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A Call to Restore the Marine Ecosystem

Members of the Commission:

Thank you very much for inviting me to appear before you today as part of the panel on living resources. Your job is an important one. It is our fervent hope that you will set our nation on the road to restoring the marine resources that are vital to our economy and quality of life.

Let me start by saying that my focus is not on fisheries management. On that topic I commend to you the testimony that you heard previously from Dr. Elliott Norse of the Marine Conservation Biology Institute.

I am here to address **the crisis in marine ecosystem health** and to recommend solutions for your consideration.

Yes, fisheries are in decline in the Pacific Northwest just as they are around the globe. Yes, harvest management--and mismanagement--are a big part of the reason for this decline. But the real story is that the entire marine ecosystem is in serious trouble--from the tiniest organisms to the marine mammals at the top of the food web, from the estuaries to the deep blue sea.

To improve harvest management, without reversing the trends that are making the marine environment unhealthy and unlivable, is to rearrange the deck chairs on the Titanic. To improve environmental assessments and to streamline permit processes is merely to tinker with the rate of ecosystem decline.

The answers lie not in tweaking our decision-making processes, not in adopting improved ways of doing what we have been doing. The answers lie in a new direction.

What we need is **a policy to restore the marine ecosystem--an ocean restoration policy**. And we need that policy implemented.

Puget Sound and the Northwest Straits are the corner of the ocean that I know best. While we in the Northwest often tout our uniqueness, our similarities to other coastal areas should impress you:

Most of the people in our region live near the marine environment.

Our once plentiful marine resources have become scarce.

Pollution threatens the viability of our shellfish industry.

Native Americans' cultural, economic and nutritional dependence on marine resources has been drastically affected by depleted and contaminated marine species.

Persistent, bio-accumulative toxins discharged over decades have found their way into marine sediments--where they contaminate succeeding generations of the organisms at the base of the food web.

In short, like the nation's coasts in general, our waters and sediments are polluted, our estuary, shoreline and aquatic habitats have been lost and damaged, and our marine resources have been mismanaged.

Environmental protection efforts began in earnest about 30 years ago, with the passage of state and federal environmental policy, clean air, clean water, coastal zone and shoreline management acts. As a result, many projects approved since that time have caused less damage than they might have. But with the sheer number of development activities, the disappointing failures of "mitigation" as a management tool, and our long-term legacy of toxic pollution and habitat loss, the past 30 years, especially the last 20, have actually seen a dramatic decline in the health of the marine ecosystem.

We have now reached the point where not only salmon, but the forage fish that salmon eat, and the orca whales that eat salmon are all on the brink of extinction.

Regaining productive, healthy oceans will require **restoration**. If we try to maintain current conditions--itself a challenge, given all the pressures we face--our marine ecosystem won't make it. If we continue to "balance" ecosystem damage with hoped-for mitigation--our marine ecosystem won't make it.

- In short, we've dug our marine ecosystem into a hole. In financial terms, we've spent a lot of our endowment fund. If we want to be sustained into the future, we've got to rebuild the fund to a point where the interest can once again support us.

Restoring the oceans is not just a job for the federal government. It's a job for citizens, businesses, local governments, states, tribes **and** the federal government. The role of the federal government is key, though. While there are important local aspects to every marine resource challenge, the fact of the matter is that the crisis of ocean health is a national and international problem.

Here are some steps that can be taken at the federal level to help get us back into balance:

Pollution Prevention, Monitoring and Clean-up

The Clean Water Act is 30 years old this year, yet we have more than 600 water bodies in Washington state that are out of compliance. **Congress and the President should commit to--at long last--the Clean Water Act's primary goal of ending the discharge of pollutants into fishable and swimmable waters.** This commitment should translate into:

Adequate funding for enforcement and effective oversight by the Environmental Protection Agency.

Phasing out of "mixing zones," the legal construct used in discharge permits to allow the discharge of persistent toxic pollutants that come to rest in sediments and build up through the marine food web.

Require that urban run-off meet water quality standards, and support the monitoring and enforcement to make this a reality.

Enforce the law with meaningful penalties that spur compliance, and permit fees that reflect the cost of effective permit programs.

The promise of Superfund has yet to be fulfilled. The "fund" in Superfund must be re-authorized so that taxpayers are not left holding the bag or living with the poisons of the remaining sites. Some of the most challenging and longest-delayed Superfund cleanups in the Northwest are in the marine environment. Restoration of the marine environment depends on these cleanups moving forward, as they should have done long since.

Marine Protected Areas

Congress should pass and the President should sign legislation to establish a national system of fully protected marine reserves that protect the hotspots of

biodiversity and the system of habitat types that will allow our depleted marine resources to rebound.

Support the continuation and of the Northwest Straits Initiative, a unique "bottom-up" approach to marine conservation that receives its core funding from Congress. And support its replication in other places, where local participation can help build both the knowledge base and the support for marine conservation efforts.

Marine Sanctuaries, such as the Olympic Coast National Marine Sanctuary, need to identify and establish protected areas within their boundaries, both in the intertidal and subtidal zones.

Habitat Protection and Restoration

The Estuary Restoration Act should be funded. Estuary habitat is the most severely degraded, yet most critical marine habitat. Congress unanimously passed the Estuary Restoration Act in 2000, but no project funds have yet been appropriated. The President should ask for the money, and the Congress should appropriate it.

Catastrophic oil spills need to be prevented. A major oil spill could be the death knell for our endangered marine resources. In this region, the most critical need is a permanent, year-round rescue tug stationed at the mouth of the Strait of Juan de Fuca, at Neah Bay. Not only is the Strait a major marine highway for crude oil from Alaska, but also it is one of the world's busiest shipping channels in general. The state has come up with stop-gap, part-time funding for a rescue tug the past several years. Just during this past winter season, the tug was called out eight times to assist vessels in trouble. The federal government should at least match the state's funding to keep the tug out there.

Conclusion

As our marine ecosystem has declined, pro-active measures to reverse the trend have been stymied for many reasons. From your vantage point as a national commission, I hope that you will be able to see the big picture. Please help set our nation on a course to recover and restore the marine resources that are so important to our economy and way of life. Thank you.