



**DRAFT**

**U.S. DEPARTMENT OF COMMERCE**  
National Oceanic and Atmospheric Administration  
National Marine Sanctuary System  
Stellwagen Bank National Marine Sanctuary  
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**21st SANCTUARY ADVISORY COUNCIL MEETING MINUTES**  
**New England Foundation for the Arts, Boston, Massachusetts**  
**10 October 2007**

**MINUTES OF MEETING**

**Present:**

Bill Adler	Member: Fixed Gear Commercial Fishing
Regina Asmutis-Silvia	Alternate to Susan Farady - Conservation
Peter Auster	Member: Research
Edward Barrett	Member: Mobile Gear Commercial Fishing
Peter Borrelli	Member: Education
Priscilla Brooks	Alternate to Sally Yozell - Conservation
Dale Brown	Member: At Large
Bruce Carlisle	Ex-Officio Member
Deborah Cramer	Member: At Large
Jack Crowley	Alternate to Richard Delaney - Education
Richard Delaney	Member: Education
Kathleen Dolan	Ex-Officio Member
Susan Farady	Member: Conservation
Barry Gibson	Member: Recreation
Kathryn Green	Alternate to Dale Brown - At Large
Porter Hoagland	Member: At Large
Chris Kellogg	Alternate to Paul Howard
LDCR Ed Marohn	US Coast Guard
Martin McCabe	Alternate to William Eldridge - Marine Transportation
Leslie Ann McGee	Director, Coastal Zone Management
Steve Milliken	Member: Whale Watching
Timothy Moll	Member: Business and Industry
Frank Morton	Alternate to Martin McCabe – Marine Transportation
Kate Natrass	Alternate to Mason Weinrich - Research
Brendon O'Brien	Alternate to Porter Hoagland - At Large
Judy Pederson	Alternate to Peter Auster - Research
David Pierce	Designee for Paul Diodati; Ex-Officio Member
Leona Roach	Alternate to Tim Moll - Business and Industry
Heather Rockwell	Alternate to Richard Wheeler - Education
Kathi Rodrigues	Designee for Patricia Kurkul; Ex-Officio Member
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 Staff:**

Craig MacDonald  
Ben Cowie-Haskell

Nathalie Ward  
Leila Hatch

Michael Thompson  
Elizabeth Stokes

**Others Present:**

Jen Constanza  
Carole Carlson  
Brian Cos

Randy Clark  
Chip Reilly  
Lew Incze

Jennifer Ferre  
Peter Hanlon  
Scott Landry

**I. Welcome, Review of Agenda, and Approval of 20<sup>th</sup> SAC Minutes.** Susan Farady opened the meeting and welcomed all members. She informed members that the deadline for nominations to the Executive Committee is 31 October.

Review of Agenda: The agenda was reviewed and accepted.

Approval of 20<sup>th</sup> SAC Minutes: The Minutes of the 20th SAC Meeting were approved as presented, with minor correction to page 13 to the Massachusetts Ocean Coalition Group.

**II. SAC Business**

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

Craig MacDonald welcomed new members.

ii. Terms of SAC

MacDonald briefed that alternates as representatives have the same rights and privileges as full members. He explained the responsibilities and privileges of alternates and their terms of appointment. The 2 and 3-year terms need to be staggered. Two-year seats last time will be 3-year this time and vice versa.

iii. Election of Officers

Positions and length of terms for SAC members were discussed. It is too premature to hold elections at this SAC meeting since there are new members present. Nominations can be accepted during the meeting or by email. MacDonald added that the elections for the Executive Committee will not be held in conjunction with the special meeting that will be called once the release of the Draft Management Plan (DMP) is announced. Current members will retain their seats for the special DMP meeting which should be held sometime before the end of the year. Elections will be held at the next regularly scheduled SAC meeting. Deadline for nominations for the Executive Committee is 31 October.

Farady solicited nominations for the Executive Committee.

Weinrich nominated Susan Farady. Farady accepted the nomination as Chair.

iv. New SAC Seats/Charter Renewal

New SAC Seats

MacDonald briefed on the sanctuary stewardship of biodiversity conservation, marine mammal protection, and heritage resource management. The sanctuary is required by several federal acts to manage access, use and protection of shipwrecks. This is a very important component of sanctuary

management. The SAC needs someone who can represent the sanctuary and speak to the user groups that want access to the shipwrecks. The wish is to create two new seats which would increase total SAC members to 17 from 15 – a maritime heritage seat which would be occupied by a marine historian or an archeologist, or someone with a similar background; and a second recreation seat occupied by a diver who would represent constituents from the diving community who seek to dive on shipwrecks within the sanctuary. There is an action plan approved by the SAC in place to begin dealing with access issues. The goal is to have experienced input by a specialized people. These two seats will provide a better balance of experience and informative input that is needed. MacDonald opened the issue for discussion.

Farady: The Charter was made available to SAC members via email. Pages 3 and 4 of the revised Charter reflect an additional recreation seat and maritime heritage seat, for a total of 17 non-governmental members instead of 15.

Extensive discussion ensued with following comments:

Weinrich asked why an additional seat needed.

MacDonald: A diver needs specialized expertise since there is a fair amount of technical input that is required and advice is needed from experienced people.

Auster: Doesn't question the necessity for a diving seat specifically focused on shipwrecks but all technical divers are not wreck divers.

Cramer supports the addition of a diving seat.

Pierce: The Division of Marine Fisheries has a diving program. He would be happy to make his technical/wreck diver available for assistance as an option if the SAC cares to pursue it. The diver is renowned for his tremendous skills and would be very enthusiastic to assist. Pierce is willing to assist in his capacity as an ex-officio member without the need to modify the Charter by adding a specific position new seat. He is in the position to work with the different constituents to keep them informed.

MacDonald responded that he would like specific and more direct user representation from the user group not just technical capabilities. There cannot be a state representative serving because anyone other than an ex-officio seat member is perceived conflict of interest.

Further discussion ensued amongst members regarding safety issues followed by more commentary:

Milliken is very much in favor of adding a diving seat because it's very dangerous at the shipwreck sites. He added that recreational diving should not be publicized. Guidance is needed to perform dives safely and appropriately.

Yozell concurs and suggested calling it a diving seat versus research or recreational diving seat to avoid confusion. Yozell moved to call it a dive seat.

Farady moves to add two new seats -- a Maritime Seat and a Diving Seat versus a Recreation Seat.

Weinrich moves. Milliken seconds the move.

Auster made a move to amend it to a "diving community" seat. Weinrich seconds it. Milliken accepts the amendment.

**MOTION:** Farady: Motion to add two seats to SAC. All in favor. None opposed.

Gibson offered an amendment to rename the “recreational” seat, which he holds to “recreational fishing”. He emphasized that the seat needs to be retained by a dedicated fishing representative. Presently, the seat could potentially be held in the future by another ‘general’ recreational activity such as boating.

Weinrich rejected the amendment because it does not pertain to the present motion to add two new seats.

Motion was made by Gibson to change his seat to recreational fishing seat. Adler seconds.

Weinrich has concerns with renaming the seat because all recreational interests should be represented.

Pierce supports the change as recreation fishing is important to the sanctuary.

Sally Yozell is in favor since there is a movement in the direction of recreational fishing.

Milliken is not opposed but this will open up having to branch out with recreational ideas.

Moll: His job encompasses dealing with boaters of all types and he feels these are the constituents he represents on the SAC.

Auster: Is in a favor of specifying the seat because of the major role that it plays in the use of the diversity of the sanctuary.

Pierce. In the Condition Report 2007, recreational fishing is noted as a pressure on the sanctuary.

Farady: A generic title allows more flexibility. By specifying it, the type of applicant for the seat is very specific to what is needed at the SAC. This may be a legitimate concern.

Move to vote: Weinrich abstained.

**MOTION** passed to rename Barry Gibson's seat from "recreation" to "recreational fishing".

#### Charter Renewal:

MacDonald briefed that the SBNMS SAC Charter is presently up for renewal on 3 February 2008 (terms of the Charter state it would be renewed by the SAC every three years). He suggested that the "Charter renewal period" also be amended at this time, so that the renewal period is every 5 years (in this case 5 February 2013), instead of every 3 years. Five years is a more reasonable time frame and added that the Charter can be amended by the Council before 5 years is up. The NMSP has to approve the recommendation for changes to the Charter.

**MOTION:** Weinrich moves to approve change 3 to 5 years. Motion is passed unanimously.

#### v. Stellwagen Alive! – Friends of Our National Marine Sanctuary

MacDonald briefed that the Stellwagen Alive! Friends of our National Marine Sanctuary has been formed and is operational. It is a non-profit, tax-exempt organization that supports the outreach and education of the sanctuary's activities. Stellwagen Alive! was created as a result of a recommendation from one of the SAC working groups. It is modeled in some respects after the National Marine Sanctuary Foundation, but operates on a regional versus national level. Stellwagen Alive! focuses its support on the sanctuary as opposed to the Marine Sanctuary Foundation which is system-wide. This group provides a mechanism by which funds can be raised, is a tax right-off, and works with sanctuary constituents. Dr. Jennifer Ferre is

the Executive Director. The Board of Directors consists of Dale Brown, John Williamson, and Dick Wheeler. MacDonald introduced Jennifer who provided the following comments regarding the newly-established Stellwagen Alive! Friends Group.

Ferre recognized Mary Jane MacGlennon, who is also on the Board of Directors. She thanked everyone for their incredible support to make the Aukathon such a successful event. There was great media coverage of the event, including a television interview with Dick Wheeler and Ben Haskell. Ferre looks forward to organizing and spearheading more events and welcomes new ideas to reach out to the public. She also thanked the staff at the New England Aquarium; Rich Delaney (Executive Director of the Provincetown Center for Coastal Studies); John Williamson (Ocean Conservancy), and Regina Asmutis-Sylvia (Whale and Dolphin Conservation Society), and the many other constituents who pulled together to make this event a success. For more information, please visit their website at [stellwagenalive.org](http://stellwagenalive.org).

Dale Brown commended Jen and stated that she has been phenomenal at pulling together Stellwagen Alive!'s first event, and had volunteered all of her time to the Aukathon. Nathalie Ward also has been an enormous help. It was a fun event and a good way to outreach to the public.

vi. SBNMS Leadership Award

Nathalie Ward updated members on establishing a SAC Volunteer Award which was originally proposed at the previous the May 31<sup>st</sup> SAC meeting. Following recommendations from SAC members at the last meeting, Ward emailed the nomination criteria for the award and renamed it the SBNMS Leadership Award to avoid confusion with the National Marine Sanctuary Program (NMSP) Volunteer of the Year Award. (The NMSP award consists of one nominee from each sanctuary.) This award is proposed specifically for SBNMS, with one nominee per year (as determined by SAC members), which would recognize someone who has given a considerable amount of time to benefit sanctuary interests. The first Volunteer of the Year would be honored in the fall of 2008. Ward requests comments/discussion by SAC members.

Discussion ensued with numerous comments by several SAC members on criteria and what to name the nominee:

Weinrich stated the distinction needs to be made for leadership versus volunteer and criteria established for what constitutes a volunteer.

Auster agrees to support naming it a volunteer.

Rodrigues asked what type of recognition will the award have and how will the person be honored.

**MOTION:** Weinrich moved to designate it as Volunteer of the Year Award.

Brown commented that nominees should not be limited strictly to volunteers.

Asmutis-Sylvia moved to nominate Dick Wheeler and Jen Ferre for their volunteer work organizing the Aukathon.

Farady suggested “tabling” the motion until the type of award and its criteria are clearly defined and agreed upon.

Weinrich moves to support the award as long as the nominee is a volunteer. He is opposed to selecting people whose positions include benefiting the sanctuary and not in a leadership capacity already getting paid to support conservation of the sanctuary. Auster seconds the move.

Following a lengthy group discussion, Farady moved to name it Volunteer of the Year Award and include criteria specific to but not part of paid employment.

Ward explained the difference between National Volunteer of the Year Award with a local SAC nominated VOY award. Ward suggested naming it Annual Recognition Award.

Yozell abstained because the definition seems to be somewhat global and SAC as a group needs to decide what it needs to be.

Motion failed. Farady suggested tabling the Motion until more thought and consideration is given to criteria and name of award.

Weinrich, Auster, Milliken and Hoagland volunteered to form a subcommittee for the purpose of revisiting the issue and drawing up a plan to bring forth to the SAC at the next meeting.

Auster asked for clarification concerning SAC volunteer hours that are being logged and reported to sanctuary headquarters.

MacDonald responded that it's a standard, bureaucratic protocol nationwide to report the hours being logged for SAC activities.

vii. SAC Coordinator Announcements (Nathalie Ward)

Ward asked everyone to update and provide new contact information.

SAC members are asked to please email Nathalie their nominees for the Executive Committee by 31 October.

Ward would like to schedule the next three SAC meetings. Tentative dates are 11 or 12 December; 17 or 18 March; and 11 and 12 June. She will query everyone via email to firm dates.

### **III. Ongoing Issues**

i. Draft Management Plan (Craig MacDonald)

MacDonald reported that the sanctuary's Draft Management Plan (DMP) is still being reviewed at National Marine Sanctuary Headquarters, awaiting clearance to proceed as a final draft. No action can be taken until it is released. It was submitted to Headquarters in February 2007. It has received internal NOAA review and literally hundreds of pages of comments from the various agencies within NOAA. Sanctuary staff has been preparing responses to comments that were received. Essentially, MacDonald is waiting for approval from Headquarters to incorporate changes that are being proposed and then will provide replies to the various outside agencies. It requires clearance at the level of either the NOS Director or Deputy Director. There are some differences of opinion on issues within the agency on content and tone of the document. NOS wants to ensure that it can stand behind the comments that are sent out. This is a NOAA plan, not an SBNMS plan. It has to be approved by the head of NOAA (i.e., it's not just a local document). As soon as MacDonald gets the word that the DMP is going public, a special SAC meeting will be scheduled. This will allow members time to have access to the document in order to familiarize themselves with it and to field any questions or concerns from respective constituents that derive from its release.

Extensive discussion and Comments ensued:

Auster asked if there was anything the SAC could do as a group to expedite release of the plan.

MacDonald responded that the SAC is welcome to submit a letter to senior level staff if they wish.

Yozell recommended that the SAC draft a letter to the NOAA Administrator urging that the plan's release be expedited. She offered to draft the letter and will work with Susan Farady to ensure that it reflects SAC concerns concerning the delay. The letter will be circulated to SAC members for comment.

Cramer inquired if the SAC was entitled to know what the differences are and is the disagreement with content.

MacDonald: There are substantive differences of opinion on issues within the agency that relate to the tone of document and its substance. The nature of content and recommendations are causing some problems. MacDonald presented a timeline after NOS releases the DMP. Staff resources are limited. Several staff members will be required full time to make the revisions, followed by a couple of weeks for layout and 2-3 weeks for printing. The critical key is a 2-week requirement of staff time to work on it. So provided the staff is not pulled to work on other issues, the plan should be out within 5-6 weeks.

Leslie Ann McGee. Is there any prescriptive that relates to other agencies? She expressed concern about preparing for the release of the plan – what sort of communication is being prepared. There should be some idea of what is in the Plan that needs to be conveyed. Furthermore, the message needs to be put forward that when the DMP is released, it is not regulatory in nature, but simply opens a dialogue.

MacDonald. There is no content in preparing for the roll out because the staff has not seen the plan. Some of the working group issues derived from the plan such as the Friends Group and Sister Sanctuary programs are moving ahead without the release of the plan since it does not require public comment.

Farady stated for the record: There is obviously frustration with the timeline and issues concerning the delay in the DMP release. Scoping initially started in 1998 with working groups. This was almost 10 years ago. Working groups had a lot of momentum and vigor during the process back then and groups wrapped up their work. Since 2005, it's been in a "black box" for the SAC and its constituents with over 300-400 people participating in the working group process. There are so many things wrong for it to take so long. It's a draft document and beyond frustrating to hear the same reasons for why it's stalled.

**MOTION:** Yozell offered to draft a letter and circulate it. Cramer seconds the motion for a letter to be sent directly to the head of NOAA, with a copy to the congressional delegation and made as public as possible.

Rodrigues stated that she will not sign the letter since Fisheries is part of NOAA.

**MOTION:** Weinrich moves that SAC send the letter to Admiral Lautenbacher and copy all relevant elected officials to promote the SAC message. Auster seconds. Unanimous move. Yozell will draft a letter, and email to SAC members for their review.

McGee suggested sending pertinent sectors of the roll-out plan to appropriate SAC members. She recommended focus group roll-outs so that different sectors can be represented independently at the public meetings.

MacDonald. The principal roll-out for the plan's release will be in the form of either a brochure or newsletter that will be sent to everyone on the sanctuary's distribution list and posted to the website. It will outline in general the content and structure of the DMP, and how get involved and provide comment,

as well as locations of where public meetings will be held.

Moll and Milliken will assist in forming focus groups to evaluate DMP content.

MacDonald cannot approve the breakout of focus groups but can certainly advocate for it at higher headquarters.

ii. LNG Proposal Update (Leila Hatch)

Leila Hatch is the sanctuary's Marine Bioacoustic Coordinator and has been working on documenting the main stages of development of two deep water LNG ports to be operated adjacent to the sanctuary. She is responsible for keeping abreast of regulatory and mitigation processes with the ports and LNG construction on behalf of the sanctuary. She gave a general explanation of the make-up of a deep water LNG port. There are many proposals for LNG development in the US, several of which are off shore terminals. Northeast Gateway, a conglomerate of Accelerate LNG, and Neptune are the applicants for Massachusetts. Not long after the passing of the Energy Policy Act, that act reinvigorated LNG development in the US. Leila provided a time line of the two LNG companies from the time that their applications for licensing were submitted to USCG. SBNMS submitted its comments on the effect of LNG deep water ports to NOAA and the series of documents led SBNMS to inform these licensing agencies that SBNMS would invoke a formal consultation under the provision of 304c of the Sanctuary Act – the largest of its kind ever invoked.

This was a federal action, which had the potential to likely affect the sanctuary. The companies were made aware of environmental impact statements. This was the first use of the NMSA in formal consultation— a precedent-setting action. Formal recommendations were made to the licensees about what needed to be done in order to protect sanctuary resources. As a result an array of acoustic buoys have been built and placed near each deep port sight to monitor acoustic behavior of marine mammals, and determine what type of noise field the port is generating during its construction phase as well as during its operation. To date, sanctuary staff is impressed with the response and quick shut down of any acoustical noise during construction when whales are sighted within 100 yards of the site. There have been no visual sightings of right whales in the project area during construction but “acoustical sightings” have been recorded by buoys. Hatch provided a summary of marine mammal detections within the exclusion zone. Future plans are to implement Automatic Identification System to track ocean going vessels, which will look at LNG tanker movement in real time to ensure it is in compliance with mandates.

**Comments/Questions:**

Barrett: Asked what type of outreach has been done to locate underwater acoustic buoys. It's important to inform the fishing community as to the location of the buoys in order to avoid negative impact. All parties involved need to work together and locations need to be identified. This can be a problem for fishing.

Hatch: Buoys have been used over the years and can be moved if necessary. The surface component buoys as well as the TSS will be very clearly marked.

Adler: Asked how large are the underwater monitors? It's important to know where they are to avoid destruction to lobster gear and nets.

Hatch: The buoys have been used in the area for about 5 years. There are a significant amount of buoys in the sanctuary and usually, one per year gets pulled up by fishing gear. They are weighted down by approximately 150 lbs of sandbags. Fishermen are given a reward for the return of a pulled up buoy. To-date, there have been no reports of damage to fishing gear, but concerns have been voiced more with the

time involved to disentangle the buoy from the net.

Weinrich: With regard to harassment of marine mammals, how are reports calculated and what are the consequences when the permit restriction is exceeded.

Hatch: It depends. There is a method in place for causing shutdown but not a method for real-time evaluation. Under the Marine Mammal Protection Act, one would have to get another permit.

Hoagland: Commented that this is a wonderful opportunity to collect information on what transpires before and during operation of LNG construction. He asked if there was baseline information that knows when animal behavior is changing.

Hatch: The 19-unit was to be fully set in April 2007, so monitoring began prior to the LNG construction. There is very good data for the entire year 2006 on animal behavior and distribution for the entire sanctuary.

Auster: Asked if there is a predicted sound field around LNG after operation begins that might physically injure marine mammals versus alter their behavior, and is there a management protocol in place.

Hatch: Regulations under Marine Protection Act for NMF are built around 120db-160db injury versus disturbance. Impulse sound resulting in injury over time could produce behavioral concern. If characterized as a continuing noise source, it is approximately 120 and 160 db. Noise from ships is currently not permitted.

Brown: Asked when is construction on the Neptune supposed to begin and will a similar study be conducted.

Hatch: A report will be provided after the LNG construction is completed in December. All mandates are shared under the Neptune license. Therefore, any issues under Gateway will be included in Neptune and the costs will be shared for the traffic separation scheme for the ports. Neptune construction date is set for 2009. However, there is continual debate on whether the port will be built.

MacDonald: LNG timeline has taken away from DMP work. There was a huge hiatus to work on the DMP because the entire staff was taking that time to deal with LNG concerns since late 2004 and are still dealing with it.

iii. Zoning Working Group (Ben Cowie-Haskell)

Ben Cowie-Hasell reported that there have been three Zoning Working Group (ZWG) meetings held to-date. He described the six phases of the ZWG process and provided an update on the timeline for completion of these phases. The timeline has shifted due to higher priority issues at the sanctuary. The working group is still on Step 2 and working through the process. Need to determine who will conduct analysis. Still a priority issue and intent on pursuing it. (See Appendix A: Timetable)

Weinrich: Clarify difference between this report versus condition report.

Cowie-Haskell: The ZWG will define integrity and metrics—a much more detailed analysis than in Condition Report.

Pierce: Research done by UNH to look at historic populations presented a pessimistic outlook when last presented. It is hoped that progress has been made and a more optimistic outlook and provide the information to determine what the populations were relative to what they are now.

Auster: Will the results come back to SAC so that metrics and methodology can be discussed before being forwarded to NCCOS?

Cowie-Haskell. Findings yes, but not metrics and methodology.

Brooks: Is evaluating existing zoning schemes and making recommendation part of Step 3 of proposed work.

Cowie-Haskell: Yes.

Auster: Recommends that an official step be added to include reporting metrics/findings to SAC so that findings that are missing can be tweaked.

Yozell: Conference call to discuss metrics/findings prior to next SAC meeting?

Farady: Timeline presented seems optimistic taking into consideration past experience and release of Draft Management Plan. There is sufficient interest by some SAC members to discuss input and methodology before the work is outsourced. Consult with SAC Chair about how to proceed and provide another update at December meeting.

**Lunch Presentation** by Lew Incze: “Building an Ecosystem Services Model for Stellwagen Bank”.

**Comments and Questions:**

Weinrich: There are similarities to other habitats but also differences and uncertainty within Stellwagen. How is comparison made to Gulf of Maine where more is known about habitat.

Incze: Stellwagen is not a model but it does have unique aspects. They are in the process of learning the difference.

Yozell: How do you apply findings to other areas?

Incze: Most areas will not be studied the way Stellwagen Bank is.

**IV. Constituents Reports**

An Ecological Characterization of the Stellwagen Bank NMS (NCCOS: Randy Clark and Bryan Cos) Randy Clark worked on NCCOS fishery portion with Peter Auster and Bryan Cos worked on the marine mammal portion. The report for SBNMS was released in December 2006. All data in the report was collected from Gulf of Maine. The purpose of the NCCOS report is to develop and provide a 5-year plan to provide characterizations and assessments for all the sanctuaries using AIS data.

**Comments and Questions:**

Weinrich. Commented that the findings are heavily driven by humpback whale data.

Pierce stated that he will take a very close look at the report because it will play a major role in the next step of the sanctuary process for moving forward. He commended Clark and Cos for doing a good job to carefully document species diversity and reasons for variability. The understanding of species diversity is important and metrics will very useful. However, Division of Marine Fisheries data should have been included in the 'village' dataset. He thanked them for all their work and will consult with his staff to draw upon Marine Fisheries inshore water dataset to improve understanding of species diversity.

i. Impacts to whales from hook fisheries, including vessels vessels trolling within Stellwagen National Marine Sanctuary (Regina Asmutis-Silvia and Scott Landry)

Regina Asmutis-Sylvia introduced Scott Landry, PCCS Whale Disentanglement Program. She expressed her appreciation to Landry taking the time to raise awareness of some very significant issues that are emerging in the sanctuary concerning injuries to multiple marine species from hook fisheries. Landry gave a photo-slide presentation depicting hook fishing injuries and proceeded to describe and summarize whale disentanglement and injuries caused by fishing hooks. There have been increasing reports by a large constituency witnessing hook fishing gear injuries and entanglements around and throughout the sanctuary not just to whales but to birds and sea turtles as well. The purpose of the presentation was to request that SAC members communicate with their constituencies and initiate an educational outreach program to all hook fisheries beginning next spring. In addition, there is increasing concern about fishermen not keeping a safe distance from whales.

**Comments:**

MacDonald commented on reports of fishermen intentionally targeting whale watch boats to set up and fish for tuna around the whales. There seems to be in some instances intentional behavior among some fishermen to actually set up around the whales. More education outreach to the public is needed.

Asmutis-Sylvia described that it's becoming a more significant problem. There have been a number of complaints reported to the National Marine Fisheries Service. The public can help by reporting any instances of entanglements of injuries. These types of reports raise awareness.

Weinrich. There are several different groups of boaters to contend with in the sanctuary. Commercial tuna fishermen are in the vicinity of whales but many times it is recreational fishermen trawling, and while they're fishing they are whalewatching.

Pierce will work with PCCS and Regina to get out the word through his agency to alert them of the problem through email service to the fishing community as well as the newsletter to fishing groups.

Gibson agrees that education and outreach are important and can be accomplished. One solution would be to replace the type of fishing hook used, such as using a circle hook. He suggested that mild hooks could replace stainless steel hooks. He feels steel hooks should be banned because they never rust or rot.

ii. Vessel Strikes - Update (Regina Asmutis-Sylvia)

Asmutis-Sylvia reported on vessel strikes to whales and reported six dead whales ("Tofu" among them) and others injured over the summer. She expressed her appreciation to Tim Moll and the Plymouth harbor master for helping with the removal of "Tofu". There is still an ongoing issue of shipping vessels using the old shipping channel.

**Comments and Questions:**

Weinrich commented that there have been huge aggregations of whales in the shipping lane and Great South Channel. Likely scenario is that the animal was hit in the channel.

Lew Incze inquired who reports whale injuries in general.

Asmutis-Sylvia answered that 80-90 percent of the reports are from whale watch vessels.

Auster asked about reports of catch in gillnets of harbor porpoise and if there is any sense of what is going on in the sanctuary that needs to raise awareness.

iii. Sister Sanctuary Summer 2007 Internships (Carole Carlson, Dolphin Fleet and Rich Delaney, PCCS). Carlson reported that the science and education intern program started this year and is called the "Sister Sanctuary Amigos Project". The goal is to facilitate management of protected areas by raising public awareness and regime management. When the sanctuaries became "sister sanctuaries" the idea was to sponsor two students from the University of Santo Domingo in the Dominican Republic, and bring them to Cape Cod to study and learn a variety of skills to take back to their country, and ideally come back in the next few years to train new interns. The program is funded by the Dolphin Fleet and Cetacean Society International, as well as private donations. Goals for the students were to learn data collection and photo identification techniques, and information sharing, as well as interacting with passengers on whale watch boats. They shared common conservation concerns and mutual problems, and relayed to the public the significance of transboundary species, and described their roles and jobs on board. Additionally, the interns 'manned' the SBNMS exhibit in Provincetown, MA. One of the great successes of the program was the collaborative efforts to interface with the public, PCCS and sanctuary staff which greatly enhanced the program. Proposals are in the works to sponsor more interns next year.

Delaney commented on the successful rapport PCCS established with their intern from the Dominican Republic. Delaney has conducted a lot of research with the Dominican Republic over the years and has had previous interns and scientists visit the center. This cultural exchange is a good example of how important it is to continue the program. Delaney read a letter from their intern applauding and outlining the productive elements of the 2-month internship on the research boat and in the lab.

Farady lauded Nathalie Ward for the tremendous amount of effort put forth in helping to establish the sister sanctuary program. This is a good example of transboundary cooperation.

iv. Seafloor Habitat Recovery Monitoring Program (SHRMP) Update (Peter Auster)

Peter Auster presented an update on SHRMP Project. This program "provides an opportunity to assess recovery and dynamics of seafloor communities and habitats in Stellwagen Bank National Marine Sanctuary." This project involves many collaborators and academic partners. Auster described the technology used to select study sites such as the use of multi-beam bathymetry and acoustic backscatter maps.

v. Marine Debris Project (postponed till a subsequent meeting).

**General Comments:**

Delaney reported that Phil Kipler, the PCCS pilot for right whale area surveys for many years was involved in a plane crash over this past weekend.

MacDonald reminded everyone that anyone associated with the constituencies or involved in sanctuary issues can give a presentation to the SAC on any key topic or issue on behalf of their constituency. Contact Nathalie Ward for more information.

**V. Other Council Business**

i. Seeking Solutions for SBNMS.

Craig Macdonald reported that the topic "Seeking Solutions for SBNMS" is a recently developed initiative to create projects to work together to solve problems that affect SBNMS. These initiatives may entail reaching out to constituents using educational programs. The "See A Spout" campaign is good example of ways to reach out to groups who have serious interests within the sanctuary. This type of messaging conveys better coordination with constituents. The sanctuary welcomes ideas and thoughts about future meaningful projects.

MacDonald announced that Dave Wiley of the sanctuary was being honored as "Hero of the Year" by the MA ASPCA for his work on whale tagging.

Ward was bestowed the Conservation Award by the Dominican Republic, Ministry of the Environment, for her work to bring the sister sanctuary to fruition.

NOAA's nomination of SBNMS as a candidate for a United Nations World Heritage site was disapproved. NOAA'S only accepted nomination was the Northwestern Hawaiian Islands site. However, the Department of the Interior feels the SBNMS nomination has merit and, after some additional work, should be resubmitted for further consideration next time.

## **VI. Public Comment**

### **GoM Mapping Initiative** (Sarah Ellis)

Sarah Ellis briefed on the GoM Mapping Initiative (GOMMI). GOMMI is a subcommittee of the Gulf of Maine (GoM) Council on the Marine Environment. The subcommittee is a US-Canadian team that conducts seafloor mapping. It is launching an outreach campaign and will go to the legislature to raise financial and logistical support for mapping in the GoM. Less than 20 percent of the GoM has been mapped using high-resolution bathymetry and techniques. In Canada, mapping of the GoM is a national priority, but presently not in the US. Therefore, GOMMI is trying to make its case of the importance of seafloor mapping and soliciting assistance to build a momentum for making it a priority. Ellis is seeking written testimonials and letters of support from experts and researchers who know the benefit of sea floor mapping. These documents would be presented when the issue is brought forward to the state legislature in the near future.

### **Comment/Questions:**

Auster asked if the lobbying effort is tied to any scientific program for management needs.

Ellis responded that it is not specifically tied to management needs. There have been user needs and surveys.

### ii. **Other General Comments**

Farady reminded everyone to be on the lookout for the letter that Sally Yozell will prepare to Dan Basta regarding the SAC's concerning the delay in releasing the DMP.

Farady reminded members that nominations for Executive Committee are due to Nathalie by 31 October. Everyone should be looking for an email from Nathalie with proposed dates for future SAC.

## **VII. Adjourn**

The 20<sup>th</sup> SAC Meeting adjourned at 4:22 pm.

### ***SUMMARY OF MOTIONS***

*MOTION to add a Community Diving Seat and Maritime Heritage Seat to SAC. Passed.*

*MOTION to rename the Recreation Seat to Recreational Fishing Seat. Passed.*

*MOTION to amend SBNMS Charter Renewal Period from 3 to every 5 years. Passed.*

*MOTION to establish a Volunteer of the Year Award for SBNMS specifically. Failed.*

*MOTION to send a letter to NOS senior leaders urging quick release of the SBNMS DMP. Passed.*

**APPENDIX A: Zoning Working Group Timetable (from Haskell-Cowie Powerpoint)**

<b>Meeting</b>	<b>Date</b>	<b>Group</b>
<b>1</b>	<b>5/31/05</b>	<b>Full Working Group</b>
A	7/22/05	Technical Subgroup
<b>2</b>	<b>11/29/05</b>	<b>Full Working Group</b>
B	3/26/06	Technical Subgroup
<b>3</b>	<b>8/24/06</b>	<b>Full Working Group</b>
C	8/26/06	Technical subgroup

**Timeline for proposed work**

- 1. Convene the integrity subgroup to chose metrics to be assessed and propose methodologies for assessment (Dec. 2007)**
- 2. Convene the ZWG to accept metrics and methodology (Jan. 2008)**
- 3. Conduct long-term trend analysis of each metric and produce report on assessing the status of ecological integrity in the SBNMS. (Feb.-Apr. 2008)**
- 4. Convene ZWG to consider report and make recommendation to the SAC (May 2008) on whether or not to move forward with zone planning.**

## **APPENDIX B: Motions and Voting Sheets**