

List of Major Environmental Treaties, Rules, and Other Initiatives that Lindy Johnson Played a Key Role in Shaping

- 1) London Ocean Dumping Convention:** Lindy was among a small group of people who played a key role in shaping amendments that led to a global decision to prohibit the dumping of all radioactive wastes and numerous other wastes previously disposed of at sea. She was also a pioneer in bringing wide-spread attention to a precautionary approach to marine protection which, through her personal efforts, was incorporated into the London Protocol and became a central point of the international debate concerning marine pollution policy.
- 2) Cartagena Convention / Land-Based Pollution:** Lindy served as one of the primary legal drafters for this unprecedented international agreement that sets forth quantitative effluent standards for specific land-based discharges into the Wider Caribbean Basin. This Agreement was adopted in 1999, was recently ratified by the United States, and will soon enter-into force.
- 3) International Ballast Water Treaty:** Adopted in 2004 after some 10 years of debate at the International Maritime Organization, Lindy was a tireless advocate for development of biologically-based international standards regulating the discharge of marine ballast water. Ballast water is recognized as a primary vector for transferring invasive aquatic species around the globe. Lindy was one of only a handful of people who successfully argued for biology-based standards (versus technology-based standards). Her success in convincing both the U.S. government and numerous other countries on this point, led to a fundamental and radical shift in the structure of the treaty.
- 4) Global Antifouling Treaty:** Adopted in 2001, this treaty radically changed practices in the global maritime fleet as the treaty banned the use of tributyltin (TBT) coatings for use on ships. TBT is recognized as one of the most persistent and toxic chemicals ever introduced by man. Used on ship's hulls, the product dominated the market due to its effectiveness in keeping ship's hulls clean. The effort to bring about a global ban was highly contentious. Also important was the fact that this negotiation permanently shifted the political landscape at the IMO as it set in place new entry-into-force provisions that were previously considered impossible to modify. As a result, environmental treaties developed in London can no longer be blocked by a small group of flag states that control most of the world's merchant tonnage. Lindy served as the primary counsel to the U.S. delegation in these negotiations and was indispensable to the effort.
- 5) International Air Pollution Standards / MARPOL Annex VI:** In the 1990s and early years of the past decade, research demonstrated that ships contributed significantly to air pollution in North America, Europe, and areas across the globe. Negotiations led to an initial agreement

in 1997 and then again to major amendments in 2008 that will dramatically reduce air emissions from ships. Once again, Lindy played the key role in drafting the international regulations. She was specifically requested by EPA to lead drafting efforts at the IMO in London. In 2007, during negotiations in Berlin, Lindy was asked to lead a drafting group to compile the first legal draft of the treaty amendments. Once again the discussion was highly contentious and many of the countries were seriously opposed to many, if not all of the standards being debated. Some 48 hours later, Lindy emerged with a draft text that after another year of debate, now stands as one of the most stringent environmental agreements to emerge from the International Maritime Organization in its history.

6) Establishment of Particularly Sensitive Sea Area (PSSA) Guidelines at the IMO: Lindy was the central driving force in development of marine protected area guidelines at the IMO. She became the recognized “go-to” person for countries around the world seeking to designate marine protected areas. As Lindy would walk through a meeting at IMO, countless people would grab her by the elbow to seek advice on how to proceed with a given action they were considering with the aim of protecting a specific area of the ocean. One person once remarked to me “My God, Lindy is a rock star! She is unbelievable.” Indeed, she was an incredibly persuasive force, playing a significant role in helping countries with the designation of numerous marine protected areas around the world.

7) Designation of the Florida Keys / Dry Tortugas PSSA: Lindy led an effort in the United States and at the International Maritime Organization to designate the Florida Keys and Dry Tortugas as a Particularly Sensitive Sea Area (PSSA). The designation in 2002 serves to protect corals by establishing no anchoring areas in the Tortugas and is designed to reduce the threat of spills from vessel collisions and contribute to safer, more efficient shipping. Billy Causey, Superintendent of the Florida Keys National Marine Sanctuary, described Lindy’s role in achieving the designation as “extraordinary.” I doubt you would find anyone who would disagree.

8) Designation of the Galapagos Archipelago PSSA: Recognized as the world’s foremost expert in marine protected area regulation, Lindy provided extensive assistance to Ecuador as that country prepared a proposal for designation of the Galapagos Archipelago PSSA. The area was approved in 2005.

9) Papahānaumokuākea Marine National Monument PSSA: On April 3, 2008 the Papahānaumokuākea Marine National Monument in the Northwestern Hawaiian Islands was designated as a Particularly Sensitive Sea Area by the International Maritime Organization. As might be expected, designation of the area was spearheaded by Lindy. The area encompasses a 1,200 mile stretch of coral islands, seamounts, banks, and shoals; is home to more than 7,000 marine species and contains 4,500 square miles of coral reefs. Lindy’s effort to establish the

area as a PSSA also laid the foundation for subsequent international recognition of the area's unique cultural value. In 2010, the United Nations added the area to the U.N. Educational, Scientific, and Cultural Organization (UNESCO) World Heritage List.

10) Development of the Ship Strike Reduction Provisions for Protection of the North Atlantic Right Whale domestically and internationally: In 1997 Lindy attended the first meeting to address the threat of ship strikes for right whales and offered to help. She led the charge on getting the first educational measure through the International Maritime Organization in 1998 for mandatory ship reporting and followed that up with measures for two right whale areas in Canada, three more in the US, as well as guiding a suite of domestic measures to slow ships down to give right whales a greater chance. Because of Lindy's efforts, right whales are now afforded more protection from ship strikes in the waters off eastern Canada and the United States than ever before. There are many events that demonstrate Lindy's impact on international marine policy, but Moe Brown offered a couple examples that provide some insight into the impact of Lindy's work at the IMO. The first was when the delegate for Panama, Captain Ian Finley, took the microphone in London following a statement by Lindy, where he stated that it was "The right time to do the right thing for the right whale." On another occasion, the head of the IMO Sub-Committee on the Safety of Navigation, Kees Polderman, came up to Moe Brown at a meeting to ask "Are we (IMO) doing enough for right whales?" It was Lindy who brought right whales to the attention of IMO and made unprecedented progress in right whale protection.

11) Authored *Coastal State Regulation of International Shipping*: Even though Lindy worked long hours week after week and year after year in meeting the demands of her work at NOAA, the U.S. Government more broadly, and the IMO, she found the time to author one of the most respected books outlining coastal state authority in regulating marine activities and protecting the marine environment. The book is standard reading for attorneys examining coastal state practice and the roles and legal responsibilities outlined in the 1982 United Nations Convention on the Law of the Sea.

12) Other Accomplishments: An objective and comprehensive list of "Other Accomplishments" for Lindy would be immense. It includes work in the protection of the Arctic, her leadership in revising international standards for carriage of radioactive materials on board ships, countless legal and policy developments under the MARPOL Treaty, and numerous efforts that have resulted in better protections for whales and other cetaceans, among others. The many awards she has received for her distinguished service and will continue to receive are a testament to her incredible professional productivity and success. More importantly, anyone who ever met or worked with Lindy quickly understood that a rare, tireless, enthusiastic, and wonderful person had entered their life.