

**Before the Commission on Ocean Policy  
Naval Memorial Foundation, Washington, DC  
Tuesday, November 13, 2001**

Good Morning. First allow me to extend my congratulations to Admiral Watkins, and to the entire Commission, on your appointments by President Bush to be members of this important panel. You have been entrusted with a difficult and complex responsibility. But it is clear that the President has appointed a remarkably talented and accomplished group.

The future work of this new Commission on Ocean Policy is vitally important in our efforts to develop a cogent and comprehensive ocean policy that addresses the realities and challenges of the 21<sup>st</sup> Century. In Guam, as in many other coastal areas of the United States, the marine environment has framed and shaped our culture, our economy and our way of life.

I also want to express my sincere appreciation for the invitation to come before the Commission to convey what I believe are important themes that the Commission would be wise to consider throughout the course of its deliberations.

As you all know, Congress will play a significant role in implementing any new national ocean policy. As the ranking Democrat on the Resources Committee Subcommittee on Fisheries Conservation, Wildlife and Oceans, I commend the Commission for reaching out to Members of Congress to bring them into the process early. My advice would be to continue this outreach throughout the process.

I hope that the Commission's meeting today is the beginning of an interactive and productive dialogue. No one should doubt that your work will be vital to ensure our Nation's long term economic security and environmental health. I am reminded of the rather compelling call to action that was put forward in the 1998 Heinz Center report, *Our Ocean Future*, which I believe accurately laid out the challenge before us. The report stated:

*"Regrettably, the environmental quality of marine areas and resources, and the economic value of vital ocean and coastal industries in trade, tourism and fishing ..., will be in jeopardy unless effective measures are taken immediately to safeguard, protect, and restore America's oceans and coasts."*

Before I go into much detail with my own recommendations, I think it helpful to first reflect on the efforts of the Stratton Commission, and importantly, on how this Commission might learn from that experience.

We all owe a huge debt of gratitude to the work of the Stratton Commission. Their work resulted directly or in part in the creation of some of our Nation's most important environmental laws and programs, including the Coastal Zone Management Act; the Clean Water Act; the Marine Protection, Research and Sanctuaries Act; and, the Marine Mammal Protection Act, among others.

Yet this Commission confronts a much different world 30 years later. While some old problems remain familiar, there are new challenges and new factors that will have to be considered if this Commission is to play as important a role as its predecessor.

Unlike 30 years ago, now more than half of the U.S. population resides within the coastal zone. Additionally, a robust environmental community that commands respect and brings expertise to the table. Also, many coastal states have now developed their own sophisticated management expertise over coastal resources and are much more inclined to assert their own sovereign authorities.

Perhaps most important, our entire world view of the oceans and marine resources has changed dramatically. Whereas at one time we thought the world's oceans had an infinite ability to withstand human exploitation, we now know that even the ocean's have limits. In this respect, this new Commission cannot be guided by the same paradigm that guided the Stratton Commission. Whatever new paradigm does emerge, it will ultimately fail if it does not account for the long term protection of a diverse, healthy and productive marine environment.

With these thoughts in mind, allow me now to quickly move on to discuss briefly what I consider are some important themes or concepts that the Commission should evaluate or consider during its analysis.

Quickly summing, I recommend that the Commission:

- Investigate innovative governance strategies on all scales
- Consider and incorporate indigenous cultures and traditions
- Avoid underestimating the presence or scope of emerging environmental threats
- Re-evaluate the concept of national security, and
- Consolidate statutory authorities to reduce bureaucratic inefficiencies

First, as part of the Commission's evaluation of governance issues, I strongly recommend that the Commission investigate and evaluate successful innovations in governance mechanisms and strategies – at all scales – to determine what features might be transferable and applicable to a new national governance policy.

As an example, the entire concept of marine zoning or marine protected areas was unknown or poorly understood during the deliberations of the Stratton Commission. For instance, a cooperative Federal, State and local governance strategy initiated at the Florida Keys National Marine Sanctuary has resulted in the adoption of a complex zoning scheme for the protection and use of marine resources covering the third largest coral reef tract in the world.

Another example on a smaller scale is the designation of marine reserves in Guam which were established under local authority to implement to conserve and protect valuable coral reef habitat and fisheries. These reserves not only sustain the local economy and tourism industry, they also help achieve the Federal policy of protecting coral reef resources as specified by the interagency Coral Reef Task Force.

These are just a couple of examples of new innovations or adaptations in governance. I am confident that the Commission will uncover many more and benefit from the experience learned.

A second recommendation related to governance is my belief that the Commission should emphasize the consideration and evaluation of cultural practices or traditional governance strategies of indigenous populations, especially in areas where such practices persist as the cultural norms around which these societies remain organized.

Throughout the islands scattered across in the Pacific Basin, but also in other coastal regions of the U.S., such as Alaska, the culture, customs and traditions of indigenous populations have evolved for centuries to the rhythms and natural changes of the ocean environment. This cumulative base of knowledge is extremely valuable and provides insights and alternatives into how we might better manage marine resources in a sustainable manner. In fact, it is from this type of cultural knowledge that we have learned a great deal about marine mammal populations in Alaska, or better understood the incidence and spread of coral reef diseases in the U.S. Virgin Islands and across the globe.

Much can be learned from this body of information which has taken generations to accumulate, much of which remains applicable today. I suggest that it would be an unfortunate oversight for this Commission to not to consult this invaluable source of wisdom.

A third recommendation is that the Commission would be wise to re-evaluate current assumptions about the scope of future environmental threats or challenges in light of recent advances in scientific technologies, especially regarding satellites, remote sensing and other observation technologies and new computational capabilities. By this I mean that the Commission shouldn't underestimate threats, or assume that a situation is benign, unless certain of that fact.

For example, until recently, no one had suspected that atmospheric deposition of aerosol pollutants was a significant contributor to pollution of the marine environment. This was not because atmospheric deposition was not happening; on the contrary, it was because we had not developed the technologies and capabilities to observe, measure and quantify the phenomena. A similar case might be made for the increasing level of noise pollution in the marine environment, especially related impacts to marine life such as large whales.

I caution the Commission that there might be several other potential threats which have yet to fully emerge. Presently, we remain limited in our abilities to monitor and comprehend the marine environment. But that is certain to change, and inevitably we will be able to detect new threats or problems that heretofore went unnoticed.

The Commission would be wise to avoid downplaying potential future environmental threats. It should also consider how we might best incorporate new scientific information, and how this information might then influence future policy and adaptive management.

Much has changed in the world since the mid-1960s. The Cold War is over, America stands alone as the world's sole military superpower. But should our ability to protect the Nation from enemies abroad, or our ability to project military force globally, continue to be benchmarks for how we define national security in the context of how we might best manage ocean resources?

In this respect I ask, are we any more secure if we continue to have depleted fishery resources which increase our need to import seafood for the American consumer? Are we safer as a Nation if we continue to allow aquatic nuisance species to enter and proliferate in our bays,

estuaries and coastal rivers, cause expensive damage to public infrastructure and local economies, and irretrievably alter the flow of native ecosystems? Some critics have argued that we are not.

I suggest that the Commission should look beyond conventional thinking in terms of national security to consider how protection of the marine environment could become compatible with, or at least be given a higher priority within, the discussion of our future needs for National defense and military readiness .

Much has been written about the tangled web of Federal laws and bureaucracies that have overlapping roles and authorities when it comes to the management or regulation of the marine environment. Numerous examples can be found that detail the inefficiencies, redundancies and petty “turf fights” which frustrate and complicate effective implementation of policy.

Have we become too specialized, perhaps too decentralized over time? Have we finally reached the point where the diminishing return provided by new laws or by new agencies has left little if nothing positive to be gained? The Commission should ask these questions.

Unfortunately, the Congress has been a willing accomplice in creating this unintended mess. After all, it is the Congress that passes the laws. Congress has the oversight responsibility to ensure that these laws are accurately and faithfully executed by the Federal government.

I doubt that this assessment will be news to anyone here this morning. I may be simply restating an obvious fault in the current system. Yet I believe it is worth emphasizing that this Commission should undertake a complete and thorough review of all existing laws and authorities related to the marine environment and ocean resources to determine their applicability for the future and their need for revision.

An objective evaluation would be an extremely valuable product. This analysis would help guide the Congress on how it might act to best consolidate or streamline existing laws to conform to a new balanced ocean policy for the 21<sup>st</sup> Century. This will not be easy. But such an analysis is essential to ensure that our Federal government is not unnecessarily burdened or restrained when it is asked to implement new ocean policies.

In closing, thank you once again for allowing me to come before you to express my views. Momentum for creating a new ocean policy for the 21<sup>st</sup> Century has been building for several years. The time has finally arrived. I hope we all have the good sense to seize the opportunity and make the most of it.

Fortunately, a wealth of analysis and information developed by the National Research Council, the NRC’s Ocean Studies Board; the Heinz Center; the Pew Ocean Commission; the Consortium for Ocean Research and Education (CORE); and the Ocean Governance Study Group, is available to help guide the Commission’s discussions. I hope that you put it to good use.

The task before you is daunting, and the stakes are high. But the potential benefits are almost immeasurable if we are successful ultimately in developing a comprehensive and holistic ocean policy; a policy that balances our economic and security interests without sacrificing a diverse, healthy and productive ocean environment upon which we all depend.

I wish the Commission well and good luck in its work, and I remain willing and available to assist the Commission throughout the process. Thank you.

