

Written Testimony

By

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before the

**United States House of Representatives
Natural Resources Committee
Subcommittee Fisheries, Wildlife and Oceans**

Hearing on the National Marine Sanctuaries Act

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Madam Chairwoman, I would like to thank you and the other Members of the subcommittee for the invitation to speak today to discuss one of the most important pieces of federal legislation for protecting natural and cultural submerged resources in the ocean and Great Lakes—the National Marine Sanctuaries Act (NMSA).

I am Leon E. Panetta, former chair of the Pew Oceans Commission and current co-chair of the Joint Ocean Commission Initiative. I also serve on the board of trustees of the National Marine Sanctuary Foundation. The Joint Initiative is a collaborative effort of members of the U.S. Commission on Ocean Policy and the Pew Oceans Commission. The purpose of the Joint Initiative is to advance the pace of change for meaningful ocean policy reform.

Today I am here to urge you to update, strengthen, and clarify the NMSA to allow the Secretary of Commerce and National Oceanic and Atmospheric Administration (NOAA) to be more effective and efficient in meeting the Act's mandates in managing the national marine sanctuaries. As recognized by both the U.S. Commission on Ocean Policy and the Pew Oceans Commission, our ocean ecosystems are in slow decline due to a host of growing human pressures. Both Commissions recommended comprehensive ocean governance reform and emphasized that our national marine sanctuaries are an essential part of the solution for sustaining the health of our oceans and Great Lakes into the future. The NMSA stands as a key piece of ocean legislation that permanently sets aside important areas in our oceans and Great Lakes to protect significant natural and cultural resources while allowing people to use and enjoy these special areas in a sustainable way. Reauthorization of the act is more than three years overdue and changes to the current law are necessary to meet the growing needs and evolving challenges facing our nation's ocean and Great Lakes resources today.

In order to allow the sanctuaries to realize their full potential, specific reforms to NMSA are needed. A strong reauthorization of the NMSA focused on targeted and critical changes, rather than a massive overhaul, would enhance the success of the national marine sanctuaries. The following specific improvements to the NMSA are needed to strengthen our nation's sanctuaries:

- Raise the stature of the National Marine Sanctuary Program, emphasize its mandate to protect sanctuary resources on an ecosystem-scale, and enhance its capacity to increase public awareness and appreciation of ocean ecosystems.
- Give sanctuary leadership express authority to use science-based tools, such as marine reserves, to accomplish their mission.
- Expedite the process for improving sanctuary management plans and amending regulations.
- Lift the current moratorium on the designation of new sanctuaries.
- Provide adequate and sustained funding for the sanctuary program.

Today I would like to focus my comments on the importance of these reforms to the NMSA in advancing key recommendations of the ocean commissions by promoting the ability of our marine sanctuaries to strengthen ecosystem-based management of our ocean resources and by enhancing their capacity to increase public awareness and appreciation of our ocean ecosystems. I will also address the need for additional federal funding for sanctuaries to promote more effective and efficient management of these treasured places.

Strengthen ecosystem-based management of marine resources

Both ocean commissions recommended a fundamental shift in how we manage our oceans—a shift that moves from a goal of managing a single species, resource, or activity to a goal of maintaining healthy ecosystems. Ecosystem-based management of marine resources provides comprehensive protection to our most valuable marine resources by focusing on the ability of the ecosystem to continuously provide the services that support human well-being and biological diversity. These ecosystem services go beyond extractive uses such as fisheries harvest and mining to services that play major roles in supporting life, regulating change, and providing cultural resources for society. The Joint Ocean Commission Initiative promotes marine sanctuaries as an important tool in improving ecosystem-based management of marine resources.

National marine sanctuaries serve as place-based conservation sites that help improve and maintain the health and resiliency of marine ecosystems in the face of many stressors, while supporting recreation activities such as sport fishing and diving as well as commercial industries such as tourism, fishing, and kelp harvesting. Sanctuaries implement ecosystem-based management of marine resources, as called for by the policies of the NMSA, by:

- Permanently protecting nationally significant areas of the marine environment by designating them as national marine sanctuaries;
- Managing these areas as ecosystems to maintain and enhance their natural biodiversity, historical and cultural heritage, and other unique qualities;
- Enhancing public awareness, understanding, and stewardship toward the marine environment;
- Promoting, supporting, and coordinating scientific research and monitoring of these areas;

- Managing other public and private uses of the areas that are compatible with resource protection; and
- Supporting the indefinite endurance of sanctuaries for the benefit of current and future generations.

The National Marine Sanctuary System's emphasis on comprehensive, ecosystem-based ocean protection makes it unique among federal programs. The sanctuaries have evolved into a regionalized system and serve as a prime example of how to conduct ecosystem-based management, from resource protection efforts to collaboration with the public and various partners. While the original NMSA provides an important foundation upon which to build, important changes in reauthorizing the Act would position sanctuaries to play an even greater role in reversing the declines in ocean ecosystems and in providing special places for current and future generations to use and enjoy.

The reauthorized NMSA should raise the stature of the National Marine Sanctuary Program and emphasize its mandate to protect resources on an ecosystem-scale. At present, the Act requires sanctuaries to facilitate private and public uses of the sanctuary resources to the extent they are compatible with resource protection. The Committee should carefully consider whether it is appropriate to strengthen and clarify the Act's primary objective of protecting resources within sanctuary boundaries. This is a sensitive issue that has generated significant interest, and it would be useful for Congress to re-evaluate the role sanctuaries play as a tool for maintaining and enhancing ecological integrity. Congressional guidance would help as regions and states attempt to balance competing interest in, and access to, resources within sanctuary boundaries.

To strengthen the NMSA, sanctuary leadership should be given the express authority to use science-based tools, such as marine reserves, to accomplish their mission. The reauthorized law should consider providing adequate tools to NOAA, and empower sanctuary managers to use such tools, to manage the sanctuaries to enhance and maintain resilient ecosystems. These tools, including marine reserves, should foster the ability of sanctuaries to incorporate spatial and temporal planning to balance activities in a manner that enhances the productivity and resiliency of the resources within and around sanctuary boundaries. The outstanding issue is clearly fishing activities within sanctuaries, and Congress should provide greater guidance to assist local, state, and regional managers with the difficult task of balancing competing interests. The benefits of healthy, productive ecosystems to recreational and commercial fishermen, and the continuation of a flexible system that ensures all interested parties have a role in the development of management strategies, and the evaluation of their effectiveness, should continue to be a hallmark of the program.

As part of the reauthorization, the moratorium on new sanctuaries should be lifted and NOAA should be directed to resume its task of creating a system of marine sanctuaries that will truly serve to preserve our nation's marine resources and maritime heritage. The reauthorized NMSA should create clear standards for identifying and prioritizing places to be considered for sanctuary designation. These new designations should encourage the protection and preservation of unique and representative ecosystems, as well as important areas where vulnerable marine species can reproduce, hide, grow and repopulate surrounding areas. In creating a more effective and expansive sanctuary system, the NMSA must also be strengthened to improve the efficiency

of the process for designating new sanctuaries and for amending sanctuary management plans and regulations for current and new sanctuaries.

The national marine sanctuaries serve as living laboratories, classrooms, and attractions for all Americans by making areas of the ocean and Great Lakes manageable and accessible for state and local partners, scientists, educators, students, and the public. The marine sanctuaries have made great strides in increasing public awareness about sanctuaries and wider ocean issues through educational programs, visitor centers, outreach events, signage initiatives, and public service announcements. Through these activities, sanctuaries showcase our remarkable ocean ecosystems. Further strengthening of the outreach and education capacity of marine sanctuaries will enhance the public's connection to our amazing ocean resources, improve their understanding of ocean issues, and increase stewardship of the nation's submerged ecological, historic, and cultural treasures.

Increase appropriations for national marine sanctuaries

The national ocean commissions recognized that dwindling investments in ocean and coastal management, science, and education compromises our ability as a country to tackle problems like global warming, resource depletion, harmful algal blooms, and invasive species. The reauthorized NMSA should call for an increase in appropriation authorization levels to allow sanctuaries to adequately carry out its mandates to protect important ocean and Great Lakes places while allowing people to enjoy and use these places in a sustainable way.

As you know, there are currently 14 sites within the National Marine Sanctuary System. This includes 13 national marine sanctuaries in both nearshore and offshore areas, one of which is in the Great Lakes. The system also includes the Papahānaumokuākea Marine National Monument, which was established in June 2006 in the Northwestern Hawaiian Islands and provides protection to approximately 140,000 square miles. Together, these 14 sites collectively protect approximately 150,000 square miles of area. This is more area than all of the U.S. National Parks combined. However, compared to the National Park Service's \$1.2 billion budget in Fiscal Year 2007, the National Marine Sanctuary Program's base operating budget was \$36 million that year. These numbers highlight the dismal state of funding for our national marine sanctuaries and reveal that despite their management, science, and outreach mandate, our sanctuaries have had relatively few resources with which to carry out their intended mission.

Over the past few decades, the National Marine Sanctuary Program has had many successes and gained much public recognition. This has led to the expansion of the sanctuary system to include more diverse habitats and resources, as well as competing human uses, which has greatly increased the need for site characterization, science, and a transparent public process to adequately manage these areas. However, as the national program grew, its budget did not keep pace with the increasing mandates and requirements placed on the system. Even before the additional responsibilities that came along with the designation of the Papahānaumokuākea Marine National Monument in the Northwestern Hawaiian Islands, the National Marine Sanctuary Program was in need of new and renovated facilities, additional vessels and aircraft, more staff support, and other necessary components.

As the NMSA reauthorization process moves forward, the end of the moratorium for designating new sanctuaries, which I believe is a needed change to the Act, would lead to even further expansion of the National Marine Sanctuary System. Though the National Marine Sanctuary Program has been efficient in using its resources and in creating partnerships for further support, additional funds are needed to ensure that regulations within existing and new sanctuaries are adequately enforced. Currently the value that the sanctuaries add for our country greatly surpasses what we are willing to invest in them. Congress needs to seriously consider authorizing funding levels that are much more adequate for the scope and value of this program.

Madame Chair and members of the Subcommittee, thank you for the opportunity to testify before you today, on behalf of the Joint Ocean Commission Initiative, in support of a strong National Marine Sanctuaries Act. Expedited reauthorization of this vital and unique piece of legislation will allow for the continued and enhanced protection of the national marine sanctuaries, and by extension, all of our oceans. I would be pleased to respond to questions and am also available to discuss these and other matters with Members at their discretion.