation will be misused and establish the wrong precedent.

That said, we hope and urge you to emphasize the system's goals and unique objectives. I say unique
objectives because access and use is something that is inherent in the open access system we have always had and will exist outside the system.

We also urge you to promote this idea of appropriate access and use, gated and scaled by the goals of stewardship protection and sustainability, as a general principal of ocean governance to be applied across all the borders that we establish in the ocean, not just within MPA's. We are very supportive of the goals to establish an MPA system and of the process that you are engaged in.

I just want to say something about the next phase, which we feel will be very important. Along with grappling with the remaining knotty issues that you have identified, TOC urges you to provide greater vision and guidance as to when and how MPA's should be used and to their unique suitability to certain tasks.

You all know about their unique suitability to biodiversity and preservation, habitat and ecosystem protection and resource recovery, but you may not have heard of recent developments that could make -- could create what would be the greatest benefit or potential
benefit to fisheries from MPA's and that is namely the protection of age structure or what could be called demographic integrity.

Recent research by Stephen Berkeley and colleagues, including Dr. Hixon on your committee, have identified the critical importance of large old spawners in fish populations, what are known now as -- have been dubbed the BOFFs, the big, old, fat, fecund females, the importance of these individuals in a population, to that population's productivity and to its viability.

The idea is, and this has been supported by the research done by Berkeley and colleagues, is that what has been found for a couple species of rockfish is that the BOFFs produce the majority of recruits in these populations. They do so because they produce geometrically more eggs. Those eggs are larger. They survive better, they grow faster as larvae and they also have a protracted spawning period, which means that it is much more likely that the offspring they produce are going to encounter just the right oceanographic conditions for survival and growth.
If generalized, if we find in the coming years that this is a general situation with fish populations, this could change, in a fundamental way, the way we do fisheries management from focusing on actually fishing down the BOFFs to increased productivity, as theory tells us, to trying to protect the BOFFs.

The traditional measures, however, that we have at hand are ill-suited to protect the oldest, largest individuals in a population because fishing inherently removes the largest individuals first and it is very difficult to get around that. There is virtually no way to do it except in a few special cases.

However, MPA's are ideally suited to protecting these old individuals. And it turns out that these old individuals are as important in these -- in all fish populations, or many fish populations, as they are in this rockfish -- as indicated in these rockfish species. Then MPA's will have a unique and important role in protecting those individuals and therefore in achieving sustainable fisheries. So I would urge you to keep an eye out for BOFFs to be
coming to your neighborhood and be ready to great them with an MPA. Thank you.

DR. BROMLEY: Thank you. I am always on the lookout for new stuff and BOFFs is now on my list. Thank you.

Are there questions for Mr. Heinemann? Yes, Mark.

DR. HIXON: Thank you, Mr. Chairman, thank you Dr. Heinemann. Rather than a question, I guess I request permission, at this point, to follow up on Dr. Heinemann's comments. This is an issue I wanted to broach at some time during our deliberations and I didn't want to do it when we were doing our most important work. Just a couple of minutes.

DR. BROMLEY: Sure.

DR. HIXON: Actually, I had the idea of doing this after we heard from Dr. Ed Hood at the University of Maryland who testified before us in Washington last time about the natural science of sustainable production MPA's. And Dr. Hood mentioned, in passing, this issue of old growth age structure and the importance of large, old spawners. And I didn't believe
at that time that it really came across particularly effectively.

So I requested, after the D.C. meeting, that our packet include two peer reviewed scientific overviews of this issue. This is becoming an increasingly important area of focus in scientific research. So I call your attention to somewhere in our packet a review paper published by Stephen Berkeley, et al. -- I was one of the coauthors of that -- published in The Journal Fisheries, which is a publication of the American Fisheries' Society peer review journal, and also a preprint of an up and coming paper in a journal trends in ecology and evolution, which is also a peer reviewed paper.

The increasing evidence -- it has been known for many, many -- forever, basically, that larger females produce more eggs. There is no surprise there. That has always been known, but the new information suggests that these large, old females not only produce superior eggs, but recent studies are showing actually that because of their more protracted spawning season, that they act as sort of I would call it recruitment
insurance.

That is, because they spawn over a longer period each year, there are actually year -- it has been shown, now, with new genetic studies and other studies that there are years when it is only the big, old, fat females that produce young for that particular cohort of that year. So retaining these fish some way in a fishery is becoming -- it is becoming more clear that that is very important.

So this is now an area of active research. I would encourage the members of the panel to be aware of this work as we come up for a second iteration, especially those members who are involved in the recreational and commercial fishing community, because I believe this is an issue that will not go away and if it is examined closely, it may help to alleviate some of the fear of MPA's as a fisheries management tool.

Thank you.

DR. BROMLEY: Thanks, Mark. I -- we will have a discussion later today on next steps, tranche, and it would be good if you would make sure that we get this on our list. Our capacity to exactly determine what we
will address in our next two-year period is a bit limited, but we can certainly make suggestions to the secretaries about issues, not only the things that we left unresolved, which we will insist that we have a chance to revisit, but these new issues. And so this would be one that certainly would fit into some sort of science-based work that we might do the next time around. Go ahead, please.

DR. HIXON: Just one quick follow-up. The recent studies are not just rockfish on the west coast. There is a very definitive study that was done on haddock here in the Atlantic. There is also evidence from cod, striped bass and salmon at least. So these are quite diverse species of fish. They actually are in different orders, not just different generate families of fish. So there is good evidence that this may be a general phenomenon. Thank you.

DR. BROMLEY: Thank you. Okay. We have, as I recall, two issues to revisit today. One would be the specification and the elaboration of the language on unresolved issues. Perhaps more importantly is the overview language that we had a special subcommittee
craft this morning over breakfast. I think we ought to
start with the most important one of those, which is
the overview document of the Peterson subcommittee.

Max.

MR. PETERSON: Thank you, Mr. Chairman. We
are indebted to Lauren and Jonathan for helping us get
the computer system going so we could present it on
overhead. Tundi was on that -- worked with that group,
Mike Nussman, who had to leave, worked on that group.

What we decided to do in this overview is not
try to restate everything that is in the report and so
on, but purely do an overview. So it doesn't present
any new ideas. And this would go in the report. The
way we see it, you would have your letter of
transmittal, we would have a table of contents, which
would contain the details of the report, and then we
would have this overview.

And then we would just point out -- I will let
you read it -- that "The Committee met to provide the
30 people a diverse experience and background,
appointees provided by the executive order, met over
the course of the last two years at locations
throughout the U.S., visited several marine areas and received detailed presentations by representative of local, state, tribal and national organization agencies, produced several drafts of a report and unanimously adopted this final report at its meeting on May 18th, yesterday.

And the report includes -- "The report presents a statement of purpose for a national system, outlines the benefits of such a system describes goals and objectives, defines key terms, sets forth guiding principles, outlines the importance of and mechanism for promoting the stewardship and enhancing management effectiveness, articulates a process for assessing existing MPA's as well as proposing new sites for inclusion in the national system and sets out key facets of implementation."

And then we say, “The report recognizes that incentives, including adequate funding, will be essential to the success of this effort.” That is the only specific thing that we pulled out because that was something we felt was important. And finally, the report highlights some unresolved questions and
concerns that will need to be addressed by future FAC's or by the agencies.

Now that is the one-page overview. And then we go into the table of contents, which is taken directly from the document, Mr. Chairman. I am sorry we don't have a handout because we didn't have a printer, but that is the report of the committee and you can thank Tundi for being our, not just our scribe, but she wrote quite a bit of this because she had the right words at the right times.

DR. AGARDY: And I wrote and I --

MR. PETERSON: She wrote and edited. She multitasked and she said a woman is quite able to do that. Mr. Chairman, that is our report and --

DR. BROMLEY: No comment, Max, thank you.

(Laughter.)

MR. PETERSON: I am simply quoting her.

DR. BROMLEY: Yes, I see.

MR. PETERSON: And I agree with her.

DR. BROMLEY: I still have no comment.

MR. PETERSON: Mr. Chairman, that is our report and I don't know how you want to handle it.
DR. BROMLEY: I would like to just let people look at it for a minute.

MR. PETERSON: Okay.

DR. BROMLEY: I see a hand up, Gil, and others. Let's just look at it and think about it. Gil and then Rod.

MR. RADONSKI: I think it is great. I mean, you know, it is very concise and my hat is off to the subcommittee for the quick turnaround. The only comment I would make is if you can scroll down a little to the "Finally," that is sort of a mea culpa statement and I would like to put a more positive spin on it, that, you know, not -- we are almost saying we are sorry for not covering everything. I think we identified issues that we didn't have time to cover and it is just a spin thing, but I would like to have it be a little more positive than as a mea culpa. Just an observation.

MR. PETERSON: I think that is fine if you --

DR. BROMLEY: That is a good observation.

MR. PETERSON: Yes.

DR. BROMLEY: Let's get some other comments
and then we will see how to do this because I have a
bit of that same thing. Rod and then I have Terry and
John.

DR. FUJITA: Thank you, Mr. Chairman. Yes, I
like the overview too. Just a couple of things that I
think might help a little bit. One is it is great to
say we have diverse backgrounds and experience, but I
think it would punch it up a little bit if we could
just briefly describe the nature of the diversity. You
know, we had representatives of the sportfishing
groups, we had commercial fisheries interests here, we
had environmental groups, scientists. I think that
adds some human detail.

Another one is that, you know, and it is in
consulting with all those organizations and counsels
and stuff, we took a good deal of public comment, from
which I learned quite a bit, and I think we should
acknowledge that.

And I agree that, you know, the issues of
incentives and funding is a terribly important
recommendation of ours and essential to success, but I
would argue that a good deal of work and the consensus
that we built around the importance of participatory
processes and inclusions and good faith deliberations
is also one of those, you know, kind of above the line
recommendations. So I would suggest that we might want
to work that in somehow.

DR. BROMLEY: Lauren, are you scribing these
down?

MS. WENZEL: I am making notes, yes.

MR. PETERSON: Thank you. Those are good
comments.

DR. BROMLEY: That is real nice.

Terry.

MR. O'HALLORAN: Thank you. Rod had one of my
comments about the public input that we received. I
think that is an important component of it.

The other thing that might add a little punch
to this, too, is something -- some wording that says
about the analyst consensus that we achieved with this
that I think strengthens the fact that we are
diversified. And maybe that is in there. It is in the
second sentence.

DR. BROMLEY: Yes, the second sentence,
unanimously adopted.


DR. BROMLEY: John Halsey.

DR. HALSEY: Thank you, Mr. Chairman. I wonder if it would also be advisable to point out that we did have, at least in ex officio capacities, representatives from major federal agencies whose advice and counsel was quite useful occasionally.

DR. BROMLEY: Yes. That is great. Yes.

MR. PETERSON: Mr. Chairman, if you would -- I would suggest we put a whole new paragraph, following that first paragraph, and explain the diversity of the groups and include the federal ex officio people.

DR. BROMLEY: Yes.

MR. PETERSON: And we did have public in there at one time and we somehow lost it. We will put that back in --

DR. BROMLEY: Okay.

MR. PETERSON: -- that we did listen to the public.

DR. BROMLEY: Right. Good.
MR. PETERSON: Thank you. Appreciate those comments.

DR. BROMLEY: Kay.

Did you want to add a short comment?

MR. PETERSON: Whenever.

DR. BROMLEY: Let me call on Kay and then you can -- okay.

MS. WILLIAMS: To the statement, we have do have diverse backgrounds as far as the member sitting around the table, but it was my understanding that we did not have any commercial panelists come before us. Am I mistaken on that?

DR. BROMLEY: We did not have a panel of commercial fisherman, that is correct.

MS. WILLIAMS: All right. We had a panel of recreational. So I would hate to say that we did when we didn't.

DR. BROMLEY: Well, we heard from all of the councils and perhaps a number of people -- yes, Wally.

DR. PEREYRA: Mr Chairman, I believe that one of the keys to our success was the way in which we organized our deliberations through three subcommittees
and I think in the second paragraph, that that might be noted in some ways. I think that is an important part of our success.

DR. BROMLEY: I do too. I absolutely agree that -- we don't want to go into too much detail, but putting small groups of people together in a room repeatedly and seriously, we didn't lock the door on you, but that is where the energy and that is where the respect and the give and take occurred, isn't it, which set the foundation for yesterday I think.

MR. PETERSON: Good comment. Very good comment.

DR. BROMLEY: Somehow. Again, we don't want all the gory details, but I think Wally is right, this was a very important thing. Okay. I have now Gil, Tundi.

MR. RADONSKI: Just a brief follow-up on that. The thing I think that made those subcommittees work was Joe found the money that we could have individual meetings and I think that really cemented it. I know our subcommittee three when we met in California, was -- really made it. We just couldn't have done it
over the telephone. We had to have a face to face.
And a lot of trouble went into getting those face to face meetings, but that was the key thing.

DR. BROMLEY: Let me ask this, just by way of comment, and then I will turn to Joe because he had a comment too. We want to think about whether this point that Gil just brought up, the funding for us, is important as we go forward because if we -- this point that Wally made about that and then Gil's point about us having chances to meet was very important, in terms of the progress that we made, and under the budgetary situation that I think we are going to be operating on in the future, we may be hampered in that.

And so in a sense, you guys -- I would like your thoughts. I am going to ask whether we want to say something about the future success of this operation is dependant upon that as well.

MR. RADONSKI: So the record is correct, Tony reminded it was subcommittee two and it was in Seattle.

(Laughter.)

DR. BROMLEY: In light of this, I want to go back and look at all the things that Gil proposed that
we adopt yesterday and reconsider. Wrong town, wrong committee, Gil.

DR. MURRAY: So Gil, what is that other subcommittee?

MR. PETERSON: Mr. Chairman, if I could suggest what we didn't write and what we intended to was a sentence that said we had very fine staff support.

DR. BROMLEY: Yes.

MR. PETERSON: As well as participation of ex officio members. And that staff support including funding for the Committee was essential to its success or something like that.

DR. BROMLEY: Yes.

MR. PETERSON: Because we really should say something about the staff support and participation by the other agencies. I think we can do that and not look like we are just worried about our own funding.

DR. BROMLEY: That is correct.

MR. PETERSON: Okay.

DR. BROMLEY: That is right. Okay. I have Tundi, Eric, Dolly and David Benton. Tundi.

DR. AGARDY: I am glad we are making progress
and I apologize for missing the -- it was my fault that the public comment didn't get in there because we did discuss it.

But these issues, I think, bring up the question of whether the overview is meant to capture what is in the report or introduce -- be a kind of user-friendly way of introducing the reader to what is coming in the report or whether it is meant to introduce other things. And as far as I know, there is no mention of subcommittees in the report; is that right?

DR. BROMLEY: That is correct. There is no mention.

DR. AGARDY: Nor is there any mention of future funding for FAC or --

DR. BROMLEY: No, that is right.

DR. AGARDY: So I am wondering if that belongs, actually, in the transmittal letter.

DR. BROMLEY: Maybe, yes.

DR. AGARDY: And just for the record --

MR. PETERSON: I think she is right. I think that belongs in your transmittal letter.
DR. BROMLEY: Yes, I do too. The funding part. Now back to the subcommittee part --

MR. PETERSON: I think maybe the staff support would be in your letter.

DR. BROMLEY: The staff support could be in the letter of transmittal. That is right. But back to the subcommittee thing. It is important and interesting, but maybe irrelevant? I don't know.

DR. AGARDY: I mean, I don't -- I am not objecting to mentioning the good work that we did in the subcommittees.

DR. BROMLEY: Right. I am not either.

DR. AGARDY: It is just that I think it might be confusing to the reader if we introduce things that the reader can't, then, go to the report and find out more about it.

MR. PETERSON: That could also be in the letter of transmittal.

DR. BROMLEY: That could be in the letter of transmittal. Gil or Wally.

DR. AGARDY: I am sorry. Can I just finish because I meant to register --
DR. BROMLEY: Yes. I am getting their sense about this.

DR. AGARDY: Okay. Yes.

DR. BROMLEY: I didn't mean to --

DR. AGARDY: No, that is okay. No, that is all right. I am trying to be friendly, continue to be friendly.

DR. BROMLEY: Trying to be friendly. So am I, but I have a harder time than you do.

DR. AGARDY: I just wanted to register what are my strong feelings that actually the document does need an executive summary and I know that Max disagrees and many, many -- probably the majority of people here disagree, but as the report is written now, it is a very, very difficult read. It is very poorly organized.

I mean, I am not trying to criticize you guys at all because I think you did a remarkable job in pulling together the reports of the three subcommittees, but it is very illogical and so I think it needs, at a -- if we are not going to have an executive summary, which we would hope that any
important decision-maker would, at a minimum, read,
then I think we have to give serious attention to
editing that report, changing the layout and creating a
document that is imminently more readable than it
currently is. Sorry.

DR. BROMLEY: We will excuse you for adding an
editorial intervention.

Eric.

MR. GILMAN: Just to make a comment. In order
to garner political support for implementing the
report, just two suggestions. One is to somehow make
it address the Ocean Action Plan. Perhaps -- I guess I
don't have a suggestion on how, if there was some way to
link it to the recommendations in the Ocean Action
Plan.

The other one is maybe to -- where we have the
comment about sustainable funding, if there were other
priority action items that we wanted to highlight to
add -- and again, I don't have any specific suggestions,
but there may be a way of highlighting the specific
actions we are looking for from the Departments of
Commerce and Interior.
DR. BROMLEY: Okay. Good. I am sorry, Joe, I keep --

MR. URAVITCH: That is okay.

DR. BROMLEY: Go ahead. Make your comment.

MR. URAVITCH: Just a quick point. In thinking of what Tundi said, if all people read is the overview, I think you ought to consider putting in the words “natural and cultural resources” because the general leap is always to natural resources and we really need to make sure people realize it is both. And that doesn't show up anywhere in the overview.

MR. PETERSON: Okay.

DR. BROMLEY: Dolly.

DR. GARZA: What also is missing is the national network of marine protected areas. If this is all I am reading, it is not in there. So we need to have that in the second paragraph.

MR. PETERSON: It is in the first bullet as the national system. Do you want to add something to that?

DR. GARZA: Well, I think -- yes. What I was looking at was at the second sentence, “The Committee
supports creation of a national network of marine
protected areas and unanimously adopted this report to
establish a framework for developing a national network
of marine protected areas.” And that is actually what
we have done.

DR. BROMLEY: With all due respect, Dolly, we
have used the word “network” in a couple of different
ways and I think this language of yours changes a bit
of the “network” concept. I did not understand networks
as applying to the national system as much as to
ecological -- and somebody help me here, but we have
talked about networks as ecological phenomena, rather
than political phenomena I believe. I would be happy
to be corrected on that, but --

DR. GARZA: Okay. A national system, whatever
the correct word is, but we are not -- I mean, the
whole purpose was to create this national system, you
know, a framework for a national system of marine
protected areas, and we don’t really say that as a
sentence even if it is a bullet. We are not saying
that as a sentence. And if you have nothing to do with
this and you pick up this report, it isn't self-evident,
this one page.

DR. BROMLEY: Okay. David Benton. Is that your name down there, David. Yes. Good morning, David.

MR. BENTON: I was actually responding to your comment about funding for the Committee and I, for one, would be extremely uncomfortable with any language that looks like we are feathering our own nests, Mr. Chairman. I would leave it to you to figure out how to word it. I like Max’s approach of referring to staff support or just support from the Center or something like that.

I, for one, don’t believe that we should say anything about funding for this committee because it just looks like we are feathering our own darn nests. And that is a real bad position to be in. If we want to go find the funding, I am all for that, but that is just something you just do quietly and in an appropriate manner.

DR. BROMLEY: I agree. We would not any of us to look as if we are feathering our own nests in anything we do, would we?
MR. PETERSON: Mr. Chairman, could I suggest something to Dolly here?

DR. BROMLEY: Yes.

MR. PETERSON: On that -- where the Committee proposed -- produced several drafts of report and unanimously adopted a final report on establishing and managing a national system on marine protected areas. That is the title of our report and I think that adds a little umph to that because just the report sounds a little sterile. Would that do it, Dolly?

DR. GARZA: Yes.

MR. PETERSON: Establishing and managing a national system of marine protected areas.

DR. BROMLEY: Something like that. That is nice, Max.

MR. PETERSON: That is the actual title of the report.

DR. BROMLEY: Lauren is making notes, but our -- Tundi, are you also or -- no. Okay. We will -- great. Bob Zales.

MR. ZALES: Yes, Mr. Chairman. I was under the impression that the reason why we didn't do a
summary, we did an overview, which basically was just a very short one-and-a-half page deal, was not to have people only read the one-and-a-half page deal, but to strike interest to say, okay. This tells me what should be in this report and I need to know more. So I need to read the report.

MR. PETERSON: Right.

MR. ZALES: So I wouldn't be too up on changing what has been done very much. Maybe a word or two here or there, but not putting a whole lot in there because I would hope that whoever gets this overview would say, okay, gee, this just peaks my interest and now I am going to go read the report.

DR. BROMLEY: Yes. We want to be careful loading it back up with lots of stuff. Thank you.

Terry.

MR. O'HALLORAN: Well, with -- I think this is a real good report, but I find myself joining Tundi's minority. There is some really important things in this document that -- but reading it, I am very interested in the subject and it is a difficult document to get through even when you are vitally
interested in it.

And I guess my concern is that if we are going
to do it this way, we need -- it needs to be very
compelling to get them to this document, but so I am
kind of joining Tundi's minority regarding an executive
summary with the idea that a lot of the decision-makers
will read the shortest document they can and it has got
to have that kind of punch and it has got to have some
of the I think some of the highlights in there so that
they really understand what is really the essence of
this and not just necessarily what the outline of this
is. Thank you.

DR. BROMLEY: Wally and then Gil.

DR. PEREYRA: Gil can --

MR. RADONSKI: Thank you, Wally. I don't
disagree with Tundi. I think it would really be
helpful, but in the context that we wrote this report
to be presented to two secretaries, we are looking at
other uses of the report. The report with an overview
to the secretaries, I can guarantee you their staffs
are going to provide an executive summary for the
secretaries of important highlights. Maybe we can bum
one of those executive summaries and then use it.

But I think every group around this table that has a constituency is going to prepare a brief summary of this to their people and I think in the context that we prepared this for the secretaries with a brief overview would satisfy our minimum requirements.

Developing an executive summary would be helpful and nice, I would love it, but I don't think it is really necessary from the standpoint of meeting our requirements.

DR. BROMLEY: Okay. Wally?

DR. PEREYRA: Yes, thank you, Mr. Chairman.

DR. BROMLEY: Then I have Barbara on the list.

Yes.

DR. PEREYRA: You know, as I read through the report, I also can sympathize with a desire to have it be more literal and easier to read and so forth. The concern I have if we go that route, whether it is through some sort of an executive summary or a total reorganization and rewrite of the report, is we don't have enough time and this report has now been, essentially, released as I understand it.
To put together an executive summary, I think we are going to be word smithing here for quite some time and that concerns me. This -- I don't think is something we can do hurriedly or we will have a situation that is worse potentially.

MR. RADONSKI: Just a point of clarification on what Wally just said -- I didn't think about it -- it is not released. This essentially is embargoed until it is submitted to the secretaries; is that correct?

MR. URAVITCH: That is correct.

DR. BROMLEY: Okay. I have Barbara and then Rod I believe.

MS. STEVENSON: Yes. Two quick points. You have been changing that sentence --

DR. BROMLEY: Which sentence, please?

MS. STEVENSON: The one that says, “The Committee produced.”

DR. BROMLEY: Yes. Yes.

MS. STEVENSON: When you read that, it implies that the most amazing thing we did was produce several drafts, which we might think is --

(Laughter.)
DR. BROMLEY: Perhaps it is, in hindsight, Barbara.

MS. STEVENSON: That is correct, but we want the people to get right to the point that we unanimously approve. So I would suggest that we keep our thoughts to ourselves and the Committee unanimously adopted.

DR. BROMLEY: That is a great idea. That is a great suggestion.

MS. STEVENSON: Okay. The second point, and I -- Tundi has an easier life than I do if this is a difficult report to read because, I mean, the ones that I am used to reading, I am like, oh, this is wonderful. You know, thousand page fishery management plans and that kind of stuff.

DR. BROMLEY: Yes.

MS. STEVENSON: So and my -- I think that Gil had an excellent suggestion because we all have different views of what is truly important in here and it is not productive for us to argue over what we think is truly important because we all got what we think was truly important in the document and what we pull out
and present to whomever our own groups are going to be different.

DR. BROMLEY: Thanks, Barbara.

Rod and then Steve Murray.

DR. FUJITA: Thank you, Mr. Chairman. I just wonder whether that is true, Barbara. You know, we worked through a lot of issues. I think some clearly rose to the surface as top priorities. And I am just wondering if as maybe an alternative to an executive summary that would be literate and highly readable and compelling, if we could simply list the major recommendations that we are offering to the secretaries.

I think that would be a major contribution. Rather than having them wade through this short, but highly dense report, if we could just have a list of, you know, five, ten bulleted items for recommended action, which would include things like apply participatory processes, evaluate and monitor the national system, use adaptive management to improve management based on increasing knowledge and understanding. I think it might be not impossible for
us to achieve consensus on that short list of
recommended actions.

DR. BROMLEY: Thank you.

Steve Murray.

DR. MURRAY: And so we are trying to figure
out what to do here in the front of this document and
the efforts range everywhere from trying to generate
what we have traditionally thought of as an executive
summary, which would be pulling text from this and
essentially repeating it, highlighting recommendations,
to simply producing an overviewer and really an
abstract, as I would call it, of what the contents are.

All right. One of the issues that we are
having is that we want to make this more readable and
more accessible to, perhaps, higher level officials who
might look at it. So one of the compromises we could
make in that regard would be to move the tabled
material, which is under “Defining Marine Protected
Areas.” There is two big tables and they are right in
the middle of the document. They are very important,
but they simply could be put at the end in which case,
you would be reducing this document down to about 14 or
so pages and most executive summaries are in the
10-page range I think.

And so now we are down to 14 of continuous
reading without being broken up by definitions. So I
would make that recommendation. I mean, I know that
this document is sort of sacrosanct, but that is not
making a change, it is just moving something from one
place to another.

The second point I would like to make is that
I think that this overview statement should contain the
italicized goal that we have on page 3 at what the
national system is. I mean, at least we should have
that in this overview statement. And notice also that
we have called this a goal, not goals. So we have only
one goal and that goal ought to be in this overview
statement as to what this national system is about and
it is only three lines. But I think that should be in
the overview statement.

And I think that when you look at the list
that is in the report, there are some bulleted sections
that have not -- that have been left out. Program
activities, for example, and, you know, they don't take
up much space and to be inclusive, they probably ought
to be in one of those little bulleted lists. I mean,
we have got -- for program activities, we have got
literally almost a page. So we ought to at least spell
it out. So move the tables to the end, create a
completely free reading document, get the goal
statement in there and call it a goal because it is one
goal.

DR. BROMLEY: Okay. Very good. I am
sympathetic to that. I have always found the tables in
the middle of it a little bit inconvenient, but we can
discuss that.

Okay. I have Tony, I have Dave Benton and I
have Mike Cruickshank.

DR. CHATWIN: Thank you, Mr. Chairman. I
would like to concur with Dr. Murray’s suggestion, I
think they are good. My comment, though, is
independent of what we do to this text. I am reacting
to what I am hearing around the table, which is we
think that the -- our greatest accomplishment is this
report and now we are talking about, wow, should it
have had 15 pages or 10 pages and should the tables go
here or there.

I think the greatest accomplishment that we have done in these two years is to come together to find common ground. And so although I concur that the presentation of the report is important, I think what is most important is that we could come together, in a very civilized fashion, and reach unanimous agreement.

And I think that what troubles me a bit is the thoughts of us going off and highlighting this report to our constituents just the things that we think are important because I think what is important and what is important for us to do, and I would go further and say we have a collective responsibility to do, is to go back to do is to go back to our constituents and also say in addition to the things that we find important here is to say that, “You know what? Those people who have other values, we can talk to them and we can work with them and we can do better than we have been doing so far.” And I think that that is the biggest accomplishment of this committee. And so I would just like to remind everybody of that. Thank you.

DR. BROMLEY: You bring tears to my mind,
Tony. That is right. That is right. What is on paper is, in many respects, the least important thing. And I think -- as you were talking, I was thinking that you were kind of referring to going forward, but what you really meant was that we can talk to these other people, right? I mean, that was a nice point, Tony. You know, we can talk to people who differ with us on this topic and make headway. So, you know, I don't know how you capture that, but --

MR. PETERSON: Let me, Mr. Chairman, if I could.

DR. BROMLEY: Yes, please do. I have Dave and Mike Cruickshank.

MR. PETERSON: I don't think, certainly, Tundi and I and Mike we would have loved to have had an executive summary, but we looked at that and in some places, there are recommendations that are stated as recommendations. There are some places there are actually recommendations that aren't called recommendations. The goal statement is not called a recommendation, for example. The objectives are not called recommendations.
And so we looked at that and we figured that if you wrote a reasonable executive summary, it would be six pages long and then we would invite nobody to ever read the big report. And so even though we don’t disagree with that, we didn’t figure it was -- number one, it wasn’t feasible within the time limits we are at.

DR. BROMLEY: Yes.

MR. PETERSON: And number two, we were reluctant to start down the line of presenting any substance in this. It is really an outline. It is really kind of an abstract. It is really kind of an overview. And I do think that many of the suggestions that are made, including this statement that was just made by Tony, that just saying the Committee reached -- we could say the Committee found common ground and unanimously adopted this report. That would give it a little more umph, which is really kind of important.

DR. BROMLEY: Yes.

MR. PETERSON: And I would -- yesterday I, in a motion, recommended that you all have permission to do some editing of this report. For example, I think
moving Table 2, which is printed the other direction on
there, will be very good. Table 1 is almost -- it
almost is necessary to understand the rest of the
document. So if they don't read Table 1, they can't
interpret the rest of the document. And we discussed
that at some length.

But I would give you all the freedom, as we
did yesterday, to do some reorganization of the text
without changing substance. And I would just finally
say why don't you let us take these suggestions --
Lauren has got them and Tundi has got them -- we will
come back after a while with a new draft. Would that
be okay?

DR. BROMLEY: Wonderful. That is what I was
going to ask you to do.

MR. PETERSON: Thank you.

DR. BROMLEY: But let's -- we have --

MR. PETERSON: We have got some more comments.

DR. BROMLEY: Yes, we have some more. We have
Dave Benton and Mike Cruickshank.

MR. BENTON: Well, Mr. Chairman, Max Peterson
took the words, almost verbatim, out of my mouth about
we are just repeating a bunch of stuff we talked about yesterday and we are now repeating ourselves this morning. I think the thing to do is take some of those suggestions. These guys did a great job.

DR. BROMLEY: Yes.

MR. BENTON: I am happy with this thing. I was ready to make the motion to adopt the darn thing and move on. If you want to go do a little editing, I don't care. If that is where you heading, that is my comment. Let's get over it. Let's get beyond this one and deal with the next agenda item.

DR. BROMLEY: Yes, yes. That is great.

MR. BENTON: Good.

DR. BROMLEY: Yes. Mike and then I will make an observation. Mike.

DR. CRUICKSHANK: Thank you, Mr. Chairman. I am in agreement with most of everything that has been said this morning, but I am a little concerned with our charge was to present expert advice and recommendations to the secretaries. That was our basic charge. And there is nowhere in this place where you could see what our recommendations are because I was really searching.
I had a hard job figuring out which were recommendations and which were just comments and suggestions. So I would think that somewhere we should present a list of recommendations that we are presenting at this time.

DR. BROMLEY: Okay.

DR. CRUICKSHANK: I don't know how to do it, but --

DR. BROMLEY: Well, that, I think, is what hangs us up, Mike, how to do it.

DR. CRUICKSHANK: Yes.

DR. BROMLEY: So I respect your view, I respect the views of those who want to see a list of recommendations. I remind you of the strategic importance of that list and whose interests are represented in the list that gets produced because recommendations are, in a sense, manifestations, reaffectations of stuff in the report. And so I can assure you it would be a whole new political issue about what that list is, how that list is worded, which comes first, which comes second. I don't think I want to go there. So I respect that, Mike.
DR. CRUICKSHANK: I would be glad to work on it just briefly.

DR. BROMLEY: Yes. Briefly. There is the word I really like. Briefly. No disrespect, Mike, we don't do anything briefly for good reason. It is hard. George and then let's try to bring this to closure.

MR. LAPOINTE: And I apologize for being late, Mr. Chairman. So if I am saying something that people have already heard, let me know and I will stop. It strikes me that the entire report is, in essence, a recommendation.

DR. BROMLEY: I said that yesterday, George.

MR. LAPOINTE: All right.

(Laughter.)

DR. BROMLEY: But please go ahead. I would like to hear it again, it was so profound. Play it for me again, George.

(Laughter.)

DR. BROMLEY: Yes. Have you resigned from the Committee?

MR. LAPOINTE: Yes.
(Laughter.)

DR. BROMLEY: Lauren.

MS. WENZEL: Just on that note, the first full paragraph of the report says, “This report represents the collective views of this Committee.” And if people felt strongly about the whole report being a recommendation, it could say, “This report represents the recommendations of this Committee.”

MR. PETERSON: One thought we had was to pick up our charge, which the report includes, expert advice and recommendations, because that is what we were charged to do.

DR. BROMLEY: Yes.

MR. PETERSON: Expert advice and recommendations because it does include more than recommendations. Would that work? Expert. That is what -- my cohort to the right suggested we do that.

DR. BROMLEY: Do you want to try to work some of that in?

MR. PETERSON: I think we can just say adopted this final report, which includes expert advice and recommendations --
DR. BROMLEY: And recommendations. Yes.

MR. PETERSON: -- on establishing and managing a national system.

DR. BROMLEY: Whatever.

MR. PETERSON: Okay?

DR. BROMLEY: Yes. Okay. I would like to ask whether we can empower this Peterson committee to produce the language that will comprise the opening statement to the report and -- or do you want to have them bring it back and do this again?

MR. PETERSON: We would like to bring it back and just show it.

DR. BROMLEY: Show it? Yes, we would like to see it.

MR. PETERSON: Yes, we would like to do that.

DR. BROMLEY: But we just sort of grant them authority to craft something.

MR. PETERSON: Right.

DR. BROMLEY: And with the presumption, Max, unless you guys really screw up, that we will adopt it.

MR. PETERSON: We will assume that.

DR. BROMLEY: Okay.
MR. PETERSON: We would even invite Bonnie to sit with us if she would like to.

DR. BROMLEY: Well, that is your discretion. Okay. I can understand why you might want that. All right.

Are we okay with this? Does everybody feel comfortable? Okay. We have some unresolved issues. I guess we agreed to do that, Lauren. We were going to look at these unresolved issues and I would remind us, Max, and remind you of -- I think it was Gil's point this morning the way you talk about those unresolved issues, we would like you to spin that a little differently than it is spun here. Can you ask Gil to give you some inspiration in that department?

MR. PETERSON: Yes. We will, but also my cohort here to the right suggested we just use “additional.” Not use -- unresolved sounds like we --

DR. BROMLEY: Additional issues? I think we should talk about this just a minute.

MR. PETERSON: Yes. If you want to use the word “additional” or whatever.

DR. BROMLEY: Barbara.
MS. STEVENSON: Just for those locals that arrived late, could you flip up the screen so George and I can read the rest of the report.

DR. BROMLEY: The maniacs have been excluded from the --

MS. STEVENSON: Just so that we know what it says. I am sure it is perfect, but -- thank you. That part I have read.

MS. WENZEL: Okay.

DR. BROMLEY: Which part do you want to see?

MS. WENZEL: The part at the bottom.

DR. BROMLEY: The “Finally” sentence, Barbara, or the --

MS. STEVENSON: I just didn't know when it ended.

MS. WENZEL: Right. At the page break.

MR. PETERSON: We actually don't need the word “unresolved” in there. We could just highlight some problems and concerns that will need to be addressed by a future FAC.

PARTICIPANT: Identifies.

MR. PETERSON: Identifies.
PARTICIPANT: Right. Say identifies.

MR. PETERSON: Say “identifies” rather than “highlights” maybe. Identifies, which is what it does. We don't want to give them any special -- would that be okay?

DR. BROMLEY: Gil, what do you think?

MR. RADONSKI: My only concern was that it didn't sound like a mea culpa. You know, I wanted it to be more positive and I think it is getting there.

MR. PETERSON: I think it does. Okay. We will go then and work.

DR. BROMLEY: Yes. Mike.

DR. CRUICKSHANK: I don't think that the report itself identifies all these questions. They are identified here, but not in the report.

DR. GARZA: They will be.

MR. PETERSON: They will be.

DR. BROMLEY: They will be. Those unresolved issues, to which we now will turn attention, will be identified in the report.

DR. CRUICKSHANK: Oh, they will.

DR. BROMLEY: They will appear with the
language that we are going to approve shortly as the
kind of the final section of the report.

DR. CRUICKSHANK: Okay.

DR. BROMLEY: Is that okay?

DR. CRUICKSHANK: Yes.

DR. BROMLEY: Tundi.

DR. AGARDY: I am just worried that we are
emasculating it again. So now do we have a final
sentence that basically says there are some things that
we didn't do and these are the agencies -- or the next
FAC should take them up. To me, it needs some kind
of -- more punch and whether you call that key
questions -- I mean, I liked unresolved because it
suggested that they were controversial and they needed
serious --

DR. BROMLEY: That is what is missing here and
our whole conversation yesterday was to elevate these
important things, which were, in a sense, so important
that we spent a lot of time trying to -- we addressed
them as deal breakers or big deals.

MR. PETERSON: Would you buy the word key, key
questions?
DR. BROMLEY: I would like to leave the -- I would like to convey the impression that a number of our members approved this document with whole -- you know, with lingering concerns about things that they felt had not been adequately addressed. And I won't go to the fishing guys, I will go to Mike Cruickshank and sort of say, Mike feels strongly and he has told us over and over again that we have not paid enough attention to oil and gas issues in MPA's. Is that fair enough, Mike?

DR. CRUICKSHANK: Yes.

DR. BROMLEY: And so that is -- these are kind of at a different level than just, oh, here are some key things we didn't get time to address.

MR. PETERSON: Well, what if you said key questions and significant concerns? Key questions and significant concerns.

DR. BROMLEY: I leave it up to you guys to convey this idea.

MR. PETERSON: Okay. We will --

DR. BROMLEY: Barbara, your hand is up and Dolly's.
MS. STEVENSON: Yes. I would propose that you say something like was unable to resolve, either through legal questions of province -- province isn't the right word. That, for instance, there were legal questions. We can't tell the secretaries who is going to approve. There is things that we just absolutely couldn't do. So we need to -- or because of the intense nature to resolve the issues because they are two separate groups. There are things that we need a whole bunch more talking and there are things that we couldn't do if we talked for the next century because we don't have the tools to deal with them.

DR. BROMLEY: But did we deal with the second point, Barbara, somewhere in our language about authorities? How did we address that issue? We are not sure we have legal opinion on that. So maybe -- I don't know, but perhaps we addressed that first one.

MR. PETERSON: Yes, we started to put that in there and we decided since it in the report --

DR. BROMLEY: That we didn't need to put it here.

MR. PETERSON: We didn't need to put it here.
DR. BROMLEY: I believe it is in the report, Barbara, that first category.

MS. STEVENSON: I just -- my concern with this is that it looks like sort of like we just didn't get time to do -- deal with the issues.

DR. BROMLEY: That is right.

MS. STEVENSON: And it is --

DR. BROMLEY: It is more than that.

MS. STEVENSON: It is more than that. We were unable to resolve them and there are two reasons we were unable to resolve them. And that is sort of important rather than saying, you know, we just -- here, you all do this later.

DR. BROMLEY: Yes, that is exactly right. That is -- we have got to get it -- tip it to that level of urgency. George?

MR. LAPOINTE: And again, you can tell me to stop if you need to. Rather than key, are they ongoing critical questions? I mean ongoing implies that they are unresolved, but it is a little better than Gil's mea culpa and key or critical. I mean, it strikes me as a combination of the two. It highlights the importance,
but also says that they are -- ongoing is the lighter term for lingering.


Dolly. No? All right.

Max, do you feel now that you have got what you need?

MR. PETERSON: Yes, we will retreat. I think we are getting now to a few words. And I think we have heard enough and we can work on it.

DR. BROMLEY: Wonderful. Thank you so much. Okay. Lauren, can you switch screens now to -- my fear is people in the back won't quite be able to read this; is that right, Bob? Is that a little better? Can you read this now, Bob?

MR. ZALES: (Nodding.)

MS. WILLIAMS: Just barely.

DR. BROMLEY: Barely. Okay. Let me -- “The Committee identified several key issues that it did not address or resolve, but wanted to identify as important for future consideration.” That sounds like the things we have just been worried about.

So here is some language around those issues.
“Section 5 of the executive order sets out agency responsibilities, including requirements that federal agencies shall avoid harm to natural and cultural resources that are protected by an MPA. There was concern that this is a fundamental provision that requires future attention.”

So the idea is just to raise the issue and to -- there is need to develop -- “There is a need to develop a process that will acknowledge Indian treaty rights and will insure that creation of an MPA in a national system will not diminish, affect or abrogate such treaty rights, perhaps.” It says Indian treaty rights again.

Number 3. “The report discussed the nomination process for the national system, but does not recommend the appropriate entity to approve such designation. This entity must be clearly identified” or something like that. Okay. This is the tone that we are trying to convey.

MR. PETERSON: I am opposed to putting that in the overview because now we are getting in -- we are at --
DR. BROMLEY: I am sorry, Max. This --

MR. PETERSON: Oh, I am sorry. I am sorry. I am sorry.

DR. BROMLEY: Yes, yes.

MR. PETERSON: I am sorry.

DR. BROMLEY: This is language that will be in the final section of our report, to which your overview is going to refer.

MR. PETERSON: Thank you.

DR. BROMLEY: These are the issues we haven't yet figured out how to define.

MR. PETERSON: Thank you.

DR. BROMLEY: So number 2, number 3, “Discuss the nomination process.”

Number 4, financing and incentives. We need, you know, we need a few articles in this -- “Financing and incentives still need, in light of language” --

MS. WENZEL: Yes. That is just my question because it was on the list and then we had a subsequent discussion after that and we added language to the guiding principles section about, you know, the reasonable expectation of funding. So I just had a
question about whether it needed to be mentioned again.

MR. PETERSON: I don't think it needs to be in here. In fact, I don't think the one on -- the executive order says that nothing abrogates Indian rights or diminishes them or anything like that. And there is --

DR. BROMLEY: I don't think we need that either.

MR. PETERSON: There is a jillion processes in place that depends on the treaty, it -- I don't think you can write a general process. So I don't know. And we haven't discussed that at all. So I don't know how we would put that in at this point.

DR. BROMLEY: Maybe it is the way the wording is here. I mean, you are right, we know that nothing we do can abrogate these, but I --

MR. PETERSON: That is in our report and it is in the executive order both.

DR. BROMLEY: Maybe we have cast the issue incorrectly. That is what I am saying, Max, and we will just now hear about that. I have got Tony, Eric, Dolly and Mel. So I think we will probably get some --
MS. WENZEL: Maybe start with Mel since that is his --

MR. MOON: Could I respond to that?

DR. BROMLEY: Yes, please do, Mel.

MR. MOON: You know, I realize in the executive order that it is clear that these activities will not diminish, abrogate or affect treaty rights, but the problem that I have is that there isn't a process that is developed about how that will take place and who understands who is being diminished or abrogated.

At some point in time, there needs to be some kind of described approach on how to deal with tribes because we all understand how a state and a municipality works, but very few of us understand the dynamics of how a tribe operates in its governments. So we need to -- the outreach and the education part is how to approach a tribe, how their functions -- how their governmental functions operate so you can have a process for them to integrate in any activity that takes place.
We are always in a situation where we are kind of brought in after the fact. So this insures that tribes are brought up at the front, understands who they are and what process to use and that is the intent of that particular statement. And that will take some discussions and dialogue.

DR. BROMLEY: Thank you, Mel. That is right. I think we didn't really quite characterize the issue correctly here. And that is the issue, which we have not given adequate attention to.

MR. PETERSON: I agree with Mel's statement there.

DR. BROMLEY: Yes.

MR. PETERSON: We need to develop a process for how to --

DR. BROMLEY: We need a little better wording on that.

MR. PETERSON: -- reach involvement of Indian tribes in the process.

DR. BROMLEY: Yes. Mel, if you could help us with that.

Okay. I have Tony, Eric, Dolly, Tundi, Bob
Zales and George.

DR. CHATWIN: Thank you, Mr. Chairman. My comments go to the question raised whether or not we should have financing incentives identified as an issue that need further deliberation.

I think it is a very important issue. I think we have acknowledged now that in principles that you need financing to add new sites or to add sites to the system, but I think we did not talk about incentives. And incentives is a very -- it is a term that covers a whole array of things and I think we really do -- we need to do justice to incentives and keep it there and discuss it further in the next duration.

DR. BROMLEY: Okay. Good. Thank you.

Okay. Eric Gilman.

MR. GILMAN: Just briefly, a comment on the general design of the list. I think we should use the filtered items that relate directly to a national system of MPA's and items that don't deal specifically with a system shouldn't be on this list. And there is at least two bullets on there that I think don't deal directly with that system.
DR. BROMLEY: Thank you.

I have Dolly.

DR. GARZA: I think Mel said what I wanted to say so I am working on some language.

DR. BROMLEY: Yes. Wonderful. Okay. And now I have Tundi.

DR. AGARDY: I agree with Tony that I think incentives needs to be discussed and I think I was the one that made the proposal of putting this on the list of the financing and incentives.

I have never been involved with any kind of committee activity where we didn't come up with a budget at the end of the process to articulate exactly what we thought levels of funding that were needed to support whatever we were recommending were. And so I think in the next iteration, and maybe this is a discussion for this afternoon and the next phase of the Committee, but I think we have to discuss, you know, some kind of determination of the levels of funding that are going to be needed to implement a national system.

I think we need an analysis of alternative financing mechanisms and I think we need, at a minimum,
a way of assessing incentives that include non-monetary incentives for our participation in the system. So and I would like to vote for a subcommittee to be formed to cover those topics because I think it is really critical.

DR. BROMLEY: Fine. Good. Okay. I have Bob Zales, George, Terry, Barbara, Wally and Jim.

MR. ZALES: I pass.

DR. BROMLEY: Bob Zales passed. George.

MR. LAPOINTE: I guess in both regard to the language about how to deal with tribal interests and funding, we did mention those in the -- you could look at the entire report as an unresolved issue because it is a springboard. And so I take a more minimalist approach on the pending continuing issues, whatever we call them, and we have mentioned that funding is critical. And that is going to be ongoing and we all know that.

And we mention in the report a number of times about identifying stakeholders and taking people's interests into account. And again, there is no process at this point to -- set up to deal with state issues,
you know, because I would argue that, as the tribes in Maine probably operate differently than the tribes in California, we mention, under co-management, how at least two states, Alaska and Maine, are very different than the other states that Max was talking about. And so I have a tendency to think that we are cluttering this list with those, Mr. Chairman.

DR. BROMLEY: Thank you.

Terry.

MR. O'HALLORAN: Well, essentially I think Tony and Tundi did it. My interest is in definitely keeping financing and incentives in this one.

DR. BROMLEY: Okay. Thank you.

Barbara.

MS. STEVENSON: Yes. I have a problem with the harm. I have no problem talking about it, but I thought that yesterday we had agreed that the items that were listed under 4 in the executive order were not appropriate to be on the list and that is the only reason that I would suggest it not be on this list because if, given the charge from our makers to discuss the other things on the list in the executive order, we
shall and if not given that charge, we shan't.

DR. BROMLEY: Okay. Do you want harm taken off?

MS. STEVENSON: Yes, for that reason only.

DR. BROMLEY: For that reason only. Yes.

Okay. That is the section -- that is point number one up here. Okay. Thank you.

Wally.

DR. PEREYRA: Yes, Mr. Chairman. In listening to Mel's, I think, thoughtful presentation on the issue regarding tribes and Indian rights and then hearing some of the comments that flowed after that, it came to my attention that this is more than just this MPA activity being transmitted in the direction of the tribes.

I think there is a great need for information to flow from the tribes, as to their structure, their governance, and so forth, to flow back this way so that, in fact, we have a two-way -- sort of a two-way communication going on because I think that is the only way we are truly going to come to realization on this issue.
Too often in the past I have seen, it has almost been -- I am kind of touched by the movie Dancing with Wolves. And some of the message that came through there, I sort of -- we are like the big brother going forward and this is what is really good for you. I think it needs to come the other way also. I just want to make that point.

DR. BROMLEY: And you would like to have this language reflect the idea that as we go -- as our group goes forward, this is an activity that we have paid insufficient attention to and we need to. That is what this section --

DR. PEREYRA: Right.

DR. BROMLEY: Absolutely. Okay.

Jim Ray.

DR. RAY: Yes. If you could scroll that just a little bit more. Yes. The issue I was struggling with was the intent on bullet number 5. Could you explain that one just a little bit exactly what was intended there. The issue of how "The national system of MPA's will relate to expiration, extraction of energy and mineral resources."
MS. WENZEL: I will defer to Mike. This is just sort of a placeholder language to acknowledge that he had raised some issues.

DR. RAY: Okay. Just the reason I was concerned with that, you know, after our discussions yesterday when we came to consensus and voted on the report, you know, it was my understanding that we would -- had taken the approach that, you know, that in the system of MPA's, that, you know, appropriate access, you know, there would be an evaluation of the various different users that potentially would use a marine protected area and then as appropriate, they may or may not be allowed these special rules.

I read that statement and it sounds like that expiration and extraction were excluded and it is an issue that has to be worked to get them included. I just -- I am reading this bassackwards, I guess, but it just leaves me puzzled from where we were yesterday.

DR. BROMLEY: I will take blame for the wording because we had -- Mike gave us a nice long version and he gave us a short version and then Lauren looked at the short version and in the haste this
morning sort of came up with this, Jim. So I am responsible for it. I am not happy with it either. We need to figure out a better way --

DR. RAY: I am not the only one that is a little confused by the words.

DR. BROMLEY: No.

MS. WENZEL: No. Maybe you and Mike could develop it. We just basically wanted to acknowledge --

DR. RAY: Okay.

MS. WENZEL: -- that this was an outstanding issue.

DR. BROMLEY: Mike gave us a page or half a page and then he also said, but I, you know, here is some language that was like a sentence and a half. I wasn't too happy with it, but I -- you know, so Lauren and I, you know, in the desperation to get organized this morning, sort of came up with this and it is my bad phrasing.

DR. RAY: I guess the point is that, you know, depending on the type of MPA's you are talking about, you have issues with all kinds of user groups. It is not just the extraction of its resource.
DR. BROMLEY: That is right. Could you and Mike come up with a couple of sentences.

DR. RAY: Yes. I did. I will talk with Mike some more. I am just a little confused.

DR. BROMLEY: Yes.

DR. RAY: It just could be misunderstood.

DR. BROMLEY: Sure.

Mike.

DR. CRUICKSHANK: Yes, Lauren, certainly that brief sentence there looks okay to me. So I would be glad to talk with you about it.

DR. RAY: Okay.

DR. BROMLEY: All right. Thank you.

Okay. Yes, Wally.

DR. PEREYRA: Lauren, could you scroll up a second. I just want to see -- one of the issues that came up yesterday that I think is in this category is this issue of co-management or cooperative management. And it is -- I am thinking of this in a much longer context than just a state, federal or tribal.

In the North Pacific, we have developed a co-management system in some of our fisheries that
embrace MPA's in a creative way where the industry
itself is actually involved in self-management, which
is part of an overall federal management process. And
I think that this is a rather important area that
offers great potential for enhancing the effect of this
implementation of a national system in the future. And
I think it needs to be highlighted for something in the
future for us to really address in a significant way
because I think it can bring a lot of benefit.

DR. BROMLEY: Yes. If I am not mistaken, that
issue that you mentioned in Alaska was a legislative
empowerment kind of thing. I mean, you talk about the
American Fisheries Act and all of this. So I agree
with you, Wally, we need to talk about it, but my sense
is that the example you are mentioning is part of the
AFA and then embedded in the council structure and all
of this. Am I construing it too narrowly?

DR. PEREYRA: Well, in part, yes; in part, no.
Under certain cooperative activities in the pollock
fishery, in particular, that were facilitated through
the AFA, but the already existing cooperative
authority, under the Agricultural Cooperative Act, had
already been utilized in, for example, the whiting fishery off of Washington, but I think that through this process, new creative ways of co-management and so forth have come forth.

And it is almost a firmament up there right now. There is some things taking place in the Gulf of Alaska with regards to community management and so forth. And so I think that this is an area that we need to look at in the future because I think we can gain something from it in terms of management of MPA's in implementing this.

DR. BROMLEY: Very good. Okay. I have Bob Zales and then Dave Benton.

MR. ZALES: Yes. And I don't know if this is the place to put this or if it would be in the discussion for later on this afternoon, but -- and then this may be something for Joe and Charlie to look into too.

When we are dealing with MPA's and MMA's, because of 9-11, you now have a security zone on different areas of the country. You have platforms in the Gulf of Mexico that have areas designated now to
where there is no activity other than putting qualified vessels going in and out of the areas to pick people up and offload equipment. But fishing has been told that you can't get there.

There are port facilities, there are -- the LNG thing is a controversial issue at the moment and I suspect is going to be there. You have nuclear power plants, you have other places in the country now that have zones designated so many feet or so many miles away from them where there is no activity unless you are qualified to get in it. Those, in my mind, de facto, become MPA's because of uses that have traditionally been there are now stopped. So I think some discussion needs to be in that area.

DR. BROMLEY: Okay. Thank you.

Dave Benton.

MR. BENTON: All I was going to add to the conversation on the floor, Mr. Chairman, is that that kind of similar effort was employed by the CEQ community in their fishery to manage bycatch. It has gone before the AFA. It was authorized by the council and the council put together a similar program for crab
very recently.

DR. BROMLEY: Yes.

MR. BENTON: So it is not just legislative.

That is all.

DR. BROMLEY: Okay. Go ahead. Other comments?

(No response.)

DR. BROMLEY: We have -- we have heard lots of suggestions. Somehow we need to figure out how long this list is going to be, don't we, Lauren?

MS. WENZEL: And also some people have already said they are working on revised language.

DR. BROMLEY: Yes.

MS. WENZEL: So I don't know if you want to take a break and let people revise the language.

DR. BROMLEY: Take a break? My goodness. Take a break.

MS. WENZEL: Not a social break, a work break.

DR. BROMLEY: It is five minutes past our designated break time. I propose we take a break and be back here in two minutes? No-no. That was yesterday's act. Please be back here at 10:45 more or
less. Thank you. Oh, it is only -- we need -- we don't
deserve a break at 9 --

MS. WENZEL: Well, I was just thinking that
way people could get --

DR. BROMLEY: We do need a break. Let's let
it sit for a minute.

(A brief recess was taken at 9:38 a.m. and the
meeting resumed at 10:00 a.m.)

DR. BROMLEY: Let's consider reconvening.
Perhaps we should start the engine here.

You will notice up on the screen our visages
from yesterday. You may notice that everybody is
smiling except me. I am the only one frowning.

(Laughter.)

DR. BROMLEY: Do you remember what yesterday
was like?

MR. ZALES: You can't tell if I am smiling or
not. I am only half there.

DR. BROMLEY: I am sorry, Bob, what?

MR. ZALES: You can't tell if I am smiling or
not. I am only half there.

DR. BROMLEY: Oh, yes. Well, isn't that about
right, Bob? Just your right half.

(Laughter.)

DR. BROMLEY: A slimmed down Bob Zales. Oh, there you are. Okay. Well, this -- some of you -- Dolly was not there for the photograph yesterday.

DR. GARZA: I was too.

(Laughter.)

MR. URAVITCH: She was sitting right next to me. I know she was.

DR. BROMLEY: That is why she is frowning, Steven. Actually, Dolly is in there twice. We just haven't found her the second time, but Jim Ray did this. Now you know how John Kerry ended up in Jane Fonda's lap. It is the same sort of trick with digital photography.

MS. WENZEL: So if there is anyone else you would like to have on the Committee, just let Jim know.

DR. BROMLEY: Yes, right. Dick Cheney, whoever. We can put them in here.

PARTICIPANT: Jane Fonda.

DR. BROMLEY: Jane Fonda, yes.

MR. LAPOINTE: Osama.
DR. BROMLEY: Elvis. All right. On that happy note, I think we are back in session now. We weren't a moment ago. We are now.

Our overview committee, and I hope they come up with a better word to describe what they are writing, but anyway, they are still drafting and crafting and we are back to our list of five. And I think I see Dave Benton's hand. David.

MR. BENTON: Thank you, Mr. Chairman. I have a growing concern that this is going to become a Christmas tree effect and I believe pretty strongly that we need to keep this list short and keep it to the big ticket, fundamental issues and not make it a Christmas tree. And I don't know if other people have other items that they are going to try to put on there.

Mr. Chairman, I would not support putting new items on here, I think, unless they are extremely big ticket, big deal issues. All the rest of these things, we have all got, you know, our own particular interests, you know, things we are interested in. That is for the next crowd. You know, we may be part of that next crowd, we may not. I don't -- that is not our
Looking at that list, Mr. Chairman, and in keeping with what I have just said, I would propose that we delete item number 6. It is a big issue, but it wasn't a fundamental issue that we were sort of grappling with, didn't get time to finish up on and was, you know, as you were characterizing it the other day, a deal breaker. I wouldn't call these deal breakers, but I am trying to use a different way.

DR. BROMLEY: Yes.

MR. BENTON: Primary fundamental issue. I suspect that that kind of issue will be -- might very well become part of a charge that the agencies decide they want the next FAC to deal with. So I would suggest we drop number 6 and I am prepared to make motions in that regard, but first I want to discuss a couple of items.

DR. BROMLEY: Okay. Go ahead.

MR. BENTON: The -- I can't read these things very well. I am going to come to a different microphone.

DR. BROMLEY: Yes. Come up to the front here.
MR. BENTON: No, that is okay. I can --

DR. BROMLEY: I think we want to be able to see all six of them.

MR. BENTON: Old age is catching up, Mr. Chairman.

DR. BROMLEY: Tell me.

MR. BENTON: Item number 3, the issue about who actually approves the designation was an issue that floated and a lot of people raised it and I have gone around the table and talked to a few folks about whether or not we could drop that issue. And the concern that I have heard that is most prominent is the issue of if a site goes in the national system, we sort of indicate in our document that funding goes along with that and there is a concern that in some parts of the country, there could be two competing regional entities that might be within -- sort of within sort of a cross region area and a site might get -- sites might get designated by one regional entity that would steal money from another area so to speak.

That is not words other people have used, those are my words, but it is sort of a common
phenomena called, you know, robbing Peter to pay Paul. And federal agencies and state agencies do this thing quite regularly.

I, for one, believe that we could drop number 3 because I think it is sort of embedded in the executive order and it is embedded in our document, but I am reluctant to do that given the funding issue. So I am prepared to move to at least delete item number 6. I would suggest we talk about whether or not we need number 3 in there a bit. I, for one, personally would support going ahead and removing it, but I am not prepared to make a motion of that. So I am going to move to delete number 6, Mr. Chairman, and kick this off.

DR. BROMLEY: Okay. Fine. Thank you. Is there a second to this?

DR. OGDEN: Second.

DR. BROMLEY: Yes.

MR. BENTON: Yes. I think I have spoken to this. This was an issue that had been flagged by Bob Zales, I believe, and I know a lot of people feel it is important, I feel it is important, but I think it is
one of those things we can talk about under another agenda item at this meeting here once we get past this.

DR. BROMLEY: Okay. Good. Thanks, David.

Yes, Eric.

MR. GILMAN: Just to be consistent with my message from earlier that we use a filter of only including items in this list that deal with the national system, I concur with eliminating the sixth one and I also think that the first bullet is in that category. The first bullet doesn't deal specifically with the national system. Those are the two ones that I have a problem with.

DR. BROMLEY: Yes. Yes. That was the harm thing. The first one is the harm thing. Okay. So you do support, you are speaking in support of dropping 6, but you would like to extend it to 1 as well; is that right?

MR. GILMAN: Yes.

DR. BROMLEY: Other comments on David's motion about 6, number 6?

DR. Chatwin: Mr. Chairman?

DR. BROMLEY: Yes, Tony.
DR. CHATWIN: Is it appropriate to have motions and decisions when we have a subcommittee that is not present?

DR. BROMLEY: Well, that is --

DR. CHATWIN: I would say it is inappropriate.

DR. BROMLEY: Okay. Fair enough. Good. Can we -- then I think you are moving that we table the motion, Tony. Is that what he is doing, David?

MR. ZALES: Mr. Chairman?

DR. BROMLEY: Yes.

MR. ZALES: I might could help with that since I was the one that brought issue number 6 up and I talked to David about this. To me, it wasn't a situation of a deal breaker, or whatever any other thing. My concern is that it be considered and if it has to be considered in the next FAC, whoever sits at this table at that point to be sure that those issues are covered, I don't have a problem with pulling if off. And I don't know if you need a motion to --

DR. BROMLEY: That is right. Okay.

MR. ZALES: -- move it to the discussion this afternoon. I would be happy with that and I don't know
if anybody is concerned with those issues very much, but I am. I think that they are critical.

DR. BROMLEY: No, that is great. We won't even have to wait until this afternoon, Bob, because we are going to do it later this morning.

MR. ZALES: That is fine with me.

DR. BROMLEY: Yes. Tony, is that all right if Bob pulls 6 off, then the motion from David is immaterial. Is that okay?

DR. CHATWIN: I think that is fair for the people who are not in the room.

DR. BROMLEY: Absolutely. Thank you for doing that.

I have Barbara and then Mark Hixon.

MS. STEVENSON: Recognizing David's concerns with 3, I am not going to propose that we withdraw it, but perhaps that we change it where it says "to approve designation." What we have in bullet 3 here is "formally recognize." So if we change "approve" to "formally recognize," we will be more consistent with the document. We say that someone will formally recognize, but we don't know who that is.
DR. BROMLEY: Okay. But you still believe, Barbara, that it is in the category of fundamental importance that we talked around or but didn't come to a resolution. So you are advocating that it stay on the list.

MS. STEVENSON: Yes. Yes.

DR. BROMLEY: All right. Mark Hixon.

DR. HIXON: Thanks, Mr. Chairman. I want to extend my appreciation to Bob Zales for graciously pulling off his item. I had similar items of my own that I believe are important to be addressed from a natural scientific perspective, but I don't believe they are appropriate here and I agree with Mr. Benton's proposal that we keep this list as short as we possibly can. Thank you.

DR. BROMLEY: Okay. Thank you. We are down to five. Other comments?


MR. GILMAN: Just a procedural question. I am not sure how these original five or six now -- six, now five, got on the list.

DR. BROMLEY: Okay.
MR. GILMAN: And if we are going to be voting about specific ones, then I think we should just go through the list and see if there is a consensus about -- there is a large number of --

DR. BROMLEY: I know. I know. Yes.

MR. GILMAN: -- things that this committee hasn't addressed that I think are important and these five aren't --

DR. BROMLEY: Let me refresh our memory how they came about. The list, the side list came about because of the comments received by me, by Lauren, by the executive committee in this review period in early April. So these were issues that the executive committee felt were of such importance and of such complex nature that they deserved time of their own in committee for discussion. And so the executive committee created this side list and there were four, I believe. Is that right, Lauren?

MS. WENZEL: (Nodding.)

DR. BROMLEY: And one of those four was what is now called number 1. I think we had the word “harm.” That is all we really had and we had three others that
I don't remember. So Eric, that is the genesis of this side list. Then yesterday we added to it and so it has grown from four to six back down to five and that is where we are.

I am very sympathetic to getting it down to three or four. There is no magic number, but in a sense, our characterization was that these are issues that people on the Committee agreed to forebear so that we could move forward, which is a different category of stuff than gee, next time around, we really must spend more time on something that we have. That is it, Eric.

David.

MR. BENTON: Thank you, Mr. Chairman. Currently because I haven't withdrawn it and we haven't had a vote to table, there is a motion on the floor to delete number 6 from that list.

DR. BROMLEY: Yes.

MR. BENTON: And there has not been any motions to add things, which is -- I think is a good thing. I am going to ask, with regard to item number 4, I know the financing issue or funding issue was an important one to folks, but somebody is supposed
to put together the language and I know some of those folks are gone. I don't know if we have any language.

DR. BROMLEY: Yes.

MR. BENTON: Do we have language?

DR. BROMLEY: No, we don't have language.

MS. WENZEL: I think several of those folks are on the other subcommittee.

DR. BROMLEY: Yes.

MR. BENTON: Okay. So going, then, to the point that I think Tony was making about subcommittees working and whatnot, do you want to -- I am willing to withdraw my motion or table it and do you want to not take any further -- because if we do that, I think we don't take any action on this and we move to something else until all those folks get back in here.

DR. BROMLEY: That is right.

MR. BENTON: Is that what you want to do?

DR. BROMLEY: Well, yes. I mean, correct me if I am wrong, but if Mr. Zales has asked to have removed the thing that you moved to have removed, I could consult my parliamentarians on this, but --

MR. BENTON: I could withdraw my motion if it
is easier.

DR. BROMLEY: -- I am loathe to do so. So I think 6 is off as far as I am concerned. Are we violating any procedural stuff?

MR. BENTON: The only thing I have got to do is withdraw my motion and my second concur whoever seconded it. I can't remember who seconded it.

DR. OGDEN: That is fine.

DR. BROMLEY: Fine. We are done with that.

MR. BENTON: Okay. Now, then, you don't have to worry about that. That is why I asked.

DR. BROMLEY: Good. I mean, in a sense, what some of you are saying is we shouldn't spend too much more time on this list until we have our full contingent back. Are you suggesting that we take another break or that we start working --

MS. WENZEL: I don't know if other folks have language they could -- and we could get it up here and be prepared.

DR. BROMLEY: Yes. That is right. Bob -- Jim Ray and Mike were going to come up with some language. Do you have it now, Jim?
DR. RAY: No. We have got more discussions to have.

DR. BROMLEY: Okay.

DR. RAY: We are going back and forth and talking to some other folks.

DR. BROMLEY: All right. And Mel and Dolly were going to -- Mel, do you have some language?

MR. MOON: Actually, I do have some language.

DR. BROMLEY: Wonderful.

MR. MOON: If I could read it.

DR. BROMLEY: Why don't you do --

MR. MOON: Do you want me to read it?

DR. BROMLEY: How long is it? A long sentence. Why don't you read it slowly and Lauren, can you sort of work it in as he goes. Let's try this.

MR. MOON: It says, “Develop a process, per Executive Order 13158, outlining government-tribal relations to appropriately engage tribes in contributing to, evaluating, and recommending MPA's or other conservation measures.”

DR. BROMLEY: Okay. For those of you whose eyes are like mine, there is a need to develop a
process that will -- oh, gosh, I am sorry. Yes. Yes.
The alternative is, “Develop a process, per Executive Order 13158, outlining government-tribal relations to appropriately engage tribes in contributing to, evaluating, and recommending MPA's or other conservation measures.”

PARTICIPANT: Mel, is that a motion or you just had it or --

DR. BROMLEY: No, it is just a conversation point. Can we keep it at that level? David -- George.

MR. LAPOINTE: Thank you. Is “other conservation measures” broader than our discussion on developing an actual system of MPA's? That would be my concern with the language, Mel.

DR. BROMLEY: Can we just strip it back to MPA's. Is that your point, George.

MR. LAPOINTE: Or understanding what --

DR. BROMLEY: Those are.

MR. LAPOINTE: But the draft of the language meant by “other conservation measures.”

DR. BROMLEY: Okay.

MR. LAPOINTE: Because I don't think it is --
DR. BROMLEY: All right. Dolly and then I have David I guess.

DR. GARZA: The intent, Mr. Chairman, was in our new document, we do say that MPA's may not always be the best. So we have this review process of is the MPA the best or should we have something else. So that just recognizes that tribes may not always want MPA's and that once we go through this review process, we may decide that some other conversation measure is easier.

And then just as a side point, the executive order mentioned here was one that was set up through President Clinton recovering government to government relationships between tribes and the government. So NOAA and Fish and Wildlife Service do that anyway, but it is good to have it here.

MS. WENZEL: I think I might have the wrong executive order number in here. Okay.

DR. BROMLEY: Oh, that is our executive order.

MS. WENZEL: Yes. You meant to cite a different executive order, right?

DR. GARZA: Yes.

DR. BROMLEY: Oh, that is ours. There is
another executive order that needs to be sent.

PARTICIPANT: Do you have the EO number?

MR. MOON: I don't have that.

DR. BROMLEY: Okay. Then the number is wrong because this is our authorizing order I think.

MR. MOON: Right.

DR. BROMLEY: 158.

MR. MOON: Sorry.

DR. BROMLEY: All right. David and then George.

MR. BENTON: Mr. Chairman, I think this is a very good addition and a good change and I can understand why the other conservation measures would be in there. In addition to the reason that Ms. Garza identified, is, you know, there may be a situation where people are recommending conservation measures for the management within an MPA. And the tribes may want to be involved. And it helps to get at that as well. The executive order citation, to me, the only thing I would add to that is that tribes are also mentioned in 13158 and do you want to -- I guess it doesn't really matter. What I was getting at is, do you
want to mention both of them or does it matter?

DR. BROMLEY: Do we need to mention them at all, Dolly? No? Do we need these authorities? Can we just “Develop a process outlining government-tribal relations to appropriately engage tribes and contributing to evaluating and recommending MPA's?”

MR. MOON: The executive order that was listed basically directs the agencies to work with tribes as governments. That is really what is the foundation of that and describes how that is going to be done.

DR. BROMLEY: Yes.

DR. GARZA: Mr. Chairman, I think including that executive order just makes it more clear as to what sort of -- I think that outlines the process. And so it will give us a basis upon which to start developing this process and without it, we could be spending all of our time spinning our wheels when basically a wheel has been built.

DR. BROMLEY: Yes. That is fine. I don’t think anybody wants to cause a big fuss over that. So if we can list them both, something -- you would like them both to be listed?
MR. MOON: Sure.

DR. BROMLEY: Okay. Is that okay with people? George? Oh, I am sorry. I had -- what did I do. I have George and then Bob Zales.

MR. LAPOINTE: Thank you, Mr. Chairman.

DR. BROMLEY: Yes.

MR. LAPOINTE: Back to “other conservation measures.” I would be more comfortable, and I understand what people are trying to do. Other conservation measures related to the MPA nomination process just because so it doesn't look like we are trying to do an issue creep on things beyond our purview.

DR. BROMLEY: Yes. Mel and Dolly, is that -- I mean, it is clear we are talking about MPA's.

MR. LAPOINTE: Yes.

DR. BROMLEY: And nothing beyond MPA's I think.

MS. WENZEL: The nomination process?

MR. LAPOINTE: Nomination process because the nomination process, I think our language now says we are supposed to look at those alternatives. So it just
narrows it to the issue at hand.

DR. BROMLEY: Okay.

MR. LAPOINTE: Thank you.

DR. BROMLEY: All right. Good. I think our little subcommittee is mostly back, they are filtering back. If there is some other word smithing that people would like to do on this and then when we sort of feel like we have most people here, we can treat them, perhaps, as a package. John?

DR. OGDEN: Just a minor point.


DR. OGDEN: Oh, sorry.

MR. ZALES: I still fail to see, and I hope I don't offend anybody here, but I still fail to see where this is necessary in this list, if we are trying to concentrate this and narrow it down, because it appears to me that in the document that as a committee, we have made a substantial effort in recognizing cultural and Native American rights and treaty rights because throughout the document, it is specified in many cases.
So I would prefer to see something like this in the next charge for the next FAC committee to play with, not as necessarily a situation that would be considered a deal breaker because I am not sure that that was mentioned as a deal breaker.

DR. BROMLEY: Well, it could be the way -- if I may, it could be the way that people who feel this so strongly have chosen to communicate to us about it. Maybe they are not as prone to cast things as deal breakers as some of the rest of us are. And so it could be something that is deeply held by some of our members, but who chose not to put it in the language of, might I say, threats and stuff. So I think, Bob -- I have said it.

John?

DR. OGDEN: Well, I think Mel explained I think very clearly why this particular item ought to be in here and I certainly accept that and understand that very well.

I just want to suggest that MPA's are about management conservation, it is not just about conservation. And so if we should put “other
management and conservation."

DR. BROMLEY: Yes. This I like. Yes. Okay.
I have George.

MR. LAPOINTE: I am going to Bob Zales' comment because I made a similar comment earlier and Mel and I had a conversation that convinced me that it should be on this list and we have -- after we had our initial colloquy, I went through and highlighted all the sections on dealing with tribal interests and tribal rights and whatnot and what Mel convinced me of was that in spite of the fact that it is in there, it would be worthy of further attention to have a section dealing specifically with this issue because it is easy to -- his experience has been, and my very limited observation, is that it is an easy thing to gloss over and an incredibly important thing not to gloss over. And so as the FAC continues, to spend some time making sure that we don't recommend a process that continues that glossing over. And so that was what turned me around on it.

DR. BROMLEY: Thanks, George.

John Ogden. Yes, I am sorry.
DR. OGDEN: I have a list shrinking suggestion, which maybe --

DR. BROMLEY: Consolidate all of them into one.

DR. OGDEN: If you will look at 3 and 4, essentially what we are talking about is the national administration of the national system of MPA’s and that would include a number of things, including the idea of, essentially, approving the designation or the nomination process and the provision of financing incentives. And so those two things, in my mind, are -- would be, essentially, the administration of the national system and could be one.

MS. WENZEL: I just wanted to note that there are four people out in the hall working on financing incentive language. So you can talk to that when they come back in.

DR. BROMLEY: I think they are staying away from us on purpose. Where are we, Lauren? What -- have we exhausted the work that we can do on this suggestion until we get more of our members back?

DR. RAY: I need more time to caucus.
DR. BROMLEY: Okay. Yes. Why don't we now
look -- yes.

DR. GARZA: Since we probably will be voting
on this as a package, I think we could still, at this
time, recommend or I would move that we use the
substitute language for number 2 to just get us one
step closer.

DR. BROMLEY: Okay. So that we don't have two
competing languages, Dolly, right? So let's -- is
that -- no, John?

DR. OGDEN: Well, I think David made the point
that we are missing a lot of key people and to continue
the process of voting --

DR. GARZA: Well, it would still be voted as a
package.

DR. OGDEN: Oh, I see what you are saying.

Well, I think to be clean, I think we ought to --

DR. GARZA: Okay.

DR. OGDEN: -- wait until we have --

DR. GARZA: I was just trying to use time.

DR. OGDEN: Yes, I know.

DR. BROMLEY: Okay. Would you like to look to
the future a little bit. Are you tired of the past?

How tired? Barbara is really tired of the past. Okay.

Here comes Max.

(Pause.)

DR. BROMLEY: It is my understanding that the overview stuff is ready to be discussed. The people who are not here are, in a sense, caucusing to craft language about, what, Lauren, the funding and incentives part. Would you mind if we started while -- procedurally would you mind if we started while there is a caucus going on in the hall? Jim?

DR. RAY: Mr. Chairman, I would like to make a request that if we are going to be voting on this list in a little while, that I could get about 10 minutes to take several people with me to caucus to resolve the issue that Mike and I have been discussing.

DR. BROMLEY: Yes. Yes. Do you want to do that now?

DR. RAY: If we could, that would be very nice.

DR. BROMLEY: You are excused.

DR. RAY: Thank you.
DR. BROMLEY: Another break?

MR. PETERSON: I have an item that is not a -- it is a suggested item that doesn't require action.

DR. BROMLEY: Yes.

MR. PETERSON: And that is that when our group met, several people mentioned that they were probably going to prepare a summary for their organization. And it struck us that there probably ought to be sort of a popularized version of this that would be suitable for public distribution that would probably -- we are not competent to determine where, but we always figure if we don't know where, we suggest the MPA Center do it.

But maybe they are not the right people, but somebody probably ought to do a three or four-page popularized thing that would just contain the guts that this committee reported and a little bit about it and then say the full report is available on the web, you know, and so on. And if you do a PowerPoint, if somebody does it PowerPoint for use within the Agency, like you all, maybe that could be shared.

DR. BROMLEY: You have been reading Brian Melzian's mind.
MR. PETERSON: Okay.

DR. BROMLEY: Or he has been reading yours.

MR. PETERSON: Brian actually was the one that suggested it to us so I want to give him --

(Laughter.)

DR. BROMLEY: Oh.

MR. PETERSON: No, I give him credit for that because we were grappling with that.

DR. BROMLEY: Yes.

MR. PETERSON: And we didn't quite know how to do it and he came on right at the right time.

DR. BROMLEY: Good for Brian.

MR. PETERSON: But it doesn't make much sense for all the agencies and everybody else to be redundant on that. At least we ought to be able to use some common stuff.

DR. BROMLEY: Well, my sense was that each agency, just as each interest group if we call -- if we wish, will produce their own sort of summary statement.

MR. PETERSON: Sure. Yes.

DR. BROMLEY: This would not be a substitute for that.
MR. PETERSON: No.

DR. BROMLEY: That is going to happen. I think the point that Brian made to me over the break, and evidently conveyed to you, which is, we can't, as a committee, direct the MPA Center to do anything.

MR. PETERSON: No. No.

DR. BROMLEY: We can merely enter into the record that we think it would be --

MR. PETERSON: We think it should be done.

DR. BROMLEY: -- quite a nice idea if they did that.

MR. PETERSON: And then if that was made available, then, some of us who have the chore of making a summary report could use that.

DR. BROMLEY: Could use it as a starting point.

MR. PETERSON: As a starting point anyway.

DR. BROMLEY: Yes. That is right, Max.

DR. MELZIAN: Thanks, Max and Dan. And as a strong recommendation and an action item from an ex officio member of this committee, I believe it would be very useful if ex officio members worked with Joe and
the MPA Center sooner rather than later to come up with some type of summary of this report that can be disseminated throughout the country, throughout the world, and of course to get you folks to at least have an opportunity to review the draft.

And this, in fact, could be the de facto executive summary of the document. So it won't hold up this document being produced. So we will get this summary out to the appropriate people. And the reason why that is so important, there are 18,000 in EPA, 18,000 staff members. I will be the only one that reads the entire document, but yet I need to work with all 10 regional administrators and brief them, usually a half hour or less, about the important aspects of these activities. So that is just a friendly suggestion to help the whole process along and I would like to receive your input.

DR. BROMLEY: Thanks, Brian.

Joe.

MR. URAVITCH: Mr. Chairman, we are going to have to do something like this anyway to brief our leadership and the interagency working group as well.
So we would be more than happy to undertake this. I think it would be appropriate to make sure it is run by folks on this committee, though, so that we truly represent what they were trying to -- you all were trying to convey through this process.

DR. BROMLEY: You may run it by us, but you do not want to ask us to vote on it.

(Laughter.)

DR. MELZIAN: We won't.

DR. BROMLEY: You are smarter than that. I had some hands up now. Barbara and then George and Bob Zales.

MS. STEVENSON: I think Kay has had her hand up for a while.

MS. WILLIAMS: I will wait.

DR. BROMLEY: Sorry Kay.

MS. STEVENSON: I recognize that the Center is going to make their summary and their presentation. I have a lot of problems with our group urging some entity, other than us, to do an executive summary, which I had problems with our group doing an executive summary because, for instance, the important things
from the EPA's point of view may not be the same that
are important to me.

They are all important and that is the
problem. The whole report is important to somebody or
it wouldn't be in there. We don't have any descriptors,
we don't have any history, we don't have any of that
stuff in there that aren't important. So -- I mean,
they are important to the understanding, but not to the
actions. So whereas I recognize this stuff will
happen, it is different than us saying, please do it
and this will be our official summary.

DR. BROMLEY: Yes.

MR. PETERSON: Yes. Please don't call it an
executive summary.

DR. BROMLEY: Rest assured, this is not -- we
are the only body that has the capacity to craft an
executive summary, right? This is not an executive
summary.

MS. STEVENSON: Yes. I was just getting to
the point of --

DR. BROMLEY: We don't care what they call it,
they better not call it an executive summary; is that
right? Does that cover your concern, Barbara?

MS. STEVENSON: Yes.

DR. BROMLEY: It is not that, it is their own reading for their own audience.

MR. PETERSON: A popularized version.

DR. BROMLEY: Many, many people will do it. But they can call it what they want, there is only two words they may not use. Well, actually one. They may call it a summary, but they may not call it an executive summary. Okay.

DR. MELZIAN: Mr. Chairman, just a point of clarification.

DR. BROMLEY: Yes.

DR. MELZIAN: The summary that I envision being developed with the MPA Center, in consultation with ex officio members, would, I believe, try to represent, as best as we can in the federal government, the entire agency -- the entire committee's recommendations.

DR. BROMLEY: It better.

DR. MELZIAN: It would not be the EPA version of it, it would be something that, to our best ability,
would represent the entire Federal Advisory Committee and the report in total.

DR. BROMLEY: Not the Federal Advisory Committee. I am sorry, Brian. What you will write -- what you ex officio people will put together will be your interpretation of what this committee has adopted.

DR. MELZIAN: Correction. Interpretation of the report that you produced.

DR. BROMLEY: Thank you. That is what you folks can do.

MR. LAPOINTE: It will, in essence, be an agency briefing summary.

DR. BROMLEY: All right. Yes.

MR. LAPOINTE: And I am actually -- I like the idea because it -- of having as many of the ex officio members participate in that so that there is a consistent message going out within the federal government from --

DR. BROMLEY: That is wonderful. I agree with that. That is great, George. Okay. And then I have Bob Zales.

MR. ZALES: And I guess I have got a
procedural question is that now that the report has been voted on and with the exclusion of what is being played with for the last page, where does it go? Because I assumed that once we did our report, that -- and it was cleaned up and editorialized the way that the staff has been given license to do, that it is then going to be submitted to the two secretaries. And then whoever --

DR. BROMLEY: Whoever is on the web I think also.

MR. ZALES: Yes, but -- and I guess that is the question. When does our report go forward to the people that asked for it to begin with, the reason why we were created?

DR. BROMLEY: Joe?

MR. ZALES: That is my first question and then I would have a comment after that if I can get an answer to that question.

MS. WENZEL: I think as soon as the final, you know, editorial cleanup and the transmittal letter and the overview are done, which would be in a matter of days, we will be able to, you know, have Dan formally
transmit the report to the undersecretary of Commerce. The charter states that the report goes to the secretary through the undersecretary, the head of NOAA and then his counterpart at the Department of Interior. So that is how it will be transmitted and I would see that happening, you know, within a week or so.

MR. ZALES: Okay. From the Commerce part, I guess it would go to Adm. Lautenbacher first?

MS. WENZEL: That is correct.

MR. ZALES: And then whoever --

MS. WENZEL: And then Rebecca Watson at the Department of Interior.

MR. ZALES: Okay. And so these ex officios playing with it would be just like me playing with it, I guess, for the people that I represent. I make my own thing and it is my interpretation of the version of this, but and, you know, I guess if I wanted to, I could submit that to the two secretaries, too, and say, “Well, this is how I interpret this on behalf of these people,” but I am not sure I would be comfortable with anybody making an interpretation of this report in any kind of summary on the behalf of this committee.
And I want to be sure that that is clear. I mean, and I encourage everybody else to do their thing, but I don't want my name tagged to it as, you know, them telling somebody what I had to say. I hate for people to always say well, this is what -- "Bob said this, but this is what he really meant."

MS. WENZEL: What I heard people say was that they are asking the MPA Center to do a summary, which we will need to do anyway, as Joe points out, and it will be an MPA Center document. So it will not be represented as the Committee's work.

DR. BROMLEY: David Benton.

MR. BENTON: Thank you, Mr. Chairman. I guess my take on this is that the staff have to develop a briefing document and that is their job and I am totally comfortable with it and frankly, I am pleased that they have indicated that they are willing to share that with us just so we can see what they say about us. And other than that, I think we should let them do their job. I agree with Bob, I don't want people putting words in my mouth, but this is their report to their bosses and that is the way it ought to be.
DR. BROMLEY: Thanks.
Kay, is your hand up? Kay?
MS. WILLIAMS: Yes, Mr. Chairman.
DR. BROMLEY: Yes.
MS. WILLIAMS: The minute we voted on this document, if I speak to anyone on the Hill, this was our work. I want to make sure that this document is what we voted on, what I supported and what I will say I supported. And this is the only thing that I have supported is what is in front of me.
Now staff can go back and they can reorganize and put the definitions where they want to, but if anything changes from this document, then I want to be very clear, I didn't vote it, I did not support it. This is the only thing that I have supported to this point and this is the document that I am going to go forward with to everyone. This is what came out of here regardless of any summaries that anybody writes. This is what we did and to me, this is our work.
DR. BROMLEY: Absolutely. With two exceptions, Kay. With the exception of the additions that are now being worked on in this last section,
right, and with a little bit of linguistic clearing up.

MS. WILLIAMS: And that will be voted on.

DR. BROMLEY: The stuff that we are dealing with today will be voted on. If Lauren finds a verb and a noun that are not compatible, we are not going to vote on that. Is that okay with you, Kay?

MS. WILLIAMS: I understand.

DR. BROMLEY: Yes. I don't believe that any of us are in any confusion about it. I am happy to have you state it clearly like that.

MS. WILLIAMS: Well, the reason I wanted to state it clearly, Mr. Chairman, is very often we, in the council process, have had staff go back and reorganize things and what they thought they heard is not what we said.

DR. BROMLEY: Yes.

MS. WILLIAMS: So I just want to make very certain this is what everyone --

DR. BROMLEY: Right. And I believe our instructions to Lauren should be very clear that despite what we have heard about how hard it is to read and how badly organized it is, we don't want
reorganization. Is that right, Kay? We don't want reorganization because you start reorganizing stuff and then you realize, oh, well, we better introduce something now because it is now out of order. And this is what we want to avoid.

MS. WILLIAMS: Yes, Mr. Chairman. Thank you.

DR. BROMLEY: Yes. Lauren, that is right. I mean, Lauren is smart enough to have figured that out already. David? Was your hand up, David?

MR. BENTON: Yes, it was, Mr. Chairman.

DR. BROMLEY: Yes.

MR. BENTON: I want to reemphasize what Kay has said because I have had the same experience multiple times and I trust the staff to do a good job of making what I believe we need to emphasize are minor, technical corrections to the document and that is it.

DR. BROMLEY: Yes. And if in doubt, leave it alone.

MR. BENTON: And if in doubt, leave it alone.

DR. BROMLEY: There must be a compelling reason why it has got to be changed. Is that okay,
Kay?

MS. WILLIAMS: That works for me. Thank you, Mr. Chairman.

DR. BROMLEY: Yes. John?

DR. HALSEY: So does that mean that reorganization is out?

DR. BROMLEY: I would -- yes. The moving of the tables out of the text, putting them in an appendix, was that your suggestion or John Ogden's? I don't know. That -- are you okay with --

MR. PETERSON: That was part of our motion.

DR. BROMLEY: Yes, that was part of a motion.

We are going to take --

MR. PETERSON: To move that table.

DR. BROMLEY: To put a table -- and I believe it was Table 2 and there was some --

MR. PETERSON: Move Table 2 --

DR. BROMLEY: Table 2 only will go to an appendix.

MR. PETERSON: -- to the appendix, but we are not talking about changing one substantial thing in the report or doing any major reorganization.
DR. BROMLEY: Yes.

MR. PETERSON: Or anything like that.

DR. BROMLEY: We don't want sections moved around, paragraphs moved around.

MR. PETERSON: We are saying if we have used a singular where it should have been plural, “were” where it should have been “more,” we ought to clean that up.

DR. BROMLEY: Yes. That is right.

MR. PETERSON: Yes.

DR. BROMLEY: Yes, Bob?

MR. ZALES: Just a clarification. Table 2 will be in the back, but it will be before the glossary or after the glossary?

MR. PETERSON: Before the glossary.

DR. BROMLEY: I don't know where tables go in such things, but --

MR. PETERSON: We said before the glossary.

DR. BROMLEY: Before the glossary. Okay.

Thanks. Okay.

We find ourselves depleted by caucuses and I feel an urge that we need to move forward. So let's start talking about the future a little bit. Barbara
indicated she wouldn't mind. How would you like to structure this?

Let me remind you that I would like to have us offer to the secretaries a fairly brief and concise list of activities that we think are necessary in order for the procedural issues that we have addressed over this first two-year period to make sense and in a sense, maybe get the footing underneath what it is that we have done here. That is one way of kind of thinking about it.

There are some fundamental issues. Science issues, cultural issues, other stuff on which our procedural wording sort of sits and our recommendations are embedded and could we have a little conversation about that. What are the presumptions that we have sort of put off to one side as we have done this and I would like to get us to think about it in a kind of an open, free-flowing thing. John Ogden. John Halsey. I am sorry.

DR. HALSEY: I think one of the -- even before we start talking about what the next FAC is going to do, we need to know who the next FAC is going to be and
I think -- because that certainly -- if you have a new slate of people, it is going to be very different in the kind of order of business that you would expect from -- coming from upper classmen here.

DR. BROMLEY: That does introduce a level of circularity into our discussion. Are you saying that we -- okay. Thanks.

MS. WENZEL: I can say a quick word about the status of the Committee. You will probably remember that I polled you all about your interest in continuing to serve and I was really pleased to see that everyone was interested in continuing to serve with the exception of a couple of people who felt that they had other commitments that pulled them away. And so we are going to have three vacancies on the Committee.

I am sorry to say we will be saying goodbye to Mel Moon and we dearly appreciate all of his contributions, as well as Carol Dinkins, who has a lot of other commitments, and Ted Thompson. And so those are the three vacancies that we will be looking to fill.

And for the rest of the Committee members, we
have sent forward a recommendation to both departments that the Committee members be renewed for either a two-year or a four-year term. And those are in the process of being reviewed and we hope to get formal approval of that very soon and then you all would receive formal renomination letters. So that is where that stands.

DR. BROMLEY: Why did you laugh, Barbara?

MS. STEVENSON: My compatriots on my left were signaling how many years they were obligated to serve as a sentence.

(Laughter.)

MS. STEVENSON: But I just have a question as to how do you choose who gets two and who gets four?

MS. WENZEL: I anticipated that question. We looked very much at geographic and interest group balance. Well, we asked, but we also -- many people said that they would be willing to serve for whatever term they were assigned or recommended for. And so we looked at the balance.

DR. BROMLEY: And your bid of three months, Barbara, was thrown out as an outlier.
(Laughter.)

DR. BROMLEY: Because we figured that would expire before we had our next meeting and we couldn't quite figure out what you were saying to us.

MS. STEVENSON: That sort of was my point. Some of us might be willing for two, but would be highly uncertain about four.

DR. BROMLEY: You remember that you communicated that to Lauren? Do each of you remember that you were asked these questions?

MS. STEVENSON: That is why I am asking because I can't remember.

DR. BROMLEY: I see.

MS. WENZEL: If anyone has comments they want to make to me offline about that, please do.

DR. BROMLEY: David, is your hand up?

MR. BENTON: It was, Mr. Chairman, but I was going to let this conversation conclude because I was going to go to your point about, you know, sort of next steps.

DR. BROMLEY: Yes.

MR. BENTON: If there is more that needs to be
discussed about the status of this committee, I will defer until that time.

MS. WENZEL: Yes. I would just add more thing about the status of the Committee, which is that we did issue a federal register notice for the vacancies on the Committee. We are actually issuing a new federal register notice for the third vacancy and we are going to go into a process, I think, of leaving the vacancies open for a year so that we can just accept nominations on an ongoing basis in case someone needs to step off the Committee for an unanticipated reason.

So just to let you all know, I will send that out when it has been approved, but if you know folks who might want to just get in the queue or be made aware of future vacancies, they can go ahead and send information in.

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Yes.

MR. BENTON: So when are we going to know -- what is the process for reconfirming the folks around the table here? Is it like months from now, is it --

MS. WENZEL: No. Most people's terms expire
June 23rd. And so we are leaning heavily on our folks to approve them quickly.

MR. BENTON: Okay. Fair enough.

DR. BROMLEY: I think there is a hand over here. Mark.

DR. HIXON: Yes. Lauren, would you please provide some clarification. Did you just say that the -- how many -- a couple of questions. Number one, how many people on the current committee have already said they will not serve again?

MS. WENZEL: Three.

DR. HIXON: Okay. Are you saying you are holding those three open for another year before --

MS. WENZEL: No. I am sorry if I wasn't clear.

DR. HIXON: Okay.

MS. WENZEL: First, we had two people who stepped off. And so we issued a Federal Register notice and we got nominations in and we sent recommendations for those two positions forward --

DR. HIXON: Okay.

MS. WENZEL: -- for review within the two
departments. And then Mel let us know that he did not plan to continue on the Committee. So we had a third vacancy. So we are issuing a new Federal Register notice. And that one -- basically to avoid more work and to be more open, we decided to write it in such a way that that notice will remain open for a year.

So we will note in the future if we have specific needs on the Committee we are trying to fill. We may use the website to do that, but legally that way the notice will be open and anyone who wants to send in a resume for future consideration for any vacancy that might occur in the future can do so.

DR. HIXON: So the intention is that the two vacancies will be filled by our next meeting?

MS. WENZEL: Yes. We hope that all three will be filled by the next meeting.

DR. HIXON: Oh, okay. All three. All right.

Thank you.

DR. BROMLEY: Can I ask a clarifying question. When we started in June of '03, we were, I believe, unable to take action because we had not completed -- we were not full. Is that -- is my memory correct on
that? When we had a number of our folks who had not yet been cleared. Let me put it this way. Will we be able to proceed to do our business if we are not full?

MR. URAVITCH: Yes, you will. I believe that was just the consensus of the group that there weren't sufficient members there and there are a number of members who hadn't gone through the background check process and there were a sufficient number of them --

DR. BROMLEY: Okay.

MR. URAVITCH: -- that the Committee felt uncomfortable to proceed with things like election of officers --

DR. BROMLEY: Without.

MR. URAVITCH: -- without them. And we obviously will lean on the security of people, to the degree one can, to clear the new three members that will be coming onboard, but I would think with 27 out of 30, even assuming those other three couldn't --

DR. BROMLEY: Yes.

MR. URAVITCH: -- you all would proceed.

DR. BROMLEY: Good. All right. Do we have language from the caucuses, Jim? Do you and Michael
have language and could we -- I would like to stop our
future and let's finish up the past if we can. We had
one caucus. We had -- is that all we had? Okay. And
Bonnie, were you working on some language too?

DR. MCCAY: Yes.

DR. BROMLEY: Okay. So we are going to have
some language from two groups. Jim, do you and Michael
want to --

DR. RAY: Yes, Mr. Chairman, we caucused and
discussed the background for the number 5 that was on
the board.

DR. BROMLEY: Yes.

DR. RAY: And after reviewing the concerns
that Mike had and why it was put up there in the first
place, we really thought that those issues do not need
to be on that list, do not to be resolved here, and
some background work will be done and it is something
that can be taken up under the next FAC if we need to,
but at this point in time, Mike and I and the caucus
members that met with us are comfortable that this
should be taken off the list for now.

DR. BROMLEY: Okay. Any objection to
having -- on their recommendation, having item number 5 taken off. Is that okay? All right. Thank you.

Thank you. So that is gone and while some of you were out of the room, perhaps, Bob Zales agreed that he would be willing to pull number 6 off of the list; is that right, at the -- we had a little discussion for those of you who weren't here, but we didn't want to pull it off without letting those of you who were caucusing, at least look at it and think about it.

So there has been -- for those of you that were out of the room, there has been a suggestion that item 6 be taken off, the suggestion coming from Bob who had wanted it to be on. Any opposition, for those of you that were out of the room, to having number 6 taken off? Without prejudice to its importance, but simply it is a different category of thing.

(No response.)

DR. BROMLEY: So I believe we are down to four.

DR. MCCAY: We tried to make it more legible.

DR. BROMLEY: So this is your proposed language for item number 4, Bonnie; is that right?
DR. MCCAY: Yes.

DR. BROMLEY: And I believe while you were out of the room, we did have a suggestion to combine 3 and 4, wasn't it, John, one of the Johns?

DR. OGDEN: Yes. Yes.

DR. BROMLEY: Yes. You were hoping that we might combine 3 and 4.

DR. OGDEN: Yes.

DR. BROMLEY: It looks like you have sort of done that. Can everybody read this?

(Pause.)

DR. BROMLEY: Could I ask would it be better not to have it not in the form of questions, but in the form of assertions or propositions that the group is under the view that these are important issues and here they are, rather than question asking? David.

MR. BENTON: Mr. Chairman, I think that is an excellent suggestion and I also recall that a number of folks, like Mike Nussman and some others, the issue for them wasn't more questions needed to get answered as much as it was a statement that -- of concern about getting stuck with MPA's that don't have adequate
funding.

DR. BROMLEY: I appreciate that.

MR. BENTON: The monitoring and compliance aspects of the proposal. So this doesn't really get at that.

DR. BROMLEY: This doesn't capture that.

MR. BENTON: It just does not capture that.

PARTICIPANT: It wasn't intended to.

DR. MCCAY: The reason that -- yes, we were addressing, well, another dimension of the issue that wasn't -- that we didn't capture in the document. I thought was had already represented that -- the concern that you just enunciated already in our report. It is pretty clear in the report. So I mean, we -- honestly, we didn't think about it just assuming it was already there in the report and that this was not, in fact, in the report yet.

DR. BROMLEY: Okay. I think -- if I may, I think the presumption was not quite correct, Bonnie.

DR. MCCAY: Yes.

DR. BROMLEY: Sorry.

DR. MCCAY: Yes. No, that is fine.
DR. BROMLEY: Is that okay.

DR. MCCAY: I am just saying that is what we thought.

DR. BROMLEY: Yes. That is right.

MR. PETERSON: Mr. Chairman.

DR. BROMLEY: Yes.

MR. PETERSON: I think if that is turned around to a statement rather than a question, we could work -- we are talking about the participation. We could talk about including such things as law enforcement, monitoring and so on.

DR. BROMLEY: Okay.

MR. PETERSON: We could enumerate a couple of things. And I would suggest we have the Committee go back and do that --

DR. BROMLEY: Yes.

MR. PETERSON: -- and after we get other ideas. And one final things. Both Tundi and I are leaving at 12:00. So we need to get to that overview at some point.

DR. BROMLEY: That is right. I am ready to do that right now. So could I -- I believe we have four
items on our list now. I have no objection to dropping 6. So now I think we have 1, 2, 3 and 4; is that right, Lauren?

MS. WENZEL: Yes.

DR. BROMLEY: And we still have some -- okay. I would like to talk about the overview and Bonnie can -- do you think your group could --

DR. MCCAY: Yes. If Lauren can put on the screen --

DR. BROMLEY: You would like to do it now, would you?

DR. MCCAY: Yes.

DR. BROMLEY: Okay.

DR. AGARDY: The last line was not meant to be there.

MS. WENZEL: All right.

DR. AGARDY: It was my confusion. Thanks.

DR. BROMLEY: Okay. I would like to ask those of you that are too far away to see the screen, if you could come forward. I don't want to read this. Could you -- let's just take a second and look at it.

(Pause.)
MS. WENZEL: Are you all ready to scroll down?

(Pause.)

DR. MCCAY: So to get the discussion going, I move that we accept the overview.

DR. BROMLEY: Thank you. Second?

MR. RADONSKI: Second.

DR. BROMLEY: It has been seconded, has it?

MS. WENZEL: Yes.

DR. BROMLEY: Thank you.

Mark.

DR. HIXON: I propose -- I don't know how to do this Robert's stuff, but it would be a friendly amendment. Since the glossary is at the end, I suggest putting that statement about defining key terms as the last bullet just for readability. And then secondly --

DR. BROMLEY: Wait a minute.

DR. HIXON: It says, “The report defines key terms.”

DR. BROMLEY: Move it to the last in the --

DR. HIXON: Yes. Just to the last spot just because it refers to the glossary, which is at the end.

DR. BROMLEY: I think you have the word
“glossary” in there. “It defines key terms in the glossary?”

DR. HIXON: Yes.

DR. BROMLEY: Yes. Put it last?

DR. HIXON: Just put it last.

MR. RADONSKI: The whole thing should be in the order that they appear.

DR. BROMLEY: Yes.

DR. HIXON: And then --

DR. BROMLEY: Are you through, Mark.

DR. HIXON: I am just letting Lauren finish.

DR. BROMLEY: Is that --

DR. HIXON: That was it. And then at the very end, the word “dealing” didn't -- that is just my editor coming out. I think there could be a better word than dealing.

DR. BROMLEY: Right. “The report recognizes that time did not permit dealing with” --

DR. HIXON: Or consideration of.

DR. BROMLEY: Consideration of or resolution of significant questions.

DR. HIXON: And I don't have that much
attachment to that. So I don't want to get into a big
debate about it.

DR. BROMLEY: Okay.

DR. HIXON: Thank you.

DR. BROMLEY: Thank you. Consideration --

MR. PETERSON: How about consideration of.

DR. BROMLEY: Consideration of. I have Kay

and then I have Tony.

MS. WILLIAMS: Just the language. Could you

scroll back down a little bit. Excuse me.

MR. PETERSON: Consideration of. Take out
dealing then.

MS. WENZEL: Was there a consensus on that? I

just wasn't --

DR. BROMLEY: Yes. Yes. Let's presume there

was consensus.

MR. O'HALLORAN: Excuse me. I think that if

we say that we did not permit consideration and then in

the next sentence, we talk about these unresolved

items, if they are unresolved, didn't we consider them?

DR. BROMLEY: Well, I said, “Resolution of.”

MR. O'HALLORAN: Resolution? Yes.
DR. BROMLEY: The report recognizes that time did not permit resolution of --

DR. MURRAY: How about, “Insufficient time to adequately consider?” Resolution of?

DR. BROMLEY: That is a lot of words. You talk like a dean.

(Laughter.)

DR. MURRAY: Is that worse than a lawyer?

(Laughter.)

DR. MURRAY: Or an economist?

DR. HIXON: So if someone doesn't read the minutes today and believe that the Chair was being insulting -- all right. I won't do it. There is truth in the statement.

DR. BROMLEY: Well, we know what it means. We insulted him.

(Laughter.)

DR. HIXON: Do we need “of some?”

DR. BROMLEY: No, we don't. “Of significant issues and questions.”

MR. PETERSON: Well, we thought we resolved a lot, but we did want to --
DR. BROMLEY: Of a few. We did not have a resolution of a few.

MR. PETERSON: Yes. I think it is better to say a few.

DR. BROMLEY: Yes.

MR. PETERSON: Because we did resolve all --

DR. BROMLEY: "Resolution of a few significant questions."

MR. PETERSON: I think Gil didn’t want this to be a mea culpa.

MS. STEVENSON: How about, “Of all significant questions and concerns?” That makes it like we believe we actually did a lot and --


Kay, did we --

MS. WILLIAMS: Yes. Thank you, Mr. Chairman.

I just had a question. Where it says, “Articulate a process for accessing existing MPA’s as well as proposed new sites for inclusion,” should that be proposing instead of proposed? When I read it, it sounds like we have already proposed new sites.
DR. BROMLEY: Yes, you are right. As proposing. You want proposing. That is correct, Kay.

MR. PETERSON: She is correct. She is correct.

DR. BROMLEY: Yes.

MR. PETERSON: Mark the correction.

DR. BROMLEY: Since we were just there, if I may, I know that I have Tony on the list, but facets, I --

MR. PETERSON: You have got a better word?

DR. BROMLEY: I have got a better word.

Facets is technically a side of something, isn't it?

MR. PETERSON: Okay.

DR. BROMLEY: Like diamonds, facets, right?

MR. PETERSON: Okay.

DR. BROMLEY: So I think what we want to get rid of is sides, literally, and think about key issues associated with aspects.

MR. PETERSON: "Aspects" is better.

DR. BROMLEY: Thank you. The other editor is looking at me and smiling. At least we are not deans, Mark.
(Laughter.)

DR. BROMLEY: We are not even deanlets. That is even better. Tony.

DR. CHATWIN: Thank you, Mr. Chairman. I wanted to add a comment to the movement of the definition of key terms in the glossary. I think -- I mean, that is accurate and that location is accurate for that, but one thing that we did to, which is one of our great accomplishments, is to define and provide further clarification of the definition of a marine protected area. And that is section number three.

DR. BROMLEY: Yes.

DR. CHATWIN: And we should have it specifically stated there and that is not in the glossary.

DR. BROMLEY: I think that is wonderful. That is right.

MR. PETERSON: That is a good idea.

DR. MCCAY: Very good, idea.

DR. BROMLEY: Yes. We don't have to say what it is, but we did do it.

MR. PETERSON: We defined lasting protection.
DR. CHATWIN: Defined marine protected areas.

MR. PETERSON: That is right. You are right.

DR. CHATWIN: Because I think that a lot of
decision-makers will be very interested, members of the
public too.

DR. BROMLEY: How are we doing? Is this okay
if we operate like this? Are you okay with --

MR. PETERSON: I think if Bonnie is willing to
as the maker.

DR. MCCAY: Oh, yes, this is very friendly.

DR. BROMLEY: Barbara.

MS. STEVENSON: You will note that the desire
to edit is not limited to academia.

(Laughter.)

MS. STEVENSON: In the “Articulate a process
for,” the way I read that is that not only we are
articulating a process for existing, but we are
proposing new sites. So even though it is longer, I
would suggest we say “as well as articulating a process
for proposing new sites” so that it is clear what we
are saying.

DR. AGARDY: How about if you just said “both.”
MS. STEVENSON: That would be fine.

MR. PETERSON: Both existing and --

DR. AGARDY: No. Both assessing existing and --

MR. PETERSON: Yes. That is better. It is shorter.

DR. MCCAY: It is processes then because it is two different --

MR. PETERSON: Yes, it is processes.

DR. BROMLEY: Go back up and take out the "processes for assessing both" -- no, you want the "both" to be in front of the "for."

DR. MCCAY: Both for assessing and for proposing new.

DR. BROMLEY: Put "both" there.

MS. WENZEL: Put "both" here?

DR. BROMLEY: Yes.

MR. PETERSON: That is the editor for sure.

DR. BROMLEY: "Both for assessing existing MPA's as well as" --

DR. MCCAY: No "and." Get rid of "as well."

And for proposing.
MR. PETERSON: Good.

DR. BROMLEY: How is that Barbara?

MS. STEVENSON: Okay.

DR. BROMLEY: All right. We have some people who want to leave -- have to leave at noon. We want to talk about some future issues, but we also want to deal with this. So how are people feeling?

PARTICIPANT: Hungry.

MR. PETERSON: I am ready to call for the question.

DR. BROMLEY: Emerging consensus?

MR. PETERSON: I am ready to call for the question.

MS. WENZEL: Let me go to the top.

DR. BROMLEY: Okay. Could I ask whether our diverse experience and background is pertinent here? I could regale you with my diverse background and experiences, not very much of which would interest you. Are we trying to capture something more fundamental than that? Is it important to say diverse interests and perspectives on the ocean, on the marine habitat, not our backgrounds? That is not what this matters. I
mean, it makes for great comedy, but the issue here is
the interests we bring to the table.

MR. PETERSON: Well, you can say diverse
interest, experience and background.

DR. BROMLEY: Perspective. I would like the
word “perspective” in here. Jim?

DR. RAY: Well, it is perspective. Aside from
the experience here, it is also the representation of
the various interest and user groups.

DR. BROMLEY: That is what we -- that is what
I think that we want to get in here.

DR. RAY: The diversity in this group.

DR. BROMLEY: Yes. We didn't just overcome
our backgrounds.

(Laughter.)

DR. BROMLEY: Some of us have backgrounds
which cannot be overcome. But we did overcome --

MR. PETERSON: I think some of us tried very
hard.

DR. BROMLEY: -- our differences of our
perspectives. Jim, are we picking up --

DR. RAY: Well, I feel --
DR. BROMLEY: -- representation --

DR. RAY: -- part of it is the fact that we represent diversity --

DR. BROMLEY: We are here because we represent interests.

DR. RAY: -- of the marine environment.

DR. AGARDY: I have a problem with taking out “background” because we could all have commented this with very different perspectives and very different interests coming from the same background. We could all be coming from one organization and have that wide range of diversity, you know, and outlook on marine areas. So I think “background” implies that we are coming from different professional backgrounds representing different user groups or whatever. I like it.

DR. BROMLEY: Then maybe we need an adjective in front of it. I mean, backgrounds -- I mean, that is -- I am not opposed to backgrounds, but I --

MR. PETERSON: Let me -- the only reason we have got non-federal scientists, resource managers and other interested persons and organizations, that is
verbatim from the executive order. The executive order
doesn't talk about interests of different user groups
because we don't represent the full variety of interest
groups on this committee.

DR. BROMLEY: Okay. Well, I will --

MR. PETERSON: So anyway, that is a quote from
the executive order.

DR. BROMLEY: Yes.

MR. PETERSON: That is the only reason we used
it.

DR. BROMLEY: Okay. Barbara, is your hand up?

MS. STEVENSON: I am struggling with this. I
would like "knowledge" in there because what we -- we
are not representing our interests, we are appointed
because of our diverse knowledge of different aspects.
I can stand with the current language. I couldn't -- I
had a problem with the original language so maybe I
should just shut up.

DR. BROMLEY: Eric.

MR. GILMAN: How about values? As a result of
our past --

DR. BROMLEY: Perspectives. That is not
captured by perspectives. It seems to me, perspectives is a covering term for a lot of this stuff, but --
Tundi and then David Benton.

DR. AGARDY: I just wanted to remind us that in the next paragraph, that is not up on the screen, we actually try and capture the --

MR. PETERSON: Representative local and state tribe on national organization --

DR. AGARDY: No. The one down from there is where we actually talk about the divisive issues and the common ground and I think -- actually, we had a phrase in there that we took out, which was about us coming to the table with different perspectives and interests. But I mean, I tend to be very --

DR. BROMLEY: Are we working too hard on it now? Okay. In economics we talk about diminishing returns at the margin. David and then we will see if can't do something. David.

MR. BENTON: Mr. Chairman, I sort of think that there is 32 angels that dance on the head of a pin and we can debate that, but I think we are done.

DR. BROMLEY: You okay?
MR. BENTON: I would hope that we could move on.

DR. BROMLEY: You have a motion that we adopt this?

MR. BENTON: Mr. Chairman, I move that we adopt this in its entirety and move on.

MR. PETERSON: It is already moved.

DR. BROMLEY: It is already moved.

MR. BENTON: Yes.

DR. BROMLEY: It is on the table? Where is it?

MR. PETERSON: It is already on the table.

MR. BENTON: Mr. Chairman, I call for the question.

MR. PETERSON: Right. That is proper.

DR. BROMLEY: Do you want to bring it off the table or do you just want to call for the question?

MR. BENTON: No, I just call for the question.

DR. BROMLEY: Call for the question. The question has been called. All in favor say aye.

(Chorus of ayes.)

DR. BROMLEY: Opposed?
DR. BROMLEY: Thank you, Max, and your group.

MR. PETERSON: We appreciate Bonnie.

DR. BROMLEY: Bonnie, everybody. Again,

wonderful.

Okay. We have got the overview done. Where

are we? Now we have to go back to the list, Lauren; is

that correct?

MS. WENZEL: The incentives group has to --

DR. BROMLEY: The incentives group has to --

okay. Let's talk about the future. I am open to how

you want to get this discussion going. We have 11:15.

We already had our break so at lunch, we have 12:30

eat lunch, I presume across the hall, right? And we

have two options, depending on your sense of urgency.

We can bring our lunch back in here or we can go in

that room and relax.

So I think I would prefer that we just go in

the room and relax and not come back here and work over

lunch, but if people wish -- I think I pushed you hard

enough yesterday. I am trying now to make up for that.

But then at 1:30, we will have more time for this. So
let's see what bubbles up. Barbara?

MS. STEVENSON: I would like to hear what the people who are going to charge us think that they would like to suggest and then we can add to -- give some recommendations that they consider adding to what they are already --

DR. BROMLEY: Okay. So this would presume that Tom and Larry Maloney -- is Larry here this morning?

PARTICIPANT: He was earlier.

DR. BROMLEY: Dave deferred to Joe and we have Brian here. Mark?

DR. HIXON: I agree with what Barbara just proposed and I also would like to remind the Committee that that is exactly what we did when we formed two years ago. We asked the MPA Center what do you want. What do you need. So I think it is a good place to start and then modify as we see appropriate.

DR. BROMLEY: Qualified, if I may, by what we want the MPA Center to do for us is to communicate to us what the secretaries want and not what the MPA Center wants. And I -- when we started, we had this
sort of thing, are we here to advise the MPA Center
and -- or are we here to let the MPA Center communicate
to us what the secretaries want.

DR. HIXON: I retract my wording.

DR. BROMLEY: Yes. Did you want to say
something, Joe?

MR. URAVITCH: Well, I was going to suggest
that the question --

DR. BROMLEY: Do.

MR. URAVITCH: -- on behalf of the agencies at
this point and we are going to be a little bit of a --

DR. BROMLEY: You are speaking, then, for Tom,
are you speaking for NOAA and --

MR. URAVITCH: Well, I think for both
agencies. We have already met --

DR. BROMLEY: Okay.

MR. URAVITCH: -- and begun to discuss this
issue.

DR. BROMLEY: Good.

MR. URAVITCH: We have also raised this at the
interagency working group level to make sure that we
are hearing from the other departments that are
partners in this process.

Maybe I will talk a little bit about process here at this point. One thing is we do want to hear from you all in terms of what your thoughts are because you have been diving into these issues, obviously, for two years now. So that is crucial to us. We have talked, both at the interagency and at the staff level, about what we think is important and but we have not yet formulated a list to go forward to the secretaries in both departments.

We actually would like to hear what you all have to say, as well, to make sure that we have a robust set of ideas that we can work from, but the process will be that we will meet with Interior and come up with a list of issues that we think are important for addressing by the new committee and that will be based on what we hear from you, what we think of as staff, as well as from the other agencies. And we will go forward with that to Adm. Lautenbacher as well as Rebecca Watson and other folks in both agencies.

I am not going to raise specifics, in part
because they have not been approved by our leadership or even run by them at this point, but what I would say is that in our thinking about this, we have -- and seeing how you function, we have talked about sort of immediate things that need response, as well as short-term and long-term issues, because there are going to be people on for two to four years. And so there may be some long duration things.

On the other hand, there are some things where we would hope we can come to you for here is an issue. Well, let's discuss it at one meeting and get some thoughts from people on that. So we are going to be looking at a variety of issues. We also appreciate and would like to call on your continued participation in the various public and organizational fora where you have been incredibly helpful in moving this whole effort along.

In terms of issues, I mean, just to throw out some of the things we have thinking about, there is obviously approaches to the whole -- the three focus issues on natural heritage, sustainable production and cultural heritage and how we are going to relate to
that. So that is obviously the three tracks to be
dealt with and I don't know how the Committee is going
to organize itself next time around, but we discussed
that.

There are obviously aspects of the national
system framework where we are going to need some help
to focus in on special sort of focus issues such as
monitoring evaluation effectiveness, how we are going
to make that happen, how we integrate across
governmental levels, what kind of governmental
mechanisms we could follow. I mean, sort of how do we
follow on to your report and how do we move forward
with this framework to actually make these things
happen.

So we would be looking towards guidance, we
think, and again, that is up to our leadership to tell
us what you all should be charged with, but we think
that these are the important things. So, you know, how
do we make this actually happen in the real world. And
I know we have discussed the various scientific efforts
being undertaken, resource characterization work, human
use and impacts, special studies that need to be done.
My personal belief is a lot needs to be done on the cultural side. Right now we just have one member from the sort of historic resources side on the Committee. Obviously I would think you all are going to need to think about a working group that may even bring in some external parties to focus more on that. And those are my general thoughts at this point.

I don't know if Larry had anything he wanted to add about the whole charge issue to the new committee. I have just described the process we are going to go through in terms of elevation to leadership.

MR. MALONEY: No.

MR. URAVITCH: No? Okay. Any members of --

MR. KITSOS: Mr. Chairman, this is my first and, perhaps, last meeting with you and with this FAC and I found it extraordinarily interesting and it has been -- it has really been fascinating to me to see this group go into excruciating detail about an issue that the U.S. Commission just kind of skirted over. Because of the executive order, we knew it was in good hands with you. I applaud the hard work of everybody
here.

I do want to note -- and I don't know whether I am stepping out of school with respect to my position in the Administration, but I do want to make the following note. Things in Washington change slowly, but they are beginning to change. It started with the MPA executive order and some other galvanization of interests in Congress and in NGO communities, various NGO communities and industry communities.

And of course it has sort of culminated in the Commission and now the President's Ocean Action Plan. And the reason I point this out is that for the next FAC, one of the things that I think that group ought to keep in mind is that the structure of decision-making about oceans, in general, in Washington is changing. It will change slowly. It is like one of those big oil tankers, it takes a while to steer and to move, but there is this new committee on ocean policy, there are a number of boxes underneath that committee and subcommittee. Mary Glackin is a co-chair on a very important subcommittee.

And so keep the faith is what I am suggesting
to you, that, in fact, obviously an advisory committee like this, just like the Ocean Commission, cannot make decisions on its own, but the recommendations will have an institution that should hear these, what you have to say. And the old world where oceans is disbursed among many different institutions still exists, but there is an effort now to try to be more cohesive, to bring things together and I think that there is a reason for hope, not necessarily tomorrow, but down the road, reasonably soon, and I appreciate the opportunity to spend some time with you.

DR. BROMLEY: Thank you, Tom. Some of us had that sense of this emerging restructuring and we pick it up from reading what you wrote and the Ocean Commission and other places, but it is nice to have it ratified from you that -- we do sit at a vicious time, don't we.

Other thoughts? Yes, Brian.

DR. MELZIAN: Well, I would just like to endorse what Tom just mentioned because EPA is actively involved in this new ocean government structure. In fact, our system administrator, Office of Water, sits
on the Aquabox, which is right underneath the committee on ocean policy, which I believe had -- its cabinet level had its first meeting on April 5th where no representatives were allowed. This is a very high profile now within the U.S. government and they -- and there are time frames set out to accomplish various activities. So I do agree that this is vicious time to make some changes.

Regarding EPA's involvement with this committee and perhaps in future consultation with this committee, I point you to the executive order, actually section 4-F. You don't have to read it right now, but it specifically highlighted this agency, unlike any other agencies in the executive order, with the exception of DOC and DOI, regarding science-based regulations and consult with agencies for marine water quality standards.

This all relates to harm, things of that nature, which I won't go into right now, but there was some pretty strong language in here that my agency is looking for guidance from you folks as far as if we establish a marine protected area national system, how
can we protect these different environments. So this
is something that I would -- which really hasn't been
addressed yet is look at that specific part of the
executive order.

Secondly, two major activities, both of which
I am involved with, and they relate to the U.S. Ocean
Action Plan and they are very high profile. One is
Integrated Ocean Observing System, which Joe knows and
Lauren knows, and I work with Rick Spinrad at NOAA's
ocean U.S. executive committee.

This thing is starting to catch momentum and
is moving very rapidly down the road now and they
actually have a national federation of regional
associations, which are being developed as a state and
government plans, management plans and action plans.
And so I, representing the Agency, will go looking for
ways, perhaps in partnership with NOAA and others, how
some of the activities of this committee, especially
relating to monitoring and evaluation, could be
supplemental to the Integrated Ocean Observing System
and vice versa. There is some exciting opportunities
there.
Then lastly, and this is being tracked by the Council on Environmental Quality and in fact a briefing is now being prepared for these folks, which is the CEQ, as you may be aware of, is the executive office of the President. As required in the U.S. Ocean Action Plan, a national water quality monitoring network is now being developed and the plan needs to be submitted to the CEQ by January 2006. And I am going to design a work group of this National Water Quality Monitoring Network, which does include the Great Lakes, the main rivers in the U.S. and wetlands and coastal areas and including to the EEZ.

So there is some opportunities there where this network of marine protected areas could be nestled within both of these major programs. In fact, in the Ocean Action Plan, it is stipulated when you develop this National Water Quality Monitoring Network, you should have someone from IOOS on this committee so we have those linkages and synergism. So we are looking at ways at how can we compliment and help each other in the future. Thank you.

DR. BROMLEY: Thanks very much, Brian.
Terry, your hand is up?

MR. O'HALLORAN: I have two thoughts about the discussion about what the next FAC would do. And one, I think it would be very important for us to hear from the MPA Center about some of the things that they might be thinking about that we could help them address. And number 2 is the budget for the National Marine Protected Area Center, which is threatened by almost $2 million for FY '06, which would mean that it would reduce the number of our meetings to two. And the number of meetings that we would have certainly impacts the amount of issues and the -- and how -- what we are going to tackle and reasonably hope to accomplish. So those are two.

DR. BROMLEY: Yes. And thank you for bringing that up because it will -- not only will it influence how many meetings we -- this group might be able to have in a year, but it will very much impact on how we can operate because if we -- you might recall when we started, there was, in our marching orders, a discussion of working groups, scientific working groups I think is the language. Something like that. We were
told we could, should create scientific working groups and we didn't. We wanted to do this now.

But many believe that it is time that we do that and that has profound budgetary implications because we cannot ask scientific working groups to be created and set up if there is no money for them to do anything.

So this -- we will have to address that, both, I mean, sort of this afternoon we have some structural things. It is probably premature to talk about how we want to structure ourselves because that structuring ought to flow from the tasks that we have before us, but this budget issue will very much determine what we can do and we then may have to go to plan B in terms of how we think we can operate over the next couple of years.

I have Bonnie and then I have David.

DR. MCCAY: Well, one of the reasons that we felt it was important to highlight funding issues in the list of unresolved issues is that this was -- if the nation is serious about ocean governance and marine protected areas as part of that, then we really have to
be realistic about what the costs are. And so that is one of the reasons that, I just want to underscore, that we think those short paragraphs we have, sentences there, are really, really critical and that a group such as this, the amount of groups that actually looks at these questions.

DR. BROMLEY: Could I ask -- I do have David on the agenda, on the queue, but could I ask if in the letter of transmittal, with the report, that I provide some language about this, not begging for more money, but stating that we, in this first period, did not avail ourselves of scientific working groups and other things because we wanted to get this other work done, but now it is time that we must do that and we do not see how we can do it under the current -- I mean, is something like this appropriate in the transmittal letter? But I go to David and then come to these other people. David?

MR. BENTON: A couple of thoughts, Mr. Chairman. I just reiterate my concern about us, in any way, getting into the funding questions where it could be construed that -- the term I used earlier was
feathering our own nest.

The question of whether or not we fund or -- not fund, whether or not we form scientific working groups or other working groups, I think is a more important question than this short discussion wants and I would be very cautious about identifying that as being something that we are going to do next.

And I do that in a couple of ways. Tying that to the funding issue really starts to look like we are blossoming out as some kind of bureaucracy and I don't think we want to look that way. And secondly, we need -- before we say we are going to fund -- not fund, sorry, form or convene any kind of working group, whether it is a scientific one, a stakeholder one, whatever it is, we need to come up with the charge and the purpose and why do we need them.

So I wouldn't signal that because if we just say we are going to form working groups without going through that deliberative process, we are going to look like somebody that just wants to have a bunch of meetings and get a bunch of people together and all of that. So I would be very cautious about that.
And I go back to some of the earlier discussions we had about where we were going to meet and being worried about, gee, if we are in Hawaii, would that look appropriate or other places. I just remind us all of that.

DR. BROMLEY: Yes.

MR. BENTON: It is a cautionary thing. I think the funding issue for the Center and the program is a very legitimate issue, but my limited experience of 20 plus years dealing with the Hill, and Max might confirm this as -- oftentimes it is the quiet word that gets something done more than it is a trumpet.

DR. BROMLEY: Yes. That is fine.

Okay. George and then Gil. George is -- Gil.

MR. RADONSKI: Just some thoughts, not direction, but thoughts. As this letter of transmittal is being prepared, I would suggest that the preparer or preparers review the statement from the Administration and their response to the OC report. I forget the name of it. What is the title of that? Pardon?

DR. BROMLEY: Action plan.

DR. BROMLEY: Yes.

MR. RADONSKI: That be reviewed because that is stated policy of the Administration and I don't say that we should pandar to it with our report, but if we can flavor our report showing that we are working in that direction, I think that will highlight it.

I discussed this both with Larry Maloney and Tom Kitsos and they said that as far as they are concerned, that is the first thing that the Administration is going to look at, how this comports with that action plan. And so I think if we review it and just make ourselves a little more familiar, it would stand us in good stead.

DR. BROMLEY: That is good. That is good.

Other thoughts about things? Yes, Max.

MR. PETERSON: Let me just agree with David's comments and suggest that Bonnie has several items that we spotlighted this morning that were recommended for the overview that we thought better belonged in the --

DR. BROMLEY: Transmittal?

MR. PETERSON: -- letter of transmittal. So maybe you would like to have her articulate those so
the group, as a whole, knows what those are. Do you
have those written down in some form?

DR. MCCAY: I am not sure I do, Max.

MR. PETERSON: Well, you had some cryptic
notes there of the --

DR. MCCAY: They were very cryptic.

MR. PETERSON: Well, anyway, maybe you could
just -- without trying to write them out, just kind of
identify the things because I, too, would be very
concerned about a scientific working group unless we
know precisely what they are going to do.

DR. BROMLEY: Yes.

MR. PETERSON: And we are going to take away
funding from MPA Center if we do that within their
budget. So I would not want to do that unless we are
sure we need it.

DR. BROMLEY: Do you have that, Bonnie?

DR. MCCAY: I am really drawing a blank here
right now.

DR. BROMLEY: Okay.

DR. MCCAY: If you want to say that my
comments earlier were referring to not funding for us
as a committee as a whole.

MR. PETERSON: No. No-no. No.

DR. MCCAY: And I don't think any of us were speaking of that.

MR. PETERSON: But several items we thought could be in the transmittal.

DR. MCCAY: Yes.

MR. PETERSON: I know a couple of them was appreciation to the staff and the support we received from the staff is there.

DR. MCCAY: All of that.

MR. PETERSON: We had another item to reflect --

DR. MCCAY: The importance of the subcommittees that we formed and all that.

MR. PETERSON: -- the importance of the subcommittees. Some of those things that are not in the overview, and so on, that you could have carte blanche to put in your letter of transmittal, as far as we are concerned, so that you would have at least a few things within the letter of transmittal. Okay, Mr. Chairman?
Other ideas, other thoughts?
DR. MCCAY: I have one.
DR. BROMLEY: Sure, Bonnie. Please.
DR. MCCAY: Quite often now we have mentioned
the Ocean Action Plan. I just pulled it up here on my
screen, but would it make sense to briefly mention that
in the overview statement?
MR. PETERSON: I don't think it is in the
document at this point, is it?
DR. MCCAY: No, it is not. I am just
saying --
DR. BROMLEY: It maybe goes in the letter of
transmittal.
MR. PETERSON: I think it goes in the letter
of transmittal --
DR. MCCAY: Okay.
MR. PETERSON: -- because it is pretty hard to
put something in the overview that is not in the
document.
DR. BROMLEY: Yes. Gil.
MR. RADONSKI: I think the letter of
transmittal -- you know, we want to play this a little
coyly. We just don't want to say, like, those were our
marching orders and that is what we did.

DR. BROMLEY: Yes.

MR. RADONSKI: You know, wherever there is
agreement, I think it would be wise to allude to it,
but I wouldn't blare it out.

DR. BROMLEY: That is right.

Yes, Brian.

DR. MELZIAN: In the vein of the positive
attributes of this committee and why it is important to
meet face to face, perhaps in the transmittal letter,
however you would like to do this, you could just
mention how important it was for the subcommittees to
actually meet face to face and for this committee to
meet face to face versus conference calls.

We have this debate within the federal
agencies all the time, as I speak, about what is the
value added of actually meeting face to face versus
holding conference calls. And this is happening with
this National Water Quality Monitoring Network. So one
could just highlight the positive. You know, it is
very important that we can meet face to face. I can't
speak for NOAA, but I can speak for EPA. That has a
major bearing of how we use travel funds.

If you folks came back and say it is not
important for EPA to be here, we wouldn't be here. So
we actually allocate travel funds based on the need of
being there in person versus conference calls. So this
could be a way of just highlighting the positive, which
may help decisions in the future.

DR. BROMLEY: Yes. Good.

Other things? Yes, John.

DR. HALSEY: Well, I think just to support
Brian, is there anybody here who thinks that this could
have been accomplished through conference calls?

(Laughter.)

DR. HALSEY: I rest my case. Or e-mail.

(Laughter.)

MR. RADONSKI: It would have been easier for
Dan to ignore us when we raised our hand for a
conference call.

DR. BROMLEY: Yes, right. Or just push a
number and it would go beep, beep, beep and say,
“Sorry, I didn't hear you.”

Are people tired? Are you tired of this? We have a whole afternoon and --

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Because if we are not going to have a conversation --

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Yes.

MR. RADONSKI: Sometimes it is the gold star for a chairman to say they adjourn their meeting early because they got their business done.

DR. BROMLEY: Yes.

MR. RADONSKI: And I don't know if we are at that point. I am not going to make a motion that way, but --

DR. BROMLEY: We are not.

MR. RADONSKI: We are looking at you, but, you know, we have done a lot, people are tired and I, for one, sense that the conversation is lagging.

DR. BROMLEY: Yes, it is lagging and that is -- I see some hands. So now it won't lag, but we have been -- we can stop this. We do have -- let's just
look at the agenda for a second and then I will recognize the hands that are up. We have a future organization of the FAC. You know, in a sense, maybe we can't do that now. Subcommittee structure. That may need to be postponed until November. I think that is probably right.

MR. PETERSON: We need the next meeting dates for sure.

DR. BROMLEY: Yes. We do have to do that. That is right.

DR. BROMLEY: We have something here about leadership, identify others who would be interested in serving as chair, vice-chair, et cetera. We can't hold the elections until November. I believe Lauren -- are you here, Lauren? So we will want to talk about that. Lauren has an intervention for us about that.

And then we have review key agenda items for the November meeting. Well, we are not really sure about what we can do. The logistics for the next meeting, that we can do. So those are the kinds of things out there. Okay. I see Bob and I see Mel, but I thought Mark had his hand up. Okay. Bob.
MR. ZALES: Yes, I have just got a question. The short list that was up there that we put off to discuss the overview letter --

DR. BROMLEY: Yes.

MR. ZALES: -- do we have to finish that up or is that just --

DR. BROMLEY: No, we do need to finish it, but I am not sure where it stands.

MR. ZALES: And to get beyond that, I would suggest that a lot of the items we discussed, as far as chair and vice-chair, that the current chair and vice-chair, they go forward until November and then we discuss whatever happens then. The subcommittees can be done then because we hopefully will have three new people on the board.

DR. BROMLEY: Yes. It is my understanding --

MR. ZALES: That may give a different perspective to subcommittees and stuff like that. And then agenda items, I would suggest that we can do by e-mail and whatnot because we don't -- and I am assuming that that meeting is still going to take place in Texas?
DR. BROMLEY: Let us talk about that.

MS. WENZEL: The meeting is November 1st through 3rd and it is going to be in the Gulf. We are looking at Texas. New Orleans is also in the running.

MR. ZALES: Okay.


MR. MOON: Yes. I think Bob brought up the same question I had. We had the list and it still seems to be outstanding waiting for the other folks to come together and we need to finish that up.

DR. BROMLEY: That is right. Yes. And they are not quite ready I believe.

MR. MOON: Okay.

DR. BROMLEY: Mark?

DR. HIXON: One reason the conversation was lagging for me is I wasn't certain where we are. Are we still discussing next steps in general?

DR. BROMLEY: Yes, we are discussing the future.

DR. HIXON: Okay. My general perspective on that is that we have developed a document that is basically an outline for future action and I would like
to see that outline developed more deeply. It includes some of the items that Joe reviewed. You know, how would the process look in a bit more detail.

I am thinking also in terms of developing some of the scientific tools, in particular, that would be useful for -- in terms of mapping GIS systems for examining the distribution of resources, the distributions of potential threats, gap analysis, things of that sort. All of these things have been mentioned before. Thanks.

DR. BROMLEY: Yes. Dolly and then Barbara.

DR. GARZA: Thank you, Mr. Chair. Yes, I wasn't -- I also wasn't sure quite where we were in terms of next steps. I also think we --

DR. BROMLEY: We are kind of killing time until this list is --

DR. GARZA: Okay. We need to -- I think we need to hear from officials from NOAA, or whoever, as to whether -- I don't know if they are supposed to receive this report or accept this report or if it just goes on a shelf and that is the end of it, but I think we need some type of formal response.
DR. BROMLEY: Good. Barbara.

MS. STEVENSON: I was -- people are actually coming forth for suggestions for the future now. When there was a gap, I was going to suggest that after we did the logistics, which took two seconds, we would break, even though it is early, for lunch so that people could get together their lists, because we are all tired, so that after lunch we could come forward, do the -- get the information, get the lists. And if you don't have it then, you will have to wait until next time to make one.

DR. BROMLEY: Yes, that is a good idea.

Okay. Lauren, do you want to talk about logistics?

MS. WENZEL: Yes. Barbara is right, it took about two seconds. I mean, I -- we have the dates of the next meeting, we are going to be looking at locations. Jim Ray has been very helpful in giving me some inside scoop on the Gulf and Bob has given me some input as well. So we hope to have that nailed down pretty soon.

And I think, you know, Alaska has been
mentioned as a possibility for the meeting after that. So what I would like to do, I think, is -- as well as the Great Lakes. So I think what I would like to do is follow up with the members from Alaska and the Great Lakes to talk about, you know, times of year and those kinds of things and then work over e-mail to set a spring meeting. So I think that is pretty much it.

DR. BROMLEY: Okay.

MS. WENZEL: I see someone from Alaska has their hand up.

DR. BROMLEY: I can't imagine. Dolly.

DR. GARZA: Mr. Chairman, it seems like at the last meeting we had talked that Alaska would actually follow the Gulf. We were trying to actually get ahead of them, but they didn't let us. And from the three northern guides here, we were looking at hopefully the early part of May in Sitka, which still has good king salmon fishing, beautiful weather. They have a great boat facility that could take us out to, like, the St. Liziara, which is a bird watching site. It is phenomenal. Let me see. What else can I say without looking at Mr. Halsey.
DR. BROMLEY: So moved.

PARTICIPANT: Lots of whales.

DR. GARZA: Lots of whales. The one thing we will have to check, though, is that the price does spike and also there is a Sitka music summer festival, which is like three weeks long and when it is going on, you can't find a room. So we have to make sure we a little bit precede that, although some people may want to try and stay for part of it because it is a phenomenal music festival. So that is our intent.

MR. PETERSON: Mr. Chairman, question.

DR. BROMLEY: Yes.

MR. PETERSON: Are those November dates locked in concrete at this point?

MS. WENZEL: Yes.

MR. PETERSON: They are. Okay. They are impossible for me. I don't know how many other people.

MS. WENZEL: It was the greatest good of the greatest number.

MR. PETERSON: That is fine. That is fine.

DR. BROMLEY: Maximize the national benefit.

MR. PETERSON: I thought we said you couldn't
describe that so I am surprised.

DR. BROMLEY: You know it when you see it, Max.

MR. PETERSON: That's right. Okay.

DR. BROMLEY: Yes, David.

MR. BENTON: Mr. Chairman, I know you -- excuse me, Mr. Chairman.

DR. BROMLEY: Yes.

MR. BENTON: I know you have mentioned that there are people working on a list and I was just looking around the table trying to figure out who and because it looks like everybody is here and I am just wondering where that list might be and whether we can get that done.

DR. BROMLEY: I wish we could. Who are the people who are working on this list? Lauren?

MS. WENZEL: Well, we had asked the funding and incentive people to turn their questions into statements.

DR. BROMLEY: And they are doing that?

MS. WENZEL: I don't think they have had an opportunity unless they have been working feverishly
while they --

DR. BROMLEY: Yes. Okay. Steve Murray, you had your hand up.

DR. MURRAY: Well, I was just simply going to ask a question, I guess, of Joe and the Center. This has to do with dealing with possible future tasks for the -- you know, for the FAC. So one of the things it says in the executive order is that we are to address these various kinds of items -- there are eight of them -- that are outlined in Section 4.

And there is a lot of science issues here that are laid out in these numbers: science-based identification and prioritization, integrated assessment of ecological linkages, assessment of the economic effects. These are, essentially, science and approach and other kinds of questions and, you know, I didn't hear any of these really surface in the list of issues that the Center thought that we could all provide help and guidance with regard to the FAC role.

MR. URAVITCH: I am going to defer to Dr. Wahle on this one who is our guru for science.

DR. WAHLE: I have my own list and those are
on it. As you all know, we are -- now that we sort of
have the initial step taken care of, we are looking now
to begin the duties analyses and there are two ways --
well, first of all, we really look to you to work with
us on this. This is something we really need and are
seeking it.

But there are two ways we can do it. One is
to engage in the actual conduct of some of these
analyses, which, as you can imagine, is technical and
time consuming, maybe not all that rewarding, that kind
of thing, or to get your advice on how best to do it
and then some periodic oversight along the way.

My personal view is it is the latter that is
the most effective use of your time and interests and
we are right at that point right now. So I am hoping
that even in advance -- I don't know. I can't probably
say that, but sometime soon we would like to get some
conversation going about this. But these eight items,
or something like them in modern speak, is essentially
what we are -- my group in particular is posed to do.
So we are looking forward to that and working with you
on that.
DR. MURRAY: So I would just like them to make
the point, which I think we have made as well, but I
would like to just reemphasize it, that these tasks
that are laid out here are going to require some decent
dialogue and discussion. They may involve the need for
bringing additional people in.

We have had panels of folks this time through.
We may be looking at having panels or maybe teams of
people that are outside this group if we decide to go
there, but we also are clearly going to need the
frequency of meeting in person face to face to make
significant progress on this effort as we move forward,
particularly when it comes to these and other issues.

So, you know, I was involved with a Minerals
Management Service Advisory Panel and when I was, think
they were meeting three times a year and then it went
to two times a year. I think it is one time a year now
and it is real hard, I think, as an advisory group to
provide the kind of effort asked for and the results
that are asked for when you start to scale down the
kinds of meetings and the types of face to face
interactions that are so important to make these things
happen.

DR. BROMLEY: Yes. I would -- that is right.

I would --

DR. MURRAY: But everybody knows that.

DR. BROMLEY: I am sorry. What?

DR. MURRAY: Everybody knows that.

DR. BROMLEY: Yes, they know that and maybe one of the things that we do in November is when we see the list, see what they would like for us to do and we have an idea about how many meetings we are going to be able to have and essentially we will have a better idea of what that -- at that point, we might need to just communicate back to the secretaries that we can only do one of these things. We intend to do one well rather than three not very good at all. And what might be good for this group to take a stand on.

We are not feathering our own nest, we are simply saying, “Thanks very much. You have asked us to do an impossible job and we decline the opportunity. We would be really happy to do a crackup job on this one and under the way things look, that is about all we will be able to do.”
Okay. We have this dilemma. The lunch was organized for 12:30. I think we are trying to figure out if we can be served early. Is the word --

PARTICIPANT: 12:15.

DR. BROMLEY: 12:15. Okay. What I would like to do is recess us now.

DR. MCCAY: Excuse me. We have a brief revision.

DR. BROMLEY: Oh, you are ready now. Look what it took. The threat of recess and all of a sudden -- wait a minute. Are some people leaving? Do some people have to go?

MR. PETERSON: Yes. Tundi and I have to go.

DR. BROMLEY: Tundi has to go, Max has to go. I just want to thank them. I want to thank everybody who has to go. If you don't have to go, you don't get thanked, but if you have to go, we want to thank those who are sneaking out, leaving, whatever for whatever reason.

MR. PETERSON: Thank you, Mr. Chairman.

DR. BROMLEY: Yes. We couldn't have done it without you.
MR. PETERSON: We couldn't have done it without you obviously.

DR. MCCAY: Just before you two go, here is on the screen what it now looks like for the incentives, the funding and incentives part. It is just taken out of question form. This is the funding and incentives part that is taken out of the question format and put into a declarative state.

MR. PETERSON: I think you have to go further than just effective participation. I think we need to spell out such things as some of the management stuff.

PARTICIPANT: Or bringing sites in.

DR. MCCAY: Well, we are trying to keep this really short in line with the others here.

DR. BROMLEY: Okay. I still -- well, would people -- would you be willing to sit here for two or three more minutes and maybe we can dispense with this list or do you want to break? It looks like we are sort of broken over here on the left. Maybe that is a good time to move forward. Okay. Could people live with this language? Dolly?

DR. GARZA: Mr. Chair, I think that I can live
with the language because as we start to work on it, we will figure out how it needs to change.

DR. BROMLEY: Yes. Yes. Is that okay? So this would be number 4 then, Lauren, is that right?

MS. WENZEL: Right.

DR. BROMLEY: Could you zoom back out then. Let's just presume that we are going to -- what does our list look like then?

MS. WENZEL: Okay. Just to walk through it. So 1 is the avoid harm language, 2 is the alternative language that has been put together on tribal issues, 3 is the entity to formally recognize designation and 4 is the new financing and incentive language.

DR. BROMLEY: Okay. Lauren, why don't we break.

David, go ahead.

MR. BENTON: I would like to make a motion.

DR. BROMLEY: If you are going to make a motion, do so.

MR. BENTON: Mr. Chairman, I make a motion to put this on the floor. Do you want to do that?

DR. BROMLEY: Yes. Yes. But you -- do it at
MR. BENTON: Could you scroll back to number 2, please, Lauren. Okay. Mr. Chairman, I would move that we adopt the list that is on the screen, item number 1. Item number 2, “Using the alternative language, develop a process per executive order.” That one. Item number 3 -- could you scroll back up. There we go. Item number 3 and item number 4 with the language, the new language that is in larger type that begins, “There is a need to identify existing or needed monetary" and continuing onward.

DR. BROMLEY: Yes.

MR. BENTON: And is there anything under that, Lauren?

MS. WENZEL: No.

MR. BENTON: And that is it, Mr. Chairman.

MR. ZAES: I second and call for the question.

DR. BROMLEY: Okay. So it has been moved and seconded and you followed David's work there. Are you ready for the question on this?

MS. STEVENSON: One quick clarification.
DR. BROMLEY: Yes.

MS. STEVENSON: On item 3, it is the new language. There is crossed out and underlined language. It is the underlined language, not the combination of both.

MR. BENTON: As modified in the text.

MS. STEVENSON: Right. You didn't say that.

MR. BENTON: Sorry. As modified in the text, Mr. Chairman, as consistent with the intent of my motion.

DR. BROMLEY: The editor in me would like to unsplit the infinitive and I would like to put the “formally” in front of the “to approve,” but you know how editors are. “Formally to recognize” -- yes. So is everybody okay with this? Are you ready for the question?

PARTICIPANT: Yes.

DR. BROMLEY: All in favor say aye.

(Chorus of ayes.)

DR. BROMLEY: Opposed?

(No response.)

DR. BROMLEY: Okay. Here is the deal. We
have until what, Lauren? We are going to eat lunch --
pardon me?

MS. WENZEL: Twenty minutes until lunch.

DR. BROMLEY: Yes, we have 20 minutes until
lunch. I think you can figure out what to do in that 20
minutes. Shall we reconvene at 1:30. And there is a
very good chance we will have a half an hour’s worth of
stuff and we will be through.

MR. ZALES: That is kind of my point. If all
we are going to have 15 to 30 minutes of discussion, I
would think it would probably be more useful, let's
finish up.

DR. BROMLEY: To have it now?

MR. ZALES: And then everybody -- that way you
don't have to break up and come back. You can be done
with it.

DR. BROMLEY: Yes. Fair enough. What is left
to do, Lauren.

MS. WENZEL: It depends on whether the
Committee wants to discuss further the issues for the
future.

DR. BROMLEY: Right.
MR. BENTON: Is that the only thing that is hanging out there, Mr. Chairman?

DR. BROMLEY: I believe it is. Is that right, Lauren? She is saying that in terms of -- all of us expire on the 23rd of June, or at least we -- our official sanction expires on the 23rd of June, and that includes the leadership. So somebody had earlier said that, you know, we will go forward to the new structure with our old leadership, but we won't; is that right, Lauren?

MS. WENZEL: Yes. With the --

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Yes.

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Yes.

MR. BENTON: Over here.

DR. BROMLEY: Oh, over there.

MR. BENTON: Yes. Me again.

DR. BROMLEY: You have got --

MR. BENTON: I am not going to move to adjourn. I was going to actually do something about the chairmanship.
DR. BROMLEY: Yes.

MR. BENTON: Mr. Chairman, I would actually make a motion that you remain chair until a new chair is appointed or you are not reappointed to the Committee. And the reason --

MR. ZALES: And I would ask Bonnie to remain. I would say both remain in their position until the next meeting.

MR. BENTON: Fine.

MR. ZALES: And provided they are both --

MR. BENTON: Right.

MR. ZALES: Both back on the Committee.

MR. BENTON: And if I have a second to that --

MR. BENTON: Second.

Mr. Chair, and the reason for that is you are doing a great job and we need some continuity and so there is no ambiguity in this interim period until the appointments are made and until the new FAC convenes and does -- if they do something different, we have got that all nailed down so then there is no ambiguity about that.
DR. BROMLEY: I am not opposed to that, but I don't know that it is legal. So I mean --

MR. BENTON: It is totally legal.

MS. WILLIAMS: I have a question. Did we ever say how long our chair could serve as chair? Did we ever -- because if we didn't, there are many other organizations, such as the council, where some chairs remain chairs for 12 years, some of them have 1 year terms, some of them has 2 year terms.

DR. BROMLEY: We never specified that.

MS. WILLIAMS: We didn't say?

DR. BROMLEY: No.

MS. WILLIAMS: It shouldn't -- I don't see how it can be a problem.

DR. BROMLEY: I guess my only -- I mean, if we cease to exist as an official body on the 23rd of June, do we do that?

MR. BENTON: Mr. Chairman?

DR. BROMLEY: Then how can Bonnie and I continue as officers of a body that doesn't exist? This is what I don't --

MR. BENTON: Mr. Chairman?
MR. ZALES: If we don't exist, we don't need officers.

MR. BENTON: Mr Chairman?

DR. BROMLEY: That is true.

MR. BENTON: Thank you, Bob. And that was what my motion said, Mr. Chairman.

DR. BROMLEY: Yes. Let's let Lauren speak for a second.

MS. WENZEL: I just wanted to say that granted it is not possible to guarantee, but our intention is to have no break in service and to reappoint all the members before any members' terms expired and I have been assured by our attorneys that if there is a small break in service, that that is benignly overlooked and that it would be only if there was a long break in service of many months that it would be assumed that the Committee was not intended to continue or that those members were not intended to continue.

DR. BROMLEY: Okay. Steve.

David, did you make the motion?

MR. BENTON: I made the motion, Mr. Chairman.

All I was going to -- all I wanted to do is clarify
was the intent there a bit and that is that it is my understanding that if the Committee ceases to exist after the 23rd forever --

DR. BROMLEY: That is true.

MR. BENTON: -- we don't need officers, but this is to insure continuity across a period of time where there may not be certainty.

DR. BROMLEY: Yes.

MR. BENTON: All right? And so it is the sense -- it is a sense that you -- it is a sense of the body and it affirms that, and obviously there are matters that may get -- legal matters that may get in the way, but that would be the intention of the motion.

DR. BROMLEY: Okay. And has it been seconded?

MR. BENTON: Yes.

MS. WILLIAMS: I seconded it.

DR. BROMLEY: Sorry. Yes. Yes, Lauren?

MS. WENZEL: Just further clarification. I just wanted to let people know that the charter does specify that the chair and vice-chair have two-year terms and they were elected in November of 2003. So that would take us through November 2005 and the
intention at the November meeting would be to hold a new election for the chair and vice-chair.

And one of the intentions behind this agenda item was simply to announce that, to make it clear about the process, and to also ask people to consider, you know, whether or not they would be interested in putting themselves forward for a leadership position and to agree, as a committee, on the process, such as encouraging those who would be interested in a leadership position to make their intentions known shortly before the meeting so that people could come prepared to vote.

DR. BROMLEY: The nominations, if I may --

MS. WENZEL: Right.

DR. BROMLEY: I thought part of it was that if you don't want to serve, but you would like to nominate someone to do that, that that should take place now. Is that correct, Lauren?

MS. WENZEL: Well, we were going to suggest that, but not limit it to this meeting at all because I know some people may not be prepared and obviously people can nominate at the November meeting, but it
would be a benefit -- I think we did this at the last election. People made their intentions known shortly before the meeting and it was just helpful coming into the meeting to know who was interested in serving in those capacities.

DR. BROMLEY: Yes.

MR. BENTON: I call the question on my motion, Mr. Chairman.

DR. BROMLEY: Is everyone clear on David's motion that -- I guess it is -- David, why don't you restate it.

MR. BENTON: My motion is that you and Bonnie remain as chair and vice-chair through the period leading up to the next meeting where the elections would occur and that -- or you are not reappointed to the Committee. In the event you are not reappointed to the Committee after January 23rd, of course you couldn't be an officer.

DR. BROMLEY: June 23rd.

MR. BENTON: But it would be -- it is basically you and -- the current chair and current vice-chair would remain that way until the November
meeting and the election and that there be no
uncertainty about that. And that is anticipation that
you do get reappointed and therefore you can serve in
that regard.

DR. BROMLEY: I guess everybody is clear. Is
that okay? Yes, Steven?

DR. MURRAY: Well, just let me ask this. In
the event that there is a lag time here between the
June termination and the next period -- what we really
want, I think, is for you folks to be our designated
representatives, whether there is a committee or not.
So I would say chair and/or the designated
representatives of this body.

MR. BENTON: I think it is a sense of the
body, it is not necessarily a legally binding kind of
thing.

DR. MURRAY: Yes. Exactly.

DR. BROMLEY: Okay. Can we vote? Kay, is
your hand up?

MS. WILLIAMS: I want to vote.

DR. BROMLEY: Vote. Okay. Are we ready to
vote. All in favor of the motion say aye.
(Chorus of ayes.)

DR. BROMLEY: Opposed?

(No response.)

DR. BROMLEY: Okay. Were there any opposed?

PARTICIPANT: No.

DR. BROMLEY: Okay. I am not offended if there were, I just wasn’t sure I heard.

MR. BENTON: And you want to know who it was. We know what is going on.

(Laughter.)

DR. BROMLEY: David, I knew it was you. Your hand was up. Oh, no.

(Laughter.)

DR. BROMLEY: Yes, Kay.

MS. WILLIAMS: A question for Lauren. Is New Orleans or Texas set in stone or are there other Gulf coastal areas that you maybe would consider such as Mississippi?

MS. WENZEL: We were headed towards the western gulf just because we have had meetings in Florida, both the FAC and we have also had a state workshop there. So we have had a large presence in
Florida. So we were thinking of just spreading our presence around.

MS. WILLIAMS: I wasn't thinking of Florida.

DR. BROMLEY: Ms. Williams might want to remind us that Mississippi is not Florida.

MS. WENZEL: Right. Right. But the western gulf had come up. It is not yet set in stone, Kay. We could talk about it.

MS. WILLIAMS: All right. Thanks.

DR. BROMLEY: Yes, Brian, was your hand up.

DR. MELZIAN: Just a question. Can the existing chair and co-chair be nominated again?

MS. WENZEL: Yes.

DR. MELZIAN: Okay.

DR. BROMLEY: Okay. Now where are we?

MR. BENTON: Mr. Chairman, I am getting ready to make a motion to adjourn unless Bob Zales, are you going to do it?

MR. ZALES: Yes.

MR. BENTON: I will defer to my friend, Bob Zales.

DR. BROMLEY: We have two emergent senses from
the ends of the horseshoe here, but anybody else before
we get back into that? Is there anything else that we
need to cover, talk about, say? No?

MR. ZALES: Motion to adjourn.

DR. BROMLEY: Well, wait a minute. I want to
thank -- did we vote on this?

MR. ZALES: Yes.

DR. BROMLEY: Yes, we did.

MS. STEVENSON: Well, I have a question.

DR. BROMLEY: Yes.

MS. STEVENSON: Bob Zales had an issue and
somebody else had an issue that they wanted put on the
list of things that we were going -- we wished --
desired to be assigned to be discussed in the future
and we dropped the whole list, which is fine with me, I
don't have anything to go on the list, but I know some
other people said very strongly that they had things
that they wanted on that list. So, you know, it is do
the list now or never.

MR. ZALES: It is my understanding that that
stuff was going to be moved to the future discussions.

DR. BROMLEY: Yes. That is right.
MS. STEVENSON: That is the list. The future discussions that we have to ask -- I mean, to ask us to talk about it.

MR. ZALES: Well, no. What I meant future, was at future meetings, not here.

DR. BROMLEY: I think it is covered, Barbara. I think it is -- we talked about it and they know about it.

MR. ZALES: My concern is covered.

DR. BROMLEY: Dolly?

DR. GARZA: Thank you, Mr. Chair, and I think we are trying to rush a little bit too much to get out of here and we are missing a few things. One is the agenda items for the November meeting, whether or not they would include those four topics that we just approved or whether or not they would start to include the things that we thought would roll over. I think that is important for us. I mean, we have spent, you know, a quarter of a day deciding what the next meeting will look like and now we are ready to sort of swish out of here.

DR. BROMLEY: Yes. I am not quite ready to
adjourn. You can tell the restaurant 12:30 will suit
us just fine.

Yes, Wally.

DR. PEREYRA: Mr. Chairman, this goes back to
the whole issue of meeting sites. Given the fact that
coral reef environments are particularly, I think, good
candidates in many cases for MPA's of various sorts, is
there any possibility that in some time in the future
we might have a meeting in Puerto Rico or some
Caribbean location? I just throw this out because I
think that would be a very -- could be a very
instructive meeting for us.

DR. BROMLEY: We will take that under the
environment. It is a nice -- I thought maybe you were
going to propose that we not go to Alaska and I couldn't
quite imagine how this was going to be played out. It
is a future meeting, not a replacement.

Bonnie?

DR. MCCAY: One agenda item that we may want
to consider -- I am not sure how this goes, but it
seems to me that now that we have approved our report
and we have an overview and we don't have an executive
summary that, as several people have mentioned, people will be putting together versions of summaries of the report, PowerPoints and so forth. And I would imagine that the MPA Center is going to be doing that. So and I -- and you -- that the Center will inform us about what -- how they are doing that. But I mean, I guess what I would like to say is I urge the Center to do that and that one of the things that we may want to look at our next meeting is what that comes -- you know, how that looks and whether or not we like it and so on and so forth because I think people will want to have some input into how it is represented. And I am not saying that the Center should desist from doing it until it comes before the Committee, but that certainly would be one of the important items that we look at is the public representation of our work.

DR. BROMLEY: George and then Kay and then Jim.

MR. LAPOINTE: The issue of our future actions is an important one. I am with you, Mr. Chairman, we
have got to have the issues of the undone things on there.

DR. BROMLEY: That is right.

MR. LAPOINTE: I think we should all reflect on the report and the executive order and look at those things. Particularly the executive order. There is some things there we probably haven't addressed. We have mentioned a few things and we should allow the two -- well, all the federal agencies, but the two departments to reflect on the report and for them, as well, to add things to the list about things that we have not done to their satisfaction or that they think need additional work.

So I think it is a combination of things. And we will have new members who may reflect differently on that list and should be able to it as well. So I would think that over the -- prior to the November meeting, staff could start sharing with the list of undone things that the two departments have done that, as well as soliciting our ideas.

DR. BROMLEY: Yes, that is right. I was going to propose that. And this -- I mean, these things are
already there and these other things that have been pulled off come back in and I think we can communicate to the staff, we can communicate with Lauren with our issues. We can kind of build that up.

Joe. I will come back to Kay and Jim, but yes.

MR. URAVITCH: What I think would be useful is for you to send the ideas you have to us at this point because the process will be that we have to recommend to leadership in both agencies what we are going to ask you to address starting at the next meeting. These are the questions that the Department of Commerce and the Department of the Interior are going to want the advisory committee to respond to so that if you have, you know, issues you think are important based on what you have accomplished and where you think we need to go, we would like to hear those and we are going to have to then go forward to the agencies and get their views.

MR. LAPOINTE: One bit of follow-up. We have had many presentations and we have had a lot of people who have dedicated a lot of time to come and share
their ideas with us. I would ask that staff look
through the presentations and the views listed in
the -- by those various speakers to see if there are --
there may be a lot of ideas we don't like, but to see
their ideas about things that need to be done as well
so we can use that as we deliberate about moving
forward.

DR. BROMLEY: Very good. Thank you.

Okay. I have Kay and I have Jim and I have
Tony and I have Steven.

MS. WILLIAMS: Thank you, Mr. Chairman. I
think Bonnie was probably out of the room when we
talked about the executive summary and what was going
to go forward or did I misunderstand? I thought that
what we voted on is exactly what is going to go
forward, nothing more and nothing less, just this
document, the other items we just voted on. And as far
as the executive summary, I guess Lauren is going to do
that and that would be attached, but that is not going
to wait until the November meeting or are we waiting --

DR. BROMLEY: No. I am sorry.

MS. WILLIAMS: I may have misunderstood.
DR. BROMLEY: Yes. We are talking about -- if I -- nothing changes from what we agreed with you earlier.

MS. WILLIAMS: Okay.

DR. BROMLEY: Okay? Nothing changes. We are not talking about the report anymore.

MS. WENZEL: There is no executive summary.

DR. BROMLEY: And there is no executive summary and no one will write it. We are the only people who can write an executive summary.

Now I guess I was distracted during the early part of your comment, Kay. So I beg you to -- could you restate it. What are your concerns?

MS. WILLIAMS: I heard Bonnie say something about an executive summary and about different people --

DR. BROMLEY: If she did, we will whip her around.

MS. WILLIAMS: She didn't? Okay. I thought she said something about executive summary and each one would have their views as far as what would be in their own summaries and I was concerned about how that was
going to be --

DR. MCCAY: No-no. I was just referring to discussion about how various people will, you know, will talk about this in different ways, and so on and so forth. You know, I mean, there is nothing to prevent that from happening, but that the MPA Center will likely, besides putting our document on the website, will probably be coming up with some sorts of public documents, short documents, that refer to this and represent it in some way.

MS. WILLIAMS: Okay. I misunderstood.

DR. MCCAY: PowerPoint presentations that are given and so forth.

MS. WILLIAMS: Okay. I misunderstood. Thank you.

DR. MCCAY: Yes.

DR. BROMLEY: Is that okay, Kay?

All right. I have Jim, Tony and Steve.

DR. RAY: Yes. I was essentially saying what Bonnie just said and that it would be very useful if between the MPA Center and their input from Interior, to try to quickly come out with a PowerPoint
presentation, which essentially encapsulates this entire report, and then share that with the Committee members so those that don't want to reinvent the wheel, can use that for presentations to their constituents, et cetera.

DR. BROMLEY: Absolutely. Thank you.

Okay. I have Tony and then Steve.

DR. CHATWIN: Thank you, Mr. Chairman. This may be because I was out of the room and I missed something, but did we talk about the next steps with this document, what the actual steps would be?

DR. BROMLEY: With the document we just approved?

DR. CHATWIN: Yes.

DR. BROMLEY: The next steps are it will be posted on the website, it will be transmitted to the secretaries.

MS. WENZEL: Yes. Reverse the order of those two.

DR. BROMLEY: Yes. Yes. Lauren, you tell the next steps.

MS. WENZEL: Yes. The next steps are,
basically, we would make sure that all the technical corrections that might be -- need to be made, would be made, and then put together -- Dan will put together the transmittal letter and with the overview and the completed document, it will be formally transmitted to the two secretaries through the undersecretary of Commerce and the counterpart at Department of Interior is what the charter says.

Then after that, it will be a public document, we will put it on the website. We also -- we didn't talk about this earlier, but the comment about public comment and presenters reminded me that we would send the document to everyone who has provided public comment and everyone who has come to present to the FAC and obviously to a broader mailing list of folks to make people aware of it, if not put it on mailing lists. We have listservs to make folks aware of it.

DR. CHATWIN: Okay. Well, that is helpful. Thank you. So right now there are no plans for a public commentary, or something like that, on the actual document, right?

MS. WENZEL: That is correct. I mean, we are
currently engaged in a public process to solicit input on the framework for the national system and to ask for comment on that and I think we will definitely make people aware of the FAC's work as part of that public process, but we hadn't envisioned the public comment period, per se, on the FAC report.

DR. CHATWIN: Okay.

DR. BROMLEY: Okay, Tony?

DR. CHATWIN: Thank you.

DR. BROMLEY: All right. With luck, Steve will have the last word.

DR. MURRAY: I just -- George just make a comment a few moments ago that made me think of something and that is, is there a reason for you, in your letter of transmittal, to attach a list of all the very fine folks who came before us and made presentations? I mean, basically, there is a desire to have a lot of consultations throughout the executive order and maybe that ought to be moved forward. I won't say anything beyond that except to --

DR. BROMLEY: What about -- it is a nice idea. What if it serves as an appendix to the report, not in
the transmittal letter. Would that satisfy you, Steve?

Are people comfortable with this, that the MPA Center -- I am sure you have a list, right, of everybody who has come before us? We thank them. Let's attach that as the group from whom we have heard.

DR. MURRAY: I think it is good to have that as part of the record.

DR. BROMLEY: Yes. I agree.

DR. MURRAY: And the record intact with the products that we have been --

DR. BROMLEY: Is that all right with people who have approved the report that we append this to it?

Kay, is that okay?

MS. WILLIAMS: It is fine with, Mr. Chairman.

DR. BROMLEY: Dolly and then Wally and Mark.

You didn't have the last word, Steve.

DR. GARZA: I guess I wanted to follow up on what Joe said. I wasn't sure when you said, you know, what shall we be addressing first, that you would take that, you know, to your bosses. So were you trying to ask us to say something now that you would take forward before the November meeting?
MR. URAVITCH: Yes, that is correct. I mean, we -- as part of this discussion that was on the agenda today, I mean, we are looking for ideas. We obviously have some of our own, but it has got to be run through leadership in Commerce and Interior, but we also value your views on this, based on the work you have been doing and where you see this heading, in terms of what you think are important issues that need to be addressed and would like to hear those so that we can consider that as part of the package we are going to put forward to leadership in both departments.

DR. BROMLEY: Yes.

DR. GARZA: So following up on that, would the logical first thing be what is those four things that we just approved as well as the two that were moved to future items?

DR. BROMLEY: Right. There are six things right there.

MR. URAVITCH: Yes. That is exactly what we were thinking.

DR. BROMLEY: And you are open to others.

MR. URAVITCH: Yes, we are.
DR. BROMLEY: After we have left here.

MR. URAVITCH: That is correct.

DR. BROMLEY: Yes.

MR. URAVITCH: Because we are looking for ideas basically.

DR. BROMLEY: Yes. So please, you know, submit them. Wally.

DR. PEREYRA: Mr. Chairman, I don't know if it is the sense of the senate or not, but it seems to me that it would also be helpful to have the full committee designated as an appendix in the report also.

PARTICIPANT: And staff.

DR. PEREYRA: Yes, and staff. And with proper noting the chairman, sub-chair -- vice-chair and also the three subcommittee chairs.

DR. BROMLEY: Subcommittee chairs.

DR. PEREYRA: Yes.

DR. BROMLEY: And actually, Wally, if I may, it should list the executive committee.

DR. PEREYRA: Yes.

DR. BROMLEY: Because each subcommittee had a chair and a vice-chair and they comprised this -- the
executive committee. So that structure should be there.

DR. PEREYRA: Depicting our committee and how it --

DR. BROMLEY: That is another annex. Thank you.

Mark?

DR. HIXON: Just a point of clarification. The list of input, external input.

DR. BROMLEY: Yes.

DR. HIXON: That will be both the panel members and the public comment speakers; is that correct, or not?

MS. WENZEL: What is your wish?

DR. HIXON: My wish would be everyone.

DR. BROMLEY: People who appeared before us. Dana has the roster of everyone who spoke. They should be listed. Is that right?

DR. HIXON: Right.

DR. BROMLEY: This is an indication of the extent to which we have listened to people. It should be there. Okay. Barbara?
MS. STEVENSON: What becomes obvious when you look at the list of presenters and panels is that there are significant interests on this committee who have not had panels before you and at one point, the commercial and the recreational were going to be covered by other cultural. We didn't have that panel. And I am not suggesting the next meeting is the appropriate time, but there are a number of interests and users that it may be appropriate in the future to have panelists and you should be very conscious that some of us who wanted to have panels did not have them to date.

DR. BROMLEY: Yes. And can you submit that to us, Barbara, as ideas for --

MS. STEVENSON: That is just for whenever it fits into the schedule. It is not something that I believe that Joe and them have to tell us to do. It is how we do it. And we just should recognize that because of the process and because of timing, et cetera, that not every appropriate group was heard from.

DR. BROMLEY: Exactly.
MS. STEVENSON: Yes.

DR. BROMLEY: Okay. How are we doing now? Do we need to vote on all of these appendices that we are going to attach? Do you feel comfortable with them? Is it okay? Now what do people want to do? Kay?

MS. WILLIAMS: Okay. Yes, Mr. Chairman. And we are just putting their names. We are not actually presenting their presentations.

DR. BROMLEY: Oh, no, we are just listing them.

MS. WILLIAMS: Only their names will be -- I just keep worrying about this document growing. I want to make sure people read what is important.

DR. BROMLEY: These are the annexes.

MS. WENZEL: I think names and affiliations is what we usually do.

MS. WILLIAMS: Okay. Thank you.

DR. BROMLEY: Is that okay, Kay?

MS. WILLIAMS: That is acceptable.

DR. BROMLEY: Name and affiliation. That is all. We would not dare try to capture what they said
to us. Others? Okay. Before we -- yes, Terry?

MR. O'HALLOREN: I just -- I don't know if this is the right time, but before we adjourn, I just want to say I am really concerned with the budget of the MPA Center being reduced, primarily the effect that that will have on their capacity to do a lot of the things that we are asking in our recommendations.

And so any kind of quiet words that might be appropriate to different state congressional delegations I think might be helpful. And I think this is a time where we -- it is good for us to become advocates of what we have just produced and we can't -- we won't be very effective with it if the MPA Center is not effective with it and that is contingent upon their budget and their ability to have capacity. So right at the time we need capacity, we are looking at losing the capacity from the Center and I am worried about that.

DR. BROMLEY: Okay. Thank you. Is that about it? I would like to, again, thank the staff, all of the staff, for everything they did for us. I would like to acknowledge our loss going forward of a very important member of our group, and that is Mel Moon,
who we will be impoverished without Mel, and we are
very grateful for your commitment to this enterprise.
Thank you.

(Applause.)

DR. BROMLEY: I only want to say also that it
was quite inspiring yesterday to see us come together.
Nobody got everything they wanted. I think everybody
got a little bit of what they felt good about and we
should feel good about ourselves. That is all I am
going to say.

I think there are at least two people who want
to move that we adjourn, but maybe there are more. Is
there a motion to adjourn?

MR. ZALE: I will make a motion to adjourn.

MR. BENTON: I guess I will second it again.

I wanted to go back to that --

(Laughter.)

DR. BROMLEY: All in favor of adjourning, say
aye.

(Chorus of ayes.)

DR. BROMLEY: Opposed?

(No response.)
DR. BROMLEY: Thank you very much. All of you. We are adjourned.

(Whereupon at 12:23 p.m., the meeting was concluded.)

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