



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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63rd Sanctuary Advisor Council Virtual Meeting
Wednesday, October 13, 2021

SAC Members Present:

Bill Adler	Primary: Fixed Gear Commercial Fishing
James Bailey	Alternate: At Large
Terri Birkeland	Alternate: At Large
Kevin Blinkoff	Primary: Recreational Fishing
Tim Brady	Alternate: Recreational Fishing
Todd Callaghan	State: MA Coastal Zone Management (Chair)
LCDR Lenny Day	Federal: US Coast Guard, First District Boston
Rich Delaney	Primary: Education
Susan Farady	Primary: Education (Vice Chair)
CDR Jamie Frederick	Federal: First US Coast Guard District Boston
John Galluzzo	Primary: Maritime Heritage
Marc Gustafson	Primary: Mobile Gear Commercial Fishing
Laura Howes	Primary: Whale Watch (Secretary)
Randall Lyons	Alternate: Business Industry
Les Kaufman	Alternate: Research
Moira Kelly	Federal: NOAA GARFO
Martin Klein	Alternate: Maritime Heritage
Heather Knowles	Primary: Diving
Chris McGuire	Primary: Conservation
Conor McManus	Alternate: Research
Frank Mirarchi	Alternate: Mobile Gear Commercial Fishing
Iben Munck	Primary: Conservation
Tom Nies	Federal: New England Fishery Management Council
Kimberley Pearson	Alternate: Conservation
Monica Pepe	Alternate: Education
Wayne Petersen	Alternate: Conservation
Kevin Powers	Primary: At Large
CDR Clayton Preble	Federal: US Coast Guard, First District Boston
Jeffrey Ray	Federal: NOAA Office of Law Enforcement
Jeff Rosen	Primary: Business Industry
Dawn Stancavish	Alternate: Marine Transportation
LTjg Michael Thompson	Federal: US Coast Guard, First District Boston
Mason Weinrich	Primary: Research
Kelly Whitmore	State: MA Division of Marine Fisheries



Stellwagen Bank National Marine Sanctuary (SBNMS) Staff:

Pete DeCola	Anne-Marie Runfola	Elizabeth Stokes
Ben Haskell	Tammy Silva	Alice Stratton
Mike Thompson	Leila Hatch	Anne Smrcina
Dave Wiley	Hannah MacDonald (Intern)	Jaxine Wolfe (Volunteer)

I. Welcome (T. Callaghan)

II. SAC Business (AM Runfola, T. Callaghan)

1. Review and motion to approve Draft 62nd SAC Minutes (T. Callaghan)

The SAC approved the 62nd SAC Minutes by consensus.

2. Celebrations (P. DeCola, AM Runfola)

a. Anne-Marie Runfola was selected for a 4-month detail as Acting Superintendent of the Olympic Coast NMS. This is a tremendous opportunity for her. The majority of this detail will be done virtually.

b. Congratulations to SAC Mobile Gear Fishing Primary member, Frank Mirarchi, for being recognized by the New England Fishery Management Council (NEFMC). The NEFMC presented Frank with the 2021 Janice M. Plante Award for Excellence, which is awarded annually to honor an individual who has produced exceptional work “to further the effectiveness of the fishery management process in New England.” Frank has been involved in the fishing industry for over five decades, both as an active commercial fisherman and as a dedicated partner in cooperative research.

c. Our SBNMS Volunteer Program has been active for over 10 years now. A big congratulations to all of our volunteers! This year’s Office of National Marine Sanctuaries (ONMS) Program Volunteer of the Year is Jaxine Wolfe. Jaxine is presently working full time at the Smithsonian Institute, but has worked closely with Stellwagen staff since 2018. She got involved with the sanctuary while she was a student at Northeastern University Boston. Later she came on board working as an intern to learn more about the sanctuary and participated in sea surveys for sand lance, educational outreach programs, the Stellwagen Sanctuary Seabird Stewards (S4) program, participating in the surveys and collecting data in the field, as well as presenting the results of her findings to local schools, among other projects.

Shout out to SAC members John Galluzzo, Wayne Petersen, and Kevin Powers who are also SBNMS volunteers!

d. Farewell to SAC members Michelle Bachman, Tracey Dalton, and John Williamson who have stepped down to pursue other duties or are at the end of their term limits.

3. Reminders

a. SAC Hours - Thanks to SAC members for sending their quarterly hours and for continuing to track them. Members can contact Anne-Marie Runfola if information on how to track hours is needed. Anne-Marie will continue to track the hours and present updates at future SAC meetings.

b. The 64th SAC meeting will be at the New England Boat Show on Wednesday, February 16th. More information to follow. We are hoping for an in-person meeting but will need to adjust depending on how the COVID situation transpires.

4. SAC Chair Meeting Update (T. Callaghan):

- Notes from the Sept 30, 2021 meeting can be shared on Oct 20th.
- John Armor, Director of the Office of National Marine Sanctuaries gave an update to the chairs.

President's Initiatives

- The President's budget for Sanctuaries has a \$28 million increase (50%).
- The President has a goal to conserve 30% of the nation's land and water by 2030.

Sanctuary System 50th year Anniversary

- Talk of reauthorizing the NMS Act
- On October 21, NOAA's marine sanctuaries will have a new logo rolled out (it will still be a whale tail with a wave underneath, but stylized differently). There will be new logos for each sanctuary and a "Save Spectacular" campaign, to celebrate 50 years of the National Marine Sanctuary system.
- Other celebratory items include: a commemorative stamp series, Reyn Spooner NMS shirt, and each sanctuary will get a commemorative poster and targeted media pitches.

Mini-grants

There will be eight minigrants to support diversity and inclusion at the Sanctuary level.

- An additional minigrant project for our region titled "Secret Connections: "The Wonder of Sanctuary Waters and Whales" will take middle school kids from Lawrence, MA out to SBNMS. The goal is to connect Lawrence's students, many of whom are from Puerto Rico or the Dominican Republic, with whales that also travel to SBNMS's sister sanctuary in the Dominican Republic.

Offshore Wind and Sanctuaries

The Biden Administration's goal of installing 30 gigawatts of offshore wind by 2030 has started conversations about the appropriateness of offshore wind in the national marine sanctuary system.

- A recent call area included the southwest corner of Monterey Bay BNMS as a "discussion area"—though it was widely not favored
- The recently-nominated Chumash Heritage NMS overlaps with Morro Bay Wind Energy Area--how the two might coexist is unknown
- ME, NH, and MA are part of a task force working with the Bureau of Ocean Energy Management to site a new offshore wind lease area somewhere in the Gulf of Maine

III. Sanctuary Business

1. SBNMS MP Review Status Update (A. Stratton, P. DeCola)

At the May 62nd SAC meeting, SBNMS staff had just initiated outreach with Federal and state tribes to determine their interest in learning more about SBNMS and participating in the management planning process. We had some introductory discussions and received expressions of interest but Tribal staff have not yet had time to fully engage, so we will continue dialogue with them. The full draft management plan and environmental assessment was reviewed by John Armor, ONMS Director, and we were notified last week that he has cleared the document for publishing. We are making some final revisions and plan to send it to ONMS in

the next week. It will then take approximately 6 weeks for final preparation (copy editing and formatting), so we are currently hoping it will get published for public comment by late November. It will be available for public comment for 60 days and we are planning to have 1 or 2 virtual public comments meetings which we will schedule once we have a better idea of publication date.

2. East Coast Climate Change Scenario Planning Update (M. Kelly)

The East Coast Climate Change Scenario Planning Initiative is an effort led by the three east coast fishery management councils, the Atlantic States Marine Fisheries Commission, and NOAA Fisheries, including the Greater Atlantic and Southeast Regional Offices, Northeast Fisheries Science Center, and headquarters. The initiative is a way of exploring how fishery management might have to evolve in the next couple of decades as climate change becomes a bigger issue. We don't know exactly how climate change will play out or the precise effects that it will have, so we are using scenario planning to explore what might happen and think through what we need to do in order to adapt to those potential changes. Scenarios are stories about possible future developments. We create different scenarios (range shifts here, warm waters there, wind farms right over there) to imagine worlds that we could face in the decades ahead. Then, we use these worlds to think about the changes we need to make now to be better prepared.

In this case, we are thinking broadly about the implications of climate change for east coast fishery management and governance, but we expect that the conversations could take us into other territory as well. [More information is available on the Scenario Planning website here: https://www.mafmc.org/climate-change-scenario-planning.](https://www.mafmc.org/climate-change-scenario-planning)

3. Update on North Atlantic Right Whales (T. Callaghan, D. Wiley, C. Coogan/NOAA GARFO)

a. Todd Callaghan:

The SAC chair presented information on 10 years of aerial surveys by the New England Aquarium conducted south of Martha's Vineyard and Nantucket to identify spatial patterns of use by North Atlantic Right Whales (NARWs). The surveys have documented for the first time that right whales use this area as habitat year-round. The Chair noted that any conservation and/or mitigation measures related to wind farm developments south of the islands would likely also have implications for whales using SBNMS.

- The Massachusetts Clean Energy Center (MassCEC) aerial surveys began in October 2011 and have been flying roughly twice per month but with several gaps in survey effort (notably July 2015 through January 2017).
- The survey area encompasses the southern New England wind energy areas and extends east to Nantucket Shoals.
- These surveys were initially funded by MassCEC with co-funding from the Bureau of Ocean Energy Management (BOEM) added for 2012–2020.
- Recent surveys for Oct. 2020–Sept. 2021 were funded by offshore wind developers.
- The studies have found NARW in the offshore wind development area south of the islands in every month of the year (this was new information). In particular, the persistence of NARW south of Nantucket has led to the new dynamic management area—which would not have been possible without these aerial surveys.
- This summer there were a few aerial surveys by the New England Aquarium over the Stellwagen Bank area as part of a calibration survey.
- Reports and more information on MassCEC website at: <https://www.masscec.com/marine-mammal-and-sea-turtle-surveys>.

- b. Sanctuary Research Ecologist Dr. David Wiley provided information regarding projects conducted by SBNMS that focus on right whales:
- Large Whale Detection using Infra-red Camera Technology
Conducted in collaboration with Dr. Danial Zitterbart and his team at the Woods Hole Oceanographic Institute, the project seeks to reduce risk of whale strike by notifying vessels of right (or other) large whales in their path. Dr. Zitterbart has pioneered a small-sized, low cost thermal imaging (infra-red) scanner that searches for whale blows. If a whale surfaces and blows, its thermal signature can be recorded by the camera. The cameras detect the temperature difference between blow and background (air). Research cruises aboard the sanctuary's *R/V Auk* occurred in 2020 and 2021 with the goals of (1) Refining AI detection algorithms (to automatically differentiate between whale blows and other heat signatures (e.g., boats, waves, birds etc.)), (2) refining the gimbling system to keep the camera system steady in all sea states, and (3) calculating whale detection curves. The equipment performed exceptionally well when compared with concurrent visual sightings. The ability to notify vessels of the presence of whales in their path that works day/night could help reduce whale strikes by ships that are maneuverable enough to take evasive action (e.g. fast ferries).
 - Using Dimethyl sulfide (DMS) to Forecast Site Occupancy by North Atlantic Right Whales
Conducted in collaboration with Dr. Danial Zitterbart (see above) and Dr. Joe Warren of SUNY Stony Brook, the project tested the co-occurrence of right whales and concentrations of DMS, with the goal of reducing anthropogenic interaction. DMS is a gas released when zooplankton (e.g., *Calanus copepods*) eat phytoplankton. Therefore, it could identify where and when right whales would aggregate to feed. Aboard the sanctuary's *R/V Auk*, the team used newly devised instrumentation for measuring DMS, while collecting concurrent right whale sightings. The results were extremely promising and fieldwork will continue in 2022, with funding from the NMFS/NEFSC and International Fund for Animal Welfare (IFAW). The team is also working to develop the ability to remotely sense DMS. If successful, identification of DMS concentrations could alert managers and stakeholders to impending right whale arrival or departure within areas of concern, such as wind energy sites or the entrance to ports. Such forecasting would allow managers to plan activities, rather than react to the sudden appearance of right whales detected by passive acoustics or aerial sightings.
 - SBNMS Right Whale Corporate Responsibility Project
Conducted in collaboration with IFAW (Ramage, Livermore and Harry) and NMFS/GARFO (Kelliher). The goals are to (1) Increase vessel compliance with NOAA's Right Whale Ship Strike Rule, (2) Provide Increased Protection of North Atlantic Right Whales, and (3) Recognize the Achievements of Deserving Maritime Companies. The project uses the USCG's Automatic Information System (AIS) to track individual ships as they move through the two Right Whale Seasonal Management Areas (SMAs) that overlap with the sanctuary (Cape Cod Bay and Off Race Point SMAs). AIS data are analyzed for speed compliance and graded A+-F. Grades and report cards are assembled at the level of individual ships and aggregated into grades for the companies operating the ships. Reports cards and grades are then mailed to companies responsible for operating them. For ships receiving grades of A+ or A, an individualized Certificate of Corporate Responsibility is included in the mailing. Examples of the numerous positive responses from the maritime industry were

included in the presentation. In addition, a recent coast-wide compliance analysis conducted by NMFS and the NGO Oceana, identified the SMAs covered by the project as having the highest compliance of all SMAs.

- Whale Alert
Whale Alert is a pioneering mobile application for smartphones that provides near real-time information for mariners relative to management requirements designed to protect right whales from ship strike. The SAC is well aware of Whale Alert and time constraints did not allow for a presentation.
- c. NMFS provided a brief overview of the continued steep decline in the North Atlantic right whale population, caused in large measure by vessel strikes and entanglements in Canadian and U.S. waters. The population decline, which began around 2010, accelerated around 2015 likely in part because right whale distribution shifted to Canadian waters where few protective measures were in place. Along with a number of other recovery efforts, NMFS finalized a rule modifying the Atlantic Large Whale Take Reduction Plan to reduce the risk of right whale mortality and serious injury due to entanglements by Northeast lobster and Jonah crab fisheries by at least 60 percent. The Plan modifications were guided by recommendations of the take reduction team, but included large seasonal restricted areas not recommended by the Team. Ropeless fishing would be allowed under and exempted fishing permit in areas closed to buoy lines. Additional measures effective May 1, 2022 include the introduction of weak rope or weak insertions to help whales break free before injury, increased marking of all northeast buoy lines fished in those fisheries to increase our understanding of entanglement incidents, and trawling up measures to reduce the number of buoy lines fished.

An overview of collaborative ropeless fishing research was provided. Remaining information gaps were also identified, particularly related to monitoring or predicting the occurrence of right whales. Work being done by Dave Wiley and others to demonstrate the presence of right whale prey may close some of those gaps to improve our ability to protect right whales from human threats.

4. NOAA Office of National Marine Sanctuaries 50th Anniversary/SBNMS 30th Anniversary (50/30 Project) (P. DeCola)

To celebrate the 50/30 project, the New England Aquarium in Boston will host an exhibit from June -November 2022 featuring the artwork of Keith Ellenbogen, the Hollings Grant recipient who has been doing some amazing photography in the sanctuary, along with a couple of signature events to bookend the exhibit and some smaller events throughout summer 2022. Stellwagen staff is looking for places to hold signature events to showcase and celebrate this exhibit. More information to follow.

5. SAC Work Plan (T. Callaghan)

The SAC chair discussed the living document nature of the SAC work plan and then each of the work plan's leads gave updates on the status of the action items within their purview.

Action Item: The SAC will vote to form a Ropeless Gear Working Group at the 64th SAC meeting in February 2022.

Note: Bill Adler is on the record that he does not support a Stellwagen Bank NMS SAC Ropeless Gear Working Group. He does not think a [Ropeless Gear] working group is going to come up with anything that is going to be successful.

IV. Discussion on Agency/Governmental Written Reports

1. Massachusetts Coastal Zone Management (MA CZM) (T. Callaghan)

- CZM continues to work with the NOAA Office of Coast Management and the state coastal programs from Maine and New Hampshire on a comprehensive seafloor topography map of the entire Gulf of Maine (including SBNMS). The team will use advanced GIS tools to map various features using the federally-approved naming scheme set out in the Coastal and Marine Ecological Classification Standard. The most recent deliverable was a map of geomorphological features including: bank, crest, depression, flat, mound, pock mark, rise, rocky zone, slope, scar, and sediment wave field.
- CZM released its draft 5-year update of the MA ocean plan
 - o Public comment will run for 60 days.
 - o The cable industry commented that it would like to see the development of “presumably permissible” pathways north and south of Stellwagen Bank NMS.
- CZM continues to work with offshore wind developers
 - o Ensure that routes and methods that will have minimized impacts.
 - o Research programs for Highly Migratory Fish species, NARW, lobster, sharks/rays, migrating birds.
 - o Compensation for losses to fishermen due to the construction and operation of the wind farms.

Massachusetts, through the Office of Coastal Zone Management, Division of Marine Fisheries, and Department of Energy, is participating in a Gulf of Maine Task Force with the states of New Hampshire and Maine and the Bureau of Ocean Energy Management to determine the geospatial information necessary to conduct a compatibility analysis between existing uses (navigation/commerce/fishing/defense) and resources (fisheries, avifauna, whales, corals) and floating offshore wind structures.

2. Massachusetts Division of Marine Fisheries (MA DMF) (K. Whitmore)

- The 2020 MA DMF Annual Report is now available: <https://www.mass.gov/doc/2020-dmf-annual-report/download>.
- “DMF News” for 2021 Quarters 1 & 2 (<https://www.mass.gov/doc/dmf-news-2021-q1-q2/download>) includes updates on white shark research, round 2 of CARES Act fisheries relief, winter flounder spawning and eDNA work, resumption of our trawl survey, striped bass release mortality research, opening of the Deer Island fishing pier, as well as other activities.
- DMF hosts a live virtual Seminar Series on Tuesdays at 11AM, with speakers from DMF, UMASS, NEFSC, and ASMFC lined up through December. Contact gary.nelson@mass.gov to receive the schedule and link. Recordings are posted to ‘MA Marine Fisheries’ YouTube channel (<https://www.youtube.com/user/massmarinefisheries>).

North Atlantic Right Whale Conservation

- DMF will go to rule-making this fall to clarify the upcoming buoy line marking regulations and to expand a seasonal gillnet closure in state waters north to the New Hampshire border.

- Staff are in consultation with NMFS on the development of Phase 2 regulations under the Atlantic Large Whale Take Reduction Plan for other trap/pot fisheries and gillnets.
- DMF is holding a ropeless scoping workshop in mid-October to engage in cross-caucus discussion with stakeholders. In addition, a socioeconomic modeling exercise has been added to the deliverables for this project. For project overview, see DMF's 'Ropeless Fishing Gear Feasibility Study' page for more information (<https://www.mass.gov/service-details/ropeless-fishing-gear-feasibility-study>).
- DMF continues to develop their Incidental Take Permit application for submission to NMFS for trap/pot fisheries in Massachusetts state waters.
- Staff are working with the lobster industry to develop best gear marking practices to comply with new gear marking regulations set to go into effect February 1, 2022. DMF will hold multiple outreach/gear distribution events fishing ports throughout the state this fall. Information on approved marking methods as well as free gear marking materials will be distributed. See DMF's 'Trap Gear Modification' webpage for updates: <https://www.mass.gov/service-details/buoy-line-trap-gear-modifications>.

Groundfish

- DMF staff completed four cod avoidance system trips that were conducted in parts of the Sanctuary. During these trips, we evaluated the accuracy of maps provided in DMF's "Massachusetts Haddock Recreational Fishing Guide" (<https://www.mass.gov/guides/haddock-recreational-fishing-guide>). Funding for the work was provided by the NOAA GARFO recreational fishing program. For additional information and to view video clip, visit: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/recreational-fishing/saltwater-recreational-fishing-greater-atlantic>.
- In August, staff published research results that included many experimental survey tows conducted within the Sanctuary in an area identified as being home to a broad size distribution of several important groundfish species. See: Dean, MJ, Hoffman WS, Buchan NC, Cadrin SX, Grabowski JH. 2021. The influence of trawl efficiency assumptions on survey-based population metrics. *ICES J of Marine Science*, 0: 1-7 (map of tow locations in Fig. 1).

Ghost Net Removal on F/V Patriot

- The DMF/SBNMS operational team spent two days on the wreck of the F/V *Patriot* in late August, diving from the R/V *Auk*. The team removed a large section of net draped over the forward deck and several loose sections from the area around the net reel. Divers installed a sound trap for SBNMS and an acoustic receiver for G. Skomal of DMF. The team may try to secure the remaining net later this fall. Story by A. Smrcina: <https://sanctuaries.noaa.gov/news/sep21/patriot-cleanup.html>.

White Shark

- DMF is intensifying its white shark research (see DMF NEWS 2021 Q1-2). Efforts include an expansion of the acoustic array, habitat investigations, deployment of "live" acoustic monitoring for real-time alerts, forecasts and other work funded by the AWSC, state, and external grants. Recent white shark publications include:
 - Winton MV, Sulikowski J, Skomal GB. 2021. Fine-scale vertical habitat use of white sharks at an emerging aggregation site and implications for public safety. *Wildlife Research* 48: 345-360.
 - Verkamp HJ, Skomal GB, Winton MV, Sulikowski JA. 2021. Using reproductive hormone concentrations from the muscle of white sharks (*Carcharodon carcharias*) to evaluate reproductive status at a coastal aggregation in the Northwest Atlantic Ocean. *Endangered Species Research* 44: 231-236 (<https://www.int-res.com/articles/esr2021/44/n044p231.pdf>).

- Working with Sanctuary staff, UMass Amherst professor Andy Danylchuk, and Nancy Foster funded graduate student Grace Casselberry, DMF started a basking shark tagging project in mid-August. Although we did not find any basking sharks, we located a dead humpback whale (thanks to CCS) that was being scavenged by white sharks. Working from Sanctuary vessels, the team tagged five white sharks with acoustic transmitters over two days.

River herring and climate

Diadromous fisheries staff recently published work on river herring vulnerability to climate change using time-series data from several MA coastal rivers. See: Legett, H, Jordan A, Roy A, Sheppard J, Somos-Valenzuela M, Staudinger M. Daily Patterns of River Herring (*Alosa* spp.) Spawning migrations: Environmental drivers and variation among coastal streams in Massachusetts. *Transactions of the American Fisheries Society* 150:501–513. (<https://afspubs.onlinelibrary.wiley.com/doi/epdf/10.1002/tafs.10301>).

Atlantic sea herring

DMF staff participate in regional Atlantic herring management through the NEFMC and ASMFC. The Council took final action on Framework Adjustment 9 to the Herring FMP in September to develop a rebuilding plan to address overfished status and to adjust herring accountability measures. In late September, the ASMFC determined to not set any landing days for the 2021 season 2 herring fishery due to lack of available quota; this effectively maintained a directed fishery closure in Area 1A. This decision may be reconsidered should quota be reallocated from the Canadian weir fishery to the Area 1 quota.

Atlantic sea scallop

- DMF staff participate on the NEFMC's Atlantic scallop plan development team and committee; these groups are working to develop 2022 & 2023 fishery specifications. Measures related to the Northern Gulf of Maine Management Area established through Amendment 21 will be integrated into specifications pending A21's final approval/implementation.

3. Enforcement Reports:

a. US Coast Guard (USCG) (LTJG Michael Thompson)

- 75 Domestic Fisheries Boardings conducted within Stellwagen Bank NMS.
- One violation -- not transmitting on the Vessel Monitoring System (VMS).
- Two operations were recently drafted by the USCG First District and are in effect:
 - OPTASK Tangled Up in Blue coincides with recent changes to ALWTRP that include the Massachusetts Restricted Area North (Feb-Apr) in the vicinity of SBNMS. The additional restrictions on traditional trap/pot gear go into effect on 1 May 22. The USCG First District has directed units to inspect trap/pot buoy lines for marking and weak link requirements (current and future ALWTRP requirements) when units are in the vicinity of offshore lobster gear. No trap/pots will be pulled to the surface and USCG will only focus on visible portions of the gear accessible to inspection.
 - OPTASK Right Speed is an operation developed to inform vessels 65ft or larger on practices required to reduce whale strikes. USCG Sectors are directed to communicate advisories via Local Notice to Mariners, Broadcast Notice to Mariners, and NAVTEX. Vessel speed restrictions are communicated as well as regulations concerning the approach of NARW closer than 500 yards. Vessels observed by radar or AIS that are in violation are hailed and requested to reduce speed to comply with the Right Whale Ship

Strike Reduction Rule. Sightings are entered into our database and also communicated to NOAA. This operation is a result of cooperation between NOAA and USCG District 1 in a Right Whale Protection working group.

b. NOAA Office of Law Enforcement (OLE) (J. Ray)

NOAA Fisheries' Northeast Division (NED) of the Office of Law Enforcement (OLE) conducted essential operations last summer and will continue those operations as we move into the start of FY 2022. NED Enforcement Officers (EOs) and Special Agents (SAs) conduct investigations and maintain a presence in our crucial fishing ports while our Administrative and Investigative Support Teams work behind the scenes. While some in person activity is still on hold due to COVID-19 this report reveals the work our group conducts to protect marine wildlife and habitat in SBNMS. All of us at NED work hard every day to ensure not only our nation's precious marine resources, but our global Living Marine Resources are available for future generations.

Staff Changes

- At OLE Headquarters, Everett Baxter accepted the Deputy Director (DD) position. DD Baxter oversees the operations and activities of the office to support its long-term and annual goals and objectives.
- Jeffrey Ray is NED's new Assistant Director (AD), filling the vacancy left by Tim Donovan's retirement in June. AD Ray will be responsible for leading the Northeast Division and providing strategic advice to OLE Director James Landon and Deputy Director Baxter.
- Carl Lemire is NED's new Investigative Support Program Manager (ISPM) filling the vacancy left by Bill Semrau's retirement in July. ISPM Lemire will be responsible for management of the Division's Vessel Monitoring System program, investigative analysis and integration of emerging maritime domain awareness technologies.
- Former EO Tim Wilmarth is completing the Special Agent Field Training Program and will continue his role as OLE liaison to the sanctuary.
- An open Investigative Support Technician position is planned to be filled on/about October 25. Investigative Support Technicians analyze fishing activity and create reports detailing violation trends and patterns.

NED Enforcement Highlights

- EOs and Special Agents (SAs) will receive training this fall on the newly acquired ROV which will plan to use during future sanctuary patrols for fixed gear violations.
- An SA is developing an enforcement protocol that uses vessel based, land based and hand held RADAR to identify and video vessels violating right whale / vessel speed reduction regulations.
- An SA continues to collaborate with Sanctuary staff on an acoustics project to identify vessel types at sea.
- NED staff continue to maintain awareness of ALWTRP changes including those that could affect fishermen utilizing the sanctuary starting in February.

Patrols

EOs conducted three targeted patrols focused on charter and recreational fishing in the sanctuary. They investigated violations of undersize haddock and cod as well as failure to comply with vessel trip reporting requirements. Compliance assistance was provided for these violations. Metrics listed below include the above-mentioned patrols.

- OLE at sea patrols in SBNMS – 3
- OLE patrol hours in SBNMS – 14
- OLE/Massachusetts Environmental Police joint at sea patrol in SBNMS – 1
- OLE/Massachusetts Environmental Police joint patrol hours – 8
- OLE boardings in SBNMS – 11 total comprised of 6 (HMS) and 5 (groundfish)

Investigations

- An EO investigated a complaint of a prohibited shark landing (longfin mako). The EO confirmed that the shark was a shortfin mako, which is not prohibited.
- An EO investigated a complaint of a close approach of a humpback by a vessel. The EO provided compliance assistance and educated the operator about the marine mammal viewing guidelines.

Northeast VMS Program

Currently, there are 925 fishing vessels with operational Vessel Monitoring Units in OLE's Northeast Division. NED's Investigative Support Program monitors vessel activity within a "wrecks box" established in coordination with sanctuary staff. In August, 2021 330 VMS positions traveling at fishing speed occurred in the "wrecks box". In September, 2021 there were 151 VMS positions.

4. New England Fishery Management Council (NEFMC) (T. Nies)

The Council met virtually during June and September 2021 to discuss current issues of interest and approve various fishery management plan adjustments. At the September meeting the Council approved a formal rebuilding plan for Atlantic herring, which will guide catch limits beginning in 2023. The Council's focus in the fall will be on approving catch limits for the skate, groundfish, and scallop fisheries. Recent scallop surveys in the Gulf of Maine found that most of the exploitable biomass is on Stellwagen Bank. The Council will develop specifications for that area this fall. This summer, the Council was notified that it was not making adequate progress on rebuilding Gulf of Maine cod and Southern New England/MA winter flounder. Over the next year, the Council will adjust the rebuilding plan for those stocks. Assessments for both Gulf of Maine and Georges Bank cod were completed this fall; both stocks remain overfished.

The Council continues to track offshore wind and aquaculture issues via its Habitat Committee and has been closely following developments related to floating wind in the Gulf of Maine. Aquaculture may demand more Council time as there is a proposal to raise Atlantic salmon in the Exclusive Economic Zone (EEZ). Work on outreach related to ecosystem-based fishery management approaches is ongoing. The Council is also closely tracking potential changes in protected resources management, with the focus shifting from trap to gillnet gear this fall and winter.

Action Item: Alice Stratton, SBNMS staff, will participate in the wind energy team and follow up to learn more about it.

5. NOAA GARFO (M. Kelly)

Electronic Vessel Trip Reporting (eVTR) Requirement - November 10

eVTR will be required for all GARFO permitted vessels (except lobster only) beginning November 10, 2021. Significant outreach efforts are underway. The intention of this requirement is to enhance our data collection program to be more timely, accurate, and less burdensome to operators.

V. Round Robin, Discussion on SAC Member Written Reports (T. Callaghan)

Marty Klein

My long efforts to promote detailed surveys of known and potential maritime heritage sites in the Sanctuary are finally working out. My old company, Klein Marine Systems, has begun doing side scan sonar work with their latest technology and they are producing very promising results.

Chris McGuire

The Nature Conservancy has just released a new marine mapping tool designed to allow users to explore natural resources in the ocean from Maine to North Carolina. The mapping tool lets you select an area of the ocean, and then serves up information about the seafloor, fish, invertebrates, marine mammals and bird species in the area. The underlying regional data comes from the Northeast and Mid-Atlantic data portals. The tool also compares the selected area to the larger ecoregion, and for some data shows change over time, or seasonal abundance. This tool was designed to help inform project reviews for offshore wind, but could be useful for any other ocean siting discussion. Check it out at <https://nature.org/marinemaptool>.

Monica Pepe

Three new companies joined the Whale SENSE program this year in the Atlantic (plus 8 in Alaska). We are in the process of developing an online, self-guided recreational boater course on safe operations around whales and will likely be seeking SAC input/assistance in developing and promoting this course. We are also designing a new logo for the See A Spout program to coincide with the launch of this course, all of which should be done by the end of the year.

Wayne Petersen

- At the request of Anne Smrcina, SBNMS Education Coordinator, Wayne provided extensive content assistance to a Brockton High School science teacher who was preparing a marine bird unit for her biology students. The teacher was very creative in her planning and Wayne suspects her final unit was solid in both content and presentation. Anne-Marie Runfola provided additional resource assistance.
- Wayne presented a Zoom seabird lecture for Boston University students in Les Kaufman's course in the Marine Science Program in his Megafauna of Stellwagen Bank National Marine Sanctuary course.

Leila Hatch

- In summer 2021, NEFSC, NMFS OLE and SBNMS collaborators collected underwater recording information during multiple close transits of a trawler operating under different conditions. These trials were supplemented this fall by placement of an underwater recording on a shipwreck whose location has been previously shared with fishers in a desire to reduce fishing-related damage to the historic resource. This unit is collecting baseline data in preparation for changes in scalloping activity expected next spring. Next steps include extraction of fishing specific acoustic signals from existing and new datasets.
- The continuous underwater recording station in the sanctuary gathered its 7th year of data and is now a few weeks into year 8. These data have supported a range of comparisons between SBNMS's underwater sounds and other recordings made throughout US waters. Publications this year have highlighted the public's access to this dataset through NOAA's NCEI, and the ability to now compare these data to data collected by a range of other archived projects.

- The Sanctuary Soundscape Monitoring Project has entered its final months of three years of continuous recording effort at three sites in SBNMS. With almost no data gap through the pandemic, a testament to the dedicated efforts of staff at NEFSC and SBNMS, the project has filled gaps in our understanding of fish and dolphin calling behavior in the sanctuary, been part of vessel presence and noise characterization across the sanctuary system and examined reductions in vessel noise and potential increases in whale calling behavior during the early months of COVID's effect on MA industries. Web stories and Story Maps are available for the public to read about the project and its results.

Anne Smrcina

- Sanctuary staff and the ONMS Web Team have completely refreshed the sanctuary website. The new version contains up-to-date content, glorious colorful photos (and a lot of them), easier navigation, and more links to related information. We invite the SAC to review the website, and, if you see anything that may need editing/changing, please contact anne.smrcina@noaa.gov.
- A recent tagging research mission that shifted from basking sharks to white sharks became one of ONMS's top stories. The white sharks were feeding on a juvenile humpback whale carcass in the sanctuary, and the team not only tagged the scavenging white sharks but came away with awesome images. Mike Thompson provided video, as did the UMass Amherst partners (who captured underwater images with their GoPro), and Amy Meloski and Tammy Silva captured dramatic still photos. The resulting Earth is Blue 2-minute video and a web story with the sanctuary's name prominently featured were picked up by more than 1,000 media outlets, resulting in approximately 38 million media impressions (the number of people who may have seen the story). <https://sanctuaries.noaa.gov/news/aug21/sharks-whales-research.html> <https://sanctuaries.noaa.gov/earthisblue/wk330-white-sharks-scavenging.html>

Anne-Marie Runfola

The Provincetown Visitor's Center Conceptual Design is complete. Anne-Marie will send the final report to SAC members and convene a webinar to present the details in early 2022.

Hannah MacDonald

38 surveys with fishermen were conducted between May-August to gather information on their perspectives and opinions on voluntarily avoiding shipwrecks when given the location. This is the third year of the study and a cumulative report will be sent out this fall. A major highlight from the 2021 research and project is that VMS was used effectively for the first time in notifying fishermen of shipwreck locations.

VI. Old and New Business: None

VII. Public Comment. None.

VIII. Adjourn: At 1 pm by consensus.