



**U.S. DEPARTMENT OF COMMERCE**  
National Oceanic and Atmospheric Administration  
Office of National Marine Sanctuaries  
Stellwagen Bank National Marine Sanctuary  
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**31st SANCTUARY ADVISORY COUNCIL**  
**27 October 2010 9:00 am – 3:00 pm**  
**Plymouth Yacht Club, MA**

**MINUTES of MEETING**

**Present:**

William Alder	Member:	Fixed Gear Commercial Fishing
Jennifer Anderson	Federal:	National Marine Fisheries Service
Michelle Bachmann	Federal:	New England Fisheries Management Council
Theresa Barbo	Member:	At Large
LT Dean Belanger	State:	MA Environmental Police
Priscilla Brooks	Member:	Conservation
CPT Peter DeCola	Federal:	USCG
Rich Delaney	Member:	Education
Heather Knowles	Member:	Diving
Bob McCabe	Alternate:	Marine Transportation
Maggie Merrill	Alternate:	At-Large
Steve Milliken	Member:	Whale Watching
Rob Moir	Alternate:	At Large
Tim Moll	Member:	Business/Industry
Frank Morton	Member:	Marine Transportation
Wayne Petersen	Alternate:	Research
David Robinson	Member:	Maritime Heritage
Billy Spitzer	Member:	Education
John Williamson	Member:	At-Large
Mason Weinrich	Member:	Research
Brad White	Alternate:	Recreational Fishing

**SBNMS Staff:**

Craig MacDonald	Matthew Lawrence	Elizabeth Stokes	David Wiley
Ben Cowie-Haskell	Deborah Marx	Nathalie Ward	

**Others Present:**

Lauren Garske, NOAA Nancy Foster Scholar      Todd Nickerson, NOAA OLE

## **I. Welcome, Review and Agenda and Approval of 30<sup>th</sup> SAC Minutes (Heather Knowles)**

The agenda was reviewed and approved. The Minutes of the 30<sup>th</sup> SAC meeting were reviewed.  
**MOTION: Minutes approved.**

## **II. SBNMS Business (Craig MacDonald)**

### i. SBNMS Budget 2010

FY11 budget appropriated for the NMSP is \$49M. The site will get about \$1.35 million. However, the program is presently operating under last year's budget and a continuing resolution (CR). The sanctuary must get approval from headquarters for any expenses that are incurred under the CR. The CR will continue throughout the fiscal year until a budget is passed, and may last possibly through the 2nd quarter (end of March). There is a freeze on travel and non-essential activities and expenses, and no new programs are allowed. SAC activities are funded with funds that were obligated during FY 2010.

### ii. Sanctuary Leadership Team (LT) Conference URI

Each year one or two members of staff accompany the Leadership Team (LT) when ONMS convenes a weeklong LT meeting for regional and site superintendents. Craig MacDonald and Matthew Lawrence, SBNMS Maritime Archeologist, attended the ONMS LT meeting in September which was held jointly with URI and Mystic Seaport. SBNMS has a memorandum of agreement with Mystic Seaport with regard to Maritime Heritage. The purpose of the conference was to spend one day at Mystic Seaport building on that cooperative agreement and gaining better familiarity with the programs there. One of the forthcoming initiatives is the whaling vessel *Morgan* that is being completely rebuilt. Its maiden voyage will be into the sanctuary in 2014 to promote education outreach. Mystic Seaport also has an eastern rig dragger, the *Roan*, which will make its maiden voyage to the sanctuary in 2013. The LT meeting focused around national programs that URI is involved in that could have some relation to the sanctuaries on which to build or partner. Several themes evolved: climate change and looking at cultural landscapes in broader terms such as the Gulf of Maine's cultural landscape of commercial fishing; and, along the east coast, the cultural landscape of energy, bearing on historic resources. There was also a tour of Bob Ballard's operation at URI, which was very impressive.

### iii. Scituate Campus Renovation Update (Ben Cowie-Haskell)

Ben presented an update on the renovations to the sanctuary's administrative building, annex, shed, and boathouse with the 300-foot long pier. There are three projects ongoing. Firstly, the interior of the boathouse is getting redesigned. A design charrette was held with the design firm Black and Veatch, sanctuary staff, and ONMS Director, Dan Basta, and Director of Facilities, Ted Lillestolen, also participated. The group worked through the process of defining the requirements of converting the boathouse into a marine operations center to improve support of the sanctuary's mission. The results of the charrette have now been incorporated in a draft renovation design. Some of the upgrades envisioned would be dry and wet labs, a dive locker, a boat servicing area, second floor dormitory space for visiting scientists and students and a large multi-purpose room. Part of the design is turning two adjacent parcels into parking lots to

accommodate overflow parking from the administration building/annex and visiting guests. Secondly, repair of the bulkhead ramp going out to the boathouse is a high priority. Thirdly, a much-needed paint job and fixing of rot on all of the buildings is almost complete. There are also discussions underway with the Town of Scituate in developing a walking trail between the Scituate Maritime Center and the sanctuary boathouse to provide townspeople, visitors and students with a way to access the sanctuary facility and learn about its mission and purpose. Sanctuary staff is working with several commissions in the Town of Scituate to see if there is mutual interest to acquire the land needed to develop the trail with funding from the town's Community Preservation Act Funds.

Comments/Discussion:

Mason Weinrich: Concerned about moving forward with facility renovations and expansion at this time considering the budget cuts sanctuary wide and larger priorities, and at the cost of the program. This also would involve more staff time to execute these projects.

Craig MacDonald: There are two separate sources of money that do not merge and cannot legally cross: "ORF" (operations, research funding) funds which comprise our base budget and "PAC" (Procurement, Acquisition and Construction) funds used primarily for construction projects. This does not draw down programmatic funds. The boathouse renovation project will take place over a 2-3 year period. Presently a volunteer docent program is being developed at the sanctuary. People who have grants will be accommodated – not solely SBNMS funds. If the program is successful, a lot of interaction with the public and schools would be through docents so staff time would go primarily to developing the program and training staff. Acquiring the walking trail will give the sanctuary the ability to partner with different academic institutions and research centers on a variety of programs. With a base of operations at the sanctuary, sanctuary staff would likely develop further interest and better characterize sanctuaries resources. This is part of a larger plan to address current needs but also future partnerships. Town commissions drive the work being done with the Town of Scituate.

John Williamson: Has a master plan been developed and is it available to the SAC to see where the elements stream together?

Craig MacDonald: A facilities master plan has been developed and can be made available to SAC members. A copy will be provided for review at the next SAC meeting.

Brad White: Asked about condition of pier and pilings. He suggested that repairs all be tied into one project.

Ben Haskell: Pier and pilings are generally in good condition. Some pilings will need to be replaced. However, pilings under the boathouse are in poor shape and will need to be shored up somehow.

Brad White: Added that the Massasoit Marine career lecture series offered at the sanctuary is fabulous but needs better dissemination. Also, there should be a "kick-off" for the Marine Alliance's 1,500-student marine trade education center proposed for the Town of Scituate.

Craig MacDonald: Sanctuary staff is working with Jeff Rosen and Tom Nash of the Marine Alliance and is very supportive of the folks from Massasoit Community College in developing a satellite college in the Town of Scituate.

Billy Spitzer: Percent of utilization of bunk space and how much the facilities will be used?

Craig MacDonald: Imperative to partnerships that bunking is available. This is a severe constraint. Most of the research work is done in summer when lodging is difficult and expensive in Scituate. Bunking accommodations will be imperative. The return on investment is unknown but bunking is critical.

Heather Knowles: Does cost for ongoing and routine maintenance of these renovated facilities and infrastructure come out of PAC allocations? If the operational budget needs to be increased, will it take away from other overall budget needs?

Craig MacDonald: Once something is built, the maintenance aspect moves over to operational side of budget. There has been indication from HQ that funds will be provided. It is not expected that renovations will increase the sanctuary maintenance budget. This is a fixed cost asset. Of 13 sanctuaries, NOAA owns only 3 sites; the other 10 sites are leased. So there is a greater obligation to maintain this SBNMS site.

Mason Weinrich: Are there insurance expenses when bunking space is increased?

Craig MacDonald: The federal government is uninsured, so additional insurance is not a cost.

Brad White: Can students be charged a fee for lodging since the budget is an issue?

Craig MacDonald: We are reimbursed and can recover costs through grants. It is hoped that it will be incorporated into cost pricing.

Tim Moll: As a non-profit can some of the operating costs be recuperated?

Craig MacDonald. We can recover some of the costs but trying to keep it cost neutral.

John Williamson: Commented that there really is not a good research facility on the water in Massachusetts Bay that can be comparable to this facility.

### **III. SAC Business (Nathalie Ward)**

#### **i. New Members Welcome and Future Recruitment (Extension) (MacDonald)**

Craig MacDonald officially welcomed two new members: Wayne Petersen and Theresa Barbo, and welcomed back the following members:

Bill Adler - Member, Fixed Gear Commercial Fishing  
Mason Weinrich - Member, Research  
Priscilla Brooks – Member, Conservation  
Steve Milliken - Member, Whale Watching  
Dave Casoni – Alternate, Fixed Gear Commercial Fishing  
Heather Knowles – Member, Diving  
Bob Foster – Alternate, Diving  
Tim Moll – Member, Business/Industry

Recruitment was set for 11 September for a variety of seats. An extension was pushed to 11 October and then to 19 November because not enough applications were received for specified seats. SAC members were asked to solicit recruitment through their constituents.

ii. 2011 SAC Meeting Dates

Next few SAC meeting dates will be in January 2011, late March or early April 2011, and again third week in June 2011. Nathalie Ward will query SAC members for preferred dates prior to setting the schedule.

iii. SBNMS Programmatic Briefings – Summer 2010

SAC members were sent the SBNMS programmatic updates. The purpose of the updates is to keep SAC members informed of ongoing programmatic information that staff is working on. This information will be posted to the sanctuary website.

iv. Term Limits and SAC Charter Amendment (Terms)

The SAC Charter's term limits for each member seat is 2- and 3-year staggered terms. Nathalie requested that SAC members consider a motion to make all terms 3-year terms and do away with 2-year terms.

ONMS has put forth a limit on the number of consecutive terms any one SAC member can serve in a seat. This was the result of constructive criticism generated from several SACs for the benefit of soliciting new ideas and diverse perspectives. Now there is a limit of 3 terms on a term (for example: 2-year term would be 6 years, 3-year terms would be 9 years). These term limits do not apply to anyone of the SBNMS SAC members until the Charter is renewed in 2012. From that time on, ‘terms’ on term limits will apply. However, there are waivers for term limits; i.e., a certain need for continuity of membership or culturally inappropriate to not have a particular member on board, or when there is no way to fill a seat.

***Mason Weinrich motioned seconded by Bill Adler to amend the SAC Charter to change all 2-year terms to 3-year terms effective immediately upon amendment of the Charter. Passed unanimously.***

This amendment applies to all voting, non-governmental members. Governmental members are appointed. Nathalie Ward will report back to SAC on how this change will affect the current 2-year term seats. She will send out the Charter to everyone and welcomes feedback and comments at the next SAC meeting in January.

v. SAC Youth Seat

This discussion originated at the last SAC meeting in June. Dan Basta, ONMS Director, is encouraging all sanctuary councils to consider adding a youth seat to their SAC. He feels that this would encourage good stewardship for new young leaders. A few of the other sanctuaries already have youth seats, while others are considering it or do not plan to have one. Criteria for the youth seat include: age group 14-17 and must attend a local school. Does the SAC want to consider a youth seat or a youth working group? Possibly the most productive step would be to potentially form a working group of SAC members to discuss how to implement a youth seat into the SAC.

Discussion/Comments (Bill Adler, Heather Knowles, Craig MacDonald, Ron Moir, Billy Spitzer, Nathalie Ward, Mason Weinrich, John Williamson, Brad White):

A group of youths would be better than having to choose one individual.

There is the latitude to start off with a group or with an individual. This is open to schools in the local geographical area, not just Scituate.

Recommend a group with a lead that could be linked into social networking for the SAC (i.e., Facebook).

Need to conceptualize what it is the SAC wants to do and subsequent steps of how to have a youth seat role. There should be some structure to what needs to be done.

Suggest a motion to form a Youth Working Group to investigate the formation of a SAC Working Group or Seat, and then report to the SAC with recommendations. Working group should come up with a framework and broad categories. What priorities would be for a student group? SAC needs to know what youths would be interested in doing for SBNMS. A working group of SAC members should develop a proposal before getting engaged with youth.

***Mason Weinrich moves that SAC form a SAC Working Group to develop a strategic plan for a youth group. Seconded by Bill Adler. Mason withdrew motion.***

Need to understand what the vision goals would be and who would be programmatic support for any youth involved?

Can interns from WDCS to be included as part of the working group?

Craig MacDonald clarified that a SAC Working Group can be opened to outside members. However, a subcommittee of the SAC must be compiled of SAC members only. The existing

policy and framework that Nathalie emailed to everyone prior to the meeting should be used as a guideline.

***John Williamson: New Motion to convene a Subcommittee of the SAC specifically to look at the question of the youth seat and youth participation on the SAC and come back at the January SAC meeting with one or more alternative recommendations for the SAC to consider. Passed unanimously.***

SAC members asked to provide self-nominations for subcommittee to Nathalie Ward.

vi. SAC Leadership Award and Sub-Committee

Deferred until Rich Delaney arrives to the meeting.

#### **IV. Final Management Plan Implementation Status (Craig MacDonald)**

*Please see Appendix for details.*

*Color Code in Appendix: Blue: ongoing; Green: completed; Pink: revisit.*

Craig reported that final MP reports were distributed to SAC members and new final CDs with high-resolution text is available. It is expected to revise the plan in 2015. Sanctuary staff is already thinking about the implementation and next steps. Scoping process will begin in 2013. He presented significant actions and ones that are well underway. He provided a quick assessment of the current status of the action plans. PowerPoint or a related summary report with revisions indicated in discussion below will be made available at a future SAC meeting. From June to October, staff has made considerable progress in general and was working on action plans before the plan was released. There are 104 strategies and 61% are considered completed or ongoing. There are tracking performance measures for each action plan. He provided a quick snapshot of where the process is and identified partners with whom staff needs to work and strategies that have been completed by partners. A lot more work needs to be done but there is a sense of what has been accomplished to-date. There have been several conversions of contractors to employees and a docent program is being developed.

Craig MacDonald went through “completed” action plans that are colored in ‘blue’.

Look at ecological ones, resource oriented action plans that are of most interest to the SAC.

Ecosystem-Based Sanctuary Management (EBSM) Action Plan, page 220: Change 4.1 to green.

Zoning Working Group (ZWG) completed its work but did not successfully complete those tasks.

Ecosystem Alteration Action Plan, page 227: Change 3.1 to green.

Mason Weinrich: Section 3.2: Develop programs to monitor and evaluate ecological integrity within the sanctuary. Strides have been made but there is a lot more that needs to be done to meet this goal. Big task and very important one.

Craig MacDonald: There is a huge need but staff has identified as ongoing and substantive. But making significant mileage in this area compared to 5 years ago.

John Williamson. Major goal is to minimize bi-catch fatality. Need to recognize this as a significant difference now with sector-based fishery management.

Water Quality Action Plan, page 235: Change 1.1 to “pink”

Lost some very significant monitoring efforts over the last few years, may never be considered “blue” as completed. We are taking some steps backward due to internal funding and a reflection of a partnering agency (MWRA) that has funding constraints.

Marine Mammal Vessel Strike (MMVS) Action Plan, page 248: 1.3 change to green Table 47.

Marine Mammal Entanglement (MME) Action Plan, page 253: 2.1 change to green.

Table 53. NMFS keeps working on vertical line. Overall goal is ongoing. Change it to green. MME 1. Overall goal is still ongoing.

Brad White: Comment on MME: Monofilament line depository sites have been established. Several miles worth of fishing line have been retrieved from these depository sites.

Mason Weinrich: Requests that Brad White gets the word out or help to discourage the use of this highly strong fishing line in the northeast.

Craig McDonald summarized objectives and accomplishments of the Interagency Cooperation Action Plan, page 205.

John Williamson: It’s worth pointing out that there is significant development in interagency cooperation and evolving relationship between NMSF and NMSP and Fisheries Science Center. Have made progresses because the interagency cooperation and NOAA is increasing and you are able to address some of the sanctuary issues in a larger context of fishery management or marine mammal interaction.

Maritime Heritage Action Plan, page 260: No change.

General comments:

Billy Spitzer. Table 24. Report card of sanctuary. It’s the ultimate judge of how things are going. Water quality is good but maybe resources and attention can be focused on finding things that are most critical and figure out how to advance their condition. Seems to need some prioritization exercises and not rate everything a high priority. Taking uncertainties into mind

and adapt action plans to current circumstances -- how to prioritize actions from current state to desired state.

Craig MacDonald: What are the highest priorities across the suite of action plans—economic circumstances how to reevaluate. Where can we work with partners and successfully garner the support that is not available within the sanctuary program? ONMS does not provide allocation of resources under these circumstances. Would need to be a process with the organization to take the prioritization and get support.

Dave Robinson. How do you think you will use this management plan to guide you in day-to-day operations or is it more of an ad hoc, reactionary situation? How is the plan being used? Is this communicated at a higher level?

Craig MacDonald: The sanctuary program is looking at SBNMS to use the final document as “the plan” on how it does business over the next 5 years. The national program is looking more broadly not just as sites but also as a coalition of regions and at a lateral level. The final plan is used as the sanctuary blueprint over the next 5 years with as much support from headquarters as can be allocated. The system is impaired enormously by funding and the sanctuary is driven by what needs to be done versus what should be done. But this does not apply to everything. The program has not been able to provide discretionary funding. A lot of the initiatives that have been accomplished have been through extracurricular support and partnerships such as with IFAW and the US Navy, and not funded by NOAA.

Billy Spitzer: Which areas are most at risk to achieving conservation goals --- areas that are bad news, priorities where there are no partners, an understanding of where SAC members may help.

Craig MacDonald: Water quality, whale data, not having a year-to-year commitment. Not seeing year-to-year investment. Tactical versus policy directed and not funded as fiscally required.

Steve Milliken: Marine Mammal Behavioral Disturbance (MMBD) Action Plan: Difficulty with language in strategies. There is a lot to be covered and recognized. A lot is being done that the sanctuary is unaware of. The whale watch industry has done a lot in getting whale watch companies involved in greater education outreach (such as WhaleSENSE). Maybe look into organizing a subcommittee for a more thorough review of what the whale watch industry has done at the next SAC meeting.

***Steve Milliken motioned with second by Tim Moll to make a subcommittee to review and fine-tune the first objective of the MMBD action plan.***

Discussion:

Mason: Many of these actions plans were done 5-6 years and there is now new information, regulations, or management and procedures that influence these - a whole new management regime. Why are we sectioning out this action plan? There has been a lot of discussion about these actions; i.e. the Marine Mammal Vessel Strike and Marine Mammal Behavioral

Disturbance Action Plans. A lot has changed since these plans were initially implemented. Do we revisit all of the action plans or wait to reevaluate at the next management plan review? This is a much more overarching question.

Craig MacDonald: 2013 is when the next review will begin and public comment will be solicited with a final review of the plan in 2015. The subcommittee could be established as the staff moves toward implementation. Good way to be exploring this in there. We are looking at developing new regulations, looking at what information is known and the guidance the plan affords, then run a proposal on it by a subcommittee of the SAC to relate to what is being proposed. Language of final management plan cannot be changed. We are not at the point where we can formalize. Preliminary discussions are ongoing. Hold off on implementation of subcommittee until we can formalize -- need a cross representation. Could be populated like a working group. Needs to have sectional representation. Subcommittee is a good choice. Really have to have a cross sectional representation.

Mason Weinrich: Form a subcommittee of most knowledgeable individuals and most informed to hash out the discussion first and then present it to the SAC.

Priscilla Brooks: Is the SAC going to create subcommittees on every issue that the sanctuary is going to develop policy on? Don't think this is necessarily bad but concerned that we are creating a new layer without thinking about it very carefully.

John Williamson: Agrees. Hears that there is a good use for a subcommittee to be established at some point to advise the sanctuary on regulations that are being considered, but at this point we don't seem ready to do this. Maybe have an item to discuss this at a later SAC meeting.

Steve Milliken: Further down the road is fine. Just trying to figure the route to take with this issue.

Craig MacDonald: Timing is an issue. Staff understands concerns. Uncertain as to when staff can get to this. Explore it first. Maybe table this until staff has something to offer SAC.

***John Williamson proposed to amend motion to form a subcommittee at some time in the future.***

***Steve Milliken accepts the proposal. Agrees that a subcommittee may be needed in the future. Passed unanimously.***

Priscilla Brooks: Performance standards are associated with each action plan. How is staff accepting to more formally report on progress of this plan on an annual basis and how does it plan to populate these indicators for the action plans? How can progress be captured on this plan sooner than 2013? Beneficial for telling the public how staff is advancing with this plan. How can progress be provided to the SAC and public, and advancing with the plan?

Craig MacDonald: Metrics will have to be put forward with this. Reports to SAC would be done every other meeting or once a year. Not thinking of a formal report prior to scoping. This is a glimpse of where we are.

Billy Spitzer. A lot of actions plans are process examples—eluded to some achievements that are more outcome-driven. Public may be more interested in outcome measures. Performance measures are very specific.

Craig MacDonald: By the time 2013 comes around. We will need to have benchmarks. This was a glimpse. Can change color codes for the ones that were provided with advice. Benefit of SAC input and could set the protocol on how this is done on an annual basis. Plan was published in June 2010 – this is October 2010. This is a 5-year plan. What NOAA publishes as a report may differ from some SAC opinions.

Mason Weinrich: Do a condition report in 2012.

## **V. Working Luncheon (Seasonal Management Area Compliance, Commitment and Outreach (Dave Wiley)**

Research Coordinator Dr. David Wiley provided a presentation on the sanctuary's work using AIS to evaluate the compliance and commitment of AIS carriage vessels with the 10-knot speed regulation contained in NOAA's Right Whale Ship Strike Reduction Rule. Results indicated that while compliance with the regulation was poor, many ships had reduced their speed during times that the regulation was in place. Dr. Wiley also described an education and outreach program that the sanctuary and numerous partners have developed to increase vessel compliance and commitment with the Right Whale Ship Strike Reduction Rule.

## **VI. SAC Issues (Rich Delaney)**

### i. Assessing the Role of Scientific Information in Sanctuary Management (Lauren Garske)

Lauren Garske is a Ph.D. candidate in Ecology at the University of California, Davis, and a Dr. Nancy Foster Scholar (NOAA). She is working on her dissertation entitled "Zone of Impacts" of which ONMS plays a role. Research goals are: 1) to evaluate the flow (access and diffusion) of scientific information through sanctuary advisory councils, as well as its valuation and use where recommendations are made to sanctuary managers; 2) to assess how sanctuary managers are valuing and using council recommendations in conjunction with their own understanding of the relevant science; and, 3) to identify the conditions under which scientific information increases stakeholder collaboration and improves the effectiveness of sanctuary management. Since SACs play a principal role in guiding NMS decisions, it is critical to understand where that guidance comes from and how it connects back to the science NMS research provides, considers and supports. Similarly, it is important to know how NMS manager's value and use the recommendations made by their councils. This study will address both of these facets across multiple spatial scales (sites, regions and nationwide), with direct value and insight to the ONMS. Lauren will be visiting the 13 sanctuaries to interview and conduct surveys with sanctuary staff as well as advisory council members and alternatives as part of her research. Results, at least in part, will be shared with the council and NMS communities during the SAC Summit in May 2011 (in Savannah, GA). The study's final results will be provided to ONMS as

a report by the end of 2011 and they will also constitute a chapter of my dissertation, with the ultimate goal of several publications in peer-reviewed journals. For more information contact Laura Garske at 707.537.5640 or email: legarske@ucdavis.edu.

ii. Research Area Ad Hoc Committee (Rich Delaney)

There was some discussion at the October SAC meeting on how sanctuary staff can obtain advice to implement some of the recommendations regarding research areas in the management plan. The challenge was a matter of timing with ongoing initiatives within NEFMC that sanctuary staff was involved in. As an interim measure, Rich Delaney has appointed an adhoc subcommittee ready, willing and available if sanctuary staff needs assistance or advice on a particular issue.

Craig MacDonald: The subcommittee did not convene because more information needed to be gathered. Staff is working really closely with NE Fisheries Science Center and they have made available 14 years of VTR data 1996-2009. Staff is in the process of completing the analyses of that data so that when it is ready to seek ad hoc committee advice, it will be based on all vessel trip report data, not just one year. All mobile gear will have been analyzed, but still need fixed gear and charter and party boat data to analyze between now and end of November as an approximation as to when the information is compiled and further review it with the FSC since it's their data, then run it by HQ to ensure we have their approval to proceed. So when it's all together, a meeting will be convened with the ad hoc committee. Difficulty is also keeping up work with NEFMC so this is part of their agenda as well. Want to incorporate this in NEFMC habitat committee process. Trying to move on it as fast as possible but there is a lot of choreography involved. Establish a habitat research area. GofM closure provides a relatively impact free controlled site but not enough of the full control that is needed. Mobile, fixed, charter, and party boat data feed into VTR process. Looked at all 14 years and each year variability. But need to look at each category.

Richard Delaney: Ad hoc subcommittee is still on stand by and willing to assist as needed.

iii. Humpback Whale ESA/FRN (Richard Delaney)

Rich Delaney provided an update. There is an ongoing effort that will update an earlier set of studies on the population structure and trends and number in the population number species of humpback whales (similar to YONAH and SPLASH studies). This study is known as MONAH. It is still ongoing but will be the basis upon which future determinations about whether or not the humpback whale remains on the endangered species listing or may be some subpopulations are moved on or kept off. So there may be some different designations initially but still too premature to make any judgments at this time. Will provide an update as it becomes available. Most of the discussion is internal within the Federal Government until status review is provided. This is not just for the North Atlantic humpback but this is a worldwide consideration of the species based on gene flow, etc. It seems that a series of recommendations will be coming out for public comment and that may be the point where the SAC may want to weigh in. Stay tuned.

iv. Future Issues (National Agenda – Marine Spatial Planning (MSP), Climate Change, Ocean Acidification)

Rich Delaney announced that President Obama's executive order put in motion back in June a federal initiative to conduct and produce MSP for nine regions in the U.S. In the Northeast region, there is the Northeast Regional Ocean Council (NEROC). They have released a call for proposals but the issue is that money is not really available yet. Hoping for \$20M with additional \$10 million to underwrite the cost of MSP around the country but funding has yet to become available. NEROC is helping to have the NE interest coordinated so that it can compete for funds should they come into existence. However, it is believed that with the continuing resolution in place, there may be more of a waiting period for funding. So this is in a holding pattern.

Rob Moir and John Williamson: Senators Whitehouse and Snowe put together a national endowment for the Oceans Bill. Massachusetts may get \$17 million from this. Oil revenues that are already coming in pay it for. The Bill looks very promising. On the verge of getting Senator Scott Brown to be one of the co-sponsors of the Bill. Letters of support to Senator Brown are encouraged or comments can be posted to the <http://www.oceanriver.org/> web site. It is funded annually nationwide for the nine regions that have been created. This is a real attempt to address the scale of need in ocean science planning that was identified by the Ocean Policy Task Force years ago. It is a major step if the legislation goes forward but there is no certainty. John Williamson and Rob Moir are available to provide more information.

Priscilla Brooks. Rhode Island approved their Ocean Management Council. With that comes some identification of renewal energy zones, protective areas, in RI state waters and around marinas. In addition, NROC is beginning to prepare a request for funds from NOAA. NROC has put together a draft framework for how they are going to go about developing their marine spatial planning. Next steps: Move forward with pulling together resources and a framework to develop a regional MSP.

Ocean Acidification and Climate Change Update: The first round of funding went primarily to the west coast sanctuaries. John Williamson reported that Nathalie Ward held a conference call with Beth Phelan from NOAA on the status of having SBNMS as a sentinel site. John Williamson had volunteered at the last SAC meeting to lead a team to write a letter to pursue the sanctuary sentinel site issue for SBNMS. The sanctuary is on its way to being designated as a sentinel site for ocean acidification research. SBNMS is recognized now in the NE ocean acidification research plan. The information came from Beth Phelan's letter on where we are in the process. In the future, NOAA's *R/V Bigelow* will conduct sampling at five stations in a typical year within the sanctuary and more within the NE region. The information will be collected every year. Need a scientific team to decide where fixed mooring stations should be located since the oceanography within the sanctuary is complex. SBNMS should deepen its relationship and coordination with NERACUS. Very early stages of coming together but sanctuary has been recognized as an ideal location as sentinel site. There is a Draft MOU ready to go to NERACUS and SBNMS staff has met with their deputy director. This is very good news for the sanctuary.

## **VII. Partner and Constituent Reports**

### i. NOAA Fisheries Regional Report (Jen Anderson)

Jen Anderson presented the NMFS report and provided the following summary for the 31<sup>st</sup> SAC Minutes.

#### **Northeast Multispecies Fishery Management Plan (FMP):**

- The catch share/sector program has been in effect since May 1<sup>st</sup>. NMFS has posted landings data from the first quarter (May – July) of the fishing year and second quarter data will be available in November.
- Although NMFS is being careful not to draw conclusions based on only three months of data, it appears that sector members are targeting healthier stocks and reducing bycatch. There is also evidence to suggest that sectors are attempting to make the best use of the quota shares by trading quotas with other sectors.

#### **Petitions to List under the Endangered Species Act (ESA):**

- On July 12, 2010, NMFS issued a 90-finding in response to two petitions received to list porbeagle sharks (*Lamna nasus*) under the ESA (75 FR 39656). The 90-day finding determined that neither petition presented substantial scientific information indicating the petitioned actions may be warranted. Accordingly, a status review was not initiated for the species at this time. For more information on porbeagle shark listing petitions and 90-day finding, visit [http://www.nero.noaa.gov/prot\\_res/CandidateSpeciesProgram/](http://www.nero.noaa.gov/prot_res/CandidateSpeciesProgram/)
- NOAA Fisheries is initiating a status review for the Atlantic bluefin tuna in response to a petition from the Center for Biological Diversity to list the fish as threatened or endangered under the ESA. This finding is the first step in a prescribed process for responding to every petition filed with NOAA Fisheries to list a species under the ESA; it is not a listing action. For more information, read the Federal Register Notice, which was published Tuesday, September 21, 2010.

#### **Atlantic Large Whale Take Reduction Team:**

- Northeast Subgroup meeting scheduled for November 30-December 3 in Providence, RI at the Providence Hotel. This meeting will focus on vertical line/whale co-occurrence models and entanglement risk reduction.
- Mid-Atlantic & Southeast Subgroup meeting will take place in spring of 2011 in Baltimore, MD.

#### **Harbor Porpoise Take Reduction Plan:**

The use of “pingers” is now required on gillnet gear in two new management areas in New England waters. The requirement, which went into effect on September 15, involves attaching electronic devices or pinglers to fishing nets. The two new management areas are the Stellwagen Bank Management Area (pingers required November 1-May 31) and the Southern New England Management Area (pingers required December 1-May 31). The measures were originally supposed to be in place on March 22 along with a suite of other new measures to further reduce harbor porpoise injuries and deaths resulting from entanglements in gillnet fishing gear.

However, NOAA delayed the pinger requirement in these two areas until September 15 to give fishermen more time to purchase pingers and undergo training in their use.

### **Right Whale Critical Habitat:**

On October 5, 2010, NMFS published a 90 day petition finding and notice of 12-month determination in the Federal Register. This combined notice was in response to a petition to revise critical habitat for the North Atlantic right whale.

In the notice, NMFS announced it is reviewing critical habitat designations for the North Atlantic right whale. Prior to the receipt of the petition, NMFS was already conducting an ongoing analysis and evaluation of new information not available at the time of the original 1994 critical habitat designation.

"Critical habitat" is an area that contains physical or biological features that may require special management and that are essential to the conservation of the species. The agency designated three critical habitat areas in U.S. waters for these whales in 1994: calving grounds off Florida and Georgia and feeding grounds in Cape Cod Bay and the Great South Channel, both off Massachusetts.

When NMFS completes its review, the agency will publish a proposed rule and will solicit public comments, which will be considered in the preparation of a final determination. NMFS expects to propose any changes in the latter half of 2011.

### **Humpback Whale Status Review Update:**

Background: Under section 4(a) of the ESA and 50 CFR part 424 of National Marine Fisheries Service's (NMFS') listing regulations, NMFS makes determinations as to whether a marine mammal species should be listed as endangered or threatened, or whether it should be reclassified or removed from the List of Endangered and Threatened Wildlife and Plants (the List). Accordingly, NMFS is conducting a comprehensive evaluation of the status of humpback whales (*Megaptera novaeangliae*), currently classified as an endangered species, as the basis for considering revisions to this species listing status. The full status review will: (a) examine whether the recovery criteria have been met since the original status review was adopted, including a review of the five factors in the ESA and protective measures in place; (b) synthesize and analyze any new information on the species; and (c) evaluate best available science on breeding populations and analyze them for potential identification and designation of distinct population segments (DPS). Following the status review, NMFS will determine whether to identify DPSs and identify the listing status of those populations.

During 2010: NMFS convened a Biological Review Team (BRT) and used relevant biological information on humpback whales as the basis for any possible change to the status of humpback whales and/or segmentation into DPSs. The BRT is in the process of conducting its review of the status of humpbacks, and is expected to provide a status review report to NMFS in early 2011. The status review will be peer reviewed.

During the winter of 2010/2011: Based on the BRT's findings, NMFS will consider separating the species into DPSs, and as appropriate, consider changing the listing status, if warranted, of one or more of the humpback whale populations. NMFS will ultimately finalize the revised humpback status review and draft the proposed and final rules for delisting or downlisting, if divisions or change in status are appropriate.

**Goals:** The goal of the status review is to assess the biological status of humpback whales globally. NMFS leadership will use this review to consider possible division of the global humpback population into Distinct Population Segments (DPS), and based on the biological status of those DPSs, make recommendations for identifying the listing status of each specific DPS of humpback whales as consistent with the intent of the ESA.

**Atlantic Sturgeon:**

NOAA's Fisheries Service has proposed that five populations of Atlantic sturgeon along the U.S. East Coast receive protection under the Federal Endangered Species Act. The Gulf of Maine population is proposed for listing as threatened, and endangered status is proposed for the Chesapeake Bay, New York Bight, Carolina, and South Atlantic populations.

A formal status review was completed for the Atlantic sturgeon in 2007 by a team of biologists from NOAA, the U.S. Geological Survey, and the U.S. Fish and Wildlife Service. The review found that unintended catch of Atlantic sturgeon in fisheries, vessel strikes, poor water quality, dams, lack of regulatory mechanisms for protecting the fish, and dredging were the most significant threats to the fish. It is currently illegal to fish for, catch or keep Atlantic sturgeon from U.S. waters.

NOAA's Fisheries Service is accepting comments on the proposed listing through January 4, 2011. NOAA's Fisheries Service is seeking comment particularly on abundance and distribution, viability, threats, and efforts being made to protect Atlantic sturgeon belonging to these populations. You may submit comments by any one of the methods listed to the right. The agency also plans to hold the following public hearings:

**Portland, Maine**

November 3, 2010 7 to 9 p.m.  
Eastland Park Hotel, 157 High Street

**Newport News, Virginia**

November 4, 2010 7 to 9 p.m.  
Point Plaza Suites at City Center, 950 J. Clyde Morris Boulevard

**Stony Brook, New York**

November 8, 2010 7 to 9 p.m.  
SUNY Stony Brook, School of Marine and Atmospheric Sciences, 100 Nicholls Road

**Wilmington, Delaware**

November 9, 2010 7 to 9 p.m.  
Doubletree Hotel Wilmington Downtown, 700 North King Street

iii. NEFMC Report (Michelle Bachmann)

Michelle Bachmann presented the NEFMC report and provided the following summary for the 31<sup>st</sup> SAC Minutes.

Since the last SAC meeting, NEFMC has met twice (June 22-24, Portland ME, and September 28-30, Newport RI). The Council meets next on November 16-18 in Brewster, MA. Major actions at these meetings:

- **Monkfish – Amendment 5** was approved at the June meeting. Amendment 5 implements Annual Catch Limits (ACLs) and Accountability Measures (AMs) for the fishery. Other measures in Amendment 5 update DAS specifications, trip limits and other management measures, modify the Research Set Aside (RSA) Program, minimize bycatch resulting from trip limit overages, and allow the landing of monkfish heads. Catch targets for fishing years 2011-2013 are 75% and 100% higher than those in place since 2007 for the southern and northern management areas, respectively.

**Framework 7** was initiated at the September meeting, and will update biological reference points and catch targets based on the SSC's review of SARC 50. SARC 50 considered the status of the monkfish stock in July 2010. The Council will review Amendment 7 alternatives in November, and plans to take final action in January.

- **Groundfish – Framework 45** was initiated at the June meeting, and management measures were reviewed in September. Final action is scheduled for November. This Framework considers the following: (1) new status determination criteria, ABC, and ACLs for pollock; (2) modifying the Georges Bank yellowtail flounder rebuilding strategy; (3) adoption of several new sectors; (4) exempting Handgear A permits from dockside monitoring requirements; (5) changes to dockside monitoring requirements; (6) protecting spawning cod aggregations; (7) allowing General Category scallop dredge vessels to fish in the Great South Channel area year round; and (8) possible adjustments to the amount of yellowtail flounder allocated to the scallop fishery.

In addition, at the June meeting, the Council reaffirmed the March 30, 2006 party/charter control date, and at the September meeting the council approved Transboundary Management Guidance Committee Total Allowable Catches for 2011.

- **Scallops – Framework 22** was initiated in June and final approval is expected in November. This action will: (1) identify fishery specifications for 2011 and 2012 fishing years and fishery allocations; (2) establish measures to comply with reasonable and prudent measures to reduce impacts on sea turtles; (3) implement alternatives to change VMS requirements, (4) potentially modify the in-shell scallop possession limit for general category vessels seaward of the VMS demarcation line; and (5) set research priorities for the 2012 Research Set-Aside program.

**Amendment 15** was approved in September. The Council approved (1) ACLs and AMs for the fishery, including AMs for the yellowtail flounder sub-ACL; (2) a new

overfishing definition and updated reference points; (3) updates to the General Category fishery; (4) modifications of the scallop EFH closed areas; and (5) updates to the research set aside program. The Council did not approve either the stacking and leasing measures or a change in the fishing year.

- **Herring** – The Council reviewed measures in **Amendment 5** at their September meeting and will revisit this action in January for final approval. Amendment 5 includes a number of catch monitoring and river herring bycatch related measures. The public comment period on the proposed Amendment 4 regulations closes December 2.
- **Skates** – In September, the Council requested NMFS to take emergency action to increase the skate wing possession limit. In addition, the Council asked the Skate PDT to analyze skate discards using sector data to determine if an overall increase in skate landings may be warranted.
- **Red crab** – In September, the Council approved Amendment 3, which implements ACLs and AMs, replaces a DAS-based system with a hard quota system, and set quotas for 2011-2013. The amendment also eliminates trip limits and restrictions that prohibit landing of lobsters and red crab during the same fishing trip.
- **Habitat** – In June, the Council received an update on the EFH Omnibus Amendment, and recommended that the Habitat PDT, Committee, and Advisory Panel continue to develop the preliminary management options outlined by the Committee at their June 10 meeting. The Habitat Committee will meet next on October 28 to consider alternatives for the Omnibus Amendment.

Sanctuary staff will provide a letter concerning the sanctuary ecological research area to NEFMC and the habitat council if staff cannot attend the 28 October meeting.

Comments:

Craig MacDonald: Is there a way staff can provide minimal information without getting into the details?

Michelle Bachmann: What would be useful is goals and need for the area above and beyond the defacto area of the sliver. Some guidance of spatial delineation of the area derived at would be useful to the committee. Some kind of restrictions on fishing in that area that the sanctuary would see as critical to make the sanctuary work. Scientific perspective on a research area that would be a stronger candidate as a stronger baseline to work from. Brief summary of what is going on in the area of the Sliver.

Craig MacDonald: Sanctuary staff will follow up with letter to NEFMC and habitat council if cannot attend meeting. Need to be prepared with a research plan for the sanctuary. NEFMC and Planned Development Team will meet on 28 October.

John Williamson: Summary of what has been done in the past and what is planned in the future.  
Pass along to NEFMC committee.

iv. Humpback Whale Enforcement Case (Todd Nickerson)

Todd Nickerson, NOAA Office of Law Enforcement (OLE) was invited to speak to the SAC on an incident that took place back in 2008. This case was discussed at the June SAC meeting. The incident involved the *F/V Lisa Rose*, a recreational tunafishing vessel. Three separate witnesses reported that the vessel spent several hours fishing in and around tuna. In the course of their tuna fishing, they were observed casting over the back of surfaced whales and following them for several hours and coming up on bubble clouds. The witnesses observed and photographed the vessel hitting two whales. The incident garnered enough evidence for OLE to charge the fisherman with three counts of violating the Marine Mammal Protection Act (MMPA)—two counts for level A strike (harassment with potential to injure the animal), and one count for constant pursuit where actions had the potential to disturb the animal in its national environment. The case was presented to the US Attorney's office in Boston. The defendant pleaded guilty to all three counts, provided a written apology, and was fined \$100 per count. The actual fine could have been as much as \$20,000. NOAA OLE went with the best way to get the message out and discourage this behavior in the future. It is a very unique crime; the MMPA has a lot of gray areas and is not an easy crime to convict someone on. However, this case sets a precedent. Any future cases will continue to be charged and prosecuted.

Comments:

Mason Weinrich: Voiced concern that as compelling a case as this can possibly be for harassment of humpbacks in the sanctuary, that the fine levied was only \$100 per count. This is hardly a disincentive for anyone to do this in the future, especially for less egregious cases. Why more consideration wasn't given to this being an especially protected area since it took place in the sanctuary and what can be done in the future to have a greater disincentive to engage in such activities?

Todd Nickerson: This incident occurred in a sanctuary where the bar of protection is higher and was used in this case. This is a fairly contentious issue in the US Attorney's office. A case is presented where a judge, in all fairness, may or may not have an interest in having a federal court and resources tied up on something like this. Other factors also may be that opinions differ. There was a guilty conviction, there was a press release, and it does seem to be a start to deterring this type of activity. There are many considerations to take into account: more publicity with press release than versus the fine. More importantly is that all these resources go into a case like this. A lot of factors are involved in prosecuting and getting a guilty plea. The fine is the federal judge's decision. Need to balance what is fair and walking a tight rope. This is the best way to get the message out through the system. It's a very unique and difficult crime to convict someone on. MMPA is fairly poorly written with lots of loopholes. The political climate has higher priorities. It is not perfect but it's a start and OLE will keep moving forward with similar cases.

Rich Delaney: More enforcement is needed but at a minimum, a precedent has been established. The message is to discourage this behavior in the future. We may see more of these cases coming forward.

*R/V Auk* Incident: Todd Nickerson could not provide an update. The case is still in the hands of the national general council. Todd has inquired about it but has not gotten any response.

### **VIII. New Business - Emerging Issues.** None.

General Comment by Theresa Barbo, Director for the Cape Cod Wildlife Center (CCWC): Her organization, the Humane Society of the United States, is building a \$50,000 salt water rehabilitation enclosure for pelagic and other seabirds that will be rehabilitated at the CCWC. The Woods Hole Oceanographic Institution is designing it pro bono. The CCWC is very happy to have this new enclosure. Theresa will provide more information, as soon as it is on line.

### **IX. Public Comment**

i. Ed Barrett, commercial fisherman, Plymouth, MA: Asked for clarification concerning the formation of the SBNMS Research Area SAC ad hoc committee. He voiced concern that the committee is moving forward with recommendations without the ad hoc committee having met and the lack of involvement the SAC Mobile Gear Member had in it. It seems premature to put forward a motion with the habitat committee. It is troubling that the SAC would have an ad hoc committee, not meet, not come up with recommendations and then not report back to the SAC for a vote on whether the SAC wants to adopt these recommendations.

Craig MacDonald and Richard Delaney responded that a subcommittee of SAC members was formed at the SAC meeting in June 2010. Vito Giacalone was fully involved in the discussion associated with the establishment of the subcommittee. This is an advisory subcommittee that has not been called into action until advice is needed prior to submitting recommendations to the Council. Sanctuary staff wants to introduce this sanctuary initiative into the habitat committee's discussion during the omnibus amendment process. It was recommended that a proposal be inserted into the NEFMC process for all of the different closures and habitat research possibilities that are being considered. Prior to inserting into the NEFMC process, feed into the process the sense that we have a proposal in development. One of the actions in the Management Plan was to establish a research area controlled site so that there is a better understanding of how the sanctuary is functioning ecologically. Sanctuary staff relied on the Zoning Working Group initially to assist, which it did to a certain point. But there needs to be a move beyond this to connect with the NEFMC process. NEFMC is on a fast track with its initiatives and SBNMS is trying keep up and put the recommendations out now during the process. The sanctuary staff is not asking the SAC to present its recommendations. SBNMS doesn't stop because a process has not been completed. It is moving on specific recommendations. There needs to be more interaction with NEFMC to put ideas out now as they move forward.

John Williamson: No motion will come up on sanctuary but might come from a PDT member.

Rich Delaney: Added that he, as SAC Chair, formed the ad hoc committee. He recommended this because NEFMC has been meeting regularly between SAC meetings. It is ad hoc only because it provides minimum opportunity for the SBNMS superintendent to have representatives of a full SAC, to be able to confer with as the processes were moving forward in between the time the SAC was meeting. Between the last SAC meeting in June and now, it was known that the process with the NEFMC would be ongoing. The ad hoc subcommittee was formed to come up with a proposal. That is already in the management plan. It is not a typical subcommittee; it is a stop gap measure in between bad timing of the two processes.

Ed Barrett: Using VTR data once again is not a tool that should even be considered anymore. There is a lot better data that is available and given the high impact that sectors are going to have, once again using this data is completely prehistoric for this task.

Craig MacDonald: Understands Ed's concern about using this but successfully addressed this in the management plan. VTR data and standardized fishing data used showed virtually no difference between fixed gear and mobile gear. We know we have very good correspondence between VTR data and the fishery independent survey within the sanctuary. This conveys that VTR data is useful. Seeking observer data from fisheries service and compare with VTR data and VMS data as further steps.

Ed Barrett: At what level has staff looked at the collaborative research of Madeleine Hall-Arbor? Data been used.

Craig MacDonald: Staff looked at the report but that report is aggregated. It doesn't have the resolution that we need to look at a finer scale of distribution of fishing effort in the sanctuary. Report is aggregated and small sample size with boats involved. However not at odds with what we concluded with the VTR data. We did reference the report.

Ed Barrett: Just want to put out as a comment: Why can't you work with VMS data that the VTR data is better the VMS data?

ii. David Dow is a volunteer for Sierra Club, Massachusetts Chapter of Marine and Coastal Committee. One of the priorities the committee decided to work on was in providing SBNMS better protection and conservation of marine wildlife and their habitats so that hopefully there would be somebody from the Committee at a future SBNMS SAC meeting. Hopefully, the SAC can report back to the Committee on things that it can do to support the sanctuary with its goals in the management plan.

**X. Adjourn.** 3:30 pm.

## APPENDIX

### **ADMINISTRATIVE CAPACITY AND INFRASTRUCTURE ACTION PLAN**

**TABLE 26. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR ADMIN ACTION PLAN.**

Objective	Strategy	Priority
ADMIN.1 Strengthen Site Staffing and Program Support Capabilities	(1.1) Integrate staff capabilities with program needs.	High
	(1.2) Hire additional staff and streamline organizational structure.	High
	(1.3) Enhance operation of the sanctuary advisory council.	High
ADMIN.2 Maintain and Further Develop Site Infrastructure	(2.1) Maintain and acquire vessels as necessary.	High
	(2.2) Work with ONMS headquarters to develop and implement a SBNMS long-range facilities plan that prioritizes partnering opportunities with the town of Scituate, MA.	High
	(2.3) Maintain a database for sanctuary permitting.	High
	(2.4) Maintain and enhance a SBNMS diving program.	High
	(2.5) Develop an effective enforcement program.	High
ADMIN.3 Develop a SBNMS Volunteer Program that Leverages Sanctuary Programs and Increases Site Visibility	(3.1) Develop SBNMS volunteer program.	High
	(3.2) Maintain and expand SBNMS volunteer diver corps activities.	High
	(3.3) Develop and support international exchange of volunteers between SBNMS and other MPAs.	Low

# INTERAGENCY COOPERATION ACTION PLAN

**TABLE 29. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR IC ACTION PLAN.**

Objective	Strategy	Priority
IC.1 Facilitate Cooperation and Coordination Between Agencies	(1.1) Re-establish discussions regarding a Memorandum of Understanding (MOU) among SBNMS, NOAA Fisheries Service NERO and the NEFMC to facilitate cooperation and coordination.	High
	(1.2) Coordinate proposed activities with NOAA Fisheries Service NERO.	High
	(1.3) Facilitate cooperative research and outreach between SBNMS and NOAA Fisheries Service NEFSC.	High
	(1.4) Evaluate the Memorandum of Agreement (MOA) between the U.S. Army Corps of Engineers (USACE) and NOAA Fisheries Service for commenting on proposed activities occurring at the Massachusetts Bay Disposal Site (MBDS).	High
IC.2 Establish Mechanisms for Improved Information Sharing Between Agencies	(2.1) Provide information via the web on the responsibilities and activities of multiple agencies with roles pertinent to the SBNMS.	Medium
	(2.2) Provide regular updates to the USCG Area Contingency Plans.	Medium
	(2.3) Establish a mechanism for informal consultation with the EPA, NEFMC, MWRA, MADEP and MACZM Office on Water Quality Issues.	Medium
	(2.4) Update and continue to implement the sanctuary Cooperative Enforcement Program.	High
	(2.5) Support continued meetings of the advisory council's Interagency Cooperation Working Group.	Low
	(2.6) Participate in the GoM Council and other regional initiatives.	Medium
	(2.7) Participate on relevant advisory panels of the NEFMC.	High
	(2.8) Depict sanctuary boundaries.	High

## PUBLIC OUTREACH AND EDUCATION ACTION PLAN

**TABLE 32. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR POE ACTION PLAN.**

Objective	Strategy	Priority
POE.1 Build Capacity for Outreach Programs that Increase Sanctuary Visibility, Awareness and Stewardship	(1.1) Produce public outreach products and programs that best address sanctuary visibility needs.	High
	(1.2) Develop and implement outreach programs with stakeholder groups to increase sanctuary visibility and promote sanctuary stewardship.	High
	(1.3) Work with the ONMS headquarters to develop and implement a SBNMS long-range facilities plan that prioritizes partnering opportunities with interpretive centers and articulates federal funding needs.	High
	(1.4) Establish a Media Outreach Program.	High
POE.2 Build Capacity for Formal and Informal Education Programs That Support Sanctuary Management Goals	(2.1) Develop an action plan for establishing education partnerships and identify the types of programs and objectives that would best be achieved.	High
	(2.2) Support K-12 Educational Programming.	Medium
	(2.3) Support Undergraduate and Graduate Education Programming.	Medium
	(2.4) Support Adult Education Programming.	High

## **COMPATIBILITY DETERMINATION ACTION PLAN**

**TABLE 35. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR CD ACTION PLAN.**

<b>Objective</b>	<b>Strategy</b>	<b>Priority</b>
CD.1 Develop a Framework for Sanctuary Compatibility Determination	(1.1) Demonstrate the application of S-CAP.	High
	(1.2) Refine S-CAP by incorporating results of ongoing sanctuary monitoring.	Medium

# ECOSYSTEM-BASED SANCTUARY MANAGEMENT ACTION PLAN

**TABLE 38. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR EBSM ACTION PLAN.**

Objective	Strategy	Priority
EBSM.1 Establish a Science Review Framework	(1.1) Work with the advisory council to establish a science advisory working group.	High
	(1.2) Convene a sanctuary science symposium.	High
	(1.3) Form a science consortium.	Low
EBSM.2 Establish an Information Management System	(2.1) Design and implement an information management system	High
	(2.2) Design and implement a web portal for public access to databases.	Low
EBSM.3 Understand Ecosystem Structure and Function	(3.1) Define and operationalize the term ecological integrity.	High
	(3.2) Develop programs to monitor and evaluate ecological integrity within the sanctuary.	High
	(3.3) Establish research programs directed at informing EBSM.	High
	(3.4) Develop models that afford a predictive capability to better understand sanctuary dynamics and to guide EBSM.	Medium
EBSM.4 Protect Ecological Integrity	(4.1) Continue to convene the zoning working group of the advisory council to: (1) evaluate the adequacy of existing zoning schemes in SBNMS, (2) address the scientific requirements to meet the goals of EBSM, and if needed (3) develop a modified zoning scheme including consideration of fully protected reserves.	High
EBSM.5 Evaluate the Need and Feasibility of Modifying the Sanctuary Boundary	(5.1) Evaluate the need and feasibility for modifying the sanctuary boundary.	Low

# ECOSYSTEM ALTERATION ACTION PLAN

**TABLE 41. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR EA ACTION PLAN.**

Objective	Strategy	Priority
EA.1 Reduce Ecological Impacts from the Laying of Submarine Cables and Pipelines	(1.1) Establish minimum criteria for special use permit applications for the laying of cables and pipelines.	Low
EA.2 Reduce Alteration of Benthic Habitat by Mobile Fishing	(2.1) Develop a process to establish reference areas that serve as benchmarks for discerning human and natural impacts on habitat.	High
	(2.2) Develop a science plan to assess and mitigate benthic habitat alteration.	High
EA.3 Reduce Ecological Impacts of Biomass Removal by Fishing Activity	(3.1) Minimize bycatch and discard of all species, in all fisheries (commercial and recreational), by all gear types.	High
	(3.2) Determine the effects of biomass removal of targeted species by commercial and recreational fishing on the ecological integrity of the sanctuary.	High
	(3.3) Develop a management strategy with NOAA Fisheries Service and the NEFMC to evaluate and protect an optimal forage base to maintain the ecological integrity of the sanctuary.	High

# WATER QUALITY

## ACTION PLAN

**TABLE 44. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR WQ ACTION PLAN.**

Objective	Strategy	Priority
WQ.1 Assess Water Quality and Circulation	(1.1) Develop and Implement a Water Quality Monitoring Plan.	High
	(1.2) Characterize the contaminant loading to the sanctuary from sources.	Low
	(1.3) Encourage research and monitoring of endocrine disrupters and their effects on sanctuary resources.	Low
WQ.2 Reduce Pollutant Discharges and Waste Streams that May Affect the Sanctuary	(2.1) Reduce threats to sanctuary water quality from vessel wastewater discharges (other than ballast water).	High
	(2.2) Reduce ballast water exchanges in the sanctuary.	High
	(2.3) Reduce impacts of municipal and other shore-based waste water streams.	Low
	(2.4) Develop contingency plans to address actions and responsibilities to Remediate catastrophic water quality events in the sanctuary and support programs that prevent water pollution events.	Medium

# MARINE MAMMAL BEHAVIORAL DISTURBANCE ACTION PLAN

**TABLE 47. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR MMBD ACTION PLAN.**

Objective	Strategy	Priority
MMBD.1 Reduce Marine Mammal Behavioral Disturbance and Harassment by Vessels	(1.1) Develop and implement management measures that mitigate behavioral disturbance and risk to whales due to vessel speed and close approach.	High
	(1.2) Develop a process to consider prohibiting vessels from transiting through humpback whale bubble clouds and/or nets.	High
	(1.3) Conduct risk assessment on other activities that could disturb marine mammals.	Low
	(1.4) Develop a research program to better understand vessel interactions with whales.	High
MMBD.2 Reduce Marine Mammal Behavioral Disturbance and Harassment by Noise	(2.1) Establish a Marine Noise Consortium to identify noise sources and possible effects.	High
	(2.2) Develop a marine acoustics research program to establish baseline noise levels and long-term noise budgets.	High
	(2.3) Develop a policy framework for investigating and mitigating noise impacts within SBNMS.	High
MMBD.3 Reduce Marine Mammal Behavioral Disturbance and Harassment by Aircraft	(3.1) Identify information gaps and gather data on overflight activities to determine whether they disturb marine mammals.	Low
	(3.2) Develop outreach advisories with NOAA Fisheries Service to inform the aviation community regarding overflight in proximity to whales.	Low

# MARINE MAMMAL VESSEL STRIKE ACTION PLAN

**TABLE 50. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR MMVS ACTION PLAN.**

Objective	Strategy	Priority
MMVS.1 Reduce the Risk of Vessel Strike between Large Commercial Ships and Whales	(1.1) Consult with NOAA Fisheries Service on their proposed strategy to reduce ship strike to North Atlantic right whales and evaluate how such measures would affect the sanctuary.	High
	(1.2) Develop, demonstrate and evaluate the SBNMS Information and Reporting Center.	High
	(1.3) Determine the conservation benefit of reconfiguring the existing Traffic Separation Scheme (TSS) within the sanctuary to reduce the risk of ship strike to whales.	High
MMVS.2 Reduce the Risk of Vessel Strike through Speed Restriction on Vessels	(2.1) Institute year-round voluntary speed restrictions for all vessels operating in the sanctuary.	High
MMVS.3 Support and Develop Research Programs to Reduce the Risk of Vessel Strike	(3.1) Work with NOAA Fisheries Service to support their ongoing database of all known vessel strikes in and around the sanctuary.	High
	(3.2) Work with NOAA Fisheries Service to institute a toll free number to enable callers to anonymously report vessel strikes in the sanctuary.	Medium
	(3.3) Investigate research strategies to determine responses of whales to approaching vessels.	High
	(3.4) Conduct year-round monitoring to identify type, size, route and speed of vessels in the sanctuary.	High
	(3.5) Investigate use of forward-looking sonar or other real-time detection technologies.	Low

# MARINE MAMMAL ENTANGLEMENT

## ACTION PLAN

**TABLE 53. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR MME ACTION PLAN.**

Objective	Strategy	Priority
MME.1 Aid Disentanglement Efforts	(1.1) Maximize the degree to which entangled animals in the sanctuary are sighted and reported.	High
	(1.2) Maximize ability of vessels and aircraft to stand-by entangled animals.	High
	(1.3) Undertake activities leading to improved understanding and prevention of entanglement events in SBNMS and improvements in disentanglement technology.	Medium
MME.2 Reduce Marine Mammal Interaction with the Trap/Pot Fishery	(2.1) Obtain gear modifications.	High
	(2.2) Serve as test-bed to develop and demonstrate low-risk fishing gear.	Medium
MME.3 Reduce Marine Mammal Interaction with the Gillnet Fishery	(3.1) Obtain gear modifications.	High
	(3.2) Develop research programs.	Medium

# MARITIME HERITAGE

## ACTION PLAN

**TABLE 56. OBJECTIVES, ASSOCIATED STRATEGIES, AND PRIORITIES FOR MH ACTION PLAN.**

Objective	Strategy	Priority
MH.1 Establish a Maritime Heritage Program	(1.1) Develop the foundation and infrastructure for a MH program and integrate the MH program into existing sanctuary programs.	High
	(1.2) Identify and pursue additional sources of funding beyond the ONMS.	High
	(1.3) Identify and form partnerships, relationships, and MOU with entities that have specialized knowledge and abilities that support the documentation and interpretation of the sanctuary's MH.	Medium
MH.2 Inventory, Assess and Characterize Historical Resources	(2.1) Characterize prehistoric and historic use patterns to assist with the location of historical resources through the identification and collection of historical, archaeological, and anthropological documentation.	High
	(2.2) Conduct systematic field surveys to locate, identify, and inventory historical resources.	High
	(2.3) Assess historical resources for their NRHP eligibility and nominate appropriate sites to the NRHP.	High
	(2.4) Characterize historical resources within SBNMS.	High
MH.3 Protect and Manage Historical Resources	(3.1) Implement a management system that protects historical resources while allowing for uses compatible with resource protection.	High
	(3.2) Implement an assessment protocol to assign sanctuary historical resources to the appropriate category.	High
	(3.3) Identify and implement partnerships and relationships for site monitoring and compliance with historical resource regulations.	Medium
	(3.4) Develop and implement an interpretive enforcement program.	High
	(3.5) Develop and implement a mooring system on historical resources in collaboration with affected parties, regional recreational SCUBA diving organizations and regional SCUBA diving charter operators.	Medium
	(3.6) Implement the ONMS Permitting Guidelines for archaeological research (i.e., survey and inventory permit and archaeological research permit).	High

	(3.7) Develop and implement collection and conservation policies for artifacts previously recovered from SBNMS before and after designation.	Low
MH.4 Develop and Implement a Maritime Heritage Outreach and Education Program	(4.1) Identify and partner with regional organizations to conduct MH exhibits and other outreach programs.  (4.2) Develop and implement an artifact documentation and curation program through partnerships and relationships with local or regional maritime museums.	High  Low
MH.5 Assess Shipwrecks and Other Submerged Objects for Potential Hazards	(5.1) Establish an inventory of shipwrecks and submerged objects, inside and outside of SBNMS boundaries that may pose environmental threats to resources.  (5.2) Coordinate information exchanges pertaining to shipwrecks and other submerged objects as environmental threats with NOAA's HAZMAT division and the ONMS for the development of the SHIELDS and RUST database systems.  (5.3) Identify shipwrecks and other submerged objects to be examined with remote sensing technology and report findings to state and federal trustees.  (5.4) Establish a monitoring program for shipwreck and submerged objects that have been located and are considered a threat to SBNMS.	Medium  Medium  Medium
MH.6 Facilitate Access to Modern Shipwrecks	(6.1) Disseminate information about modern shipwrecks.  (6.2) Develop and implement a mooring system on modern shipwrecks in collaboration with affected parties, regional recreational SCUBA diving organizations and regional SCUBA diving charter operators.	High  High