

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

# Sanctuary Advisory Council Meeting

## Meeting Minutes

April 15, 2009

The regular meeting of the Flower Garden Banks National Marine Sanctuary (FGBNMS) Advisory Council was held on Wednesday, April 15, 2009, at 9:00 AM, at the FGBNMS Headquarters offices in Galveston, Texas. The Council Chair, Larry McKinney, and Council Vice-Chair, Frank Burek, were present.

G.P. Schmahl, Sanctuary Superintendent, began the meeting by welcoming the Council and members of the public and gave a brief "safety moment." He also mentioned the post-Hurricane Ike recovery that continues. G.P. ended his welcome and introduction by thanking the Council members for participating in the recent council officer elections.

Larry McKinney, Council Chair, opened the meeting with brief comments on the role of the Sanctuary Advisory Council (SAC) from his perspective as council chair.

Clint Moore moved to adopt the meeting agenda. The motion passed. Larry McKinney asked for a motion to approve the minutes. Clint Moore requested that minutes be provided in hard-copy at this time. The approval of the minutes was delayed until they could be distributed later during this meeting.

G.P. Schmahl reported on the state of the sanctuary in the 'Sanctuary Update' report. Topics covered included: *R/V Manta* vessels operations (a detailed report was given by LTJG Tracy Hamburger), dock construction at TAMUG, long-term monitoring program that will be conducted by sanctuary staff, and introduction of Indo-Pacific Lionfish. The Lionfish topic generated much discussion.

Larry McKinney asked for introductions of the public attendees.

Following distribution of the minutes of the previous meeting, Rebecca Nadel moved to approve the minutes. The motion passed.

Larry McKinney asked for future agenda items from Council members for the next SAC meeting. He stated that he would ask for reports from various seats or reports on topics of personal interest to members. G.P. Schmahl also added that the focus and role of the Council might shift now that we are nearing completion of the management plan. G.P. also thanked Irby Basco and Frank Wasson for the service as Vice-Chair and Chair. He emphasized their support throughout the management plan process.

G.P. Schmahl provided an update on the management plan review process. He explained the current perspective on the management plan, including that it will be completed only with an environmental assessment (EA) and minor regulations. He further explained that an environmental impact statement (EIS) would be conducted for the boundary expansion action that will follow the release of the management plan. The EIS will be required to make changes to the designation document to give us the authority to expand boundaries and regulate diving. G.P. referred to the completion timeline that was handed out and addressed the role of the SAC

in getting us to the point of a final management plan. G.P. did not review the outline of the current draft of the management plan, but did draw attention to some important strategies, including those under the research and management action plan and the visitor use action plan. He also explained the regulatory actions that will be included in the management plan: dive flag requirements, minimum distance between vessels, changes in language for discharge regulations, ray and whale shark harassment, damage to property, and minor technical corrections.

G.P. Schmahl introduced Karen Raine, General Counsel for NOAA Law Enforcement. Karen announced that a new summary settlement schedule (SSS) for the sanctuaries has been published. Jennifer Morgan will email the link to the SSS website to the Council members.

G.P. Schmahl reported on the status of the socioeconomics study for proposed boundary expansion and research only area. He explained that Bob Leeworthy is preparing survey questions to be used to gain fishing information from recreational and commercial fishermen. Bob will also collect information from divers and the oil and gas industry. Bob will again try to arrange a meeting for a panel of SAC members to get assistance with making contacts with users of the sanctuary. G.P. noted that GeoMarine, Inc. has been contracted to analyze the publicly available fishing data. Jennifer Morgan will email the link to the ONMS Socioeconomics web site to the council members. G.P. also updated the SAC on the consideration of a research only area within the sanctuary. He explained that additional work is still needed and that this proposed action has been put on a slower track than boundary expansion. Becky Shortland of Gray's Reef will assist with the process for which we will eventually form a working group and hold more workshops.

Jennifer DeBose presented information on the Stetson long-term monitoring project. She addressed the changes in benthic cover and fish assemblages over a 15-year period.

Emma Hickerson presented information on mesophotic corals. She defined mesophotic coral ecosystems and discussed their management needs.

Brandt Mannchen addressed the Council during the public comment period. He suggested that the sanctuary not only go to the oil and gas companies for assistance with monitoring lionfish, but that we should also go to fishing and diving organizations to get a lot of eyes on the problem to get a quick resolution. He also suggested that if the management plan will be done with and EA instead of an EIS, then we should describe why it would not be an EIS, as the public needs to understand the reason for the change. He further stated that we should push along the islands in the stream process, as maybe our boundary expansion is a push towards that end and that it may be especially possible within the current administration. Finally, he noted that further protection would allow for further study.

Larry McKinney returned to the topic of mesophotic zones and addressed their importance. He added that FGBNMS could make a name for itself, as these areas are relatively unexplored. The Council engaged in discussion on this topic.

Clint Moore provided a Council Charter Revision Subcommittee report and acknowledged his committee members. He distributed a potential amendment to change or add language within the charter, stating that the idea for the changes came from the desire by some for there to be more transparency regarding relationships between Council members and the sanctuary program. Clint read the suggested language. Larry McKinney opened the meeting up for discussion, but first stated that he wants to make sure that when the council takes actions like

this that they appear on the agenda ahead of time to allow an opportunity for everyone to engage in discussion and vote. Following discussion, Frank Burek moved to table the topic. The motion passed.

Clint Moore began a discussion on term limits, stating that the popular perspective is to act with caution, so as to not turnover members faster than we can find people to fill the seats. Clint posed several questions to the council. Following much discussion, Larry McKinney took a straw poll of the council members in attendance to determine the level of interest in pursuing this. At this time there was not interest in pursuing term limits.

Larry McKinney turned the meeting to a discussion of items that the SAC would like to see brought to the National SAC Summit in Alpena, MI in May. Frank Burek provided his perspective on the boundary expansion process since its beginnings for the benefit of the case study presentation to be given at the Summit. Rebecca Nadel suggested that her attempts to develop a cross-SAC industry group be mentioned. Clint Moore requested that the Summit attendees learn more about resolving multiple use conflict in sanctuaries. Frank Burek turned the discussion to Dan Basta's initiative to "catalyze the influence of sanctuary advisory councils." He presented his idea to expand by designating minor areas of protection around rigs that have come to the end of their useful life. The council discussed the pros and cons of manmade structures as a part of sanctuaries. Frank requested that this idea be forwarded to receive feedback and to get a feel for other sanctuary's views on the topic.

Shelley Du Puy provided an update on the Blue Seas/Green Communities program. She announced that Page Williams, the subcommittee chair, suggested working with Clean Galveston to label storm drains. Shelley suggested that the SAC contribute by helping to paint labels on storm drains or by developing an education piece to go along with the labeling. Following discussion, Lori Gernhardt said that she would send information to Shelley on the Clear Lake area efforts.

Larry McKinney asked for new business. Hearing none, he asked for a motion to adjourn the meeting. Darrell Walker moved to adjourn. The motion passed.

The meeting was adjourned before 4:00 PM.