



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Sanctuary System
Stellwagen Bank National Marine Sanctuary
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20th SANCTUARY ADVISORY COUNCIL MEETING MINUTES
Plymouth Library, Plymouth, MA
31 May 2007

MINUTES OF MEETING

PRESENT

Bill Adler	Member: Fixed Gear Commercial Fishing
Captain Peter Ahnlon	Alternate to Kathleen Dolan, MEP
Regina Asmutis-Silvia	Alternate to Susan Farady—Conservation
Edward Barrett	Member: Mobile Gear Commercial Fishing
Peter Borrelli	Member: Education
Priscilla Brooks	Member: Conservation
Dale Brown	Member: At-Large
Bruce Carlisle	Ex-Officio : Member CZM
Deborah Cramer	Member: At-Large
Jack Crowley	Alternate to Peter Borrelli—Education
Capt. Peter Ahnlon	Designee to Kathleen Dolan, MEP
Susan Farady	Member: Conservation
Barry Gibson	Member: Recreation
Chris Kellogg	Ex-Officio Alternate to Paul Howard, NEFMC
LDCR Ed Marohn	Ex-Officio: US Coast Guard
Martin McCabe	Alternate to William Eldridge—Marine Transportation
Steve Milliken	Member: Whale Watching
Timothy Moll	Member: Business and Industry
Judy Pederson	Alternate to Peter Auster—Research
David Pierce	Ex-Officio Member, Designee for Paul Diodati MDMF
Chip Reilly	Alternate to Steve Milliken, Whalewatching
Kathi Rodrigues	Ex-Officio Member, Designee for Patricia Kurkul NMFS
Michael Sosik	Alternate to Barry Gibson—Recreation
Steven Tucker	Alternate to Deborah Cramer—At-Large
Mason Weinrich	Member: Research
Richard Wheeler	Member: Education
Sally Yozell	Member: At-Large



SBNMS and NATIONAL PROGRAM STAFF

Reed Bohne	Deborah Marx	Paul Ticco
Ben Cowie-Haskell	Anne Smrcina	Randy Byers
Matthew Lawrence	Elizabeth Stokes	
Craig MacDonald	Michael Thompson	
Nathalie Ward		

OTHERS PRESENT

Jen Constanza	Kiel Rowley	Peter Hanlon
Brendan O'Brien		

I. Welcome, Review of Agenda and Approval of 19th SAC Minutes (Sally Yozell and Susan Farady)

Sally Yozell opened the meeting and welcomed all members. She introduced Reed Bohne, Northeast Regional Director, National Marine Sanctuary Program (NMSP), and Paul Ticco, Northeast Regional Coordinator, NMSP. All in attendance were advised that the meeting was being recorded.

Reed Bohne introduced himself and provided a brief overview of Northeast Region governance of the sanctuary program and the responsibilities the Northeast Region has to its three sites. He emphasized that the release of the forthcoming SBNMS Draft Management Plan has relied heavily on input from SAC members, and that the Management Plan, once released, will dictate the direction the sanctuary will take over the next few years.

Paul Ticco introduced himself. He presently works in the NMSP Washington DC office but hopes to relocate to SBNMS headquarters in Scituate within a year to work closer with the staff on sanctuary issues. He is looking forward to working with Stellwagen Bank SAC members.

Susan Farady welcomed everyone. She reflected on Susan Snow-Cotter's passing this past winter. Susan Snow-Cotter was a dedicated member of the SAC and the ocean community. Farady also recognized Peter Borrelli for his hard work and extensive contribution to the sanctuary. Peter will be leaving the Provincetown Center for Coastal Studies in July and stepping down as SAC member.

Review of Agenda

The agenda was reviewed and accepted.

Approval of 19th SAC Minutes. The minutes of the 19th SAC Meeting were approved as presented.

II. SAC Business

i. New SAC Members Welcome and Recognition (Craig MacDonald)

MacDonald welcomed new members:

- Dale Brown, who previously held an Alternate seat, is now a Member At-Large, Gloucester Community Representative
- Tim Moll, Member Business and Industry, Vice-President Brewer Plymouth Marine
- David Jenson, Alternate for Tim Moll, Marine Bay Boston Harbor (Absent)
- Jack Crowley, Alternate for Peter Borrelli, Executive Director Massachusetts Marine Educators

- LCDR E.J. Marohn, representing the Admiral of the US Coast Guard
- Bruce Carlisle, Massachusetts Office of Coastal Zone Management

ii. SBNMS Budget (Craig MacDonald)

MacDonald gave a slide presentation on the status of the sanctuary budget. There has been a 20% budget reduction over the past 2 years. Presently, the sanctuary program is looking at an additional 10-11% cut in its program. The following lists several programs where funding has been zeroed out:

- Fish and vertebrate training
- Support for whale naming workshop
- Closing of Provincetown Exhibit Center (working with Dolphin Fleet to maintain some presence in Provincetown)
- Annual monitoring and live broadcasts relating to Maritime Heritage Program
- Water quality monitoring
- Whale tagging program

Furthermore, there was no additional funding anticipated for vessel support maintenance, and salaries for boat captain and first mate. Sanctuary staff is working to conduct partnership research with external academic institutions to generate additional funding. MacDonald added that there would be no choice but to beach the vessel *Auk* next fiscal year if further budget cuts are incurred.

Question 1: Yozell asked if the same percentage cuts were being felt across all sanctuaries as well as from administrative programs at headquarters.

Answer: MacDonald answered yes, in terms of base budget. Dan Basta has made funding reduction equitable across the sanctuaries.

Answer: Bohne added that a team was formed to review the budget and that a lot of time was spent trying to minimize difficult cuts that sites would incur. There was a small addition to base for SBNMS to cover *Auk* operations costs. Overall, cuts across the sanctuaries were fairly difficult and included some layoffs.

Question 2: Mason Weinrich asked if cuts would delay the release of the Draft Management Plan and future monitoring of the new shipping lanes as well as LNG mitigation.

Answer: MacDonald responded, no. Funds have already been allocated for the release of the DMP and the LNG monitoring.

Discussion followed about how to market the *Auk* to secure future funding. Some funding could be made available through partnerships with external research institutions and the National Marine Sanctuary Foundation (NMSF).

Comment: Bohne commented that the NMSF is very effective in obtaining additional funding. Reed suggested that perhaps in the future, a Sanctuary Foundation staff member could brief the SAC how the foundation supports the program.

Question 3: Priscilla Brooks asked about an update on the proposed reauthorization of the National Marine Sanctuary Act (NMSA).

Answer: Bohne responded that it has not yet been sent to Congress, but has raised visibility on Capitol Hill and is one of NOAA's top six priority legislative actions.

Question 4: Yozell asked if there had been any outreach by the sanctuary program to Coastal Zone Management to assist in the reauthorization of the NMSA.

Answer: Bohne responded no, but it certainly would be important once the proposal is put forward.

iii. Sister Sanctuary Relationship (Craig MacDonald and Nathalie Ward)

MacDonald briefed the SAC on the establishment of a sister sanctuary with the Dominican Republic. NOAA and the Ministry of the Environment and Natural Resources (Dominican Republic) signed the formal agreement in December 2006. This major accomplishment was quite an undertaking for NOAA and Nathalie Ward deserves a lot of credit for spearheading it. Hopefully, this will draw new additional funding.

Ward added that the establishment of a sister sanctuary hallmarks a new chapter in the protection of humpback whales in the North Atlantic. This is the first sister sanctuary program that is protecting a living resource on both ends of its range. The sister sanctuary initiative is of international significance as both the U.S. and the D.R. are Parties to UNEP's Specially Protected Areas and Wildlife (SPA) Protocol; and, the SPA's Marine Mammal Action Plan highlights sister sanctuaries as priority actions. Additionally, the Provincetown Center for Coastal Studies and Dolphin Fleet have established an internship program with the Sanctuary, wherein three D.R. interns will be participating on whale watching and research cruises this summer. MacDonald and Ward will be going to the Dominican Republic in late June to participate in the official sister sanctuary partnership celebration.

iv. World Heritage Site Proposal (Craig MacDonald)

Craig MacDonald announced that sanctuary staff submitted a proposal to NOAA for SBNMS to be nominated as a World Heritage Site. The United Nations maintains the World Heritage List, and this is the first time in 25 years that it has opened its list to include new nominations. A total of 36 sites were nominated across the nation. A Department of Interior (DOI) selection panel will be reviewing nominations and will make a final decision by December as to which of these sites will be submitted to the United Nations for consideration. The nominations will also appear on the Federal Register for public comment. MacDonald will send the press release to SAC members and keep them apprised on the nomination process as it progresses.

Question 1: Weinrich asked why DOI oversees the nomination process and whether world heritage site designation provides additional funding.

Answer: MacDonald answered that DOI manages national parks. There is no additional government funding provided for world heritage sites, but there are international donor organizations that underwrite projects within the world heritage site program.

Question 2: Deborah Cramer asked which branch of the DOI handles the selection process.

Answer: MacDonald responded it is the Office of International Affairs.

Question 3: Brooks asked if there was a formal application that the SAC members could see.

Answer: MacDonald responded that the formal proposal is still considered an internal document between NOAA and DOI. It may be made available during the public comment period.

v. Stellwagen Sanctuary Friends Foundation (Craig MacDonald)

MacDonald stated that a steering committee has been formed to establish a Stellwagen Sanctuary Friends Foundation. The steering committee's purpose is to determine what type of organization the foundation should be. By June, there will be a charter and a set of by-laws that will be adopted and filed with the State. At that time, the organization can begin to receive funding. Jennifer Bender Ferre has volunteered to serve as Executive Director of the organization for one year.

Question1: Bill Adler asked if this is the same foundation as the NMSF.

Answer: MacDonald answered that this is a separate foundation.

vi. Volunteer of the Year Award (Craig MacDonald)

MacDonald announced that this year's SBNMS Volunteer of the Year (VOY) nominee is Peter Auster. The VOY recognition dinner will be held in Washington DC on June 5th. The VOY will be selected at that time. Susan Farady and John Williamson were previous nominees.

vii. SAC Coordinator Announcements (Nathalie Ward)

Ward asked SAC members to update their profile sheets. She would like to post them along with SAC members' photos to the SBNMS website. The SAC annual report and council fact sheet were sent to SAC members.

The Annual Chair and Coordinators meeting was not held this year due to the Continuing Resolution.

The NMJSP requires all sanctuary advisory councils to have program performance measures in place by 2010. She gave examples of SBNMS priority measures (e.g., motions voted on) and noted that for 2007, there were a total of 60 priority measures for all NMSP SACs.

Additionally, Ward would like to establish a SBNMS-specific Volunteer of the Year program beginning in 2008. The VSBNMS-OY would be selected by SAC peers, not internally by nomination of sanctuary staff. Ward will send out information to SAC members outlining draft criteria. Ward solicited feedback from SAC members.

Question: Weinrich asked if it would provide additional visibility for SBNMS.

Answer: Ward responded yes, but more importantly, the SBNMS/VOY will recognize individuals who are making productive contributions to SBNMS.

Comment: Brooks stated that the notion of the SBNMS/VOY award is was a fine idea and motioned that SAC members support it. (**MOTION**)

MOTION: *All members present voted in favor of supporting SBNMS SAC Volunteer of the Year program beginning in 2008. (See Appendix A: Voting Sheet).*

SAC Terms

MacDonald stated that SAC membership terms were extended from 2006 to June 2007 to accommodate the Draft Management Plan review process. Recruitment for all SAC seats will be accomplished during this summer. MacDonald encouraged all incumbent SAC members and alternates to reapply.

viii. NOAA Inspector General Office Audit (added to agenda) (Craig MacDonald)

MacDonald briefed on a recent visit to SBNMS headquarters by two members of the Inspector General's (IG) Office in Washington DC. The IG team conducted interviews over 2 days with

sanctuary staff and SAC members. The purpose of the visit was to gauge how well the sanctuary is operating in accordance with the NMSA's directive. A draft report of the IG's findings will be released in October, with the final report due out in December. MacDonald thanked those SAC members who took time out of their busy schedules to participate in the interviews and his gratitude for everyone's input. MacDonald will notify SAC members when the final report is released.

III. Ongoing Issues

i. Draft Management Plan (Craig MacDonald)

MacDonald announced that the DMP was completed and submitted to NOAA for review and comment on February 19th. Comments should be back by early June. MacDonald is hoping to have the draft plan released for public comment sometime in July. There will be a 90-day window for public comment. Scoping comments will be in the form of letters, emails, and faxes. Public meetings will be held but MacDonald is uncertain as to how many and where they will be held. MacDonald requested SAC input on how many public meetings should be held and to assist in disseminating information. When the DMP release date is known, MacDonald will notify SAC members at least 2 weeks in advance so that a SAC meeting can be scheduled prior to the public comment period. MacDonald also provided a breakdown of the various action plans incorporated in the DMP and how the MP review process works.

Comments: Weinrich commented that full public participation is very important. This is the first time that SBNMS has been able to publicize a management plan. It's important that the plan is accessible and visible, so that everyone has a chance to review it. The timing for public comment is essential. He strongly recommended that it be kept out for public comment as late into September as possible because summer is a difficult time to capture a wide audience.

Brooks recommended that public meetings be scattered equitably for highest visibility and to reach out to everyone who previously was involved in the initial discussions of the management plan process.

Farady stated that it is extremely important to conduct full public hearings. The quality of comments will come from a variety of places. A variety of avenues should be explored to reach the public. She recognized the budget constraints in reaching out to the public, but noted the importance of going back out to the same regions as previously scoped.

Question: Yozell asked if SAC members can act as facilitators at the public comment meetings?

Answer: MacDonald answered that it would be considered a conflict of interest for SAC members to facilitate at the public meetings. He is optimistic that Headquarters will assist in this effort.

Comment: Bohne commented that he is confident that NMSP Headquarters will send staff members to help during the public comment process. He further commented that the DMP is a very strong document and sets up a framework for future regulatory actions to protecting resources in the sanctuary.

The panel further discussed various methods to reach out to a broad constituent base. MacDonald will be working with Headquarters for a media rollout and will devote a sanctuary newsletter to the plan's release.

ii. Condition Report (Ben Cowie-Haskell)

Ben Cowie-Haskell briefed the SAC on the release of the sanctuary's Condition Report. SBNMS was the model site for the first Condition Report release. Other sanctuaries will follow. The Condition Report (intended to be released every 5 years) will set the stage for the SBNMS Management Plan

release. It is to be considered as more of an executive summary on the state of the sanctuary. More detailed analyses on each issue and strategies to protect resources will be in the Management Plan. The general assessment is that the sanctuary is in a guarded condition, in need of immediate care. Several of the pressures that are impacting sanctuary resources are vessel noise levels, whale strikes and entanglements, fishing and dredging activities, and damage to maritime heritage sites. Action is being taken now on issues listed in the Condition Report such as shifting shipping lanes and mitigation efforts with LNG. Much of the information in the Condition Report and Management Plan was drawn from NOAA's NCCOS report, which is a very substantial, well-prepared document. The Condition Report is available on line. The goals of the Condition Report are:

- to assess the condition of the site and determine if the system is achieving its resource protection; and
- to improve goals as reflected in program performance measures.

Comments: Ed Barrett voiced concerns about data and conclusions reached in the Condition Report and the timeliness of its release. A working group meeting should have formed to review the Condition Report prior to its release.

Bill Adler also voiced concerns about the findings in the report. He feels there is a problem with the statistics and the manner in which fishing is portrayed. It paints the wrong perception to the public and the media.

Ben Cowie-Haskell said that historic use of the sanctuary was taken into account using a 5-year time frame. The research focused on overall trends and condensed data into a report that reflects overall trends.

MacDonald remarked that the report was done in the context of 10-15-25 year scale, even though it covers a 5-year time line.

Weinrich commented that SAC members had a chance to comment on the Condition Report prior to its release. He thinks the report is the best science available for the sanctuary and that the staff has done a good job contributing to that science, recognizing that fluctuations in conditions are taken into account.

Chris Kellogg stated that it is perceived as a scientific report. There are conclusions drawn but data cannot be referenced. He asked that his staff be asked for input when a report of this nature is being prepared.

Kathy Rodrigues stated that it is not a scientific document, but the perception is there. The report does a good job of presenting how the staff sees the sanctuary; however, she is concerned about the process and believes a different conclusion would have been drawn, if there had been more input from the various SAC representation.

Dale Brown agreed with that the Table provided in the condition report is problematic. She would like to see the reviewer's comments for the Condition Report.

Cowie-Haskell provided the web link to the reviewer's comments.

Brooks commended the sanctuary staff for compiling a comprehensive set of indicators.

Deborah Cramer commented that she was at the SAC meeting when the draft was reviewed. She feels it's a terrific document.

Yozell stated that she understands concerns about the accuracy of data in the Condition Report but commended the work done by the sanctuary and the education input the report provides to the public, in general terms.

Rodrigues commented that the fishery stock data in the report is probably the same as that outside of the sanctuary and that maybe something needs to be done resource-wide since this is a much broader problem.

Farady commented that the SAC be kept apprised of the Condition Report as well as the management plan review process.

Question: Yozell asked whether the data on fishing came from NMFS ?.

Answer: Cowie-Haskell answered that the fishing data was drawn from the sanctuary during the period 1963-2000.

iii. LNG Proposal – Update (MacDonald)

Craig announced that both LNG sites have now been licensed. Construction of the Excelerate LNG facility has begun. The Neptune LNG construction will begin in 2009. The permits were issued for the mitigation, and sanctuary staff and NMS are working together on the whale-monitoring plan that will go into effect. Weinrich presented some real-time photos of LNG construction activities on the northern edge of the sanctuary.

Question: Weinrich asked what the consequences are of a second LNG license being issued?

Answer: MacDonald answered that MARAD , who has the licensing authority, has accepted liability for issuance of the second license in light of the fact that NOAA recommended that only one license be issued.

iv. IMO Update (MacDonald)

MacDonald stated that the IMO voted to shift the shipping lane in the sanctuary. The new shipping lane will go into effect in July 2007. NOAA Charting is presently conducting multi-beam tracks of the new route to ensure there is no risk to vessel traffic.

v. Zoning Working Group (Ben Cowie-Haskell)

The Zoning Working Group (ZWG) has met three times since its establishment by the SAC in 2005. Ben gave a timeline of the proposed working group schedule and the various steps involved in the process. The working group will meet to review the Essential Fish Habitat (EFH) Phase I Omnibus Amendment. The EFH omnibus amendment focuses on habitat protection. Ben explained the overlap of processes being conducted by the zoning group and how it will integrate its work into the EFH omnibus amendment process. This is a good opportunity for the two processes to influence each other. The ZWG Science subgroup, which deals with ecological integrity, will convene this summer to choose metrics for the assessment of analysis to be conducted, prior to the ZWG reconvening in the fall. Recommendations from the ZWG will be presented to the SAC. Copies of comments from the EFH omnibus amendment are available for SAC members' review.

Comments: Barrett commented that maybe a ZWG analysis report would be better received than the findings in the Condition Report.

Bohne stated that this is the first Condition Report produced throughout the sanctuaries and is a first step in an ongoing effort. Therefore, SAC input would be productive to addressing improvements in

crafting the report in the future. He added that a working group (re: the development of the Condition Report) would make sense.

Farady commented that her understanding was that the zoning group deliberations were not to be held back by the management plan process. They were to be tied in to the EFH omnibus amendment process since similar zoning issues were of concern and interest to both groups.

Question 1: Yozell asked how the findings of the zoning working group mesh with the management plan. She was under the impression that group was supposed to be merged into the management plan.

Answer: Cowie-Haskell responded that the ZWG was established by the SAC to address the issue of zoning. Any recommendations or actions by ZWG will be reached after the release of the final Management Plan, and hopefully, those findings will be incorporated in 2012 management plan.

Comment: Borrelli commented that it makes sense to have ZWG conclusions come at a later date to allot time for feedback and commentary on the Condition Report and Draft Management Plan. He noted that the “bottom line” is whether zoning as a tool has application within the sanctuary. The sanctuary has not been protected due to a lack of a management plan. Ben is doing a terrific job with the ZWG and some of the ideas that will emerge could have a potential impact on an international application.

Question 2: Brown asked if the working group would dissolve once they reach their recommendations, or will it continue its work along with the EFH omnibus amendment process?

Answer 2: Cowie-Haskell stated that the working group would dissolve once recommendations are reached, unless the group decides to branch off and go beyond the EFH omnibus amendment process.

Comment: MacDonald’s understanding was that the ZWG would continue another 2 years beyond the release of the Management Plan. If consensus by the ZWG is that it should end, then a proposal needs to be brought before the SAC.

Comment: Farady suggested that further discussion regarding the ZWG be tabled until the next SAC meeting in September.

VI. SBNMS Program Overview (Craig MacDonald)

MacDonald gave a slide presentation on the sanctuary’s programs and highlighted ongoing research projects and accomplishments in the sanctuary:

- Future renovation is planned to turn the boathouse into a marine operations and exhibit center.
- Provincetown Exhibit Center has been closed due to lack of funding. The Gloucester Exhibit Center remains open because the sanctuary partnership agreement with Gloucester provides for long-term funding. Visits to the Gloucester Exhibit are up by 20 percent.
- Explained the “three-legged stool of sanctuary stewardship”: Biodiversity Conservation, Heritage Resources Management, and Marine Mammal Protection.
- The sanctuary has the highest number of fixed-gear permits along the northeast seaboard of the United States.
- Whale tagging studies and partnership with various academic and research institutions and real-time whale tagging data.
- Shifting of shipping lanes to reduce risk of ship strikes to and noise impact on marine mammals, which will go into effect in July 2007. This marine conservation effort was five years in the making involving many branches of state and government agencies. Most high volume vessel traffic in the Gulf of Maine cuts through the sanctuary.

- ARU deployments to monitor ocean noise. Trying to establish a visual model to track and better visualize noise in the sanctuary.
- LNG licensing requirement mitigation. Ten real-time buoys were deployed to detect right whales' upcall so that ships can be notified to slow down.
- Maritime Heritage Management – Schooner *Paul Palmer* was recently added to the National Register of Historic Places.
- Establishment of Sister Sanctuary MOU with the D.R. and Summer Internship Exchange program.

Questions and Answers:

Question 1: Bill Adler asked how old a vessel must be before it is designated as historic?

Answer: Matthew Lawrence and Deborah Marx responded that a vessel must be 50 years old.

Question 2: Judy Pederson asked if there is any recourse if shipping vessels, LNGs, etc., cause more damage to sanctuary resources than originally anticipated?

Answer: MacDonald responded that this is uncharted territory (i.e., the standard for controlling damage to sanctuary resources).

Question 3: Rodrigues asked if one is more apt to see more whale entanglements where there are whale watch vessels?

Answer: MacDonald responded that this is a concern and should be taken into consideration in analyses.

Comment Borrelli commented that over the past 10 years the number of whale entanglements reported by whale watch vessels has declined as public awareness increases. Statistically, he believes there have been more reports by fishermen of whale entanglements than by whale watch vessels. The dataset is more robust than it's ever been.

Question 1: Barrett asked for clarification on the definition of maritime heritage?

Answer: Lawrence responded that according to the National Historic Preservation Act of 1966 if a vessel built over 50 years ago, maybe considered a historic property.

Comment: MacDonald added that they're in a law in place to protect maritime heritage and the criteria set up to define what is historic is clearly stated in the National Historic Preservation Act. Resources in the sanctuary need to be protected accordingly.

Comment: Tim Moll commented that there is a lot of debris in the sanctuary waters that could be considered historic. A line should be drawn and priorities set to realistically define what is historic and whether protecting a maritime heritage sight is economically sound.

Comment: MacDonald commented that the significance and condition of the site are taken into consideration when determining what is considered historic.

Question 2: Michael Sosik asked if any thought had been given to using volunteer divers for archeological work rather than using sanctuary resources such as ROVs.

Answer: Lawrence stated that this issue is being worked on, however, the depth of most sanctuaries necessitates the use of ROVs. Marx's added that use of the ROV serves as a dual function in the sanctuary. It is not solely looking at shipwrecks but is also observing biological diversity.

Further discussion continued amongst members concerning the interpretation of the Preservation Act — specifically, What is to be considered maritime heritage in the sanctuary versus maritime debris?

VII. Western Gulf of Maine Closure Symposium: Summary (Ben Cowie-Haskell)

Cowie-Haskell briefed the SAC on the Western Gulf of Maine Closure Symposium in March at the University of New Hampshire. The Western Gulf of Maine Closure area extends from the southern part of the sanctuary to the northern part of Jeffrey's Ledge. The symposium is an annual event organized by the Sea Grant Program. Many researchers reported on their work in the closure area, which is attracting a lot of research and producing some good, scientific results. Cowie-Haskell attended a two-day follow-on workshop headed by Dr. Andrew Rosenberg (University of New Hampshire) focused on developing a policy for ecosystem-based management for fisheries and biological diversity in the Gulf of Maine. Scientists, fisheries managers, and NGOs gathered to initiate discussions on how to develop a policy-relevant science vision. Several action items were generated from the workshop; it was proposed that Stellwagen Bank be the pilot project site for implementing and documenting ecosystem-based management in the Gulf of Maine. Ben will be leading this effort starting in late summer or early fall if Stellwagen Bank is chosen as the pilot site.

Comment: Farady attended the workshop and found that a lot of the research findings presented were related to issues that the SAC panel deals with. The symposium's summary of proceedings would be of interest to the SAC panel.

Comment: Yozell commented that Stellwagen is a good choice to be used as a pilot program because the sanctuary already has a lot of related data and one of the biggest barriers with ecosystem-based management is the various layers and overlap of government and state policy management regulations, which is exactly what the sanctuary presently faces.

Question: Barrett asked if there were any industry representatives at the workshop?

Answer: Cowie-Haskell answered not many were in attendance. Mostly a science-based group attended the workshop.

Comment: Brooks commented that there should be an ecosystem-based management approach to the management of the sanctuary and encouraged the sanctuary to be involved with this process and become the focus of this investigation.

VIII. Constituent Reports

Northeast Regional Research Planning Effort (Judith Pederson)

Judith Pederson presented an overview of the Coordination of Research and Monitoring in the Gulf of Maine for the Regional Science Planning Initiative. The mission of this initiative is to identify, facilitate and fund priority research in support of the implementation of a regional ecosystem approach to management in the Gulf of Maine and the surrounding shallow seas. A description was provided on how its Council and its Advisory Board is organized. Judith briefly summarized the Council's first four priorities: global climate change, conservation sustainability, oceans and human health, and development of science to support human impacts. Information regarding the can be found at their website <http://web.mit.edu/seagrant/rosc>.

Two questions were posed for SAC to consider:

1. What issues are of highest priority for Stellwagen Bank in the context of regional research/monitoring?

2. Are there opportunities for coordination and collaboration on projects?

Comments and Questions: Barrett remarked that there are greater issues especially with the ecosystem management regarding Stellwagen Bank.

Cowie-Haskell commented that the climate change issue is huge and the fact that its effect in the Gulf of Maine is being addressed is welcomed.

Question 1: Yozell asked how large of an area is being monitored and are there land influences? Will the focus be on fisheries habitat in the near shore estuary?

Answer: Pederson responded that the area monitored is from the coastal marine area to a circular area outward — George's Bay and Bay of Fundy. Land influences are inevitable. The monitoring being done is on a larger scale and not focused on any particular habitat.

Question 2: Ward suggested that consideration be given to invasive species.

Answer: Pederson answered that this is one of the issues that are being addressed.

Comments: Weinrich commented that it would be good to look at the physiological, biological and oceanographic parameters that control abundance and distribution of key prey items throughout the Gulf of Maine.

Rodrigues commented that from a management standpoint it would be helpful to find a threshold on when action needs to be taken once a problem has been determined (e.g. invasive species).

ii. Whale-watching in Southern New England—Effect on humpback whale calving rates (Mason Weinrich)

Weinrich gave a slide presentation about the effects of whale watching over several decades on acoustic disturbance, and calving rates and calf survival of the humpback whale. The findings conclude that:

- The amount of whale watching exposure has a positive effect on both the likelihood of calving and calf survival; and,
- Year of birth is a more important predictor of calf survival than amount of whale watch exposure.

Questions and Answers:

Question 1: Kellogg asked: 1) Why the year effect seemed to have a negative sign on the coefficient; 2) Which factors would cause the year of birth to have some effect; and 3) Is the study definitive enough to rule out interaction?

Answer: Regarding year effect, Weinrich answered that papers published or those in review report that levels of prey and their fluctuations are a contributing factor to low calf survival. The study is not definitive, but this is the best data available at this point.

Question 2: MacDonald asked how low calf survival is determined?

Answer: Weinrich responded that the annual return rate of the calves is observed (i.e., calves are identified by photos). There seems to be a huge correlation between abundance of prey and survival rate.

Question 3: Rodrigues asked whether there is any difference in the two whale watching regimes in the two study areas between here and Australia?

Answer: Weinrich responded that the management regime for licensing whale watch boats is much stricter in Australia. The main difference he has observed is that depth and sound in Shark Bay are pristine and in-water areas are quiet, without a lot of development. The conditions are much different than Stellwagen Bank, which must contend with a noisy environment.

Comment: Ward thanked the presenters and solicited future presentations from SAC members on any range of topics. She requested that power point presentations be placed on the Sanctuary website. And noted that luncheon speakers are needed for future SAC meetings.

IX. Other Council Business

Brooks announced that the Massachusetts Ocean Partnership is emerging. This is public and private partnership funded by the Moore Foundation and is a 5-year plan to promote comprehensive ocean management in Massachusetts. The 5-year plan will be released to the public in June. The partnership was sparked by the various commercial development proposals offshore. She has the name of the contact person for anyone who may be interested in learning more about the program.

Farady announced that the Massachusetts Ocean Coalition Group is up and running—the coalition between the Conservation Law Foundation and the Massachusetts Audubon Society. The group's focus is on pending legislation working its way through the Massachusetts legislature that would mandate an integrated and comprehensive ocean management plan for Massachusetts. Brooks provided a brief outline defining the legislation and what it encompasses. A hearing on the legislation is scheduled for June 13 in Gardner Auditorium at the State House. Contact Farady or Brooks for more information. Brooks also provided an explanation of the difference between partnership and coalition groups.

Question: Bohne asked what the long-term future implications of the legislation would be for the sanctuary.

Answer: Brooks responded that indications are for SBNMS to be thinking more broadly about ocean and ecosystem-based management. These two emerging issues should be kept on Stellwagen's radar screen.

Farady announced that the spring issue of *Maine Ocean and Coastal Law Journal* published an article she authored on "compatibility determination". A copy of the article will be emailed to SAC members.

Weinrich shared with the SAC panel that he was out on the sanctuary and "it's live and thriving with marine life and lots of prey."

Cowie-Haskell stated that a cooperative project has been initiated with local dragger, Frank Mirachi, to retrieve and dispose of derelict fishing gear in the sanctuary. This is a demonstration project set up for initially one year, funded by NOAA's marine debris program. One trip has been conducted with more planned in the future. Derelict fishing gear is a risk to marine life, particularly marine mammals. This is a huge problem throughout the Gulf of Maine and will require a much bigger effort at the state level.

Cowie-Haskell is involved in a cooperative project with Woods Hole Oceanographic Institution and UMass Dartmouth to understand the dynamics of harmful algae bloom dynamics in the Gulf of Maine. SBNMS is crucial to this project because in 2005 a massive plume of diatom *Alexandrium* infected the sanctuary. This alga was responsible for a dozen humpback whale poisonings. Cowie-Haskell also collected shellfish samples for analysis of the presence of toxins by the Food and Drug Administration as part of the same project.

Ward stated that an ‘emergency’ SAC meeting would be scheduled when the Management Plan is ready for release. The next regular SAC meeting will be sometime in September.

Anne Smrcina announced that the SBNMS posters and the new *Soundings* newsletter have been published and are available. The newsletter is being distributed to tourist offices, whale watch companies and other venues.

X. Omnibus Amendment (Leslie Ann McGee)

Leslie Ann McGee, New England Fishery Management Council, presented an overview of the council’s Essential Fish Habitat (EFH) designation process, as defined in the Sustainable Fisheries Act of 1996. The council manages 27 different species and is responsible for defining EFH for each species and life stage of each species. The council is in the process of amending the EFH Omnibus Plan. Comments will be reviewed and considered by the Council (and its various bodies) after the comment period closes on May 21, 2007. The Council will vote on final measures on EFH and HAPCs at their June 19-21, 2007 Council meeting in Portland, ME. The Council will then move onto Phase 2 of the EFH Omnibus Amendment, which entails reviewing all fishing activities and their effect on EFH after the June meeting. They will take public comments again on the combined Phase 1/Phase 2 EFH Omnibus Amendment, once a draft document has been completed. Phase 2 will also include dedicated habitat research areas, which are areas set-aside solely for EFH. Many areas are being looked at including Stellwagen. Magee is working with Cowie-Haskell and the Zoning Working group. The challenge is to determine what the priority areas are for EFH and to what extent is it to be protected. More information on this process is available at www.nefmc.org.

Habitat Area of Particular Concern (HAPC), Alternative 6 for Jeffrey’s Ledge/Stellwagen Bank. were discussed in-depth including definitions of ‘dedicated habitat research areas’/ habitat features versus habitat considerations, what are priorities for habitat, etc? Sample questions/answers include:

Question: MacDonald asked whether most of the habitats were geomorphologic or physical.

Answer: Yes.

Question: Cowie-Haskell asked if gear effects studies had already been done?

Answer: Yes. Gear effects studies have been done but none are peer-reviewed. Magee feels strongly that studies need to be peer-reviewed.

Question: How are peer reviewers selected?

Answer: Needs to be people from outside the region.

Comment: Cowie-Haskell is concerned that timeline for recommendations may be delayed. (He inquired what are the considerations of dedicated habitat research areas?)

Answer: Magee stated that sanctuary input is needed by the end of the year.

Question: MacDonald asked where the cod-size information was obtained?

Answer: McGee answered that it was in their database.

Comment: MacDonald commented that he would like to obtain the data.

Question. Bohne asked what HAPC areas have been designated and what specific measures were taken?

Answer: Magee stated that no experiments were undertaken.

Question: Bohne asked if the experiments extend to activities beyond fishing.

Answer: Yes.

Question: MacDonald asked Rodriguez about how permits are issued?

Answer: Rodrigues responded that permits are not issued for the Stellwagen Bank sliver without first contacting Cowie-Haskell.

XI. Public Comment

No public comment.

XII. ADJOURN

The 20th SAC Meeting adjourned at 5:20 p.m.

SUMMARY OF MOTIONS

31 May 2007 – MOTION to recommend that SBNMS establish a Sanctuary Advisory Council Volunteer of the Year nomination program beginning in 2008.

APPENDIX A

SAC Voting Record, June 12, 2006

**SBNMS SAC Action Plan Review
Voting Sheet**

MOTION to recommend that SBNMS establish a Sanctuary Advisory Council Volunteer of the Year nomination program beginning in 2008.

Last	First	SAC Designation	Yea	Nay	Abstain
Adler	William	SAC Member	X		
Barrett	Edward	SAC Member	X		
Borrelli	Peter	SAC Member	X		
Brooks	Priscilla	SAC Member	X		
Brown	Dale	SAC Alternate	X		
Crammer	Deborah	SAC Member	X		
Farady	Susan	SAC Member	X		
Gibson	Barry	SAC Member	X		
McCabe	Marty	SAC Alternate	X		
Milliken	Steve	SAC Member	X		
Moll	Timothy	SAC Member	X		
Pederson	Judy	SAC Alternate	X		
Weinrich	Mason	SAC Member	X		
Wheeler	Richard	SAC Member	X		

Totals: 13 0 0