

**The Honorable David Struhs, Secretary  
Department of Environmental Protection, State of Florida**

**Testimony at the  
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Florida and Caribbean Regional Meeting  
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Thank you, Admiral. I can assure you I would have been here even if the Governor hadn't given you that assurance. I can't think of a better time and place to be in St. Petersburg than to be here before this Commission. It's humbling to appear before a panel of such remarkable citizen experts who are giving much of their own personal time and effort to think through what our ocean future looks like.

I would like to extend my welcome to all of you on behalf of Governor Jeb Bush. It's with great appreciation and in great anticipation that we were awaiting your arrival, appreciation for the fact that you have chosen Florida for two of your field meetings, which we're very happy about, and in great anticipation given the obvious importance of ocean issues to our state's environment and economy. Also in great anticipation to see a man who has served as a mentor to me and taught me a lot about government, a dozen years ago now.

With 8,400 miles of coast line in the state of Florida, surrounding three sides of our state, it's fair to say that Floridians are on intimate terms with the ocean. We often praise it, sometimes we curse it, we live to exploit it, and every day we try to it. It's fair to say that in Florida our lives and our livelihoods are inextricably intertwined with the life and the health of our oceans and seas. To the west -- and not to be too postcardesque, but just to give you an image of it -- to our west, fringed by some very brilliant white quartz sand is the planet's largest meadow of seagrass, 2 1/2 million acres of seagrass. It produces \$145 million in seafood every year. To our south are the flats of Florida Bay, which, as you know, is the ultimate destination of that chief flow of the ultra pure water moving south slowly to the Everglades.

To the east is the only living barrier of coral reef in North America, with 50 species of coral and 150 species of fish. All of this together supports tourism, tourism and the economy in Florida, estimated to be about \$50 billion a year. With this importance of the ocean to Florida, it's not surprising that Florida would build a facility like this that we're sitting in here today, our Marine Research Institute. And I'd like to publicly thank

Director Ken Haddad for hosting us here today. The work that he and his staff do here is critical to those of us who are left to make scientifically sound decisions on policy. So they do excellent work here.

I'd also point out that the Florida Marine Research Institute is part of a larger network of both public and private ocean and scientific institutions in Florida. The Commission already benefits from the participation of one of our own, Dr. Frank Muller-Karger, who, as you know, is the Director of the Marine Science Institute at the University of South Florida. And I think it's fair to say, and I think Dr. Muller-Karger would agree, that this rich treasure trove of scientific institutions that already are in Florida are at your disposal as a Commission.

I have done my fair share of either staffing or sitting on advisory commissions and will respectfully try to offer some general observations on how your efforts might prove most useful to those of us who may ultimately be left to implement the policies that you recommend. I'll try to do that in a very specific way. But before I do that, let me just reflect on the fact that our country has a very rich heritage of assembling citizen experts to weigh evidence, identify emerging trends, and come up with new ideas and solutions. No other country does it as well as the United States.

And I would suggest that you in particular come from a very rich pedigree, that of the Stratton Commission, now 30 years old. And if I could just for a moment reflect on what that Commission meant to the state of Florida. The Stratton Commission obviously led in part to the establishment of the National Marine Sanctuary. Just last July, Florida became home to the newest and largest permanent marine preserve in the nation, the Tortugas Ecological Preserve. It's joined up with the project waters of the Florida Keys National Marine Sanctuary.

What is remarkable about the Tortugas sanctuary, which you will hear more about later, is not just the fact that it's new and not the fact that it's the largest in the country, but really the way we got there, the way we got there, which was a collaborative, specific marine approach between what otherwise would have been considered competing interests, sports fishermen, commercial fishermen, divers, recreational boaters, all coming together to -- each giving up something, but each contributing to a larger good by agreeing on a national plan for this remarkable area of the Florida ocean.

The Stratton Commission also obviously gave rise to the NOAA, National Oceanic and Atmospheric Administration. And Florida perhaps benefits from NOAA as much or more than any other state. Not only do we have three of the nation's national estuarine reserves right here in the state, but some of the work that they do in terms of tracking dangerous weather like hurricanes is particularly vital to our state.

In fact, recently NOAA actually provided some remarkable emergency assistance to us with the recent groundings of three boats and an oil spill in that Dry Tortugas National Park. So they are doing excellent work on behalf of the citizens of Florida, and we thank them for that.

Stratton also resulted in the Coastal Zone Management Act. And I know that some will perhaps disagree as to the value of that law, in particular how some states choose to use it, but let me offer our view here. We think it was a remarkable federal law, particularly in its time, in that it recognized and respected the peculiar interests of local and state government in developing coastal management plans.

And then what it did, it actually rewarded good behavior. It rewarded good behavior. It came up with a good national plan by showing substantial deference to those local plans. And as you know, Florida has used that law to great effect, finding consistently under CZMA that the oil and gas resources that lie off of our shores and their development is not consistent with our state's long-term vision of managing our coastal resources.

Governor Bush has probably gone farther. In fact, he has gone farther than any other administration to prevent new or additional oil and gas development in the eastern Gulf of Mexico. It's fair to say that few issues unite so many Floridians so completely as the idea that those coastal resources should be left untouched so that we might benefit economically and environmentally from the international resources that are there that drive our economy. So with those examples, you can understand why the Stratton Commission was particularly important to Florida, and why we continue to benefit from their work.

Having said that, truly life has changed over the last 30 years, and we are incredibly grateful to President Bush for, in the midst of everything else, taking time to pause and reflect in a high level and serious way about what our ocean future looks like.

One of the things that seems to not change, however, is our institutional responses to public policy problems, particularly the institutional responses of government. And that's what I would like to speak to you briefly on this morning.

Edward Lang at the reunion of the Stratton Commission now four years ago threw sort of a cold blanket on the table with a healthy dose of pessimism when he reminded us of Tolstoy's observation that the only thing that history teaches us is that it teaches us nothing. Rather pessimistic, sort of a downer. But consider this. Thirty years later, after the Stratton Commission made recommendations to restructure the various agencies of government into a single and integrated agency, with the obvious advantages of improved communication, efficiency, and coordination, where are we today?

I would direct you to comments made recently by Dr. Muller-Karger which in fact are on point and accurate. And those are that the state of our marine affairs reflects our management structure. People who work and live on the water, be it fishermen, corporations, state governments, local communities, all face confusing and sometimes contradictory authorities and regulations.

There are at least nine federal agencies now in charge of various aspects of our oceans and more than forty separate Congressional committees and subcommittees in charge of various aspects of our oceans. He's absolutely right. It reminds me of a particularly favorite quote, one from C.S. Lewis: "I have now returned from where I began more fully understanding where I started." I think that is sort of the feeling that we have as we look to the charge the Commission has in front of it.

Government institutions, I would say particularly the federal government, seem to always be at some point in a predictable cycle of change. If I could just share with you my own views on that. The first is the tendency to layer on new levels as new priorities and new issues become available and come to our attention, new areas for special protection, new zones for special consideration or special benefits.

Consider, just off the top of our heads, we've got the National Estuary Program, we've got economic zones, we've got enterprise investment areas, we've got military exclusion zones, fishery zones, marine mammal speed zones, marine research reserves. The list goes on and on. But the point is every interest wants to make sure that they are on the map. And indeed, there's a really good argument that we want them on the map so we can keep track of them all. The problem if you step back, though, is that sometimes there

are so many overlapping layers on the map it can become, even to the experts, a little bit intimidating.

The second phase in the cycle then is once an interest is on the map, so to speak, the interest and the priority requires some kind of institutional effort in order to stay on the map. And hence that gives rise to initiatives and special projects outside of the traditional governmental functions. But over time, as the “specialness” wears off and they become more routine, they seek to become a permanent part of government, seeking a permanent institutional home.

Then the third part of the cycle is what I call the consolidation phase. What happens is a growing recognition that these multiple map layers of jurisdiction not only overlap, but that the system of offices and bureaus designed to support them are sometimes unintegrated, inefficient, and lack a comprehensive view of what we're trying to accomplish through the government for our oceans.

The result of that typically is an effort to consolidate, consolidating our efforts into some kind of single, focused, more coordinated and efficient agency. That, of course, leads to the inevitable institutional competition that we all know as turf. I will tell you that this is not an easy federal government institution, as you all know. The department that I manage now continues to be plagued by the fact that we went through a merger, and it still affects us today that we are the result of a merger of two different departments. The remarkable part about that is the merger occurred 10 years ago, and yet it still causes people thinking. I think we need to be cautious as we think about the consolidation phase.

What I'd like to do then is to share with you just two experiences with which I'm personally familiar that might help think through these institutional relationships as we think about our ocean future.

Very quickly, the first is if you would consider with me for a moment the marine environment off southeast Florida. We have the coral reefs, we have famous beaches, we have over six million residents, it's a hub of commerce for our state, we have large cruise ports, we have large cargo ports, substantial military operations, highly active recreational diving sites, sports fishing, thousands of boats, transatlantic cables, and all of this with only so much coastline to share.

Now, as we enter the new millennium, there is a significant number of new approaches emerging to, on top of all this, site fiber optic cables to link Florida with the Caribbean and South America. Now, we understand the business that time is money, and the industry wants quick and sure access to Florida. They want to have multiple landing sites, and they want to make sure that their investments are neither snagged nor cut nor scraped as they lie on the ocean floor.

Our goal as a state, in fact, is to become a hub of electronic powers; it would be helpful to our state. But at the same time, we have to protect the current ocean users, and in particular the irreplaceable coral reef. What we faced a year ago was a typical clash of competing interests, a singular focus of one industry, a good industry, but a singular focus to be sure, into multiple, overlapping public interests that we are committed to protect.

Now, our initial idea as a government here in Florida was to create yet another layer on the map. We were going to draw some corridors, establish fiber optic corridors. It was a proposal that we thought made sense given everything else we've done through the zoning of the ocean front. But it made absolutely no one happy. The industry felt unfairly constrained, the environmentalists were unconvinced that the reefs and seafloor would actually be protected, and the marine government was extremely frustrated. But there was a breakthrough. And the breakthrough came when we learned of an Australian technology that was being used to map the Great Barrier Reef.

Using water penetrating aerial laser photography, we could for the first time better than ever before see for the first time all of the natural gaps that exist in that coral reef system. We've tested that over in Broward County, actually mapped it in a way we never have before. Then we verified it by using divers to go down to make sure what was there in reality would match with what we had in the photographs. We are now in the process of finalizing an agreement with the industry that offers them many more potential landing sites in southeastern Florida. We're giving them essentially an automatic permit process. If they agree to use one of these naturally occurring gaps, they get an automatic process, an automatic permit, with little or no wait. We avoid completely damage to the coral reef, and clearly our economy and our environment are better off.

So there are some lessons here. I think the lessons are obvious. We resisted the instinct to automatically just add one more zone or one more protection area, one more layer on the map. It's not always the best way. Obviously, we rely on new and emerging

technologies to come up with clever solutions and recognize that if we can find these opportunities that the government would be better off.

But the second and the final experience I would share with you actually goes back 10 years to my time at the Council on Environmental Quality in the Bush administration in Washington, where I worked for the Chairman, Michael Deland. Michael Deland and I as neophytes in the Washington world at the time nonetheless were savvy enough to observe a very interesting behavior in the ways of Washington. Four of the President's top environmental managers from four different agencies were friends, and they were regularly getting together for lunch. It was Nancy Dora from the Corps of Engineers, there was LaJuana Wilcher from the EPA, there was Jennifer Wilson from NOAA, and there was Jackie Schafer from the Navy. And these four women concluded as long as they had so much fun socializing and going out to lunch together, wouldn't it make sense they should find something to work on together. After all, each one was in their own unique way involved in water or marine resources.

So, these four women were in some ways wiser than we were to the ways to Washington, and they recognized that if any one of their agencies stepped forward and was designated to lead or was in charge of some kind of special project, the value of what it was they had would actually be lost. What they did is they came to this small, non-threatening institution known as the CEQ and sought our involvement as a convenient organizer. And the remarkable thing is that before long other agencies were outside the door wanting to get in. And they wanted to get in not because we were talking about bigger budgets, not because we were hiring more employees, not because we were going to expand legal authority. They wanted in because we were actually talking about commonsense things that were politically very popular and from a policy point of view very practical, delivering clear and measurable, thoughtful, and commonsense results.

One of them that comes to mind is actually coordinating some existing salt marsh restoration work on the Eastern Seaboard of the United States so that the Department of Transportation folks could improve greatly the rails for Amtrak. What they could do by coordinating their work, which was going to happen anyway, is actually make sure they were getting the culverts in underneath the railway so we could restore the tidal flow to the same salt marshes that we were seeking to restore.

Clearly, everybody was better off. We had faster and safer transportation, and their water wetland restoration results improved dramatically. What ended up happening is the

Departments of Interior, Transportation, Agriculture, and the Air Force eventually joined this effort. And we didn't have but one single position to staff it, there was no budget, and we holed them up in an adequate townhouse named Jackson Place. Ten years later now, this effort, known as Coastal America -- which has grown, obviously, since then -- is still delivering very thoughtful and practical results.

And I think there are a number of lessons here, not the least of which would be to get more women involved in our work. But you don't always have to build something new or something bigger to get superior results. There are ways to consolidate and coordinate the work of existing institutions and avoid the debilitating turf wars if you do it thoughtfully.

And I would also suggest that you want to make sure that you are focusing on measuring performance and not activities. And I think that's really important. Don't measure the success in terms of how the bureaucracy grows or how much more money you spend or how many new laws you pass. Judge it instead, as a Commission, set the marker 30 years forward. Say 30 years forward, the cargo capacity for our ports should be thus or the health of our reef system should be that or the acres of seagrass should be this.

Set some goals, whether it's commercial fish stocking or what have you, but make them performance-based, not activity-based, because, again, that in the end will serve everybody well.

Finally, recognize that all the answers aren't all up to the government and that anything that we do needs to be done, as this Commission has already proven well, be done in a sense of public and private partnership.

I hope those observations are useful to the Commission, and to the extent that it's of use to you for me to stick around and answer questions, I would be happy to do that. And let me just again make clear that the resources in the state of Florida are available to you in any form or time that you would find helpful.