



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Office of National Marine Sanctuaries
Stellwagen Bank National Marine Sanctuary
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59th SANCTUARY ADVISORY COUNCIL (SAC) MEETING
Virtual GoToWebinar
Wednesday, May 20th, 2020 8:30 am – 1:30 pm
MINUTES of MEETING

Present:

| | |
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| Bill Adler | Primary: Fixed Gear Commercial Fishing |
| Michelle Bachman | Federal: New England Fishery Management Council |
| Terri Birkeland | Alternate: At Large |
| Kevin Blinkoff | Primary: Recreational Fishing |
| Jeanine Boyle | Alternate: At Large |
| Tim Brady | Alternate: Recreational Fishing |
| Jonathan Brink | Alternate: Whale Watch |
| Shelley Brown | Alternate: At Large |
| Todd Callaghan | State: MA Coastal Zone Management |
| Tracey Dalton | Primary: Research |
| Rich Delaney | Primary: Education (Vice Chair) |
| Tim Donovan | Federal: NOAA Office of Law Enforcement |
| Susan Farady | Primary: Education |
| John Galluzzo | Primary: Maritime Heritage (Secretary) |
| Allen Hale | Primary: Youth |
| Laura Howes | Primary: Whale Watch |
| Les Kaufman | Alternate: Research |
| Moira Kelly | Federal: NOAA GARFO |
| CAPT Kevin King | Federal: First US Coast Guard District |
| Martin Klein | Alternate: Maritime Heritage |
| Heather Knowles | Primary: Diving (Chair) |
| Randall Lyons | Alternate: Business Industry |
| Chris McGuire | Primary: Conservation |
| Conor McManus | Alternate: Research |
| Monica Pepe | Alternate: Education |
| Wayne Petersen | Alternate: Conservation |
| Kevin Powers | Primary: At Large |
| Jeff Rosen | Primary: Business Industry |
| Howard Rosenbaum | Primary: Conservation |
| Mason Weinrich | Primary: Research |
| John Williamson | Primary: At Large |

SBNMS Staff:

| | | | |
|------------------------------|--------------------|------------------|---------------|
| Pete DeCola | Anne-Marie Runfola | Elizabeth Stokes | Mike Thompson |
| Ben Haskell | Anne Smrcina | Alice Stratton | |
| Clea Harrelson, SBNMS Intern | | | |



Audio recording of SAC Minutes and Presentations are available on request.
 Contact Anne-Marie.Runfola@noaa.gov or Elizabeth.Stokes@noaa.gov

Office of National Marine Sanctuaries Staff:

Katie Denman, Policy and Planning Specialist

Paul Ticco, Regional Coordinator, East Coast

I. Introduction and Review of Draft 58th SAC Minutes (H. Knowles)

The SAC unanimously approved the Draft 58th SAC Minutes.

II. SAC Business (A.M. Runfola)

i. New Members Welcome:

- Jon Brink, Whale Watch Alternate.
Jon is the Captain and Senior Naturalist of Hyannis Whale Watcher Cruises.
- Carol Voigt, Marine Transportation Primary.
Carol was previously the Marine Transportation Alternate.

ii. SAC Recruitment to be published June 1-30, 2020:

- At Large Primary - Deborah Cramer and John Williamson
- At Large Alternate - Jeanine Boyle
- Business Industry Primary - Jeff Rosen
- Business Industry Alternate - Randall Lyons
- Conservation Primary - Howard Rosenbaum
- Conservation Alternate - John Mandelman
- Education Alternate - Christina McMahon
- Mobile Gear Commercial Fishing - Vito Giacalone
- Research Primary - Tracey Dalton
- Marine Transportation Alternate

iii. Outgoing SAC Member Recognition

- Rich Delaney is stepping down as Vice Chair after 4 years. Prior to Rich's service as Vice Chair, he served on the Executive Committee as Secretary (2007-2008), Vice Chair (2008-2010) and Chair (2010-2016). Rich will continue to serve on the SAC as Education Primary.
- John Galluzzo is stepping down as Secretary after 6 years of service. John will remain on the SAC in his capacity as Maritime Heritage Primary.
- Deborah Cramer - At Large Primary. Deborah served in her position since 2007.
- CAPT Kevin King - USCG Designee. CAPT King will retire from the USCG on June 1st. He served on the SAC since 2017. His replacement is CDR Jamie Frederick.
- Bob McCabe - Marine Transportation Primary, 2017-April 2020. Before Bob's appointment as Primary, he served as Marine Transportation Alternate from 2010-2017.
- Steve Milliken - Whale Watch Alternate from 2016-2019. Before Steve's appointment as Alternate, he served as Whale Watch Primary from 2005-2016.

- Cate O'Keefe - MA Division of Marine Fisheries (DMF) Designee, May 2016-February 2020. MA DMF has not yet designated Cate's replacement.

iv. Officer Elections Vote - Vice Chair and Secretary

The SAC elected Susan Farady, Education Primary, as the new SAC Vice Chair and Laura Howes, Whale Watch Primary, as the new Secretary.

III. Management Plan Review (MPR) Update (P. DeCola, B. Haskell, A. Stratton)

i. Summary of Public Scoping Comments, Recommendations for Priority Topics to be Addressed in next Management Plan, Recommendations for Subcommittees and Working Groups Needed to Address Priority Topics

Pete, Ben and Alice provided an update on the status of management plan review. Alice gave a summary of the number and types of comments received, and described the main categories of issues that were raised. Pete discussed the results of the SAC Survey of MPR priorities, which indicate that there are no low priority topics. He asked the SAC for advice on how to assess the results, whether to look at rank order (i.e., which issues were ranked highest) or to consider a matrix view (i.e., consider relative priority and feasibility of implementation). After discussion, the SAC seemed to agree that a matrix approach was appropriate, though it would need to consider additional factors, such as ease of implementation, impacts, resource requirements, etc. Ben then asked the SAC to consider what types and how many subcommittee or working groups they might want to establish to assist with MPR. The SAC agreed that the MPR subcommittee is no longer needed, but had trouble determining whether a functional (education, research) or issues (ecosystem management, climate change) approach would be more effective, especially as so many topics are cross cutting.

Action Item: The SAC asked Sanctuary staff to rethink how best to approach the topic priorities and restructuring the subcommittees and/or working groups, then provide the SAC with an updated proposal to consider.

ii. Review Sanctuary Vision Statement (P. DeCola)

As part of the management plan review, one of the key elements of strategic planning is to review the sanctuary's mission and vision statements since these guide the everyday work of staff and ensures organizational alignment. Pete provided an overview of the current sanctuary vision statement along with proposed changes worked on by the staff over the past several months. This was done to get some immediate feedback from the SAC. Pete also provided an overview of the mission and vision statements at the ONMS, NOS and NOAA levels to show the organizational alignment between these statements and the proposed changes made by the staff. There was initial positive feedback on the proposed changes and it was also pointed out that the word choice in the current mission and vision statements were carefully chosen when they were drafted over 10 years ago so other members asked for more time to review the proposed changes. The proposed new vision and mission are as follows:

- ***Vision (desired outcome):***
Stellwagen Bank National Marine Sanctuary is a model for sustainable use. It is a unique place defined by a diversity and abundance of marine life which thrive in clean ocean waters. Humans are an integral component of the sanctuary and their activities are compatible with protecting its natural and cultural attributes.

- **Mission (intrinsic purpose):**

Our mission is to conserve, protect and enhance the biological diversity, ecosystem services and cultural legacy of the sanctuary while facilitating uses that are compatible with resource protection. Innovation, partnerships, public engagement, and applied science guide our work.

IV. SAC Workplan 2020 Overall Review and Report on Individual Work Plans Updates

(H. Knowles)

Heather Knowles reviewed the final draft SAC Work Plan for 2020. The draft work plan was introduced and reviewed at the February meeting. Several updates were made, which included the addition of a water quality related goal, and some refinement on assignment for leads responsible for the goal implementation. Heather also noted language was added to describe the relative risks the coronavirus 19 pandemic might have on the ability for the SAC to execute some of these goals. The Executive Committee did not receive any comments from the SAC during the final review. Following an overview of the Work Plan and no additional comments, Heather stated the Executive Committee would proceed to finalize the document.

Additionally, with a final Work Plan available, the next step for the SAC would be to craft "individual work plan" goals. Anne-Marie Runfola and Heather will follow-up post meeting with additional information on how to provide this information.

V. Agency/Governmental Reports

i. MA Coastal Zone Management (CZM) (T. Callaghan)

In early June, CZM and Massachusetts Department of Environmental Protection (MassDEP) will be meeting with Engie, the owners of the Neptune offshore liquefied natural gas (LNG) port to the west of SBNMS to discuss Engie's interest in decommissioning or selling the offshore port. There is a question as to whether or not decommissioning would affect the ongoing operation of the nine acoustic receivers that help mariners approaching or leaving the Port of Boston know if whales are in the vicinity of the Traffic Separation Scheme.

CZM expects that Alcatel will be submitting its Environmental Impact Report to the Massachusetts Environmental Policy Act program. Alcatel is the telecommunications company that proposes to lay a cable from Europe to Lynn, skirting the northwestern edge of SBNMS.

Recently, CZM met with another cable company called Anbaric which showed CZM staff a rough proposal of a potential cable running from the Plymouth Nuclear Power Station to Boston. While the proposal was all well to the west of SBNMS, this is the same company that previously submitted an unsolicited lease request to Bureau of Ocean Energy Management (BOEM) for leases from south of Nantucket to Provincetown.

CZM continues to work with BOEM and the coastal programs in the states of New Hampshire and Maine on the potential siting of an offshore wind lease somewhere in the Gulf of Maine. CZM has been providing geographical data on existing human uses (e.g., vessel traffic) as well as observations of whales.

CZM will be meeting with NOAA Office of Coastal Management on Friday May 22 to discuss the Gulf of Maine-wide bathymetry project that Todd reported on at our last SAC meeting. The focus of

the project now is on how to describe geofoms: the various hills, flats, and valleys in the Gulf of Maine, including SBNMS.

Lastly, Todd Callaghan from CZM, as well as Jeff Rosen from the SAC and Ben Haskell from SBNMS, have been working with US Environmental Protection Agency, MassDEP, and the Massachusetts Water Resources Authority (MWRA) Outfall Monitoring Science Advisory Panel to investigate whether, and how, MWRA should begin to study contaminants of emerging concern such as pharmaceuticals and personal care products. To date the work has been to discuss which chemicals are of interest, how to monitor them, and what to do about them.

ii. New England Fishery Management Council (NEFMC) (M. Bachman)

NEFMC is continuing to hold meetings virtually until further notice.

Two major actions are nearing completion. The Council is currently completing a draft Environmental Assessment for Amendment 21 to the scallop Fishery Management Plan (FMP), which includes measures to manage the Northern Gulf of Maine fishery and other general category measures. We expect that Council to approve the A21 Environmental Assessment (EA) and select preliminary preferred alternatives in June. The Council is holding virtual hearings this month on Amendment 23 to the Multispecies FMP. Final action on the Amendment 23 is postponed from June 2020 as initially planned. The Executive Committee will discuss next steps including planning public hearings in early June.

The Council will initiate specifications for scallops and groundfish during its June meeting; development of updated herring specifications is ongoing with final action planned for September. The Council will also approve an updated list of research priorities (2020-2024) in June.

The Habitat Committee/Advisory Panel/Plan Development Team continue work on policies related to aquaculture, floating offshore wind, and submarine cables. Ben Haskell has provided some information on aquaculture and cable projects in and near SBNMS and we will continue to use SBNMS expertise as we work on the policies.

Section 4 of the recent Executive Order on Promoting Seafood Competitiveness and Economic Growth highlights that regional fishery management councils are requested to take a number of steps within 180 days to identify actions that would “reduce burdens on domestic fishing and to increase production with sustainable fisheries, etc.” The Council will discuss this during upcoming meetings, but we don’t know yet what recommendations might be made.

iii. Enforcement Reports

NOAA Office of Law Enforcement (OLE) (T. Donovan)

Payment received for \$1,000 Summary Settlement issued to a charter boat operator possessing striped bass in the Sanctuary.

During a joint patrol with USCG, compliance assistance provided to vessel with no Highly Migratory Species (HMS) permit onboard, but did possess a valid permit.

The Northern Gulf of Maine (NGOM) scallop fishery has been seeing significant activity. In the past three years there have been upwards of 50 vessels participating in the fishery. There are also new regulations this year that we seek to conduct outreach on. Specifically, a new closed area with

extremely high catch rates. The fishery also takes place in SBNMS waters, an area with valuable and protected habitat and modern and historic shipwrecks.

As part of our Emerging Technology initiatives, we may be testing some acoustic devices in/near the Gulf of Maine Closed Area. The exact location in the closed area may overlap a bit with northern end of the Sanctuary.

Enforcement Officer Tim Wilmarth coordinated a Sanctuary Enforcement meeting this month. Shipwreck avoidance by commercial fishing vessels, taking an educational approach towards voluntary compliance. There are regulations for intentional damage, but damage from traditional fishing is considered unintentional or incidental. SBNMS via NMFS in the past have sent out two notices to scallop permit holders to avoid specific wrecks in Northern part of sanctuary and recently 4 wrecks in southern part of sanctuary. If a vessel removes part of a ship/artifact and retains it they would be in violation. SBNMS is looking for voluntary compliance. VMS data has been helpful to monitor voluntary compliance with the notices.

Continue outreach and education promoting safe boating around whales. We will monitor whale watch activity this summer under COVID 19 restrictions.

Checking fixed gear for compliance using available resources. Hauling gear remains an issue. OLE has access to the sanctuary's Remotely Operated Vehicle and Mass Environmental Police (MEP) has a side scan sonar.

SBNMS received funding for dock repairs beginning last May. OLE vessel was launched for high visibility patrols. MEP will move a small boat to the dock after repairs.

The Joint Enforcement Agreement report has MEP completing 10 hours of 250 at-sea personnel committed hours and eight hours of 125 at-sea vessel committed hours

US Coast Guard (USCG) (CAPT K. King)

The Coast Guard continued to patrol Stellwagen Bank with surface patrols several times a week with patrol boats and shore based small boats. They also patrolled with aircraft several times per week. They began preparations for a busy summer. Two of their focus areas impact the Stellwagen Bank: Atlantic Large Whale Take Reduction Plan gear enforcement ensures fixed fishing gear meets the requirements to protect the whales and highly migratory species enforcement includes the tuna fleet that becomes active on the Bank later in the summer.

iv. NOAA GARFO (M. Kelly)

North Atlantic Right Whales -- GARFO is working on the proposed rule, draft Environmental Impact Statement, and draft Biological Opinion, with the intention to publish mid-summer. Public hearings will be held and presentations will be given at both the Mid-Atlantic and New England Fishery Management Councils and the Atlantic States Marine Fisheries Division.

New England Aquarium is no longer responding to stranded marine mammals; therefore, there is no stranding coverage from Rockport to Plymouth, MA. The Sanctuary staff have been notified of the current gaps, but this may result in Sanctuary staff being contacted regarding strandings in the area.

The large whale Unexplained Mortality Events (UMEs) (North Atlantic Right Whale (NAWR), humpback, and minke) are still ongoing. A recommendation to close the pinniped UME is currently in review.

Northern Gulf of Maine scallops: Closed area covering parts of the Sanctuary became effective April 1. Fishery ongoing elsewhere -- we're monitoring the quota closely.

Thanks to Ben Haskell, SBNMS, for coordinating on a permit holder bulletin on shipwreck avoidance in the Sanctuary.

Observers -- observer requirements have been waived through May 30. We are working closely with observer providers to develop protocols for the safe redeployment of observers.

Data gaps -- a number of fishery independent and dependent data collections have been interrupted. Science Center and Office of Science and Technology staff working on how to mitigate impacts from these data gaps.

VI. New Business:

Pete DeCola asked the SAC to support the proposed rule for the expansion of Flower Gardens Bank National Marine Sanctuary (FGBNMS): "Building on more than three decades of scientific exploration and coordination with the Sanctuary Advisory Council, FGB NMS is proposing to expand Flower Garden Banks NMS from 56 square miles to 160 square miles, adding 14 reefs and banks that provide critical habitat for recreationally and commercially important fish and other marine life. This proposal would extend the existing protections of FGBNMS to these additional areas to limit the impact of bottom-disturbing activities that threaten these sensitive biological resources." The public comment opportunity runs through July 3. Anne-Marie Runfola will forward to the SAC the weblink with information regarding the proposed rule for the expansion, which was published in the Federal Register Notice.

Please provide Anne-Marie Runfola with future SAC meeting agenda items.

VII. Adjourn: 1:50 pm.

*Audio recording of SAC Minutes and Presentations are available on request.
Contact Anne-Marie.Runfola@noaa.gov or Elizabeth.Stokes@noaa.gov*