Testimony of
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United States All Islands Coral Reef Initiative Coordinating Committee
Before The
United States House of Representatives
SubCommittee on Fisheries and Oceans

March 1, 2005

Regarding the Reauthorization of the
Coral Reef Conservation Act of 2000

Mr. Chairman and distinguished members of the Subcommittee on Fisheries and Oceans, I wish to thank you for the opportunity to testify before you today.

I am here today to present the views of the Points of Contact for the six, U.S. island jurisdictions. These are the people on the front lines of coral reef management every day. They share the same issues and problems, and can share in developing solutions, in spite of the fact that no two coral reefs are exactly alike, and the variance from jurisdiction to jurisdiction can be extraordinary. The Caribbean has more problems with coral diseases than their Pacific counterparts. The territories have a greater problem than States in obtaining the funds they need for basic infrastructure which can protect their reefs. Hawaii has relatively few species of corals, but they comprise some 14,000 square kilometers of habitat. On the other hand, Guam has only 179 square kilometers of coral reef, but more than five times the number of coral species that Hawaii has.

These systems are incredibly complex, serving as homes to tens of thousands of species of plant and animal, with perhaps ten times the amount yet to be discovered and identified, and they sometimes require complex solutions to the problems that human communities impose on them. All of our mistakes on land, converge on the reefs. All of our carelessness on the deep ocean drifts to the reefs. They are the repository not only of an incredible diversity of life, but also of our mistakes.

In the 1850s, the United States government investigated ways to *get rid of* the coral reefs in Florida, because they were a nuisance to navigation. In 1899 the Congress pass the Rivers and Harbors Act, which treated coral reefs as *hazards to navigation* without concern as to their larger benefit. Later law, including The Fish and Wildlife Coordination Act, NEPA, and the law that created the Council for Environmental Quality, Endangered Species Act, the Clean Water Act, and CERCLA, all became applicable to coral reef management, but only indirectly. The 1996 amendments to the

Coastal Zone Management Act of 1972 became one of the first visible attempts to see coral reef ecosystems as a separate and unique management issue. The 1975 CITES Act was also important in that particular species of corals were listed.

The first attempt to begin managing and protecting coral reefs as unique ecosystems began in late 1993, with the conception of the *U.S. Coral Reef Initiative*. Over the next four plus years, Federal agencies and the managers and scientists from the seven coral reef States and territories, started the process of identifying the issues, problems, solutions and partnerships necessary to try to reverse the damage that was occurring to U.S. reefs. This process became focused with the adoption of Executive Order 13089, which created the U.S. Coral Reef Task Force.

The Task Force is somewhat unique, in that it was conceived from the bottom-up, rather than being imposed from the top-down. It required a combination of partnerships that is difficult to find in other efforts. Partnerships of sometimes competing interests within the jurisdictions and within the Federal agencies. Partnerships between Federal and State/territorial governments, and partnerships at all levels that include a vast range of stakeholders in partnership with government agencies.

Executive Order 13158 on Marine Protected Areas expanded the opportunities for coral reef conservation in a way that was already being suggested by the Coral Reef Task Force. Finally, passage of the Coral Reef Conservation Act of 2000 brought the awareness of the importance of coral reef ecosystems to a new level, and provided the funding necessary to begin taking meaningful steps toward conservation and management.

Concern: Nowhere in any of the above legislation or Executive Orders is it explicitly stated that coral reefs cannot be killed. Water quality, as addressed in the various laws, is chemically rather than biologically based, ignoring critical synergisms. In other words, water quality levels that are (in the short term) not harmful to man, may (and are) still be killing the corals, which has long term implications for our society.

This Committee has asked some specific questions regarding the CRCA and other coral reef efforts. In regard to the value of the Coral Reef Conservation Act, its importance in achieving success cannot be questioned. The funding provided by the Act has raised the money available to the jurisdictions to be applied to coral reef management and protection from $12,000 per jurisdiction in 1997, so several hundreds of thousands of dollars beginning in 2001. It has also recognized the contributions of both NOAA and Department of Interior. But like any other legislation, time has not only demonstrated the importance of the legislation, but areas for improvement have become evident as well.

We would suggest not only reauthorization, but that a funding level for Department of

Interior be identified as well. They have been an import partner in this effort since 1993. They were co-chairs with NOAA during the U.S. Coral Reef Initiative efforts, and serve as co-chair to the Task Force. Many of their departments have direct and daily responsibilities in coral reef management and protection. We would also suggest an appropriation in the Act to be applied directly to the jurisdictions for their work in implementing the Local Action Strategies. The $2.7 million for LAS activities identified in the President's '06 budget request, as a minimum, will be required annually over the next decade as these strategies are implemented.

Beyond the CRCA, there is another funding issue that must be addressed. The island jurisdictions, and most particularly the territorial and commonwealth jurisdictions, will require significant funding to upgrade the infrastructure that has become part of the problem. Sewage facilities and adequate storm drainage for roads is much more expensive to build and maintain in remote and distant locations. The island territories and commonwealths are not eligible for the same level of funding that the States are, and in fact the territories *together* receive only a fraction of infrastructure monies that are eligible to the smallest States. Without the ability to build proper infrastructure, protection of the reefs will remain extremely difficult.

With regard to an appraisal of how well the Task Force has performed, I believe all involved have taken great pride in some significant achievements, realized in a very short space of time. I'd like to highlight just two of those, as they will benefit every State in the Union.

First; the Task Force has recently adopted a resolution which will help protect corals during their most vulnerable phase, spawning and recruitment. Many corals reproduce only one night a year, and require clean waters over a two week period to fertilize and settle. That process has not previously been an issue of review in approving projects like dredging, or movements of oil and other products. Guam began working with permit applicants and petroleum companies some years ago, and has had success in finding ways to allow those activities to proceed while at the same time providing some protection for the spawning period. The resolution passed by the Task Force will take that experience and expand it through Federal agency reviews of applications and larger agreements with companies that could impact those periods.

While this kind of effort has been done on a species scale previously (protecting turtle

nesting periods for example), this effort applies across a much larger system and lessons learned here could apply in other large scale ecosystems as well.

Second; because natural disasters are more common and of intense scales in the islands and Florida, particularly hurricane/typhoon disasters, we have come to know the FEMA recovery process well. In the late 1990s, the islands experienced waves of disastrous storms, and it became apparent to those with coral reef responsibilities, that the National Response Plan not only did not address recovery of natural resources, but in fact at times blocked recovery. Debris from homes and businesses that are strewn across reefs can create long term damage quickly if not removed. Corals do not like being shaded by debris. It can kill them. Reef fishermen, particularly those who fish for subsistence, can be hurt by debris not removed quickly. But there was no Emergency Support Function for natural resource recovery in the National Response Plan.

The Task Force, in October of 2004, adopted a resolution which called on FEMA to add an Emergency Support Function in the Plan to address this issue. I am happy to say that FEMA did respond to that request, and the new National Response Plan does create a process for addressing the needs of the natural resources after a Presidential declaration. This will benefit every State and territory in future events, by creating a mechanism for federal support immediately after the event.

But the success of the Task Force goes far beyond the adoption of resolutions. It has created and reinforced important partnerships; expanded the opportunities for non-governmental interests to participate in reef management, and; has created an atmosphere where combined efforts have replaced duplication or competing efforts. In short, it has saved all the partners time and money in coral reef management.

Next, as to the question of other needs. Beyond the reauthorization of the CRCA, it is time to develop new legislation that goes beyond what we now have. We need a law that *defines* what a coral reef is, and then protects it from deliberate or avoidable harm. The groundwork for true protection has been laid with the efforts of the past eleven years. Now it is time to build the framework for coral reef ecosystem management, exploitation, protection and conservation. Resource managers and science partners have been working on such possible legislation for the past years, and should this Committee be interested, drafts could be made available.

We also have an opportunity to begin resolving an international concern in coral trade. The United States imports nearly two thirds of all wild harvested coral traded in the world. We import it for aquariums, ornamental use and jewelry. This practice not only devastates community reefs in third world countries, but is unnecessary. Like aquarium fish, corals now can be cultivated in aquaculture. Many species can be reproduced through fragmentation, which requires only one "mother coral" for the industry. Many other species can be easily cultivated from sperm and egg.

Congressman Case of Hawaii introduced a coral trade bill last year, which would set up a process for a gradual replacement of wild harvest imports with cultivated corals. The purpose of such legislation is to create new and sustainable industries in those third countries and to provide for a solution to the damage being done to those reefs. It would also create new business and jobs opportunities for Americans. Cultivated corals could be certified by their countries of origin. We suggest that such legislation be taken up in this Congress. It does more than just create a new regulatory frame-work, it would actually be a pro-active conservation measure in which all interests benefit.

Finally, there is one other issue, which relates to funding, which needs to be resolved. The jurisdictions have taken on an enormous, additional workload with development and now implementation of the Local Action Strategies. Unfortunately, the human capacity available to take on this work has not been put in place. In attempting to resolve local capacity development, single year budgets do not provide the continuity needed to identify, train and employ islanders in an effective manner. Year-to-year budgets often result in inadequate opportunities to engage future island-based coral reef managers, policy makers and researchers as they enter college and would consider these positions as professional opportunities due to the uncertainty faced by agencies and institutions. As such, I am asking that mechanisms be identified that could provide the jurisdictions with the ability to perform long-term planning processes. This could be accomplished through internal administrative support within agencies, or through the appropriations process.

NOAA has worked very hard to develop "assistantship" programs which provide capacity to the jurisdictions for a two year period. Technical expertise in Geographic Information System technology, and capacity assistance through coral reef internships have been provided and have proven highly successful. EPA has had similar programs over the years, in detailing mainland personnel to local EPA offices in the jurisdictions. Again,

this a two year detail. It too has proven successful. These are models of another way of providing the capacity needed in these small jurisdictions. An expansion of these efforts to include other Federal agencies would be helpful.

Conclusion

In closing, I want to repeat that this has been a successful endeavor up to this point. It took a long time to begin our appreciation for our Nation's coral reef resources, but in the decade just passed, we have made great strides and the CRCA has been an extremely important element in that success. But we have a long way to go yet, and the CRCA has an important role to play in moving forward.

Some years ago, the members of the All Islands Committee discussed the possibility of reduced Federal interest in this issue, and declared that whatever happened, the partnerships and efforts begun in the islands would continue. We now know that we have many Federal partners that feel the same way, because there is a real understanding now of the importance of the ecosystems to the jurisdictions, to the Nation, and to the Earth. They are a major economy. They are a storehouse for the answers to human diseases. They are a protective barrier for our shores. They provide daily food for more than a billion people. They are the habitat for a significant portion of our biological diversity. They are an important element in the quality of our lives, whether resident or visitor. They benefit us all.

Thank you for this opportunity.