



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Sanctuary System
Stellwagen Bank National Marine Sanctuary
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11th SANCTUARY ADVISORY COUNCIL MEETING
Sheraton Colonial, Wakefield, MA
8 June 2004

MINUTES OF MEETING

PRESENT

Bill Adler	Member: Fixed Gear Commercial Fishing
Regina Asmutis	(Alternate to Susan Farady)
Edward Barrett	Member: Mobile Gear Commercial Fishing
Peter Borrelli	Member: Education
Pricilla Brooks	Member: Conservation
Dale Brown	(Alternate to Sally Yozell)
Deborah Cramer	Member: At-Large
Kathleen Dolan	(Ex-Officio Member)
Bill Eldridge	Member: Marine Transportation
Barry Gibson	Member: Recreation
Erin Heskett alt	(Alternate to Priscilla Brooks)
Jerry Hill	Member: Whale Watching
CDR Greg Hitchen	(Ex-Officio Member)
Paul Howard	(Ex-Officio Member)
Martin McCabe	(Alternate to Bill Eldridge)
Sharon Meeker	(Alternate to Dick Wheeler)
Judith Pederson	(Alternate to Peter Auster)
Kathi Rodrigues	(Designee for Patricia Kurkul) (Ex-Officio Member)
William Reilly	(Alternate to Jerry Hill)
Susan Snow-Cotter	(Ex-Officio Member)
Michael Sosik	(Alternate to Barry Gibson)
Steven Tucker	(Alternate to Deborah Cramer)
Mason Weinrich	Member: Research
Dick Wheeler	Member: Education
John Williamson	Member: At-Large

SBNMS and NATIONAL PROGRAM STAFF

Craig MacDonald, Superintendent	Ben Haskell	David Wiley
Anne Smrcina	Ed Lindelof, NMSP	Matthew Lawrence
Dede Marx		

OTHERS PRESENT

Dave Novak	Eileen Markin	Sharon Young	Joanne Jarzowski
Olivia Rugo	Bill Humm	Rosemarie Bradley	Kate Killerlain
Kate Smukler	David Bergeron	David Lincoln	



I. Welcome, Review of Agenda and Approval of Minutes (John Williamson)

Approval of Minutes

Revisions were requested by Sanctuary Advisory Council (SAC) members:

- Kathi Rodriguez requested that wording in section IV. SBNMS WG Chairs Presentation, *Marine Mammal Behavioral Entanglement (MME)* be changed from: “Biggest stumbling block is NMFS/TRT—...” to “NMFS/TRT unable to reveal decisions while in the process of rulemaking —...”
- Regina Asmutis requested that section IV. SBNMS WG Chairs Presentation, *Marine Mammal Behavioral Entanglement (MME)* be replaced with the titles of the two Working Groups (WG) currently used. *Marine Mammal Behavioral Entanglement (MME)* will be replaced with the two headings: *Marine Mammal Behavioral Disturbance (MMBD)* and *Marine Mammal Entanglement (MME)*.
- Mason Weinrich requested that the wording in section IV. SBNMS WG Chairs Presentation, *Marine Mammal Vessel Strikes (MMVS)* be changed from: “...a larger category of vessel types...” to “...a more wide spread category of vessel types...”

Pending the revisions, the 10th SAC Minutes were approved. (**MOTION**)

Review of Agenda

Susan Farady was not present to give her report on the Annual Chair and Coordinator’s Meeting: February 2004. This presentation will be postponed until the next meeting of the SAC. In place of this presentation, Ralph Child presented an introduction to the Liquefied Natural Gas (LNG) Offshore Facility Proposal. The agenda was accepted by the SAC.

II. Orientation for SAC Membership (Craig MacDonald)

Welcome and Recognition

MacDonald thanked all SAC members who served on each WG as a Chair, Member or Alternate. The names of each WG participant were read to acknowledge their participation and hard work. These Members were also presented with Stellwagen Bank National Marine Sanctuary (SBNMS) logo apparel. All SAC Members serving as WG Chair received sweatshirts. Those SAC Members serving as WG Members or Alternates were provided with polo shirts.

Membership Terms

SAC Membership terms needed to be staggered on a two-year and a three-year basis in order to prevent entire membership replacement when terms are completed. Terms were drawn by Members or their Alternates. The resulting terms are as follows:



Research (1) **Two Year Term**

Member: Mason Weinrich
Alternate: Porter Hoagland

11 SAC MINUTES

Research (2) **Three Year Term**

Member: Peter Auster
Alternate: Judith Pederson

Conservation (1) **Two Year Term**

Member: Susan Farady
Alternate: Regina Asmutis-Silvia

Conservation (2) **Three Year Term**

Member: Priscilla Brooks
Alternate: Erin Heskett

Education (1) **Three Year Term**

Member: Peter Borrelli
Alternate: Patti Harcourt

Education (2) **Two Year Term**

Member: Richard Wheeler
Alternate: Sharon Meeker

Marine Transportation **Three Year Term**

Member: William Eldridge
Alternate: Captain Martin McCabe

Recreation **Three Year Term**

Member: Barry Gibson
Alternate: Michael Sosik, Jr.

Whale Watching **Two Year Term**

Member: Alan (Jerry) Hill
Alternate: William Reilly, III

Fixed Gear Commercial Fishing **Two Year Term**

Member: William Adler
Alternate: David Casoni

Mobile Gear Commercial Fishing **Three Year Term**

Member: Edward Barrett
Alternate: Vito Giacalone

Business/Industry **Two Year Term**

Member: Jackson Kent
Alternate: Open

At Large (1) **Three Year Term**

Member: Deborah Cramer
Alternate: Steven Tucker

with assistance from the Coast Guard Auxiliary.

NOAA Fisheries Northeast Region Cooperative Research Program (Earl Meredith)

Earl Meredith presented the programs conducted through the NOAA Fisheries Northeast Region Cooperative Research Program. This program has provided funding to 280 grants from 1995 to 2003 totaling \$70,600,000. Projects include the Study Fleet, Port Sampling, Cod Tagging Program, and other short-term research projects such as conservation engineering programs.

V. Sanctuary Report (Craig MacDonald)

SBNMS Budget Fiscal Year 2004-2005

Craig MacDonald announced that the budget for fiscal year 2004 to 2005 has been finalized and spending has been done. A one-time-only fee and a "plus-up" has increased funding to \$2.13 million and is to be used to invest in Sanctuary infrastructure. Project funding will remain the same as in fiscal year 2003-2004.

Site Renovation and Vessel Construction

Site renovations continue on schedule at the SBNMS Scituate offices. Plans are developing for the installation of a radar site. A new copier has been purchased, as well as a new server and dive equipment. Planning for renovations to the boathouse should begin within the next year. A new research vessel is also being built; in the interim, a Coast Guard patrol boat has been provided.

SBNMS Staff

The available funds have enabled new staff to come on-board. The new staffing includes a GIS and Conservation Planner, Administrative Assistant, and two Marine Archeologists.

VI. Management Plan Review: Overview and Timeline (Craig MacDonald)

MacDonald advised the SAC on next steps to the Management Plan (MP) process. The remaining steps (after the Action Plan (AP) development is complete in the summer of 2004) are management plan drafting, public comment, and final approval. However, the complexity of the final steps depends on how the MP is finally bundled. Should regulation recommendations be forthcoming, they can be bundled with the Plan or be provided separately, in a concurrent but parallel process. This decision will impact whether an Environmental Impact Statement (EIS) or Environmental Assessment (EA) is needed. Amendments to the Sanctuary Designation Document (DD) may also be required; however this action is dependant on the type of regulatory recommendations that are made. If the DD is to be amended, an EIS will be needed which will require a longer, more complicated process.

VII. Luncheon Presentation: Maritime Heritage Resources (MHR)

Introduction

Ben Haskell provided an introduction to the need to protect MHR within the SBNMS. The protection of these resources is a mandate of the National Marine Sanctuaries Act (NMSA), as well as the Natural History Preservation Act. The Sanctuary is a rich repository for shipwrecks, with many benthic anomalies identified that could be wrecks. The Sanctuary is planning four missions this summer to further investigate these anomalies. Of significant importance is the wreck of the *Portland*, which has been identified and investigated in great detail.

Wreck of the Portland: DVD

MHR AP

Jerry Hill provided an overview of the MHR AP (handout to SAC). This AP is designed to protect non-renewable resource sites and promote responsible public access by providing the framework for a maritime heritage resource program at the SBNMS. The program will function in collaboration with NOAA's National Maritime Heritage Program. Ongoing work to inventory the Portland wreck provided a model to use to understand the value of and impacts to wreck sites in the SBNMS. Though the Portland was a known site of historical value, the process developed with this AP will provide a framework, should yet unknown sites of significant historical value be identified. The following strategies can be used to accomplish this goal:

- HR.1 Establish a Maritime Heritage Resource Program
- HR.2 Inventory, Assess, and Characterize Maritime Heritage Resources
- HR.3 Protect and Manage Maritime Heritage Resources
- HR.4 Develop and Implement a Maritime Heritage Resource Outreach and Education Program
- HR.5 Assess Shipwrecks and Other Submerged Objects for Potential Hazards

VIII. ACTION PLAN and Working Group Reports

Marine Mammal Behavioral Disturbance (MMBD) (Regina Asmutis)

Regina Asmutis described the AP for the MMBD WG (handout to SAC). The goal of the MMBD WG is to devise a framework to assess and minimize behavioral disturbance to marine mammals, and foster cooperation with cross-jurisdictional partners which affect living marine resources. To accomplish this goal, the WG devised four APs:

- Whale Watch Approach AP
- Overflight AP
- Noise Disturbance AP
- Fishing Issues AP

The WG also identified studies to assess the effect of vessel approaches on whales, since data on the disturbance of marine mammals is limited. The WG recognized it was important to protect marine mammals from all vessels and not just one user group. There was discussion among the SAC as to whether the whale watch industry was properly regulated, given the revenue generated by this industry.

Peter Borrelli moved to seek an affidavit from Dr. **Dennis** Nixon, University of Rhode Island, concerning the whale watch industry being under-licensed compared to the revenue the industry generated. **REMOVE —(MOTION) meant as discussion, not a motion.**

Marine Mammal Entanglement (MME) (Regina Asmutis)

Regina Asmutis provided a summary of the AP for the MME WG (handout to SAC). The goal of the MME WG was to devise a framework to assess and minimize the risk of entanglement of marine mammals, sea turtles, and sea birds without unduly impacting commercial fisheries. In addition, the WG sought to recommend and/or promote methods to successfully disentangle animals, foster cooperation with cross-jurisdictional partners, and educate Sanctuary users regarding those issues. To accomplish this goal, five APs were developed:

- SBNMS Disentanglement AP
- SBNMS Trap-Pot Fisheries AP
- SBNMS Gillnet Fisheries AP
- SBNMS Enforcement AP
- SBNMS Emerging Issues AP

Status Reports: 8 Working Groups (Chairs and Team Leads)

Chairs and Team leads provided a status report on each WG.

- *Marine Mammal Vessel Strike (MMVS)* (Mason Weinrich)
A total of six meetings have been conducted. One more should be needed to finish AP development.
- *Ecosystem Based Management (EBM)* (John Williamson)
Five meetings have been conducted. The WG has developed a definition for Ecosystem Based Sanctuary Management. The AP is under development and will potentially need two more meetings to be finalized. These meetings have been scheduled.
- *Ecosystem Alteration (EA)* (David Wiley)
The WG has met five times and has been developing APs for pipelines and cables, benthic habitat, and biomass removal. At least one more meeting will be needed to finalize the AP.
- *Water Quality (WQ)* (Judith Pederson)
This WG has conducted two meetings. AP development is nearing finalization. One more meeting should be needed to finalize the AP.
- *Administrative Capacity and Infrastructure Development (ADMIN)* (Richard Wheeler)
This WG considers it necessary to develop a means to increase funding and staffing to support and maintain the infrastructure of the SBNMS. The group has developed a SBNMS Friends Group AP and a SBNMS Volunteers AP.
- *Outreach and Education (OE)* (Anne Smrcina)
Four meetings have been conducted. The goal of this WG is to enhance the public awareness of the SBNMS by targeting user groups, supporting educational programs, and developing infrastructure. Drafts are currently underway for the OE AP. SAC members were concerned that the OE AP would need to be ready for review by mid-August. Craig MacDonald moved to have the OE AP ready for review by 15 August 2004. (**MOTION**)
- *Inter-Agency Cooperation (IC)* (Ben Haskell)
The IC WG has met four times. The AP is in the process of being finalized. WG review of the AP will be carried out through email. There may not be a need for this WG to meet again.

IX. Other Council Business

Future SAC Dates (SAC Retreat: October 19/20/21 or 23/24) and Nov.

John Williamson requested a schedule for the next meeting of the SAC be devised. Members discussed the possibility of a SAC Retreat that would last two or three days. Regina Asmutis raised a concern regarding the role of Alternates at the retreat. John Williamson moved to allow Alternates to attend the retreat; however, only Members, or those Alternates seated at the table, would vote. (**MOTION**)

William Adler moved that the SAC Retreat last two days. The Retreat schedule should provide some time-off and include evening meetings. A one day follow-up meeting will be held after the SAC Retreat. (**MOTION**)

William Adler moved to have the SAC Retreat on Wednesday, 20 October 2004 through Thursday, 21 October 2004. The location has yet to be determined. (**MOTION**)

John Williamson moved to have the follow-up meeting on Friday, 5 November 2004. The location has yet to be determined. (**MOTION**)

Announcements

No Announcements were given.

X. Public Comment

No Public Comments were given.

XI. ADJOURN

The SAC was adjourned (9:15 am – 4:10 pm).

SUMMARY of MOTIONS

- *MOTION made to approve 10th SAC Minutes.*
- ***AMENDED TO REMOVE** : MOTION made to seek an affidavit from Dr. Dennis Nixon, University of Rhode Island, concerning the whale watch industry being under-licensed compared to the revenue the industry generated.*
- *MOTION made to have the OE AP ready for review by 15 August 2004.*
- *MOTION made to allow Alternates to attend the SAC Retreat; however, only Members, or those Alternates seated at the table, would vote*
- *MOTION made to have the SAC Retreat last two days. The Retreat schedule should provide some time-off and include evening meetings. A one day follow-up meeting will be held after the SAC Retreat.*
- *MOTION made to hold the SAC Retreat on Wednesday, 20 October 2004 through Thursday, 21 October 2004. The location has yet to be determined.*
- *MOTION made to hold the following SAC Meeting on Friday, 5 November 2004. The location has yet to be determined.*