

**Marine and Coastal Area-based Management Advisory Committee Meeting**

Draft Meeting Minutes

February 1 - 2, 2024

Silver Spring, Maryland

**Advisory Committee Members Present:**

Peter Auster, Mystic Aquarium; University of Connecticut  
Linda Behnken, Alaska Longline Fishermen's Association; Alaska Sustainable Fisheries Trust  
Jessica Coakley, Mid-Atlantic Fishery Management Council  
Jenn Eckerle, California Natural Resources Agency; California Ocean Protection Council  
Deanna Erickson, Lake Superior National Estuarine Research Reserve  
Kirsten Grorud-Colvert, Department of Integrative Biology for Oregon State University  
Martha Guyas, American Sportfishing Association  
Heather Hall, Washington Department of Fish and Wildlife  
Mark Hodor, Shell USA Inc., Safety, Environment, and Asset Management  
Jaime Jahncke (virtual), California Current Group, Point Blue Conservation Science  
Amy Kenney, National Ocean Protection Coalition  
Aaron Kornbluth, Akorn Environmental Consulting  
Stephanie Mathes, The Corps Network  
Joseph Oatman (virtual), Nez Perce Tribe  
Eric Reid, New England Fisheries Management Council  
Donald Schug, Northern Economies, Inc.  
Tracey Smart, South Carolina Department of Natural Resources, Marine Resources Division  
Helen Smith, Creation Justice Ministries  
Peter Stauffer, Surfrider Foundation  
Angelo Villagomez, Center for American Progress

**Federal Agency Representatives, non-voting members:**

Stacy Aguilera-Peterson, National Science Foundation  
Adam Bloomquist, Office of Ocean and Polar Affairs, U.S. Department of State  
Ronald Howard, U.S. Department of Agriculture's Natural Resources Conservation Service  
John Schmerfeld, National Wildlife Refuge System  
Peter Thomas, Marine Mammal Commission

**NOAA Staff in Attendance:**

John Armor, Director, NOAA's Office of National Marine Sanctuaries  
Kelly Denit, Director, NOAA Fisheries' Office of Sustainable Fisheries  
Lauren Wenzel, Senior Advisor, Office of the Assistant Secretary of Commerce for Oceans  
Heather Sagar, Senior Policy Advisor, NOAA Fisheries  
Ellie Roberts, Policy Analyst, NOAA's Office of National Marine Sanctuaries  
Gonzalo Cid, International Activities Coordinator, Office of National Marine Sanctuaries  
Maureen Brooks, Ocean Portfolio Advisor, NOAA Office of Oceanic and Atmospheric Research  
Josh Lott, Manager, NOS Policy Program, NOAA Office for Coastal Management

Katie Denman, Policy Analyst, NMFS Office of Policy  
Marty McCoy, Oceans & Coasts Section Office of the General Counsel  
Michelle Lennox, Senior Policy Advisor, Office of Habitat Conservation  
Seth Sykora-Bodie, Policy Analyst, NOAA's Office of National Marine Sanctuaries

## **Day 1 - February 1, 2024**

### **Meeting welcome and introductions**

*John Armor, Director, NOAA's Office of National Marine Sanctuaries and Committee Designated Federal Official*

Welcomed everyone to the first public meeting of the Marine and Coastal Area-based Management Federal Advisory Committee, and provided some background on the new Committee. Specifically, NOAA has a wide range of responsibilities and authorities related to area-based protection, conservation, restoration, and management of marine resources, including through marine protected areas such as national marine sanctuaries and national estuarine research reserves, and through fishery management areas. The purpose of the Committee will be to advise the agency on protection, conservation, restoration, and management in marine and coastal areas, including the Great Lakes. In addition, conveyed that public engagement is core to operations as an agency.

NOAA initiated a round of introductions from NOAA staff and Committee members, asking members to specifically share why they are interested in serving on the Committee.

### **Presentation - Overview of NOAA's National Area-based Management Initiatives**

*Heather Sagar, Senior Policy Advisor, NOAA Fisheries*

Provided an overview of America the Beautiful Principles and early areas of focus. Then went over the NOAA Statutory Authorities around area-based management including showing GIS maps of the relevant areas. Discussed the Magnuson–Stevens Fishery Conservation and Management Act, National Marine Sanctuary System, National Estuarine Research Reserve System and the Coral Reef Conservation Program. These programs and offices represent the largest quantity of Area Based Management in NOAA's purview. NOAA committed to continue to provide information on place-based management as we move forward.

The Committee asked if there is information on how successful these management techniques have been, and NOAA staff agreed to provide additional information where possible, including on a recent report published by the Fishery Management Council Coordination Committee.

Specifically, regarding the effectiveness of the Magnuson–Stevens Fishery Conservation and Management Act, the Committee asked about the data if broken down based on various considerations, including seasonally. It was noted there are tools available to analyze this question. NOAA agreed to schedule a webinar for the Committee to learn more about this report.

The Committee asked for more information from NOAA on marine national monuments that are managed by NOAA, as well as additional information on other NOAA relevant authorities including the Marine Mammal Protection Act and the Endangered Species Act.

The Committee also noted that there is a lot of area-based conservation happening in other Federal agencies, and asked how the work of this Committee would intersect with the work of other federal agencies. For example, the MPA Federal Advisory Committee (now expired) advised multiple federal agencies including the Department of the Interior. NOAA noted that while this Committee was established to only advise NOAA, NOAA could bring the recommendations and products of the Committee to interagency groups that NOAA is a part of. There are also non-voting federal agency representatives on the Committee, who will also be able to consider the recommendations of the Committee. The Committee did express interest in engagement with the Department of Energy. At this time, there is no plan to expand the scope of the Committee to include formally advising other federal agencies. NOAA did note that at some point in the future, the Administration would release a Conservation and Stewardship Atlas which would include information on area-based management across all federal agencies, which may be a helpful resource for the Committee. The Committee asked if measures beyond federal agency measures, such as state efforts, would be captured in the Conservation and Stewardship Atlas. NOAA recognized the work that is being done by states, such as the state of California who is developing their own Atlas, but noted that the federal Atlas will not include state area-based management measures at this time. DOI is working closely with states, but there is still a primary focus on federal areas for the Conservation and Stewardship Atlas.

The Committee noted the importance of Co-stewardship and co-management with Tribal and Indigenous Communities, and mentioned the Joint secretarial order on “Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters”, which was initially signed by the Department of the Interior and the Department of Agriculture, and later signed by the Department of Commerce (DOC). The Committee noted interest in better understanding how NOAA would implement the direction provided by this joint secretarial order.

### **Welcome from NOAA Leadership**

*Jainey Bavishi, Assistant Secretary for Oceans and Atmosphere*

Thanked John and noted that Dr. Spinrad, NOAA Administrator and Under Secretary of Commerce for Oceans and Atmosphere sent his regards and wished that he was able to attend the meeting. Welcomed the members of the new Committee, and referenced the importance of getting to know each other during the first meeting. Conveyed the value of Federal Advisory Committees, as well as public input, in the work that NOAA does, and that the Committee has the opportunity to help NOAA do their work better. As part of the Committee, members' primary role will be to provide the Under Secretary of Commerce for Oceans and Atmosphere with advice on science-based approaches to area-based protection, conservation, restoration, and management in coastal and marine areas, including the Great Lakes, and that the Committee will provide a forum for discussion and advice on area-based management, including

opportunities to enhance conservation of biodiversity, climate resilience, and expanding access to nature for underserved communities. Stated that we need to understand the history of communities, not only to understand the inequities but also a source of solutions.

Reminded the members that in 2021, President Biden issued a call to action, resulting in the “America the Beautiful” initiative, which sets a national conservation vision for the next decade to advance conservation and restoration in public, private, and Tribal lands and waters. The initiative is guided by 8 principles that capture the importance of collaboration, equity, and stewardship, and it seeks to address the disappearance of nature, climate change, and inequitable access to the outdoors. Noted that NOAA recognizes the importance of the Committee members’ role as connectors of people to places. Across the Nation, NOAA’s ongoing work reflects the vision and principles of America the Beautiful. NOAA has decades of experience engaging with partners to designate and manage national marine sanctuaries and national estuarine research reserves; restore coastal habitats; and sustainably manage fisheries and protected species and their ecosystems. Acknowledged that the Committee will not focus solely on the America the Beautiful Initiative, but it will likely be a significant focus of your initial work.

Stated that the Committee would now begin discussion on a Charge, or a scope of work and asked that the Committee members consider what NOAA should prioritize and how NOAA can deliver on biodiversity conservation, equitable access to nature, and climate resilience outcomes. Wished the Committee luck over the next two days and looks forward to learning more about the outcomes of this meeting!

### **Presentation - Proposed Committee Charge**

*John Armor, Director, NOAA NOS’ Office of National Marine Sanctuaries*

*Kelly Denit, Director, NOAA Fisheries’ Office of Sustainable Fisheries*

Conveyed that the Committee should provide a forum for discussion to advise NOAA on area-based management, including opportunities to enhance conservation of biodiversity, promote climate resilience, and expand access to nature for underserved communities. The Committee should focus on how NOAA can improve existing area-based protection, conservation, restoration, and management outcomes for our existing trust resources, rather than on the identification of specific new areas for management.

Stated that the purpose of the proposed Committee charge is to 1) help the Committee prioritize key themes and subject matter, as well as provide direction on potential work products; 2) sets a scope of work for the first 2 years of the Committees work; and 3) provides focus the activities of the Committee and subcommittees based on the availability of resources to support the Committee. Shared that this Charge is proposed, and may change over time - the Charge is a starting point to provide the Committee with direction, but does not tell the Committee exactly what to do.

NOAA has proposed four key questions to guide the Committees scope of work. These questions include:

1. How should NOAA use our science equities and resources to guide area-based management for current areas as it relates to biodiversity conservation, equitable access to nature, and climate resilience?
  - a. Identify gaps in NOAA's science and knowledge resources that may hinder NOAA's ability to effectively manage an area (e.g., research and monitoring).
  - b. Identify improvements regarding how oceans and coasts are represented in the Conservation and Stewardship Atlas, and how that tool can be used to identify gaps and opportunities to achieve the targeted outcomes.
2. How can NOAA best leverage our area-based management tools, investments, and authorities to deliver biodiversity conservation, equitable access to nature, and climate resilience outcomes?
  - a. Recommend best practices for NOAA to ensure coordinated investments and actions across the agency and the Federal government to effectively achieve these outcomes.
  - b. Identify ways for NOAA to enhance and coordinate existing area-based management tools and authorities to enhance biodiversity, access to nature, and climate resilience outcomes.
  - c. Recommend legislative changes needed for greater effectiveness.
3. How can NOAA's restoration programs and tools be best used to promote biodiversity conservation, equitable access to nature, and climate resilience?
  - a. Identify ways to leverage our investments in restoration to achieve large scale conservation outcomes (e.g., BIL Funds and Coastal Resilience Funds).
  - b. Recommend best practices for implementing climate-informed restoration that will have lasting benefits.
4. How can NOAA foster healthy coastal communities through partnerships, jobs, and support?
  - a. Recommend best practices for how NOAA can engage across state, federal, local and tribal governments to better support and prioritize the needs of *local communities and non-government stakeholders, particularly underserved communities*
  - b. Identify how NOAA can better support and prioritize *Tribally-led* conservation and co-stewardship.
  - c. Recommend ways to identify conservation and restoration approaches, foster partnerships, and co-develop programs that support healthy communities, including by creating local jobs.
  - d. Recommend improvements for NOAA's public communication on America the Beautiful (e.g., Conservation.gov and other NOAA external resources) and our area-based Management work.

## Open Discussion and Q&A with NOAA and Committee Leadership

*Jainey Bavishi, Assistant Secretary for Oceans and Atmosphere*  
*John Armor, Director, Office of National Marine Sanctuaries*  
*Kelly Denit, Director, Office of Sustainable Fisheries*

Following the presentation of the Proposed Committee Charge, J. Armor, J. Bavishi, and K. Denit accepted questions on the direction provided to the Committee.

The Committee asked what is meant by the word “investments” in question number 2? NOAA clarified that this does mean monetary investments, including funds distributed to NOAA programs and through grants to communities for area-based restoration work. In the short term, much of these investments are coming from the Bipartisan Infrastructure Law and the Inflation Reduction Act funds provided to NOAA.

The Committee requested more clarity on the need to “identify gaps in NOAA’s science and knowledge resources”, and stated that we should consider how we use the best available information that we have today. NOAA affirmed this.

The Committee confirmed that NOAA is requesting input on how NOAA can improve existing area-based protection, but does not identify the need for input on new areas. Should the Committee, and NOAA, only be focused on existing areas, and if that would change over time? NOAA clarified that it does not want the Committee to focus on pros and cons of potential new areas considered for conservation, but in the future, it may be beneficial for the Committee to consider the potential for new area-based management efforts. The Committee requested to clarify the geographic scope of the Committee’s focus. NOAA stated that the Committee should maintain a broad, national focus informed by the experiences of the Committee members.

The Committee asked how recommendations would be used. NOAA stated that this depends on the format of a recommendation, and what the recommendation entails. Recommendations would be brought to the Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator, as well as the Department of Commerce as needed. Depending on the recommendation and at what level it may be acted on, the recommendations may also be used by NOAA Line and Program Offices. NOAA stated that recommendations may inform NOAA budget proposals.

The Committee asked how they could make recommendations on local area-based management matters, as part of a committee focused on National matters. NOAA noted the importance of using lessons learned, and applying them at different levels and scales. She also noted that NOAA welcomes feedback from the Committee on how it may improve NOAA’s work and inclusivity at various levels, including local levels.

The Committee asked if there are any corollaries from how other NOAA Federal Advisory Committees provide recommendations and if the Committee could engage with other Federal Advisory Committees. NOAA indicated that the Committee can choose to engage with other entities including other Federal Advisory Committees. There may be opportunities to also engage with NOAA’s Science Advisory Board. All recommendations by the Council will also be made publicly available.

Committee members also asked about the expectations of the Committee, based on the length and breadth of the Proposed Charge. With limited time, what does NOAA want the Committee to focus on and prioritize? NOAA noted that the Committee is expected to meet at least twice per year with additional meetings of subcommittees. NOAA stated that the Committee has

latitude to focus on what they are most interested in. The Charge represents what NOAA needs to move forward - all things are priorities, but the Committee should choose to focus on particular areas or topics- it can't all be accomplished in the short term.

The Committee asked if there are other Committees doing similar work, including the Science Advisory Board, Sanctuary Advisory Councils, etc., but there are still a large swath of communities who are not being supported by these bodies in managing resources. There may be a gap in how NOAA supports fostering coastal communities. How communities can engage in restoration efforts with NOAA, and noted that there are barriers for access to resources including grant funds to support these efforts. NOAA has identified gaps associated with our work on marine and coastal area-based management, which is why we have brought the Committee together. Also noted that the Committee would be learning more about Bipartisan Infrastructure Law and Inflation Reduction Act investments that are directed at coastal communities.

The Committee noted that there are a lot of areas being managed, a lot of "boxes on maps", but it is not easy to tell how effective the management is of each area. The Committee may consider how to test the efficacy and address issues with area-based management.

Regarding "health communities", the America the Beautiful initiative directed agencies to consider community level work, and this Committee could focus on meaningful community level engagement on conservation, social equity, and climate resilience.

The Committee asked how NOAA intends to work with the Climate Corps, and also asked if the Committee could consider how NOAA's direct hiring authority could be used to support area-based management, including through hiring of positions that do not require higher level education. NOAA does have programs similar to climate corps that are focused on habitat restoration, and that there is interest in incorporating this work into the Climate Corps. NOAA is using the direct hiring authority to quickly hire in STEM fields, but there is more work to do to ensure hiring at all levels. Issues of corps and hiring may fall under the topic of Healthy Coastal Communities from the proposed charge.

Regarding Climate Resilience, the Committee noted there are emerging issues relating to the potential impacts of offshore wind on marine resources and fisheries, including access to fisheries and the potential impact on wind to healthy coastal communities.

The Committee recognized the need to be careful with terminology, and make sure we are thinking about both Tribally led *and* Indigenous led conservation. There is no agreement on the definition of "conservation" in determining what counts towards the effort to conserve at least 30% of lands and waters by 2030. The 30 x 30 goal as well as sustainable fishing are not identified in the Proposed Charge, and that he thought the Proposed Charge could be more aspirational regarding improved conservation. Finally, the Committee noted that the Proposed Charge could benefit from including balancing sustainable use and protection.

The Committee noted that the proposed Charge should not just suggest "creating more jobs", but also maintaining current jobs.

The Committee also asked how the Council for Environmental Quality fit into the work of the Committee. NOAA noted that the Committee was established to advise NOAA, however, other agencies have non-voting representatives on the Committee, and will be able to consider and carry work of the Committee to their respective Departments and Agencies. CEQ is familiar with

this Committee, and that Committee recommendations and messages should reach CEQ through NOAA and the other Agencies represented on this Committee.

The Committee recognized that there is a diversity of perspectives on the Committee, and that the Committee should leverage their existing networks and communities to support the work of the Committee and NOAA.

The Committee recognized a sense of urgency of the work of the Committee, and that there should be interest in actions that can be taken now to support fostering the capabilities of coastal communities.

## **Breakout Groups**

The Committee broke into 4 pre-selected groups with mixed members from diverse perspectives and geographies to further discuss the Proposed Committee Charge. The goal of the breakout groups is to begin discussing the issues provided in the Committee charge in order to identify topics of particular interest, answer questions, and begin to think about additional information needs and the possible establishment of subcommittees or working groups to conduct work. The Proposed Charge is intended to be a broad description of priority issues where NOAA is seeking the Committee's recommendations, that may be fine-tuned to include key topics or clarifications that the Committee thinks are important.

Each group discussed the following:

1. Of the four questions outlined in the charge, do you have a particular area of interest the Committee should focus on initially?
2. To inform your work on the charge, what kind of information does the Committee need?
3. Do Committee members have information that they can bring to these topics?
4. Are there clarifications or additions that are needed to the charge?
5. Do you have initial thoughts about possible Subcommittees or Working Groups that the Committee may want to establish to address the charge?

Following the breakout groups, the Committee reconvened to share key discussion points from each of the breakout groups. Some common areas of interest that emerged across all four groups included:

- That Committee recommendations be actionable
- That there is a sense of urgency for the Committee's work
- Effective Conservation Outcomes
- Co-management & co-stewardship with Tribes and Indigenous Communities
- Use of scientific information, including social, behavioral and economic science, and Indigenous Knowledge
- Community-oriented partnerships and collaborative approaches to conservation, including improving NOAA support for community-led conservation and improving access to NOAA products and tools



The Committee also agreed that their recommendations should be actionable, that there be a sense of urgency to their work, and that there is a need for strong coordination and cooperation with NOAA.

### **Committee Structure, Processes, and Administrative Matters**

*Lauren Wenzel, Senior Advisor, Office of the Assistant Secretary of Commerce for Oceans*

Provided an overview of the Federal Advisory Committee Act, and the role of the Chair, Vice Chair and members of the Committee. Explained the role of Subcommittees (made up of Committee members) and Working Groups (made up of Committee members and external members approved by NOAA) in conducting the Committee's work. All Subcommittee and Working Group recommendations must be considered and voted on/approved by the full Committee. Provided clarity logistics and expectations for future meetings and work of the Committee, including:

- Some meetings will be held virtually, but these meetings would be open to the public and still provide an opportunity for public comment.
- In person meetings may be held in different locations (not always in Washington DC or Silver Spring, Maryland).
- Committee member travel to in person meetings will be paid for, but additional funding to support nonmember travel may be limited.
- Meeting minutes will be developed and reviewed by the Chair and Vice Chair, and then posted online as a draft. Final meeting minutes will be approved at a subsequent meeting of the Committee.
- Committee recommendations and reports may be produced on varying timelines determined by the Committee, and that these recommendations and reports will be made public once fully adopted by the Committee.
- Committee members may engage with the public and encourage public participation with the Committee.
- The Committee will strive for consensus when making recommendations

### **Public Comments**

NOAA invited public attendees to provide oral comments. Two individuals provided oral comments:

**Michael Gravitz**, Director of Policy & Legislation for the Marine Conservation Institute started his remarks by passing around a bowl of water at 100 degrees Fahrenheit. He noted that water retains temperature for a long time, and that this is what marine life in the Florida Keys felt this past August. The Marine Conservation Institute assesses Marine Protected Areas and advocates for MPAs worldwide. He acknowledged the value of this Committee.

Gravitz noted the growing gap between the Administration's words and their actions. Gravitz stated that a new management plan for the Florida Keys National Marine Sanctuary is being developed, but may not be sufficient to address new threats, including 100-degree water. He also noted that the Fishery Management Council is proposing changes to allow bottom trawling near sensitive corals off the coast of Florida which he strongly opposes and argues would not be consistent with the administration's commitments.

Gravitz stated that it is the job of this Committee to nag ocean management agencies to better align administration words and deeds, and that the Committee can be an active voice for marine life.

**Brent Greenfield** from the National Ocean Protection Coalition (NOPC) shared information on the work that NOPC has done to assess existing conservation measures, including areas under federal and state conservation jurisdiction. To conduct this assessment, they used the NOAA MPA Inventory and other sources.

He stated that there were 4200 conservation areas, totaling an area equal to 500% of US marine waters (due to overlapping areas). Their assessment cites the numbers of sites in different regions, as well as the different agencies with jurisdiction and methods of management. The NOPC has information resources with this data that could be shared with the Committee.

NOAA then read out loud the three public comments received in advance of the meeting:

***Grey Gowder, Executive Director, Carolina Ocean Alliance***

Thank you for your dedicated service to and stewardship of our nation's marine and coastal ecosystems and the communities that rely on them. Today, I write to you from Charleston, South Carolina, a coastal community defined by our relationship with the waterways that surround us and a deep cultural connection to the ocean.

When news broke earlier this month of NOAA and its partners discovering and mapping the largest-known deep-sea coral archipelago on the planet off of our coast, we were filled with pride and a desire to learn about and protect this natural wonder in our backyard. Sitting approximately 100 miles off of our coast and covering an area the size of Vermont between the Charleston Bump and the Florida Straits, this ancient network of nearly 84,000 mapped mountains of stony deep-sea coral form a complex and little-understood piece of the interconnected systems of life that link the foothills of the Appalachians in our upstate and our saltmarshes downstream to the open ocean through the Gulf Stream and potentially the ocean's global conveyor. These habitats serve as nutrient collection and filtration stations between watersheds, migratory species living in the surface zone above the reefs, and the Gulf Stream which pumps nutrients up from the deep and distributes them throughout the ocean as part of the Global Conveyor and ocean food web.

Like shallow-water coral reefs, these mounds are miraculous hubs of ocean biodiversity, nutrient sequestration, and deep-sea vitality supporting thousands of migratory species and up to 2,000 full-time reef inhabitants per coral, including small fish, crabs, shrimp, and mollusks. Larger fish like sailfish, billfish, sharks, and other species have been recorded visiting these hubs of life as part of their seasonal migrations along the Gulf Stream.

Like oysters, these stony corals attach to and slowly grow on top of previous generations, forming peaks and valleys hundreds of feet below the sea over tens of thousands of years. Due to the slow growth rate of the corals, the size of the mounds, and samples of dead corals,

researchers have dated some of these mounds to be at least 44,000 years old. This slow growth rate makes any damage due to human activity permanent. Threats include trawling, hydrocarbon and mineral exploration and production, and cable and pipeline placements.

We only know about this place thanks to the meticulous mapping of these systems along with other deep-sea coral gardens and canyon systems further north, and look forward to sharing new information with our communities about this remarkable newly discovered piece of the living systems that they are a part of.

Naturally, our community partners have been asking, "How do we protect it?" That is the question I hope you will consider today. Not whether we should protect it, but how we should protect this vast deep-sea coral ecosystem that predates all known human civilizations so that our children and their children can learn about it and be inspired by it while benefiting from the ecosystem functions it provides. There is already a dedicated growing network of ocean and conservation professionals and educators eagerly advocating for this ecosystem to our neighbors, students, and policymakers. We look forward to working with you to add this vibrant 64-million-acre part of our ocean to the United States' 30x30 portfolio. Thank you for your consideration.

***Raimundo E., Conservacion ConCiencia***

We wanted to highlight that the new NOAA Marine and Coastal Area-Based Management Advisory Committee does not have any representation from the US Caribbean (USVI & Puerto Rico). Being entirely Island jurisdictions not having any representation in the new NOAA Marine and Coastal Area-Based Management Advisory Committee continues to further marginalize and exclude the US Caribbean from the national conversation on Marine and Coastal Area-Based Management. In addition, not having a virtual option for folks from the US Caribbean to be able to listen in or participate in the Committee meetings further aggravates the matter. This comment is not made to criticize the exclusion of the US Caribbean from the Committee but rather as a call to ensure you have appropriate representation of US regions where Marine and Coastal Area-Based Management have a critical role not only in protecting and managing NOAA trust resources but also everyday life.

***Michael J Gawal***

I wish to present my personal comments and recent experiences on public meetings with NOAA in our Western Pacific Region. I request that these be included as public input to the February 1 and 2, 2024 meetings of the new NOAA Marine and Coastal Area-Based Management Advisory Committee.

Based on my over fifty years of research, educating on and management of Pacific Island marine resources I offer my impressions on the issue of getting local traditional knowledge of indigenous peoples and local communities into ocean resources management and biodiversity conservation decisions.

I am really personally concerned over the NOAA Marine Sanctuaries and their Foundation saying they seek input from local stakeholders with local and traditional knowledge. When a public hearing was held on Guam in 2023 for input on the nomination of the USA Pacific Remote Islands Marine Monument to be made a Marine Sanctuary, the NOAA representative acted on proposals from a Hawaii based NGO whose representatives did not recognize scientific information on the fisheries resources being impacted and are not familiar with the Western Pacific resources which would be impacted. NOAA allowed only three minutes for each public participant to comment. It appeared that they were meeting a legal requirement without really wanting our local input. An example of islanders with traditional knowledge, use and ownership of the marine resources in the PRI of Wake Island are the Marshallese. And in the PRI areas in the Line Islands and adjacent to the Phoenix Islands the traditional stakeholders would be the citizens of the Republic of the Marshall Islands, the Federated States of Micronesia and Kiribati. I have not seen any evidence of trying to obtain their input to sanctuary proposals. This bureaucratic approach and lack of effort to get input from indigenous peoples and local stakeholders has harmed the intentions of understanding, sustaining and conserving the ocean resources in the PRI as well as in the Marianas Trench Marine National Monument. I also believe Marine Sanctuaries and Monument staff have failed to educate our public, especially on Guam, of the values of the monuments and sanctuaries.

Similar failure for obtaining input from Guam stakeholders appeared at NOAA public hearings in 2023 on ESA Critical Habitat on listed sea turtles and in 2024 on CH for coral species listed under the ESA. Federal authorities failed to allow and to seek adequate input from representatives from Pacific Islands who have known and sustainably used the natural resources in these areas for centuries. A small group of government representatives attended the NOAA coral critical habitat meeting on Guam but the general public stakeholders were missing. They probably were not able to schedule a couple of hours to attend if they saw the only newspaper announcements that didn't appear until one day before the meeting. I failed to hear any announcements through the more popular news on local TV, radio and other media. Such notices should be circulated publicly at least a week in advance of the event. Even if they were aware of that meeting, I believe those fishermen and public who were very disappointed when they attended the previous Guam CH meeting on turtles would not want to attend another similar meeting.

Another example of US ocean governance problems is the politicians' failure to accede to the UNCLOS agreement which was mostly drafted by US lawyers and is formally accepted by all other Pacific nations. The International Seabed Authority which UNCLOS created is designating deep seabed pilot cobalt crust mining plots which are adjacent to the Marianas EEZ for Chinese, Russian, Japanese and other nations exploitation. We know very little of the living and mineral resources in the Marianas Trench Monument which would be threatened by this mining upstream of it. Also, a president on his own authority can even remove the protection of monument status and allow mining, in our EEZ off our shores, of the Pacific's most promising cobalt crust resources, with no control by our island stakeholders and their elected leaders.

I hope the NOAA Marine and Coastal Area-Based Management Advisory Committee can help to provide more honest attention to indigenous and local based knowledge and allow local participation, especially from Pacific Islanders, in management decisions and activities.

## **Closing**

As the meeting came to a close, members reflected on public comments, including on how the Committee may bring others into the work of the Committee (through working groups) to gain more perspectives, and specifically noted that the Committee was missing more youth perspectives and perspectives from the Caribbean. The Committee noted the importance of having virtual access for all members of the public at the next Committee meeting.

*Meeting adjourned for the day*

## **Day 2 - February 2, 2024**

### **Reflections on Day 1**

Committee members reflected on the proposed Charge, the panel, and breakout discussions and presentations from Day 1. The committee members expressed a commitment to collaboration, actionable outcomes, inclusivity, and transparency in their efforts to address environmental and community-related challenges. Common points heard during reflections included:

- Emphasis on the willingness to share and collaborate;
- Recognition of the importance and unique challenges of communities;
- Need for actionable items and measurable goals for the Committee;
- Importance of effective public communication and transparency, which can lead to trust;
- Importance of understanding what is meant by “diversity”;
- Accountability and the need to include additional perspectives, including youth;
- Emphasis on engaging with communities and strategically using existing information;
- Sharing of experiences, expertise, and lessons learned, and the importance of building relationships for effective collaboration;
- Addressing Tribal and Indigenous needs;
- Recognition of the importance of conservation for sustaining communities, and the socio-economic effects of conservation efforts.

### **Presentation: Bipartisan Infrastructure Law (BIL) & Inflation Reduction Act (IRA) Investments to Area-based Management, Conservation, and Restoration**

*Josh Lott, NOAA Office for Coastal Management*

*Carrie Selberg Robinson, Director, NOAA Office of Habitat Conservation*

Provided an overview of BIL and IRA funding opportunities available through the National Ocean Service, a total of \$1.2B over five years under BIL and \$1.5B under IRA. Presentation included a slide on each funding opportunity with a brief summary, total amount available (inclusive of the amount already awarded plus future opportunities), results to date, and an example of a completed or ongoing project. The funding opportunities under the BIL include the National Coastal Resilience Fund (\$492M), Habitat Protection and Restoration Awards for Coastal Zone Management Programs (\$207M) and National Estuarine Research Reserves (\$77M), Marine Debris Removal and Interception (\$150M), and Regional Ocean Partnerships (\$56M). Under the IRA, the major investments related to the focus of the FAC are supplements to BIL competitions (\$554M), support for National Marine Sanctuaries facilities (\$50M) and new designations (\$30M), and the Climate Resilience Regional Challenge (\$575M). J. Lott spoke about the goals of the Resilience Challenge and the extremely high demand for funding - 869 eligible letters of intent were submitted totaling \$16 billion. The Resilience Challenge's priority is to build resilience of coastal communities to extreme weather and climate change. It has four focus areas: risk reduction, regional coordination and collaboration, equity and inclusion, and building enduring capacity.

An overview of BIL and IRA funding opportunities available through the NOAA Fisheries Office of Habitat Conservation was also provided. BIL and IRA investments, and the partnerships formed through those investments, have been key in advancing habitat conservation. The NOAA Office of Habitat Conservation (OHC) has a 30+ year history of partnering on habitat conservation; BIL and IRA investments have allowed OHC to work at a much greater scale. Provided a summary of the funding opportunities through BIL and IRA, including the four competitions OHC is running: Fish Passage, Tribal Fish Passage, Transformational Habitat Restoration, and Habitat Restoration for Tribes and Underserved Communities. Displayed a map of the 109 awards from the first round of competitions and provided a breakdown of the awardees by sector. Highlighted two examples of place-based initiatives that are benefiting from BIL and IRA investments. The first is the *Middle Peninsula Habitat Focus Area*, where NOAA is coordinating its investments internally and working with partners to restore and conserve fish habitat, and enhance coastal community resilience to climate change. The second is *Mission: Iconic Reefs*, where NOAA and partners have developed an approach to restore seven iconic coral reef sites in the Florida Keys National Marine Sanctuary to help reverse long-term coral reef decline. Noted the importance of meaningful engagement and then opened the floor to questions.

The Committee asked if there are assessment reports for the funded projects. NOAA confirmed that there are and described that each award has project metrics and themes that allows for assessment across projects. For example, NOAA has attempted to define what it means to meaningfully engage with underserved communities, and then tracks this for each award. However, NOAA recognized that there are always things that we can learn from and that we can evolve how we evaluate and assess funded projects. More information on some funded projects can be found in the [NOAA Restoration Center Atlas](#). NOAA does work to share this information through journals, symposia, as well as with communities and the general public.

The Committee asked how co-management fits in with these awards. NOAA stated that all awards are facilitated through cooperative agreements, and NOAA provides staff that provide technical expertise and make connections as needed, and have spent time thinking about what meaningful engagement looks like.

The Committee asked if the Department of the Interior includes local or state-based projects in their land-based restoration work under the America the Beautiful initiative, and if these collaborations translate into durable conservation areas over time.

The Committee asked if there is planned engagement or collaboration with the American Climate Corps. NOAA Fisheries is currently involved with 2 conservation corps groups, in the Gulf and West Coasts, and they are also working on setting something up in Puerto Rico. Beyond these groups, the NOAA Fisheries is engaged with other groups (not Corps) who use similar models to complete their mission. There will likely be intersections with the American Climate Corps.

The Committee asked what opportunities there are for the Committee to shape decisions for IRA and BIL funding. NOAA staff noted that BIL funding has some parameters built into the law, but that there are 3 more funding opportunities/cycles coming, and that these funds can be used most effectively if supporting relationships and work of our partners. While the framework for making decisions about the competitive process is already in place, there is still space for the Committee to inform and/or engage with the on the ground partners who are making proposals and completing work. In addition, the work that the funds support will occur for years to come. There is room to influence how that work gets done, how we learn from it, and build upon it.

The Committee asked how NOAA is thinking about communicating these conservation and restoration stories in effective ways to build support for reinvestment. NOAA noted that many of these funds support long term partnerships. NOAA works to elevate and highlight the importance of these relationships, as well as the success stories. We try to tell both the big national stories and the smaller, community level stories. We try to share this information online, with members of congress, and in the communities where this work is being done.

The Committee asked if NOAA funds long term monitoring and assessment after projects are completed. NOAA confirmed that there is funding, some of which is part of the cooperative agreements that are developed to complete the work. However, there is eventually a baton pass once the funding ends.

### **Nominations for Committee Chair and Vice Chair**

A. Kenney was nominated for the role of Committee Chair.

A. Villagomez was nominated for the role of Committee Vice Chair.

M. Hodor was nominated for the role of Vice Chair. Hodor was unable to attend the meeting in person for day 2 of the meeting, but attended most portions virtually. NOAA read a statement of Hodor's interest:

Hodor is interested in serving as Vice Chair because it is a unique opportunity to co-lead the committee and to work collaboratively with Committee members. Hodor shared that he has served in leadership positions throughout his career and values the ability to lead cross-disciplinary and cross-department teams and to learn from team members. Hodor expressed that he has been successful in helping to advance initiatives due to strong collaboration and creative problem-solving, focus on developing and nurturing relationships, listening, and focus on results-oriented outcomes. Hodor expressed excitement to be part of the Committee, to work with a group of talented individuals who bring varied expertise, interests, and a strong passion for doing important work on behalf of the country, the environment, stakeholders, and communities. Hodor expressed interest in working with each member and NOAA leadership to identify strategic and effective solutions to the different challenges we face and to provide NOAA with recommendations that are smart, focused, and actionable.

Staff requested that members consider the nominees and that voting would take place later in the afternoon.

**Activity: Priorities and areas of focus for Committee**

*Lauren Wenzel, Senior Advisor, Office of the Assistant Secretary of Commerce for Oceans*

NOAA staff have considered discussion from the previous day. NOAA staff have identified the 4 key elements from the proposed Charge on posters, and placed them in different corners of the room. NOAA asked that Committee members consider the proposed questions/areas of focus and add notes to each poster on the following:

- What question or topic the Committee should address for this element?
- Which topics/questions are urgent?
- What actions or outputs should the Committee work towards?
- Are additional resources or information needed to address each element?

A poster was also added to include proposed guiding principles for the Committee.

Committee members were given one hour to work to provide input on the posters.

**Moderated Discussion: Priorities and areas of focus for Committee**

*Lauren Wenzel, Senior Advisor, Office of the Assistant Secretary of Commerce for Oceans*

*Heather Sagar, Senior Policy Advisor, NOAA Fisheries*

A. Kenney (Chair) led a discussion on the proposed Guiding Principles for the Committee. With input from the members, the following were proposed for how the Committee should operate:

- Recommendations that are actionable and have durability;
- Communication with NOAA leadership regularly so that there are no surprises and so the Committee is ready to take action;
- Transparency for the work of the Committee;
- Commitment to listen to each other and the public, with the intent for growth;
- Public meetings should be accessible to all (virtual public access);
- Work on areas where the Committee can find common ground via consensus.

A. Kenney proposed that the Committee should operate with the following Guiding Principles

- Work should be science-informed, which should include indigenous and local knowledge;



- Work within and build upon existing partnerships at all levels;
- Focus on conservation outcomes. Meaningful outcomes should not be confined to only NOAA's work;
- Focus on connectivity and networks;
- Work should be done through a lens of fostering healthy coastal communities.

Then the conversation shifted to discuss the proposed Charge, and how it would inform the formation of subcommittees and/or working groups. NOAA stated that the goal of the last portion of the meeting is to determine what subcommittees may be needed and draft scopes of work for the subcommittees to move forward with. NOAA reiterated that each member would be expected to sit on at least one subcommittee, and each subcommittee would work towards measurable action items and concrete recommendations that the Committee may provide to NOAA.

NOAA facilitated an open Committee discussion on work priorities for subcommittees. Some common themes heard during the discussion included:

- That "healthy coastal communities" should be a lens and consideration throughout all subcommittees and working groups, rather than the focus of just one committee
- That the work of the Committee and subcommittees should be transparent, and that the Committee should consider sharing working products for public comment.
- That subcommittees should be focused around actionable topics, and each subcommittee should develop a work plan. The subcommittees would also be the places where the most tangible work of the Committee would take place.
- That each subcommittee should elect a Chair, and be composed of a membership that includes broad perspectives and interest groups.
- That each subcommittee may determine the need for additional sub working groups to advise on their area of focus.

The Committee agreed that only two subcommittees should be developed at this time, but that additional working groups may be needed or developed to support the specific focus of each subcommittee. The Committee agreed to strive for outcomes in this calendar year.

Through discussion, the Committee honed in on the focus for two subcommittees, including potential areas of focus.

The Committee discussed the need for a subcommittee that would focus on how communication, partnership building and community engagement can support NOAA's area-based management initiatives, as well as how NOAA can support communities through area-based management. The Committee discussed some areas where this subcommittee may focus, including:

- Guidance on co-stewardship with Tribes and Indigenous communities, including ways to address challenges Tribes and Indigenous communities face with respect to climate, equity, and access to nature

- Development of best practices for meaningful engagement with communities, inclusion of local knowledge, social science, and collaborative approaches to conservation through partnerships
- Advice on the development of a Communications Guide, that includes advice on how to better communicate data availability and how to communicate what a conservation area is worth
- Consideration of fostering career pathways in conservation and increasing workforce development.
- Creating a network by connecting communities and conservation areas

The Committee also discussed the need for a Subcommittee that would focus on the effectiveness and outcomes of NOAA's area-based management programs, as well as metrics and tools for evaluating effectiveness. The Committee discussed some areas where this subcommittee may focus, including:

- Identification of desired outcomes of area-based management, including performance metrics
- Development of best practices for communicating area-based management tools to the public
- Time sensitive recommendations and input on on BIL/IRA funding investments
- Feedback on the Administration's America the Beautiful Conservation and Stewardship Atlas (when released/applicable)

Members did ask how the structure of the subcommittee relates to recommendations that will be provided by the full Committee. NOAA stated that the subcommittees would become experts on particular areas of focus and then bring recommendations to the full Committee for discussion. Once adopted by the full Committee, the work products or recommendations would be shared with NOAA.

### **Committee Operations and Administrative Matters**

*Ellie Roberts, Program Analyst, NOAA's Office of National Marine Sanctuaries*

Voting members were asked to vote for the Chair and the Vice Chair positions. All votes were made by written ballot. There were no objections to Amy Kenney's nomination as Chair for the Committee. Members voted to elect Angelo Villagomez as Vice Chair. NOAA staff stated that they will share the outcome of the nominations/voting with the NOAA Administrator for review. If in agreement, the NOAA Administrator will formally appoint these positions and notify the elected Chair and Vice Chair.

The meeting minutes and information on subcommittees will be distributed to members in the coming weeks, and NOAA will request that members identify which subcommittee(s) they would like to participate in. Subcommittee operations will be conducted remotely, and NOAA staff will be assigned to support meeting logistics and facilitation. NOAA will also work on a time frame for the next Committee meeting, as the full Committee is expected to meet at least twice per year, with other learning sessions and subcommittee meetings in the interim. The Chair and Vice Chair agreed to work with members on concurrence Committee Guiding principles.

### **Closing**

NOAA thanked the Committee and staff for their time, thoughtfulness and engagement over the past two days. NOAA looks forward to the next meeting of the Committee, and will follow up with resources and action items for Committee members.

*Meeting adjourned*