



**U.S. DEPARTMENT OF COMMERCE**  
National Oceanic and Atmospheric Administration  
Office of National Marine Sanctuaries  
Stellwagen Bank National Marine Sanctuary  
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**32nd SANCTUARY ADVISORY COUNCIL**  
**19 January 2011 9:00 am – 3:30 pm**  
**Holiday Inn, Rockland, MA**  
**MINUTES of MEETING**

**Present:**

Bill Adler	Member:	Fixed Gear Commercial Fishing
Peter Auster	Alternate:	Research
Bob Avila	Alternate:	Whale Watching
Jennifer Anderson	Federal:	National Marine Fisheries Service
Priscilla Brooks	Alternate:	Conservation
Al Cottone	Alternate:	Mobile Gear Commercial Fishing
Peter DeCola	Federal:	USCG
Susan Farady	Alternate:	Education
Robert Foster	Alternate:	Diving
Judy Laster	Alternate:	At Large
Marty McCabe	Member:	Marine Transportation
Maggie Merrill	Alternate:	Business/Industry
Steve Milliken	Member:	Whale Watching
Rob Moir	Member:	Conservation
Tim Moll	Member:	Business/Industry
Rick Murray	Member:	Research
Wayne Petersen	Alternate:	Research
David Robinson	Member:	Maritime Heritage
Michael Sosik	Alternate:	Recreational Fishing
Capt. John Tulik	State:	Massachusetts Environmental Police
Brad White	Alternate:	Recreational Fishing
John Williamson	Member:	At Large (Executive Committee Secretary, Acting Chair)

**SBNMS Staff:**

Craig MacDonald	Deborah Marx	Elizabeth Stokes
Ben Cowie-Haskell	Anne-Marie Runfola	Michael Thompson
Brad Cabe	Dave Slocum	Nathalie Ward
Matthew Lawrence	Anne Smrcina	

**Others Present:**

Capt. Len Roberts and Lt. Rob Bellinger - State: Massachusetts Environmental Police  
Scott Gallagher and Amber York - Biology Department, Woods Hole Oceanographic Institution

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

The Agenda was reviewed approved. The 31<sup>st</sup> SAC Minutes were approved unanimously with one correction to the Appendix requested by Peter Auster: specifically to add a color code legend to the Appendix.

John Williamson welcomed new members and alternates:

Bob Avila - Alternate: Whale Watching  
Al Cottone - Alternate: Mobile Gear Commercial Fishing  
Judy Laster - Alternate: At Large  
Jake Levenson - Alternate: Conservation  
Kate Killerlain Morrison - Alternate: Conservation  
Rob Moir - Member: Conservation  
Dan Pingaro - Alternate: At Large  
Robert Rocha - Alternate: Education

Difficult news John Williamson shared with SAC is that Mason Weinrich suffered a stroke. John will keep the SAC updated on Mason's status.

## **II. SBNMS Business (Craig MacDonald)**

Sanctuary budget remains the same. Congress has not yet passed an appropriation bill. ONMS is still operating under the continuing resolution and operating at 95% of what the FY10 budget was. This could continue through the entire year if there is no agreement by the House and Senate. If the Bill is passed, we will likely get less than the 95%. Craig will know more when Congress acts.

The SBNMS Facilities and Vessels Operations Coordinator's position was successfully backfilled. Craig introduced Dave Slocum who is now filling this position. Dave used to work with the New England Aquarium Whale Watch and Captain Johns Whale Watching Company as a boat captain, and also worked with the Massachusetts Water Resources Authority. The sanctuary staff is very fortunate and grateful to have Dave on board. Dave has already done fantastic work.

## **III. SAC Business (Nathalie Ward)**

### **i. New Members Welcome and Future Recruit**

Nathalie welcomed and extended her gratitude to all new members and alternates as well as to current members and alternates for their participation and involvement with the SAC. She encouraged all members and alternates to keep in touch with each other and to inform the other half if one cannot make a SAC meeting.

SAC recruitment is ongoing for Maritime Heritage (Member and Alternate), and an At-Large (Alternate) seat. All terms for this recruitment will be 3-year terms.

### **ii. 2011 Meeting Dates**

Tentative dates for next SAC meeting will be 18, 19, 24, or 25 May in Boston or Gloucester. Nathalie will follow up with SAC to notify of May date. *Update: SAC Meeting will be held on 25 May 2011 at the Museum of Science in Boston.*

### iii. Term Limits: SAC Charter Amendment

There was a SAC Charter amendment that changed all term limits to 3-year terms. The change will become effective in 2012 when the Charter comes into force.

### iv. SAC Challenge

In 2012, SBNMS will be celebrating its 20<sup>th</sup> anniversary. A lot of events will be held to celebrate this anniversary starting in January through the entire year. Nathalie is reaching out to all SAC members to solicit their comments and suggestions on how they could serve in an outreach effort and also to recognize and prioritize the sanctuary in some fashion during the anniversary celebration. It is hoped that all SAC members will help celebrate the event. Members are asked to please get in touch with Nathalie with ideas, which they will present at the May SAC meeting ( i.e., what each member has to offer and what they plan to do for the SAC Challenge). Additionally, many NGOs (not on the SAC) will participate in the celebration and she is also working with external research and education partners (USGS, WHOI, MBL among a few) to host an event in Woods Hole (Summer 2012). Nathalie will be fully engaged with this project, but cannot make sanctuary staff time fully available.

#### Discussion/Comments:

John Williamson: This is very much a creative opportunity for SAC members to involve constituencies in some creative ways and interface with various groups.

Rob Moir: Oceans Institute plans to be involved. This challenge is really significant because people need a reason to come to the Sanctuary and is a fabulous way to bring awareness to the Sanctuary.

Maggie Merrill: Marine and Oceanographic Technology is a trade association that has a lot of underwater equipment and a network of companies. An obvious thing to do for the 2012 anniversary is to put together some type of forum and have scientists talk to technologists on what technology needs would be needed and how to monitor these as a business opportunity. The Marine and Oceanographic Technology can serve to make companies become aware of possibilities in the sanctuary. She will pitch this to her folks.

Peter Auster: This is a brilliant idea but it's about the intersection of business and sustainable use.

Priscilla Brooks: This is a great idea and Conservation Law Foundation intends to participate in some manner, in particular in some type of public outreach.

*Stellwagen Alive!* will be involved.

David Robinson. It is a great idea and a great opportunity to showcase a lot of the great work that the Maritime Heritage staff is doing. He will be actively involved in the maritime heritage outreach that Matt Lawrence and Dede Marx will be doing during this time.

Tim Moll. There is a need to reach out to the boating community. A lot of folks are unaware of the activity that goes on in terms of conservation and scientific research in the sanctuary. If a function is set up, could sanctuary and staff and materials be provided? Nathalie Ward said yes.

Rick Murray: The Town of Scituate can provide rooms and availability elsewhere in Scituate other than on the SBNMS location if needed. There are plenty of opportunities to draw awareness at the Town of Scituate level.

v. SAC Youth Seat Subcommittee (Nathalie Ward, Dave Robinson, and Rob Moir)

At the 2010 Summit meeting, Dan Basta, Director of ONMS, encouraged all SACs to consider forming a youth seat. At the SAC meeting in October 2010, this issue was raised again to generate possible interest in adding a youth seat or youth working group to the SBNMS SAC. A Youth Seat Subcommittee was formed of Rob Moir and Dave Robinson to look at the logistics and benefits this could have for SBNMS SAC. They provided a synopsis of the logistics involved and the report generated from their research and findings after querying other sanctuary SACs. Adding a SAC youth seat is no different from recruiting or adding a SAC member or alternate seat. Moir described the process used at Hawaiian NMS which was different from that used by Monitor NMS to recruit for the youth seat. There was very positive feedback from both sanctuaries. Their report also states that homeschooled children are eligible. The key is to have two people on the SAC to support the "buddy system".

The requirements for a youth working group is much greater than adding a youth seat. It was recognized that there are limitations to what the SAC members and sanctuary staff can do to support a SAC youth seat. The subcommittee's recommendation to the SAC is that there be a motion to add a SAC non-voting youth representative and a non-voting alternate youth representative. The SAC Charter would need to be amended accordingly. The Youth Seat Subcommittee final report was sent to the SAC and Nathalie Ward has hard copies for anyone who wishes to read it.

Discussion/Comments (Peter Auster, Susan Farady, Craig MacDonald, Maggie Merrill, Steve Milliken, Rob Moir, Rick Murray, Dave Robinson, Wayne Petersen, Nathalie Ward, John Williamson)

Need a sense of longevity and how to maintain and generate enthusiasm with these youth.

Home-schooled young people are not eliminated from consideration.

If seat is created, this brings a special responsibility for all SAC members. We have young people participating so there is a responsibility to listen to and act on their ideas. We cannot become cynical about their participation

Need to show youths how the SAC process works rather than making them active participants.

Youth involvement should be as an integral member of the sanctuary not just the SAC.

Concern voiced about the maintenance, care and "feeding" of this position. Philosophically it is a great idea, but more damage can be done to the sanctuary and the SAC's reputation than not if SAC is not able to follow through with a commitment to caring for youth. Be cautious about the overall entity's ability to support it. Not worried about recruitment but how to develop and sustain it.

The selection process is key.

This could be a large time commitment from the sanctuary staff. If SAC goes the route of seat versus working group in terms of time and financial constraints would be less.

A youth working group like Monitor NMS implemented cannot be maintained by SBNMS. SAC needs to go with a youth seat. Anything more structured than that cannot be sustained – i.e., to maintain a level of

participation that is not a drain on staff and SAC members. The young person needs to be a self-starter who can build coalitions.

SBNMS has an education outreach coordinator, Anne Smrcina, who works on the ground with the schools. Has anyone talked to Anne about the viability for something like this? Craig responded that Anne Smrcina is aware of this but has not been asked specifically if she could work closely with a youth SAC member. This is not just an education interest. Anne would be an enormous help on the recruitment process. She can network and get the word out but not once the position is in place. This would be Nathalie Ward's responsibility as SAC Coordinator. Sanctuary staff doesn't have the infrastructure to be a totally nurturing entity for youth who would come aboard as representatives. We have a broader range of issues and complexity than the two sites that have chosen to bring on SAC youth representatives.

It is incumbent upon the SAC to listen, act and respond. Mild agreement that staff and SAC are all overworked but there is also a requirement as a uniformed committee to come together and to nurture this person along. Everyone is in agreement on how to move forward - just need to be careful on how to implement and sustain this.

Nobody is "high speed low drag". Everyone needs some level of some assistance and support. Assuming this goes forward, maybe the youth will need some assigned mentors from the SAC for these seats and checking in with this person on these issues. There is a way the SAC can do this without formalizing a huge time commitment from any one person.

SAC should keep in mind the time frame rigidity of the academic world when students are looking for things to do. This will directly affect the pool of applicants. There should be enough lead-time - i.e., maybe advertise the seats in spring/summer so that this youth could be active in the fall.

John Williams summarizes the discussion: Will the SAC youth member and alternate model be workable and not be an overwhelming burden on SAC time? The youth seat would be a fully functioning member of the SAC and equal demand as everyone else's priority.

***Motion: Dave Robinson with second by Rob Moir to amend Charter to include a SAC Member and Alternate non-voting SAC seat. Rob seconds. Passed unanimously.***

Rick Murray volunteered to serve on the subcommittee. The subcommittee will meet prior to the May SAC meeting to fine-tune criteria for adding a youth seat and an alternate seat to the SAC.

Craig MacDonald applauded and thanked subcommittee for their efforts.

vi. SAC Leadership Award and Sub Committee (John Williamson)

John Williamson reported that the SAC Leadership Award Subcommittee is comprised of Peter Auster, Richard Delaney, Mason Weinrich, and Steve Milliken. The first round of solicitations to identify and congratulate people who are volunteering for the SAC got very little response with only one nomination received by the subcommittee. The subcommittee will begin a second round to solicit additional nominations. The question is, with so little response, is it something the SAC wants to continue or do on a biannual basis?

Peter Auster: The subcommittee constrained itself heavily on the criteria for the award. Open up ability so that staff can nominate volunteers.

Craig MacDonald: Each year, each sanctuary is asked by the Office of National Marine Sanctuaries to nominate a volunteer of the year. So there is already a process in place where the sanctuary staff is already making recommendations to honor volunteers. The Leadership Award is for the SAC to acknowledge people who are doing extraordinary work.

John Williamson: There is already another volunteer award process. SAC had decided to do its own for the SAC itself to recognize individuals. Do we want to continue it and if so how do we want to continue this on an annual basis, biannual basis?

Wayne Petersen: A conscious effort to engage the sanctuary staff person on the working group because they are in the best position to know who is really doing some heavy volunteering and making a difference and contributing, or make it clear that they will be consulted on who is knowledgeable.

***Motion by Priscilla Brooks with second by Rick Murray to continue with the award and charge the subcommittee with reevaluating the criteria to ensure that we are able to have a good pool of nominations every year and bring forward recommendations to the May meeting; also determine the frequency of the award. Motioned passed unanimously.***

***Subcommittee consists of Peter Auster, Steve Milliken, and Mason Weinrich who will continue to serve on the subcommittee. Other volunteers are needed to serve on the leadership subcommittee.***

#### **IV. Sanctuary Maritime Heritage (Matthew Lawrence)**

In August 2010, the new Office of National Marine Sanctuaries (ONMS) East Coast research vessel SRVx (Sanctuary Research Vessel experimental) traveled to the Stellwagen Bank National Marine Sanctuary from Virginia. The vessel served as a platform for a seven-day synthetic aperture sonar (SAS) survey of the sanctuary's northwest corner. The survey, conducted with Applied Signal Technology, used the PROSAS Surveyor sonar system to map over 169 square kilometers of seafloor on the approaches to Gloucester, Salem, and Marblehead. Lying just off some of America's oldest ports, this area was thought to have a greater potential for Colonial-Era shipwrecks. In addition to locating archaeological resources, the project sought to assess derelict fishing gear concentrations and characterize seafloor habitats.

SAS creates acoustic images similar to conventional side scan sonar, but the seafloor images are much higher resolution over larger areas. The advanced signal processing allowed scientists to image features as small as 3 centimeters in real time. Each survey line transit mapped a swath of seafloor 300 meters wide.

Over 10 sonar targets with archaeological resource characteristics were located during the SAS survey as well as over a hundred derelict lobster pots. The SAS technology was also used to re-image known shipwrecks such as the steamship *Portland* and coal schooners *Frank A. Palmer* and *Louise B. Crary* to gather a more detailed overall view of the sites. NOAA's Office of Ocean Exploration and Research and the ONMS Maritime Heritage Program provided project funding.

Sanctuary efforts to comply with Section 110 of the National Historic Preservation Act of 1966 resulted in the successful nomination of the *Edna G.* shipwreck to the National Register of Historic Places. The *Edna G.* was an eastern rig dragger built in Morehead City, NC, in 1956. The vessel fished off North Carolina until 1974, when new owners brought the vessel to Portland, ME. In 1977, the vessel's homeport switched to Gloucester, MA. Under several owners, the *Edna G.* fished the waters in and around the sanctuary until 1988. In June of that year, it sank in deep water north of Stellwagen Bank. No lives were lost when the vessel sank.

Sanctuary researchers located the vessel in 2002 and conducted a ROV investigation of the shipwreck with NURTEC-UConn in 2003. The vessel was found to be largely intact with its fishing gear and wheelhouse in place. The investigation found a large hole below the vessel's waterline on its port side. The hole likely caused the catastrophic flooding reported by the vessel's crew.

Pursuant to the Federal Archaeological Program and National Marine Sanctuary Regulations, NOAA must inventory the historic properties under its jurisdiction and nominate eligible properties to the National Register of Historic Places. National Register listing criteria is the U.S. Government's standard for assigning historic significance. Historic properties must meet on one of the following four criteria:

- 1) association with events that have made a significant contribution to the broad patterns of our history;
- 2) association with the lives of persons significant in our past;
- 3) embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- 4) have yielded, or may be likely to yield, information important in prehistory or history.

As an archaeological site, the *Edna G.* was nominated under criteria #4 as being representative of a rapidly disappearing vessel variety that contains vernacular construction characteristics. The *Edna G.* can shed light on regional shipbuilding techniques that varied along the eastern seaboard. Furthermore, eastern rig draggers, as a vessel type, have been the subject of little historical study with very few examples transitioning into museum collections for future preservation.

#### Discussion/Comments:

Bill Adler: Doesn't think there is reason to list the sunken eastern rigger on a list of historic places or keep finding other sunken vessels and sanctifying them because of the type of boat. Fishermen just want to know where they are to avoid them - no one wants to get stuck on them. Has a problem that we keep on finding these vessels and sanctifying them, pretty soon the place is a mess with these things. There are places where eastern rigs can be looked at that are not on the bottom of the ocean.

Michael Sosik: What gets closed off by establishing this wreck site? It is apparently an insignificant dragger. Does not want to get his fishing lines hung up on these wrecks so tries to avoid these areas. There are so many of these out there, why pick an apparently insignificant eastern rig dragger? There is one already in the bottom of a New England harbor - that would be a better place to see one.

Matthew Lawrence. There is nothing associated with the listing an archaeological site on the National Register that denotes any sort of closure.

Brad White: What is the definition of "preserved". Marine protected area versus being in a museum. It's not just this one wreck; there are as many as 16. Concern would be that there may be more recognized. Can coordinates be provided?

Matthew Lawrence: Eastern rig draggers as a vessel type have not been extensively preserved, in that only 2 are in museum collections. As prevalent as eastern rig draggers were and with so few left, it's important to study this aspect of our maritime history before it is gone. The *Edna G.* is in the northern portion of the sanctuary in deep water. Exact coordinates cannot be provided.

Craig MacDonald: SBNMS has a legal obligation under the National Marine Sanctuary Act to do exactly what the Maritime Heritage staff is doing. Sanctuary management must follow the National Historic Preservation Act. Staff is required under that law to identify shipwrecks that meet the standards and

criteria to be listed on the National Register of Historic Places. That's what the exercise is that we are going through and that is the role of staff archaeologists at the sanctuary. Staff wants the opportunity to share new listings with the SAC. Under the National Historic Preservation Act, the listing of a site does not impart any sort of spatial management requirements. What we are doing is required under the law. Craig encourages SAC members to refer to the Maritime Heritage Resources section in the Final Management Plan to understand how this management mechanism works and how wreck locations cannot be divulged.

Public comment from Joe Orlando, commercial fisherman: Fishermen need to know where wrecks are so that they can stay away from them. The process for listing these wrecks is backwards.

Dave Robinson: Recommended that at the next meeting in May that he and the Maritime Heritage staff give a presentation that can inform everyone about the importance of maritime heritage resources and what the criteria are for determining whether a site is eligible for the National Register. He believes this would answer a lot of questions.

Brad White: Attended a meeting with 60 captains who fish these areas and would like to know where the wrecks are for safety reasons. One captain plans to go through the Freedom of Information Act to find the wrecks. People using this area have a greater propensity to preserve because they don't want to lose gear. Everyone needs to be on a fair level playing field.

John Williamson. In the absence of regulatory authority for the sanctuary to actually go out and permit diving, salvage activities, or viewing of some of these historic wrecks and funding involved, that the best protection at this point is simply not to tell folks where the wreck sites are. It will be helpful to have Maritime Heritage staff and Dave Robinson explain the significance of these wrecks and the process of how they are listed on the National Register. These are a connection to the past and help to tell a story; part of the purpose of the sanctuary is to make that connection to our economy and to our communities.

Al Cottone: What is a maximum protection that a wreck gets when it is declared historical and how can that change in the future? Could this be made a dead zone of no activity at all in the future?

Matthew Lawrence: The National Register of Historic Places does its best at protecting historic sites from the Federal Government itself. Those sites that are listed on the National Register are accorded a certain level of consideration when any sort of federal activity takes place such as permitting the laying of a cable. Current sanctuary regulations prohibit damage, disturbance, removal of sanctuary archaeological resources, whether the site is listed on the National Register or not. Sanctuary regulations could potentially be changed in the future, but it would require public process.

Craig MacDonald: In the Final Management Plan under the Maritime Heritage section, one of the recommendations is to consider establishment of a heritage preserve around significant wreck sites. So the sanctuary staff will be moving forward with this; there will be further discussion about this within the SAC.

Dave Robinson. National Register sites can come on and off the register. Fixed gear and mobile gear constituencies were represented in the Maritime Heritage Management Plan working group, so their voices were heard in that process. This is not an "ad hoc after the fact" program that is being applied. It was a carefully thought out, inclusive process to create the management plan for maritime heritage resources.

## **V. SBNMS Volunteer Program (Anne-Marie Runfola)**

Anne-Marie Runfola is the newly hired SBNMS Volunteer Coordinator. Her presentation introduced the new SBNMS Volunteer Program. In the past, SBNMS staff members have worked with interns, graduate students, post docs and a few local volunteers whenever possible. Staff realized that, to have a formal program, they needed to commit to it, find funds and hire a coordinator. SBNMS committed to creating a formal volunteer program in the latest management plan and has identified a small amount of money to bring on a Volunteer Coordinator part-time for one year. Anne-Marie Runfola is launching the first program this spring, Stellwagen Ambassadors.

First activities/dates:

- Volunteer Open House, March 2nd, 5-7 pm, Scituate Library.
- St. Patrick's Day Parade - March 20th, marching in parade to increase public awareness, volunteers may join us and SAC members are welcome as well.
- Stellwagen Ambassadors Training - Sat, --April 9th from 9:30 am - 12 pm in the SBNMS Annex.
- Internships 2011 - one volunteer program intern are already committed for 400 hours this summer and we are hoping to place at least one or two more this year.
- Information about the Volunteer Program is on our website at:  
<http://stellwagen.noaa.gov/involved/volunteers.html>.

## **VI. Maritime Park Trail at SBNMS (Ben Cowie-Haskell)**

Ben presented the concept and design of a park trail that would join the Sanctuary to the Scituate Maritime Center. SBNMS staff is working with the Town of Scituate to generate support and funding for this idea. The project is driven by the acquisition of the land situated between the Maritime Center and the SBNMS boat house.

Ben recapped the marine operations center design at the boathouse, which was presented at the October 2010 SAC Meeting. The new marine operations center will have wet and dry labs, a boat repair area, and dive room on the ground level, with a multipurpose room with dormitories on the upper level.

## **VII. Working Luncheon – Amber York and Scott Gallagher, Woods Hole Oceanographic Institution**

Scott Gallagher, Scientist, and Amber York, Research Associate, of the WHOI Biology Department gave a presentation on the use of HabCam technology. The HabCam is a tool that provides a unique glimpse at the seafloor through optical imaging. Images collected with HabCam are used for scallop research and habitat mapping. HabCam can also provide data to scientists and fishery managers to help them make more informed decisions. Currently, HabCam is used in two projects, a Research Set-Aside project to survey offshore sea scallop populations and NEBO (Northeast Benthopelagic Observatory), a program designed to understand ecosystem change. The HabCam group has collected over 18 million images in the HabCam database and is making them accessible to the world. HabCam has collected over 15 million images in the SBNMS over the last 5 years providing fascinating insight into such things as linking community structure and seafloor features, differences in community structure inside and outside of the WGOM closed area, variation in distribution and abundance of rare species related to seafloor habitats, the distribution of invasive species, and the distribution of marine debris and derelict fishing gear. Galleries of highlight images, search for images of specific organisms, as well as downloading images can be accomplished at their website: The HabCam staff also welcomes visitors to their WHOI

location for a walk-thru of imagery. More information is available at their website:  
<http://habcam.who.edu/>.

### **VIII. Fishing Characterization (Craig MacDonald)**

At the last two SAC meetings there was discussion about staff needing to develop a habitat research area proposal within the sanctuary to be responsive to the New England Fisheries Management Council's (NEFMC) essential fish habitat amendment process. The challenge was a matter of timing. At the October meeting the SAC voted to establish an ad hoc subcommittee for the purpose of advising Craig on any research area proposal that was drafted prior to it going to the NEFMC if sanctuary staff needed assistance or advice on a particular issue. Craig wanted to keep the SAC informed of where the process is at the moment. Sanctuary staff participated in the last three NEFMC committee meetings, while trying to gather the data to do the analyses that would lend itself to a discussion and location for where this research area would be. The staff is working very closely with the NMFS NE Fishery Science Center (NEFSC) in Woods Hole and has kept the Northeast Region informed on what is being done in this effort. During the discussions with NEFSC, it was determined that three types of data need to be analyzed: Vessel Trip Report (VTR) data, Vessel Monitoring System (VMS) data (satellite data), and observer data. The dataset used for the analysis was VTR because it includes all five major fishing gear types (bottom mobile and fixed gear, commercial handline, and party and charter boats) in SBNMS and includes the longest time series (1996-present). The VTR data enables the mapping of the spatial distribution of fishing trips at the scale of the sanctuary. The Science Center in Woods Hole has evaluated the data and is in agreement with its use. So VTR data was used in the analysis for 14 years that the data is available (looked at vessel trip reports from 1996-2009). Staff also looked at VMS data that is used for enforcement by satellite. However, VMS data are problematic because they do not definitively reveal if the vessel is fishing or not and it only covers several years and too few gear types. There is a lot to learn about the quality of this data and meetings will be scheduled with NEFSC staff to go over its usefulness in the future. The observer data was valuable in validating the results of the VTR analysis.

Craig introduced Mike Thompson, the sanctuary's GIS/AIS analyst, who has done a great job in creating helpful visualizations of the data and has done all of the analyses of the various datasets. Craig presented the "who, what, where, and how" of the data and related analyses. VTR data is useful and can be used in GIS analysis to accurately map where fishing is conducted in the sanctuary. There is an understanding that fishermen don't feel VTR data is reliable and staff is certainly willing to work with the fishermen to go over the data and explain why it's valid. Craig showed maps of fishing effort and explained the types of analyses that the VTR data afforded (i.e., types and numbers of trips per year as well as gear type) that gave a sense of the historical view of fishing within sanctuary boundaries. The challenge is where to put this habitat research area. After data are further analyzed, staff will come back to the ad hoc subcommittee or entire SAC membership with its recommendation as meeting schedules allow.

Comments/Discussion: A discussion ensued on sectors and the western Gulf of Maine (GoM), and rolling closures.

Ed Barrett (former SAC member): A lot has to do with graphic management not really fishing management, as people's days at sea are decreased, and limited to a certain species on trips, then they need to make more trips to catch the same amount of fish. Now it's just the opposite. This has radically changed the system. Now with regulatory sectors discard, fishermen are making substantially less trips.

Joe Orlando (commercial fisherman public comment): Fishing in the same places but the amount of time spent there would be a quarter of the time because of allocation restrictions. Fishermen can go out and get their allocation in one week. 2009 data is completely different. In 2009, fishermen were making fish

trips under the days at sea system. Now it's under a new management era with sectors. Data will completely change. I know where you are going with this. I have always had a problem with this every time it comes up. A lot of people don't know even know what the GoM closure is. It's been in existence over 15 years and there is no fishing in that area at all. Why don't you look at that closure? Why do you need to take more of the sanctuary? There is already so much closed area in the western GoM closure, it's huge. Why are you doing it in a place where you are putting more people out of business? Go do your research there. We were kicked out of that area 14 years ago and we all changed our way of fishing and downsized to smaller boats. Going farther out and we'll have to get bigger boats and it's a safety issue. Don't understand this. This could be avoided -- instead of working together to find solutions. The other part is the Sliver; it's not just a little piece, it's a big slice, a big area.

Peter Auster: Issue is not the variation effort over time but relative differences where fishing is occurring.

Al Cottone: During the time management it was under the "days at seas". Fishing was basically under a "two-minute drill mentality". Now under the sectors there is an allocation of every species, now we are moving around a lot more to access the other species. Now we will be spreading out more to get a piece of the other species - not spending more time but spreading out more.

Brad White: How many VTRs were in the analysis?

Mike Thompson: A little over 100,000.

Brad White: The VTR system today is very archaic. Morale would be better if there was an on line reporting system for VTR. This needs to be amended, fixed, updated. This has been communicated to NOAA and NMSF, but it seems that nothing is happening.

Jennifer Anderson: NMFS is working on this issue. The Fisheries Statistics Office plans to unveil a volunteer system for the sectors in the spring. So there is progress.

Mike Thompson: VMS data is difficult to work with in general. Reporting intervals are also very difficult to work with.

Ed Barrett: What is the difference when you come to that line where the GoM closure becomes the sanctuary but still within the GoM closure area? The NOAA sanctuary is part of National Ocean Service (NOS). It's all under one umbrella. Don't understand why at some point that reference area is going to change. It's all closed. If there needs to be a reference area and it needs study done, why does it have to have the sanctuary's name attached to it? The science is going to be the science. The line was drawn with no scientific basis. They are just lines that people have made up that have no scientific relevance. Why not have the ecological reference area straddle both western GoM closure area and the sanctuary area. A 4-5% of an area should be totally enough to be able to study.

Craig MacDonald: This can be made as a recommendation to the Habitat Committee of the NEFMC. There may be an opportunity for tradeoffs. It's a reasonable time to explore a variety of alternatives. Part of the issue now is that the GoM closure overlaps the sanctuary but we are looking to an area entirely within sanctuary jurisdiction. The rest of the GoM is outside of our jurisdiction. This is a reasonable time to explore alternatives. We are also looking for an area that minimizes impact on fishing but also is representative of the four types of habitat. The closure area has to be significantly large enough to be able to answer the bigger questions. It needs to be clear that fishermen may be blamed for things that they are not causing. How this gets sorted out it is through a closure area. The GoM is not a true controlled site. We will put forth one based on the authority we have within the jurisdiction we have. Science is done for different reasons to meet different objectives. Primary objective here is an ecological research area to

address how we can learn more about how the ecosystem functions, how these seafloor and biological communities change over time in an area undisturbed by fishing and in areas that are incrementally disturbed by different kinds of fishing. These are the sorts of activities that we need to be able to control. We are trying to minimize the impact on fishing - that is one of the structural elements in this process. There will also have to be an Economic Impact Assessment as part of the process. Staff is very aware that this could cause displacement and is looking to minimize it. We are not looking at an area where the most of the fishing is occurring. If research can be done in an area where there is less fishing, then that's the area.

Al Cottone: Take into consideration anything proposed west of the GoM closure for permanent closure is going to cause displacement of effort. The effect will be more effort in other areas of the sanctuary. Is the research worth the added effort that will be placed on other areas of the sanctuary?

John Williamson: Worth noting that there has been 20 years of intense management of fisheries. The fishing industry in the region is going through some major economic restructuring and people are trying to figure out what the future holds. NOAA, ONMS, and NEFMC are in the midst of working with the fishing community in trying to figure out what fishing will look like in the future. NEFMC is wrestling with these issues and several fishery management plans will be implemented. ONMS is preparing to bring a proposal to the NEFMC on fishing in the sanctuary and how to make it move in the direction of NMSA. This will be an ongoing discussion for years to come. We are actually seeing the early stages of a dialogue around this particular issue at a number of different venues over the next six months.

Susan Farady: What is the timing of omnibus habitat process and where your process is?

Craig MacDonald: We are trying to have something possibly by the beginning of March or April to the ad hoc executive committee then on to the Habitat Committee at NEFMC for a review. Timing is driven by NEFMC staffing issues.

Craig MacDonald recapped for the SAC why and how the ad hoc subcommittee was established. The committee was established two SAC meetings ago knowing that sanctuary staff was not going to have the opportunity to run this proposal by the entire SAC, but wanted to run it by as many members who were interested in serving on the ad hoc subcommittee. Its mission is to be ready to advise the SAC Chair and staff on matters related to implementing the recommendations in both the final Management Plan and from the Zoning Working Group in achieving the overall goal in promoting the ecological integrity in the sanctuary. It is specifically to provide advice that requires potentially rapid action on behalf the Sanctuary Superintendent to work along with NEFMC to establish an ecological research area as it reevaluates area closures. Sanctuary staff is trying to interface with the Habitat Committee of NEFMC as it moves forward with reevaluating closures in the Northeast Region. Staff was uncertain that it would be able to show this to the entire SAC prior to meeting with the Habitat Committee or NEFMC with what is considered a full proposal. There were many reasons for this: one is that prior approval is required from the NOS Assistant Administrator and possibly NOAA leadership as well as briefing and coordination with NMFS. There is an uncertain, possibly lengthy process to go through within NOAA just to be able to put a working document out on the street. So that makes it difficult for staff to schedule a SAC meeting around the time it would have the proposal completed, and internal review of it completed in a way that it ties in with the Habitat Committee and NEFMC meetings. Another further step is that staff is developing the proposal for the sanctuary ecological research area and will be going to NEFMC to ask the council to establish it on behalf of the sanctuary. Choreography is critical in order to achieve this process. The next time staff will be able to show what is hoped is a final version with recommendations in a form of a proposal will be to the Ad Hoc Executive Subcommittee.

Ad Hoc Executive Subcommittee Members:

Rich Delaney (Chair)  
Priscilla Brooks  
Dave Casoni  
Deborah Cramer  
Vito Giacalone  
Melanie Griffin  
Michael Sosik  
John Williamson

The complete analysis of the data will be shared with the SAC ad hoc executive subcommittee since the SAC will not be meeting until sometime in May. Sanctuary staff needs to continue to work with the NEFMC timeline since the new sectors have started and things will change.

**IX. SAC Issues (John Williamson)**

Future Issues (Marine Spatial Planning (MSP))

John Williamson has no specifics to report on MSP: other than it has become one of the strategic drivers for NOAA. This topic will be addressed at each SAC meeting, and eventually the group will start actively focusing on MSP issues. Among the issues related to MSP is fishing characterization and the ecological research area in the sanctuary that Craig MacDonald addressed.

There is an effort being led by Department of Interior, based on a mandate from the Energy Policy Act of 2005, which has created an expedited permitting process to identify areas offshore (in this case Massachusetts) as proposed areas for wind power development in the future. Over the course of the next couple of years, there will be potential leased blocks that have been identified as areas of development for wind power. This process is unfolding and is not connected to the President's executive order for coastal MSP. Approximately 2,224 square nautical miles in MA are being proposed for possible wind power development. There will be more pressure to pursue offshore development in the future; however, congress has not appropriated any funding to move it forward. There is a 60-day public comment period presently ongoing and any concerned MA resident can provide comment.

Susan Farady: The Northeast Regional Ocean Council, the regional entity that is responsible for carrying out the portion of the executive order on coastal MSP will hold a meeting on Thursday 3 February at the Executive Office of Energy in Boston that is open to the public. There is no new money at this point; however, existing agencies will be re-appropriating/redistributing resources so this initiative will proceed at some pace with no new resources. This meeting will give some insight into how this will proceed without new resources. Check the NROC agenda because it will not all be on coastal MSP.

Members can "google": *Smart from the Start* to read the press release and for more information on this initiative.

No Discharge Area Discussion: Monterey and Florida Keys National Marines Sanctuaries. (Craig MacDonald)

One of the goals in the Management Plan is to designate the Sanctuary a "no discharge area". Staff has been informed that cruise ships discharge coming and leaving the sanctuary. It is a desirable designation but is it practical? There are logistical issues involved. Staff is seeking advice from the SAC that

SBNMS become a no-discharge area. This issue with more details will be on the May SAC meeting agenda for further discussion time permitting.

## **X. Partner and Constituency Reports**

### **i. NOAA Fisheries Regional Report (Jen Anderson)**

Jen Anderson presented the NMFS report and provided the following summary for the 32nd SAC Minutes:

#### **Northeast Multispecies Fishery Management Plan (FMP):**

- Framework 45 to the FMP has been submitted to NMFS and is under review. The action is expected to be implemented around May 1, 2011. This framework would implement several measures, such as revised annual catch limit specifications for several stocks, implement five new sectors for the 2011 fishing year, exempt vessels issued a General Category scallop permit from the Great South Channel SNE/GB yellowtail flounder peak spawning closure, modify monitoring requirements, protect spawning cod in the Gulf of Maine, and revise trip limits for hand gear permit holders.
- Framework 46 is under development. The primary purpose of this action is to consider adjusting the allocation of haddock to the herring fishery.
- The catch share/sector program has been in effect since May 1st. NMFS has posted landings data from May through early January on its website.
- Although NMFS is being careful not to draw conclusions based on only limited data, evidence continues to suggest that sector members are targeting healthier stocks and reducing bycatch. There is also evidence that sectors are attempting to make the best use of the quota shares by trading quotas with other sectors and are also using/experimenting with selective gear types.

#### **Atlantic Sea Scallop FMP:**

- Amendment 15 is expected to be implemented during the summer of 2011. Amendment 15 would modify allowable catch limits and accountability measures, address excess capacity in the limited access fishery, and consider other adjustments to make the FMP more effective.
- The Council has also submitted Framework 22 to the Scallop FMP, which would set management measures for the scallop fishery from 2011-2013.

#### **Atlantic Herring FMP:**

- Next week at the January 25-27, Council meeting, the Council may review and possibly approve alternatives for inclusion in Amendment 5 to the FMP. Measures under consideration include: (1) establishing a catch monitoring program for the Atlantic herring fishery; (2) address river herring bycatch; (3) establish criteria for midwater trawl access to groundfish closed areas; (4) address interactions with the Atlantic mackerel fishery; and (5) protect spawning fish. However, given the difficulty encountered with the development of this action, the Council may move to reconsider the alternatives contained in this action.

#### **Atlantic Large Whale Take Reduction Team/Plan Update:**

- In November, NOAA's National Marine Fisheries Service (NMFS) convened the Northeast Subgroup of the Atlantic Large Whale Take Reduction Team (ALWTRT) in Providence, RI to

continue developing a plan to reduce the risk of large whale entanglements in commercial fishing gear.

- Following NMFS 2009 implementation of sinking groundline requirement for all rope between pot/trap gear, NMFS and ALWTRT are focusing on additional entanglement risks associated with vertical lines (or endlines) from fixed commercial fishing gear such as trap/pot and gillnet gear. At its November meeting, the Group discussed strategies for reducing the number of vertical lines in the water. NMFS presented the team with results from a co-occurrence model. The model uses gear density data and whale abundance data to identify areas where the two overlap. The Team agreed to use the model to choose management areas after refinements are made to the model. Discussions between the Team and NMFS will continue as NMFS works to refine the model to ensure best available information on whale abundance and gear density are incorporated into the model.
- The Mid-Atlantic/Southeast Subgroup is set to meet in April in Baltimore, MD to discuss results of the co-occurrence model in their region.

#### **Review of Right Whale Research Permit Application:**

- NMFS is currently reviewing a scientific research permit application for a three-year study on North Atlantic right whales along the U.S. East Coast from New York Harbor to the Maine-Canada border.
- The applicant, Dr. Kraus, proposed to conduct experimental trials in which a rope mimic consisting of a colored rigid pipe would be placed in the water near the traveling path of a juvenile or adult whale to determine if right whales are responsive to various color and light characteristics. The proposed research area is primarily Cape Cod Bay. The proposed research seeks to determine whether the sensory and behavioral capabilities of right whales can be used to avoid entanglements at depth and in conditions of poor visibility.
- Notice of the receipt of this permit application was published in the Federal Register on December 10, 2010 and was open to public comment until January 10, 2011.

#### **Atlantic Blue Fin Tuna Listening Sessions:**

- NMFS received a petition to list Atlantic bluefin tuna in May of 2010. After publishing a positive 90-day finding on the petition in September 2010, a status review team was convened to compile the best available scientific and commercial data on the status of the Atlantic bluefin tuna, which would be used to prepare the status review report.
- Recognizing that fishermen have valuable first-hand experience with bluefin tuna, NOAA Fisheries Service's Office of Protected Resources hosted five listening sessions with Atlantic bluefin tuna fishermen during January 2011. These meetings were designed to give bluefin tuna fishermen an opportunity to present information to be considered in the Endangered Species Act (ESA) status review that is currently underway. A summary of the information provided at these meetings will be reflected in the final status review report.
- Dates and locations are as follows:
  - Jan 5 - NMFS Lab in Sandy Hook, NJ
  - Jan 6 - Mariner's House in Boston, MA
  - Jan 7 - Maine Historical Society in Portland, ME
  - Jan 10 - NMFS Lab in Pascagoula, MS
  - Jan 19 - BridgePoint Hotel and Marina in New Bern, NC

#### **ii. SAC Member Updates**

Nathalie Ward offered new members the opportunity to give a constituent report to familiarize the rest of SAC members on research, monitoring, and education outreach. Members and Alternates each provided

a brief introduction of who they are and what they do, as well as upcoming events within their organizations or agencies:

Bill Adler: The upcoming annual Massachusetts Lobstermen's Association Trade Show, 20-23 January in Hyannis Resort and Conference Center. SBNMS will have a booth there. Several management seminars will be given, one of which will be on clean up of derelict lobster fishing gear.

Priscilla Brooks: The Conservation Law Foundation has been doing some branding and now has a new logo. Be on the lookout. A new member has been hired, Winston Vaughn, who will be on the Ocean Conservation team doing some education and outreach on coastal and Marine Spatial Planning in all the NE states.

Peter DeCola: Reported the biggest concern going on is the Coast Guard Reauthorization Act and impacts on commercial vessel safety and what these regulations will entail in this regard. The Coast Guard is doing outreach to get more information out to everyone as the process moves along.

Susan Farady: Works for Marine Affairs Institute which is a partnership between a Law School in Rhode Island, RI Sea Grant and University of RI, that specializes in ocean and coastal law. The Institute does events for law students and for the larger marine community. She informed SAC members that the law students are available to do legal research projects for outside organizations, non-profits, government agencies, industries, to name a few that are in partnership with RI sea grant. The law students are supervised; they are not certified and their research is open to the public.

John Williamson: *Stellwagen Alive!* opened its new office on the 14<sup>th</sup> Floor of Marine Park Plaza near the state courthouse in Boston.

Bob McCabe: Boston Harbors Pilots Association provides educational outreach to anyone interested. Try to do a lot of outreach in the harbor.

Bob Foster: Now is the time to talk about diving. Matthew Lawrence and Heather Knowles have put together a diving workshop scheduled for March at the Boston Sea Rovers Show. Also mentioned the mooring program for divers in SBNMS. He will give another presentation at "Beneath the Sea" Show in New Jersey on diving the *Paul McCreary*, so spreading the word on diving in the sanctuary.

Judy Laster: Executive Director of the Woods Hole Film Festival. She was also the former Chief Counsel on Energy, Environment and Economic Development for the MA Speaker of the House and has over 22 years in state government. She has worked a lot around energy, ocean, and environmental issues. As an At Large member, she represents the general public on off shore ocean use, making sure they are as aware as they want to be through outreach opportunities and to understand what is really happening in their own backyard.

Steve Milliken: Owner of Dolphin Fleet whale watch company in Plymouth. Preparing the whale watch boats for the upcoming season and will hold annual naturalists training and presentations the second week in April for naturalists who will be working on the whale watch boats. The Whale and Dolphin Conservation Society and Provincetown Center for Coastal Studies (PCCS) amongst others are involved in the training and will give presentations. PCCS is celebrating its 35<sup>th</sup> year and Steve Milliken's company is celebrating its 24<sup>th</sup>.

Rob Moir: Director of Ocean River Institute. Ocean River Institute is working on many local issues. There is ongoing work with the Indian River Lagoon dolphins that are showing signs of skin-eating fungal infections and suffering a high mortality rate. It is believed that the contributor is green slime

coming down the riverways and waterways into the lagoon caused by fertilizers. There is a mounting effort with local county commissioners to pass ordinances to cap the amount of fertilizers used and trying to pass legislation to ban them.

Rick Murray: Research scientist and professor at Boston University Marine Program. Hopes to bring to the SAC databased, decision making. BU has a long program of doing research with and teaching courses at SBNMS. Rick is also a Town of Scituate selectman and hopes to help on the marine trail project and public outreach. As a selectman, many of his constituents are commercial fishermen. He has a lot of personal and professional ties to the fishing industry.

Wayne Petersen: Ornithologist with Mass Audubon, and is fairly new to the SAC. He currently directs the important bird area program (IBAs) for Massachusetts and Mass Audubon. SBNMS is one of 75 designated IBAs in the Commonwealth. He also talked about the National Audubon Society Christmas Bird Count that takes place every year in the sanctuary of which his society has taken stewardship with SBNMS. Although Mass Audubon is not completely marine-oriented, but takes the marine coastline very seriously. His organization hopes to be engaged in the 20<sup>th</sup> anniversary celebration of SBNMS.

David Robinson: Marine Archaeologist who works for a number of marine museums. His constituency is silent voices because they are voices of the people from the past who once occupied the land that is SBNMS today.

Michael Sosik: Represents a diverse population - private fishermen, party and charter boat sectors. Right now recreational fishing is faced with some very extreme situations that are posing problems for all of the fisheries, dealing with sectors and how they can be allocated for his group as well as for party and charter boats. It is a very difficult task. There is a possibility that they will be faced with a harvest decline in the amount of fish they can fish. They are struggling to keep as many boats in the water during these difficult economic times.

Peter Auster: Professor at Department of Marine Science University of Connecticut and works with National Undersea Research Center. His constituents are both university, region, and nationwide. His research on Seafloor Habitat Recovery Management Program (SHRMP) was just completed this past summer. He is presently working on issues that are specific to SBNMS and the greater GofM.

Bob Avila: Captain John Whale Watching and Fishing. He is the newly appointed SAC Alternate for Whale Watching. His company is preparing the vessels for the upcoming whale watch season. His fishing fleet is out on the water from end of April through October.

Brad White: Works with Michael Sosik. He provided background information concerning the new fishing license law that is in place now. He is on the Stellwagen Charter Boat Captains Association, which comprises approximately 70 captains and mates as members. They are holding an upcoming meeting in May with various speakers such as life raft survival and fishing instruction. He welcomed SAC members to google "Stellwagen Bank Charter Captains Association" for more information regarding their meetings.

## **XI. New Business**

Anne Smrcina, SBNMS Education Outreach Coordinator: The winners' artwork of the 2010 marine art contest is on display at the JFK Federal Building in Boston. The Massachusetts Marine Educators (MME) Organization is selling 4 images of the 2010 winning artwork as a fundraiser for MME. SAC members are asked to please spread the word that all children from K-12 are encouraged to submit their

artwork for the 2011 MME art contest. This year's theme is "Amazing Ocean Creatures of the SBNMS." It is posted to the MME and SBNMS web sites.

John Williamson: There are big issues related to the sanctuary that are coming up in the near future. The May SAC meeting will be particularly critical one and all members are encouraged to attend.

Public Comments:

Blossom Hogue - representing David Dow of the Sierra Club, Massachusetts Chapter: David Dow has now taken on the national chairmanship of the marine committee for the Sierra Club. One of the committee's top priorities is the protection of the right whale and there will be some activities going on. David Dow will keep the SAC posted.

Captain Steven James - President of Stellwagen Bank Charter Boat Association. Talked about the eastern rig dragger *Edna G.*'s designation as a national historical site. He challenged the notion that it is of historical significance compared to the *Portland* and the *Palmer McCreary* wrecks and gave specifics on the nature of the vessel and what he knows about it. He provided a listing and locations of several eastern rig draggers that are still either in service or have sunk. These are fairly common in the region. The *Edna G.* eastern dragger has no historical significance; nothing significant happened of on that vessel. It's been speculated that the vessel was likely 'scuttled'. It seems that there were only two people on the vessel at the time that were able to escape. Closing a one-square mile of prime fishing ground around the *Edna G.* area will cause a lot of resistance from the recreational community and commercial fishermen, and will result in a public relations disaster for SBNMS. He urges staff to refrain from setting up a boundary around this vessel. A lot of people will be impacted by this. Mr. James also read a letter from Judy Tatum, the daughter of the former owner of the *Edna G.* who echoed Mr. James' sentiments. Nathalie Ward has a copy of the letter for SAC members who may want to see it.

Craig MacDonald: Clarified that in terms of such a closure, there is a recommendation within the Final Management Plan to consider establishing a maritime heritage preserve within the sanctuary. That does not imply that there would be a closure around every national registered listed shipwreck within the sanctuary. So it is a recommendation to move forward to do this when the staff gets to it, it will establish a working group to look at what is being proposed. Certainly the comments at this time are welcomed but would be more meaningful in the discussion that would be related to the establishment of a heritage preserve. *Edna G.* has been recognized as a historical wreck of national significance. There is nothing presently scheduled as far as closing an area, but if there was, there would have to be public notice for that kind of a planning process.

Ed Barrett - Listing a site on the National Register does not change whatsoever the access or the closure or anything at all around the *Edna G* from last year to today? It is absolutely unchanged?

Craig MacDonald: Yes, this is correct.

Dave Robinson - Explained what the listing does in the National Register. All it does is basically tag the site as being a site that should receive consideration during any federal undertaking whether that is a federally funded or federally permitted project. It gives it recognition as deemed worthy of listing in the National Register. It does not have to be a site where anything historically significant happened, but it does have to be a representative example of a particular type of vessel, among other criteria.

**XII. Adjourn.** 3:20 pm.