

1st SANCTUARY ADVISORY COUNCIL MEETING
MINUTES OF MEETING
NOVEMBER 5, 2001

PRESENT:

William Alder
William Amaru
Regina Asmutis-Silvia (Alternate to Susan Farady)
Peter Auster
Peter Borelli
Gib Chase (Alternate to Pricilla Brooks)
Kevin Chu
Peter Davidoff (Alternate to Jackson Kent, III)
William Eldridge (Alternate to Frederick Nolan, III)
Susan Farady
Jerry Hill
Lt. Cmandr. Greg Hitchin (Designee for Rear Adm. G.N. Naccara) (Ex-Officio Member)
Porter Hoagland
Doug Hopkins (Alternate to Paul Howard) (Ex-Officio Member)
Donald Hourihan (Alternate to John Williamson)
Roger Jarvis (Alternate to Barry Gibson)
Jackson Kent, III
Robert MacKinnon (Alternate to William Amaru)
Dan McKiernan (Designee for Paul Diodati) (Ex-Officio Member)
Richard Murray (Ex-Officio Member)
Frederick Nolan, III
John Pappalardo (Alternate to William Adler)
Rob Robertson (Alternate to Sally Yozell)
Kathi Rodrigues (Designee for Patricia Kurkul) (Ex-Officio Member)
Thomas Skinner (Ex-Officio Member)
Mason Weinrich
Richard Wheeler
John Williamson
Sally Yozell

SBNMS STAFF PRESENT:

Craig MacDonald, Superintendent
Sandy Dentino
Ben Haskell
James Lindholm
Anne Smrcina
Kate Van Dine
Dave Wiley

Ruthetta Halbower, Town of Scituate Volunteer
Christina Showalter, Town of Scituate Volunteer

Daniel Basta, National Program Director

ALSO PRESENT:

Elaine Horn, Environmental Defense
Danielle Luttenberg, Environmental Defense
Just Moller, Conservation Planner
Susan Rocca, Captain John Whale Watch
Kristyn Stevens, Technology Planning and Management Corporation
Steve Tucker, Cape Cod Commission and Massachusetts Bays Program

Welcome and Site Overview

At approximately 10:15 A.M., Craig MacDonald called to order the first meeting of the Sanctuary Advisory Council (SAC) of the Stellwagen Bank National Marine Sanctuary (SBNMS), in the Otto Fehlow Meeting Room of the Plymouth Public Library, in Plymouth, Massachusetts.

MacDonald introduced himself as the new Sanctuary Superintendent. He said it was a pleasure to welcome everyone and that many of those present have been involved longer than he with the SBNMS. MacDonald emphasized the advisory nature of the council, telling the group members that he truly wants their advice. He said that the management of a sanctuary is not easy and requires consensus and collaboration. He urged the council members to call him at any time, emphasizing that he would like to hear from everyone, members and alternates alike. MacDonald then recognized the National Marine Sanctuary Program Director, Daniel Basta, noting that Basta had come from Silver Spring, Maryland, and that he was grateful for Basta's support.

MacDonald commented briefly on the existence of a previous advisory council and a steering group prior to the newly constituted SAC. He then provided a short history of the SBNMS, accompanied by slides. The slides demonstrated the habitat and marine life diversity within the SBNMS and why the sanctuary is a special place. MacDonald noted that one of the major charges is protection of that biodiversity. MacDonald reminded everyone that the SBNMS lies adjacent to a major metropolitan center and that the neighboring population has to be served. Activities such as transportation, fishing, recreation, and research abound. The sanctuary abuts the Massachusetts Bay Disposal Site, which serves as a repository for material dredged from the harbors of Boston and nearby cities; and it lies seaward of Boston's new ocean outfall that discharges treated sewage effluent into Massachusetts Bay. The sanctuary lies in the major shipping lane to and from Boston Harbor. Recently its seabed has been traversed by a fiber optics communication cable that connects New England with Nova Scotia and Europe.

MacDonald concluded these remarks by noting that the SBNMS also lies in proximity to several state ocean sanctuaries, providing for an interesting complex.

Introductions

A slide was shown which demonstrated the geographic distribution of the SAC members and alternates. Membership comes from the four states of Connecticut, Massachusetts, New Hampshire and Maine. After requesting that the members and alternates become acquainted with one another throughout the day, MacDonald asked that they introduce themselves and mention their reasons for wanting to serve on the council. The introductions included a number of visitors to the meeting, the SBNMS staff members, and several Scituate volunteers to the SBNMS.

Remarks by National Program Director

MacDonald then turned the meeting over to National Program Director Daniel Basta, who began by saying that he would tell the group a little about himself, talk about the role of the sanctuary, and leave some time to answer questions. In his remarks, Basta noted that the sanctuary program is the nation's first line of defense for marine conservation. He went on to say that the program had not been well funded for almost twenty years but now has a higher public profile. He offered comment on how the program operates. He noted the difference between the past method of operation, as the government's presiding over the operation; now, citizens are present at the beginning, not as commentators but as participants. He remarked that this ocean community is very sophisticated about its resources. How resource management questions are resolved will have significant implications. Basta stated his strong belief in SACs. He provided anecdotal evidence on how a Florida SAC achieved success in affecting the outcome of a crisis in the Florida Keys. He stressed the *art* of how the SAC works versus the *rules of the road*, emphasizing that the relationship between the SAC and the Superintendent is the key thing. Basta stressed the necessity for trust between the SBNMS Superintendent and the SAC members.

He offered remarks on the ways in which government works, noting that the system has certain rhythms. He exhorted the SAC members not to let the system wear them out; everyone is here for the long run. Basta went on to make specific remarks about his hopes for the SBNMS, noting that sanctuaries are not well-represented on the East Coast.

A question-and-answer period followed Basta's remarks. Basta was asked to discuss some reasons why SACs might be unsuccessful. He cited some problems that had arisen over the years and the probable causes. There was comment about the importance of management plans having rigor and structure and the importance of public participation in their development.

Following comment about trying to be consistent at a national program level without interfering at the local constituency level, Basta remarked about meeting with commercial fishermen on the national level, in order that they talk to each other about sanctuary-related issues.

In answer to a question about headquarter's commitment to the SBNMS, Basta noted the national program's commitment not to slight any sanctuary in favor of another. This proceeded to further remarks about the importance of action plans in the Management Plan Review process.

Lunch Break

The proceedings briefly paused for lunch from 12:10 P.M. to approximately 12:40 P.M.

Program Initiative

During the lunch break, MacDonald asked that there be a deviation from the scheduled agenda, in order to accommodate an earlier presentation on one of the Sanctuary's initiatives. MacDonald introduced James Lindholm, SBNMS Science Coordinator. Lindholm gave a brief overview of the research the SBNMS is conducting or supporting. He provided information, accompanied by photographs, on the monitoring of impacts to the seafloor habitat. He also spoke about the Seafloor Habitat Recovery Monitoring Program, a 10-year program now beginning. Lindholm noted another project that is taking advantage of existing data, to conduct a Marine Mammal

Database Project. Lindholm spoke of the issue of Fish Movement and Reserve Design. He noted the results of radio-tagging a number of fish which led to knowledge of cod movement not known heretofore. A number of questions were addressed to Lindholm regarding aspects of the research.

Procedures and Protocol

MacDonald encouraged those present to examine the SBNMS website. Members and alternates were reminded that SBNMS hats and posters were available for them. The next item of business was the discussion of procedural matters and protocol. MacDonald began by reviewing the SAC Charter. He reviewed the goals of the system, including trying to balance compatible uses with resource protection. The scope of the SAC was reviewed. MacDonald noted that formal recommendations should flow from the SAC to him in writing. He, in turn, presents them to the National Program Director. He emphasized that the SAC is a formally established public body. MacDonald then reviewed the membership, noting that there are fifteen (15) voting members. A majority of eight (8) voting members would constitute a quorum. There followed a discussion about the role of the ex-officio members. A question arose about conflict of interest, followed by a lengthy discussion about various aspects and problems related to the subject. MacDonald suggested referring the matter to counsel for clarification, with a report back at the next meeting. MacDonald counseled against the tyranny of *Robert's Rules of Order*, suggesting that the rules be used to structure interaction so that a free-for-all does not prevail, while not stifling discussion.

There was some review of the requirements of member participation. The election of officers was reviewed, as well as the duties of the officers. The type of meeting minutes was discussed. Basta advised that if the group deemed it necessary to have minutes with every word recorded, it would be necessary to hire a court reporter. He advised that it is important to decide early on an

appropriate type of meeting record. MacDonald suggested that the minutes reflect the subject discussed and the outcome, rather than be attributive minutes.

It was then noted that alternates to voting members normally travel at their own expense.

MacDonald further noted that everyone had to pay for his own lunch at this meeting, and there was no travel compensation. These matters will be given further administrative consideration.

The scheduling and frequency of meetings was briefly discussed and will be decided upon at a later time, after election of officers. One of the members suggested that the SAC initially meet more frequently than once per quarter, in order to understand the issues. Review of procedures continued after the presentation of program initiatives.

Program Initiatives (continued)

MacDonald noted that the SBNMS staff members were looking forward to reporting on the programs in their charge.

Management Plan Review. Kate Van Dine began by identifying herself as the process person. She reviewed that National Marine Sanctuary Act. She noted that the original management plan is on the SBNMS website. Van Dine reviewed some site-specific regulations. She suggested that if people want more specific information on particulars, they may talk to her or look at the plan on the website. Van Dine noted that management plans are essentially blueprints to manage a specific sanctuary site. She reviewed why the original plan is being revised and suggested that it is an opportunity to step back to look at the large picture. Van Dine commented on the kinds of issues identified in earlier scoping and reviewed the proposed process for beginning the work of revising the plan.

Education and Outreach. Anne Smrcina told the group that the task of education and outreach is a matter of building nationwide recognition for the SBNMS. She noted that most people are not going to go to the offshore site. The task is to reach them through wayside exhibits, from simple

signs to high technology exhibits. Smrcina reviewed the creation of the SBNMS website and the development of the Provincetown Visitor Center, established in partnership with the Center for Coastal Studies. She noted that while it is a little site, it is packed with much information. She commented on the importance of partnerships. The "See a Spout" campaign of boater education was accomplished in partnership with the International Wildlife Coalition. Smrcina reported that the SBNMS is in partnership with the New England Aquarium to develop information kiosks.

Operations. Ben Cowie-Haskell informed the group that one of his tasks is to provide a safe working environment for the SBNMS staff and volunteers. He presented information on the NOAA property which houses the SBNMS headquarters and is located on the First Cliff in Scituate, with the main building originally designed as a berthing station for Coast Guardsmen. Haskell noted that much renovation work is needed, and he reviewed plans for office development. Haskell said that another goal is to provide better and swifter access to the SBNMS site for researchers and managers and that he is tasked with research vessel procurement. Haskell reported that he is the Enforcement Liaison for the SBNMS site. He added that this past summer, the SBNMS entered into a contract with the Massachusetts Environmental Police, to provide interpretive enforcement of the site. He acknowledged an expert volunteer dive team for photography and videography, whose members have become experienced in fish identification.

Habitat Use Assessment. Dave Wiley reported on the Habitat Use Assessment project, explaining the process of logging vessels and mammals by sighting along track lines across the Sanctuary. Wiley reviewed results for the month of August 2001, noting the presence of increasing numbers of whales and much fixed gear. He also reviewed results for the month of September 2001, in which he was looking at trends on the SBNMS site. MacDonald noted the labor-intensive nature of this work. There were several questions concerning Wiley's work and the interpretation of the

mapping.

Procedures and Protocol, (continued). A question arose as to the need for particular information by members, in preparation to begin the Management Plan Review process. A lengthy discussion ensued as to what literature would be useful to the members. Interest was expressed in the book by Nathalie Ward which had been prepared as a public guide to the SBNMS area. The Sanctuary agreed to provide copies of this book for all SAC members and alternates who do not already have one. It was also suggested that members review the original SBNMS Management Plan, which is located on the Sanctuary website.

A lengthy discussion also occurred on the timing of the next SAC meeting and the availability of the first draft of the "re-calibration" document. A number of members expressed a desire to read the document prior to the next meeting. Further discussion took place about timing, because the National Marine Sanctuary Program and National Ocean Service Assistant Administrator must review the document prior to its distribution to the public. MacDonald reminded the group that the approval process is lengthy.

January 2002, was proposed as a tentative month for the second meeting, pending availability of the report and scheduling conflicts.

The meeting concluded at approximately 5:00 P.M.

Respectfully submitted,

Christina F. Showalter