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A Seamless Network of Ocean Parks and Marine Sanctuaries: The National Park Service / National Marine Sanctuary Partnership

The NPS and the NMSP share a common goal of protecting sensitive marine ecosystems through the management of designated national parks and seashores and national marine sanctuaries with individually tailored management plans. The NPS and the NMSP are faced with many similar management issues, such as habitat loss and damage, fishery harvest, conflicting uses, increasing pressure for natural resource utilization, climate change, and natural and human-induced disasters. In some cases, these responsibilities are in locations where a National Marine Sanctuary is near, adjacent to, or overlapping a National Park area. Both agencies could benefit from a sharing of resources and expertise in carrying out their management responsibilities.

— NPS / NMSP General Agreement, June 2002

Introduction

FEW PROTECTED AREAS PROGRAMS POSSESS GREATER POTENTIAL SYNERGY than the National Marine Sanctuary Program (NMSP) and the National Park Service (NPS). In recognition of this, the NPS and NMSP developed a General Agreement, signed in June 2000, to foster this collaboration, and have been working together to identify and implement joint programs and initiatives that best capture this potential. While this partnership is just gaining momentum at the national program level, many excellent collaborations have been developed and are expanding in areas where NPS and NMSP sites are located in the same region.

Partnerships are nothing new to managers of protected areas. For most, it is the way to get the job done in a time of limited resources, limited staff, and great expectations. In the arena of ocean and coastal management, the expectations for effective management and collaboration have never

been higher. The recent report from the National Ocean Policy Commission, submitted to President Bush in October 2004, devotes a large part of its findings to the need for more effective collaboration among the many agencies with stewardship responsibilities for ocean and coastal

resources. Page after page of the lengthy commission report offers examples of lost opportunities for collaboration among the ocean and coastal management agencies, and puts forward many useful and appropriate recommendations for how the conduct of resource management could be improved through effective agency partnerships and coordination. While some might argue, especially protected area managers who devote countless hours to establishing and implementing collaborative programs and initiatives, that the perception of the problem is somewhat greater than it is in practice, there is considerable room for improvement. The bar has been raised.

With regard to marine protected areas, an additional driver for more effective partnerships is the issuance of Executive Order 13158 in May 2000. This executive order directs the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI), as lead agencies in this effort, to come together to "protect the significant natural and cultural resources within the marine environment for the benefit of present and future generations by strengthening and expanding the Nation's system of marine protected areas." In response, NOAA and DOI have established a National Marine Protected Areas Center to coordinate the design and implementation of this national marine protected area system, and to be a focal point for public outreach and education for this initiative. With the assistance of a federal advisory committee, the center is making progress in developing a plan of action to design the national system, and has established centers devoted to science and training and technical assistance to guide and inform the effective operation of that system. This executive order has set the agenda for and the expecta-

tion of enhanced collaboration, and the NPS / NMSP general agreement is one of the primary vehicles for achieving the ambitious goals of this directive.

If anything has been learned in the implementation of the executive order it has been that there are a multitude of existing marine protected areas programs playing a role in the management of ocean, coastal, and Great Lakes ecosystems. The marine managed area inventory, established under the executive order (<http://mpa.gov>), currently includes more than 250 federal sites, and is expected to grow to more than 1,500 sites when all the state, commonwealth, territorial, and tribal marine protected areas are fully inventoried. Each of the implementing agencies has varying authorities, mandates, and policies driving the management of their marine protected areas, but all are focused on managing areas that have been designated to protect valued resources, both natural and cultural. Clearly, opportunities for collaboration, affording more efficient and effective management and protection, are limited only by available resources and our ability to identify and implement the most productive and valuable among them. This is what the executive order was created to accomplish, reiterated by and fully consistent with the recommendations of the National Ocean Policy Commission.

Complementary Programs

While NPS and NMSP both focus on area-based management and protection in coastal, ocean, and Great Lakes waters, the mission and mandate of each is sufficiently different to make them complementary. The many successful partnerships across the country, in such places as Channel Islands off the California coast, Olympic Coast in

the Pacific Northwest, and the Florida Keys, clearly demonstrate the power and utility of programmatic collaboration.

The National Park Service, well known for its terrestrial parks, preserves, historic sites, and wilderness areas, has a surprising number of protected areas in coastal, ocean and Great Lakes waters. According to the recently released National Park Service Ocean Stewardship Strategy (Davis 2004; reprinted in this issue), there are more than 70 units of the National Park System “that include 33 million acres of prime coastal habitats, and three million acres of water, along 4,800 miles of ocean shoreline.” Starting in 1925 with the establishment of the Glacier Bay National Monument (now a national park and preserve), to the 2001 expansion of the Buck Island Reef National Monument and creation of the Virgin islands Coral Reef National Monument, NPS has a rich heritage of managing and preserving ocean areas. Yet, despite this ocean stewardship responsibility, NPS has not focused much attention on these areas. Although NPS has developed some marine programs at certain ocean parks, it has generally lacked sufficient resources and manpower with essential expertise in ocean management to be fully successful in its stewardship responsibility for ocean, coastal, and Great Lakes resources. Americans clearly expect their national parks to protect and preserve all the resources and qualities that they were established to protect, and the recently released stewardship strategy, developed with the input and assistance of NMSP, puts NPS on a course that will enable it, when and if it is fully implemented, to meet this expectation.

The National Marine Sanctuary Program, unlike NPS, is focused entirely on place-based ocean protection and manage-

ment, driven by the dedicated efforts of a highly skilled staff with considerable relevant expertise. With 13 designated sanctuaries encompassing some 18,618 mi², and the 131,800-mi² Northwestern Hawaiian islands Coral Reef Ecosystem Reserve in the designation process, NMSP is internationally recognized as one of the premier marine protected areas programs. As part of NOAA, the program has growing resources and public support, facilities (both land-based and ships), technology, and expertise in all areas of ocean resource management and science to support this important work.

The NPS and NMSP mandates, as well as the values and qualities upon which management is focused, are somewhat different but yet complement one another. The NPS Organic Act 16 (U.S.C. 1 *et seq.*) directs the NPS to “promote and regulate” the use of national parks “to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” The National Marine Sanctuary Act (16 U.S.C. 1431 *et seq.*) directs NOAA to designate and manage areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or aesthetic qualities. The primary objective of the National Marine Sanctuaries Act is to protect marine resources, both natural and cultural. The act also directs NOAA to facilitate all public and private uses of those resources that are compatible with the primary objective of resource protection. Both authorities emphasize protection of natural and cultural resources while providing for public access and enjoyment, but in practice they

are more complementary than potentially redundant or duplicative.

They complement geographically: while NPS primarily focuses on ocean, coastal, and estuarine resources surrounding or adjacent to terrestrial park areas, national marine sanctuaries are located exclusively in the water. The NPS ocean parks include marine areas generally less than three miles from the shore, as well as shorelines, estuarine resources, and coastal watersheds associated with larger terrestrial park areas. Some national marine sanctuaries start at the water's edge and extend well beyond the three-mile state territorial waters zone, while others are entirely located well offshore in federal waters. There are few areas where the boundary of a national marine sanctuary overlaps with a national park boundary, but more often park boundaries are contiguous with sanctuary boundaries. In such circumstances, collaborative management is not only useful, but perhaps required.

These programs also complement one another in terms of resource protection. Sanctuaries are managed, generally, to facilitate multiple use, but protecting resources and qualities that they were designated to address. In national parks, there is more of a presumption of resource protection being the primary mission and mandate of managers. Sometimes referred to as "ownership-based management" (Barr 2001), terrestrial park managers have more of a sense of "ownership" of resources because parklands are generally held in fee-simple ownership, which carries with it a clear mandate and stewardship responsibility. The oceans are common property, owned by all, but in practice this can translate as "owned by none." Statutory authorities for ocean resource management are well established

in law, but marine protected areas managers have a far less developed sense of "ownership" for resources in the areas under their stewardship responsibility than their terrestrial counterparts. Management of ocean and coastal resources can seem more about resolving competing interests and equitable use than protecting or conserving resources. The expertise of NPS in preserving the nation's most important natural areas, when combined with NMSP's experience in managing and protecting ocean resources, has been a good fit where sites have seized the opportunity to establish "bottom-up" partnerships. This can only be enhanced by a coordinated "top-down" collaboration at the national program level. Progress has been made on national program coordination, but considerably more can be done to take advantage of the full potential of these complementary programs.

The Current State of the Partnership

Since the inception of NMSP in 1972, the national marine sanctuaries have looked to NPS as a source of inspiration, expertise, and advice, and many excellent site-based collaborations have been established. In an analysis of weekly reports filed by the sanctuary sites regarding significant activities, covering a period from August 2002 to October 2004, a total of 162 reports were posted identifying joint events, programs, and initiatives involving NPS partners. Encompassing everything from sharing a booth at a community yard sale in the Florida Keys, to major joint initiatives involving education, outreach, research, monitoring, enforcement, managing maritime heritage resources, and collaborative management planning, the scope of the existing partnerships is nothing if not com-

prehensive. Few weekly reports during this period contained no mention of an NPS partner, and all sanctuaries but a very few in the system offered up such reports. The majority of these collaborations highlighted were from the sites where parks and sanctuaries were geographically connected, such as the Olympic Peninsula in the state of Washington, the Florida Keys, and the Channel Islands, and where sanctuary offices are co-located in NPS facilities. Over the three years of reports reviewed, the list of sanctuaries reporting collaborations grew significantly, as did the number of national program partnerships and events. Even the more remote and smaller sites, such as Fagatele Bay National Marine Sanctuary in American Samoa and the MONITOR National Marine Sanctuary, offered examples of partnership activities. Not all activities of the sites are reported weekly, but from those highlighted, it was clearly evident that many of the national marine sanctuaries have strong, well-founded NPS partnerships.

To get a further measure of the institutional arrangements developed over the years between NPS units and national marine sanctuaries, the master files of written agreements, held at the NMSP headquarters in Silver Spring, Maryland, were reviewed. Ten formal interagency agreements between NPS and NMSP were identified in addition to the general agreement signed in 2000. Going back as far as 1995, these agreements included arrangements for the co-location of sanctuaries in NPS facilities, a number of joint education and volunteer programs, collaborative research and monitoring initiatives, and a host of other administrative partnerships. These agreements address on both natural and cultural resource protection initiatives.

Undoubtedly, there are more formal agreements not in these files, but what was discovered demonstrated, again, the scope and depth of the existing partnerships between neighboring sanctuaries and parks.

What was also evident from these agreements and reports was that these partnerships were developed opportunistically, and driven by local needs, and local efforts. This is not a bad thing, as “bottom-up” initiatives are generally quite successful. However, what may have been lacking is “top-down” support to make these initiatives even more successful and visible. Also, some “bigger picture” look at the collaborations across the system, identifying larger could be extremely valuable, perhaps national-scale collaborations that could enhance and contribute to these excellent “bottom up” programs. These site-based partnerships represent a solid foundation on which to build a larger structure, but what would be very helpful is a blueprint to guide that work. The general agreement offers a table on which these needed plans can be drawn.

Planning for the Future

The NPS and NMSP have engaged in joint planning, and intend to continue direct, bilateral coordination at the national program level as envisioned in the general agreement. Progress is being made and more is coming.

In 2001, the NMSP and NPS gathered at the National Conservation Training Center in Shepherdstown, West Virginia, to review our existing partnership, identify challenges and mutual interests, share ideas for potential opportunities to enhance collaboration, and set an agenda for moving forward. Some of the important challenges and opportunities that were identified by

the participants include (NOAA NMSP 2002):

- *Communications.* Clarity of interfaces at the park/marine sanctuary level is essential; jointly communicating to and influencing the Administration on marine conservation and protection are critical.
- *Cross-agency coordination.* Much emphasis was placed on putting mechanisms in place to facilitate the joint work of NPS and NMSP. Examples included funding transfer mechanisms, signature authority, exchanging personnel, cross-training, cross-deputization, and joint permits and regulations.
- *Joint potential opportunities.* Many shared opportunities were identified, including education and outreach, implementation of executive orders on coral reefs and marine protected areas, joint digital programming, and establishing a joint focus on critical habitat, reserves, no-take areas, and submerged cultural resources.

The group further identified three potential areas where collaboration would be a high priority:

- *National policy and planning.* Focus on jurisdictional authorities, coordination of permits, review and coordination of strategic and operating plans, and exchange of methods, tools, and management plans.
- *National stewardship development.* Focus on joint science and research strategies, and joint education and outreach programs.
- *Enforcement.* Regulatory activities were deemed significant enough to warrant its own focus and national-level working

group. The scope for this group includes coordination and joint assistance in carrying out enforcement and search-and-rescue missions.

This was an ambitious and far-reaching agenda, put on the table with the clear understanding that progress would be incremental, and that the resources of both agencies are quite limited. As expected, progress has been slow and incremental. Site-based partnerships continue produce excellent collaborations, such as the joint visitor center for Olympic National Park and Olympic Coast National Marine Sanctuary, and nearly all NMSP sites with regional NPS partners have on-going and frequent communication, with much cross-participation on site advisory councils. At the national program level, a workshop was held to address issues related to collaborative enforcement, and a memorandum of agreement has been drafted and is in agency clearance. Unfortunately, available resources have severely limited each program's ability to implement all identified priorities, but enthusiasm for the partnership remains high at both NPS and NMSP.

Recently, a draft plan of action has been developed that proposes to engage in a national joint planning program, implemented through a series of regional workshops, as well as seeking guidance and advice from NPS and NMSP personnel and other partners, at sessions held during meetings and conferences sponsored or widely attended by NPS and NMSP staff. Scheduled to be completed by 2006, this process will develop an implementation strategy for the partnership for the period 2007–2010. The on-going site-based partnerships will continue and be sustained during this period, but the national strategy

will offer the “big picture” that has been missing, and will hopefully attract new funding to allow the NMSP / NPS collaboration to move to the next level.

A Rising Tide....

With the release of its Ocean Stewardship Strategy, the National Park Service has made a positive statement of support for its ocean management programs. The National Marine Protected Area Center’s efforts to identify and work with marine protected area authorities, including NPS and NMSP, to implement a national system of marine protected areas gives new emphasis to the NPS / NMSP partnership, and the National Ocean Policy Commission recommendations are an additional impetus for action. While the current agenda is to improve and enhance our management of ocean resources in areas where NPS and NMSP have joint stewardship responsibilities, at some point new areas will be identified for protection. The closer the partnership

between NMSP and NPS, the more intimately familiar we are with each other’s programs, the better able we will be to effectively and efficiently protect ocean and coastal resources at a regional ecosystem scale. Building partnerships on a solid foundation of trust, respect, and mutual interest will help us avoid the usual turf battles and interagency combat associated with competing interests, missions, and mandates. There is, without doubt, more to gain from pursuing collaboration than competition. The ocean is a big place, and there’s plenty of room for each program to be fully successful ... individually, collaboratively, and as part of a seamless network of ocean parks and marine sanctuaries.

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