

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY
Sanctuary Advisory Council Meeting
Meeting Minutes, Thursday, April 19, 2007
FGBNMS Headquarters
4700 Ave. U., Bldg. 216, Galveston, TX

Advisory Council Members Present:

Frank Burek, Recreational Diving
Dick Zingula, Recreational Diving (Alternate)
Frank Wasson, Diving Operations
Clint Moore, Oil & Gas Production
Tim Gibson, Oil & Gas Production (Alternate)
Irby Basco, Recreational Fishing
John Stout, Recreational Fishing (Alternate)
John Embesi, Research (Alternate)
Haidee Williams, Education
Page Williams, Conservation
Dana Larson, Conservation (Alternate)
James Sinclair, Minerals Management Service
Rusty Swafford, NOAA Fisheries

Advisory Council Members Absent:

Art Melvin, Diving Operations (Alternate)
Joe Hendrix, Commercial Fishing (Alternate)
Kristina Hardwick, Education (Alternate)
LCDR Beth Keister, U.S. Coast Guard

*Note: The following seat is vacant: Commercial Fishing

FGBNMS Staff Members Present:

G.P. Schmahl, Sanctuary Superintendent
Jennifer Morgan, Advisory Council Coordinator
Shelley Du Puy, Education & Outreach Coordinator
Doug Weaver, Research Specialist/GIS
Emma Hickerson, Research Coordinator (by phone)

NMSP Staff Present:

Vicki Wedell, Policy Analyst (by phone)
Becky Shortland, Stewardship Coordinator, GRNMS (by phone)

Members of the Public Present:

Ryan Ono, Environmental Defense
Rhonda Cummins, TAMUG
Kevin Buch, TAMUG
Doug Peter, TPWD

The regular meeting of the FGBNMS Advisory Council was called to order at 9:05 AM. Frank Wasson, Council Chair, lead the meeting. Vice-Chair, Irby Basco, was also present. Clint Moore moved to adopt the agenda; the agenda was approved. Frank Burek moved to accept the minutes of the April 2007 meeting without changes. Haidee Williams seconded the motion and the minutes were accepted. Jennifer Morgan explained the distributed materials including the SAC fact sheet and the SAC annual report. At this point the meeting was turned over to G.P. Schmahl, Sanctuary Superintendent.

G.P. Schmahl presented the “sanctuary update.” He began by explaining that this has been a strange budget year with a continuing resolution. He received budget notification yesterday and stated that the sanctuary will have level funding with last year. Some projects will be cut, but most cruises will still occur. He is hoping that fiscal year 2008 will be better. There is a current campaign by the National Marine Sanctuary Foundation to increase awareness of the NMSP.

G.P. updated the Council on the “Secrets of the Gulf” project with Bob Ballard. This expedition occurred from March 1-9 in cooperation with the University of Rhode Island’s Institute for Exploration, the U.S. Navy, and with the Argus and NR-1 (which may be decommissioned this year). Many partners and people were involved. G.P. showed the web sites and educational efforts associated with the expedition, including Immersion Presents. He explained that Ballard is interested in telepresence. They produced five live broadcasts per day—it was a huge educational and outreach effort. There was 24/7 live feed from video. Dwight Coleman was the main investigator on board. G.P. explained that the Argus is a towed sled and not really and ROV. One objective of the mission was to look at old submerged coastlines not previously documented in the Gulf of Mexico. G.P. described the encounter with treasure hunters at Bright Bank. Frank Wasson has plans to put a mooring there this year. The Council inquired about what sort of evidence of humans or land animals was hoped to be found near the Sanctuary. G.P. explained that in other explorations, fossilized plants, animals, and mangroves were found.

The Council also had questions regarding the possible project with the U.S. Navy and a saturation diving system. G.P. explained the project and noted that a diving bell for staging research would be used. This system is good for collecting biological and geological samples. The project has been opened to NOAA divers too, not just Navy divers. Currently, they are developing training requirements.

At 10:10 AM the SAC issue subcommittees began reporting on their progress to the full Council. Each subcommittee representative or chair provided a PowerPoint presentation summarizing the recommended strategies and actions to date. The following individuals reported to the Council (see presentation slides from each subcommittee):

Irby Basco/G.P. Schmahl – Fishing Impacts
Frank Wasson – Visitor Use
Clint Moore – Boundary Expansion
Frank Burek – Enforcement
G.P. Schmahl – Law Enforcement Summit
Haidee Williams – Education & Outreach

G.P. explained that the pollutant discharge subcommittee had not yet formed and that no official calls or meetings had yet occurred. John Stout requested that we consider the open loop LNG offshore possible developments and their thermal impact. James Sinclair stated that the thermal effects were irrelevant to FGBNMS unless located next to a sensitive habitat. Council members disagreed on the effects to ichthyoplankton. Frank Wasson called the meeting back to order.

Frank Burek made a motion to modify the agenda and move on to unfinished business. Jennifer Morgan then reported on the progress on filling the vacant commercial fishing seat.

The meeting was turned over to Emma Hickerson. She explained that a request has come from the NMSP headquarters. They are interested in the FGBNMS site developing a list of management related questions that could be investigated by the science team; or a list of “wouldn’t it be nice to know” sort of questions. The council members used a brief working session to “brainstorm” some management related questions. John Embesi recorded the comments. This list follows:

Science questions to refer to Emma –

1. Develop monitoring program to study visitor use; determine users and impacts
2. Determine no impact zone boundaries and time frame
3. Identify non-consumptive diving impacts
4. Hierarchy of need for which creatures to study; pelagics, others; migratory patterns of pelagic animals that use sanctuary, mantas, whale sharks,; tagging and tracking—migratory species of concern;
5. Synthesize what is already known and put in historical context; make older research available, scan and PDF old documents; (G.P. noted that MMS is currently working on such a project—documents from monitoring projects; catalog existing information, place in a searchable electronic format and identify gaps in research that is relevant to management plan
6. Determine population densities and movement (patterns) of resident species
7. Spawning aggregations; determine if there are spawning aggregations that are dependent upon the FGBNMS;

8. Why do we have certain migratory species at certain times of the year; why do they show up; determine why there are seasonal aggregations of certain species at the FGBNMS
9. Conduct survey to measure socioeconomic impacts of proposed management activities
10. Determine surrounding habitat connectivity:
 - o Baseline characterization of biological habitats
 - o Analyze habitat and communities for similarity to FGBNMS communities/habitats
11. Determine the amount or type of education materials/research that is needed to effect a change in human behavior
12. Provide summaries and reports usable by the public
13. Create baseline/benchmark for contaminants in sediments and organisms
14. Need for more high resolution mapping

Doug Weaver gave a presentation on mapping efforts in the Sanctuary. (See PowerPoint presentation).

At 1:27 PM an official Public Comment period was held.

Comments:

Kevin Buch, TAMUG, Diving Safety Officer

Kevin stated that our policies should take into account things we may not know about now--other banks, deeper areas.

No comments were made by the other members of the public present.

Frank Wasson

Frank gave a detailed report on a Marbled Grouper catch that occurred last year. He explained that a deck hand from Captain Elliot's "Big E" reported that Marbled Grouper were abundant on Bright Bank—125 fish were killed. The fish were reported to be "eggy" upon cleaning. This was likely a spawning aggregation. Jerry Alt, of RASMUS—a biologist/statistician, conducted a fish count in the Dry Tortugas using a modified reef method. This was an intensive reef survey. The first Marbled Grouper was seen last year. Frank continued by saying that the Marbled Grouper is a little known deep-water fish and that protection is needed for this species. We need to encourage the sanctuary and NOAA fisheries to get them counted and do more research. The Marbled Grouper were seen in August.

John Stout stated that he didn't catch a Marbled Grouper until 2004, but now he catches them each year. He has seen an upsurge in quantities of this species caught.

Dick Zingula inquired as to whether or not fishermen can be trained to puncture the air bladder of fish before release. Dolphins and birds eat many released fish.

The Council temporarily suspended Robert's Rule of Order to engage in an open discussion on the development of action plans for the management plan review. G.P. stated that he is interested in having the full council understand what each of the subcommittees is working on, so that if problems are noted, they can be voiced with the full committee. He would like to achieve agreement and buy-in on each of the issues.

The following comments were made during a discussion of the fishing impacts issue:

- much overlap, e.g. vessel registration; need to identify one group to take this on, define overlap; have groups that are working on vessel registration meet by phone to hear all input.
- proposed areas: no diving, no fishing, no activity.
- don't divide activity areas by bank.
- Submerged buoys for divers only.
- already have set areas, divers use only on small area of reef cap by moorings; shouldn't be diving away from moorings; sanctuary started by divers; can't really add Sonnier to sanctuary and then say no diving; will introduce much conflict; sanctuary is already set up to study.
- does no diving include diving for research and monitoring? Need expert to design a study.
- Too arbitrary to say East bank, West bank; research questions are temporal, spatial; looking at impacts on fish or benthic community; recommend forming a subcommittee of researchers to design study.
- refer questions to Emma: NOAA already knows much about marine reserves.
- agree, need expert advice on design and conducting studies.
- Selling point of this study is equity – fishermen feel that they are always punished, if do a study “taking something” away from everyone, and then there will be equity.
- fishers can already fish more of the banks than divers can dive.

- divers are non-consumptive, don't take fish; differential impacts.
- need to all give something for gain.
- need to do what's best for the resource, not the users; can't wait until we have perfect knowledge base before making decisions.
- are divers only concerned about fishing in diving accessible areas or deep water too?
- we do have to wait for more information (disagree with Dana); need plan to determine user impacts; quantify impacts; who's diving, fishing; right now have no clue about impacts; before areas are closed to any activity, need to know if those activities are having a negative impact.
- some divers care about the ecosystem; ecosystem based management instead of species-specific management; so everything at the sanctuary deserves protection; determine how to look at impacts.
- the next step is the fishing workshop; transition to discuss this? Does Emma have the background to design and experiment?
- need additional people with expertise
- divers already restricted to mooring buoy areas; already set up for a control situation; but need to tap into experts to make sure we're doing the right thing.
- There is a series of marine reserves in CINMS; Can implement a research area, but not easily a no fishing area when working with GOMFMC.

The Council reached consensus to recommend that the sanctuary design an experiment that includes no fishing and no diving zones. The sanctuary will organize a workshop to study this issue further.

The Council reached consensus on the mooring buoy issue. The Council recommends that mooring buoys be considered by the visitor use subcommittee with input from fishing impacts subcommittee. The visitor use subcommittee will consider allocation of buoys.

The following comments were made during a discussion of the impacts of visitor use:

- regarding the suggested voluntary vessel registration system: Vicki Wedell is checking with HQ about any paperwork reduction act issues; we

hope to make a form available soon on the web site; creating a word doc form that can be emailed back since we may not implement an online survey database.

- annual vessel registration system or per trip registration?
- LE summit participants recommended that registrants get a sticker for vessel; annual registration plus pre and post trip reports.
- more concern about visitors to Stetson; at FGB (East and West) have fewer visitors and those visitors are more familiar and know what they're doing; Stetson needs more protection.
- need a "carrot" to encourage voluntary participation
- voluntary registration for first year; mandatory registration later, would have to become a regulation.

The Council reached consensus and agreed to have the vessel registration system investigated and considered by the visitor use subcommittee.

The Council reached consensus and agreed to allow vessel discharge issues to be examined by the pollutant discharge subcommittee.

The following comments were made during a discussion of the boundary expansion issue:

- little overlap of boundary expansion issues with other groups
- what about squaring off of boundaries; overlap with enforcement issues
- geographic extent that this group should consider; the working group decided to keep it to reefs and banks of the NW GOM—Sackett to the west at 32 fathom; areas of interest outside this area are not within our scope
- discussion of adding Sonnier to the sanctuary; FGBNMS is a fragmented type of sanctuary; mooring buoy installation
- Sonnier analogous to Stetson; has more anchor damage and needs protection

The following comments were made during a discussion of education and outreach:

- education overlaps into every group

- research on best way to make sure that people read regulations
- diving regulations; clearance to be given to dive boats; no diving regulations in FGBNMS
- this working group will focus on things that are broader, like public awareness, then more specific strategies—they will come from other working groups; Shelley can't prioritize issues until she is given info from other groups

Shelley gave update on how to get the FGBNMS regulations into the GOMFMC regulations booklets. The next printing is in 6 months and information is due to them by August. LDWF has a similar deadline.

The following comments were made during the discussion on the pollutant discharge issue:

- the pollutant discharge working group will recommend specific education/outreach proposals; they will look at watershed areas to consider as well
- how far North will we go with the watershed
- don't diffuse resources; those on coast most interested in offshore areas; intrinsic value to them
- put video segments of Cousteau on web site
- develop list serves for all FGBNMS constituent groups; do quarterly updates; drive interested people to the web site
- which watershed affects the FGBNMS the most?
- more research needed in circulatory patterns
- Atchafalaya is very influential
- Important to identify target audiences; can find supporters in surprising places
- Partnerships with others important in watershed education; want to communicate to everyone, but need to target and build from a smaller base

The Council members agreed to close the working group discussions and move on to new business.

Clint Moore requested more info Bright Bank. Frank Wasson gave a brief history of treasure hunting there and the recent renewed interest. There is no law in US that protects coral reefs as a whole; most reefs are within other protected areas. Bright Bank is in a MMS HAPC--but the HAPC only prevents drilling/oil exploration. G.P. has been approached about inclusion of Bright in the sanctuary James Sinclair suggested talking to the GOMFMC about making it a coral HAPC, but this may not really give extra protection. HAPCs only apply to fishing activities.

The Council made a motion to draft a letter to the NMSP to have legal counsel investigate laws to protect Bright Bank. The council requested that the letter would also be sent to the Coral Reef Task Force. A resolution was passed by a vote. Those voting in favor of the resolution were: Clint Moore, Haidee Williams, John Embesi, Frank Burek, Page Williams, Frank Wasson. The text of the resolution reads:

Resolution:

The FGBNMS SAC requests that NOAA's legal counsel investigate the application of federal law for the purpose of preventing further destruction to coral habitat from treasure hunting and other activities, within the area known as Bright Bank, an area already designated as a Habitat Area of Particular Concern.

The Council discussed the possibility of an additional SAC meeting before the next scheduled meeting of 27 September. The Council reached consensus on the decision to not hold additional meetings. Frank Wasson stated that he anticipates final products from each working group at the September meeting. There will be a commitment to keep working with working groups throughout the summer. The Council considered placing working documents on an ftp (password protected site) to allow people to view them.

Jennifer Morgan reminded the Council that the 2-year council seats will be up in October (and a couple later in the fall).

The meeting adjourned at 4:08 PM.

