

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

Sanctuary Advisory Council Meeting Minutes May 9, 2018

Meeting Attendance Roster:

Jimi Mack	Recreational Diving	Present
Jesse Cancelmo	Recreational Diving	Present
Natalie [Hall] Davis	Diving Operations	Present
Randy Widaman	Diving Operations	Absent
James Wiseman	Oil and Gas Industry	Present
Clint Moore	Oil and Gas Industry	Present
Scott Hickman	Fishing - Recreational	Present
John Blaha	Fishing - Recreational	Present (web)
Shane Cantrell	Fishing - Commercial	Present
Buddy Guindon	Fishing - Commercial	Present
Adrienne Simoes Correa	Research	Present
Larry McKinney	Research	Present
Brian Shmaefsky	Education	Present
Jacqui Stanley	Education	Present
Joanie Steinhaus	Conservation	Present
Jake Emmert	Conservation	Present
James Sinclair	BSEE (non-voting)	Absent
Mark Belter	BOEM (non-voting)	Present (webinar)
Mark Zanowicz	U.S. Coast Guard (non-voting)	Present
Rusty Swafford	NOAA Fisheries (non-voting)	Present
Charles Tyer	NOAA OLE (non-voting)	Present
Barbara Keeler	EPA (non-voting)	Present (webinar)
G.P. Schmahl	Sanctuary Superintendent (non-voting)	Present

Total voting member attendance: 15 of 16 of voting members; 8 votes needed

Others in Attendance:

Leslie Clift, Emma Hickerson, John Embesi, Kelly Drinnen, Shelley Du Puy, Michelle Johnston, Marissa Nuttal, Jimmie MacMillan, Travis Sterne, Bill Kiene, Dan Dorfman, Steve Gittings, John Armor, Matt Brookhart, Stacy McNeer, Bill Jones, Joy Austin-Ramsaran (BP), Ruth Perry (Shell), Cheryl Powers (EnVen), Sarah Tsoflias (Chevron), Sepp Haukebo (Environmental Defense Fund), Sharon McBreen (Pew), Russell Ramsey (HUPS (Houston Underwater Photographic Society)), Morgan Kilgour (GMFMC), Doug Boyd, Frank Burek, Nicole Morgan, Andrea Stromeyer, Benny Gallaway (LG&L), Alexis Baldera (webinar), Andy Lewis (webinar), Billy Causey (NOAA; webinar), Chris Robbins (webinar), Grace Bottitta-Williamson (NOAA; webinar), Michelle Nannen (BOEM; webinar), Rachel Guillory (webinar), Susan Baker (webinar), Timothy Kraemer (webinar), Tom Bright (webinar), Vernon Smith (NOAA; webinar).

9:08 Meeting called to order by Clint Moore.

9:15 Welcome and Announcements – G.P. Schmahl

Today's meeting is being run through a webinar, and with a sound system.

9:16 Administrative Business – Clint Moore

Adoption of Agenda – motion from Shane Cantrell, second from Scott Hickman, no discussion, all in favor, motion approved.

Approval of May Minutes – motion from Shane, second from Natalie Davis, no discussion, all in favor, motion approved.

9:19 ONMS Director's Update – John Armor

G.P. introduced Dr. Steve Gittings (Science Coordinator for Office of National Marine Sanctuaries (ONMS)), Matt Brookhart (Regional Director for ONMS), Dan Dorfman (National Centers for Coastal Ocean Science (NCCOS)), and John Armor (Director for ONMS).

John Armor thanked the Bounday Expansion Working Group (BEWG) that convened for 21 meetings over the last 24 months.

John provided updates on ONMS personnel: Deputy Director Becky Holyoke as Deputy Director, Matt Brookhart as Regional Director, and the vacancy by Kate Spidilieri's vacancy as the National Advisory Council Coordinator.

The National Marine Sanctuary System released its 5-year Strategic Plan in Sept 2017, and includes the following core values: community, conservation, collaboration, respect, creativity, accountability, and teamwork.

John briefed the Sanctuary Advisory Council (SAC) on the sanctuary nomination process including Malloys Bay – Potomac River and Lake Michigan (Wisconsin). One nomination (Shipwreck Coast in Michigan) is under review, six nominations have been accepted and are on the inventory, and four nominations were declined by NOAA.

John explained the ONMS concept of “Blue Economy”, a program that recognizes the contribution the ocean provides to coastal communities such as maritime transportation, shipping, and aquaculture. John relayed sanctuaries are the signature part of NOAA’s Acting Administrator RDML Gallaudet’s focus on recreation and tourism within the Blue Economy.

ONMS in the NOAA Budget: For fiscal year 2018, \$54.5 million was allocated for managing the national marine sanctuary system, including \$2 million for construction, facilities and vessels and \$3.5 million for “tele-presence technology to explore and create maps of the deep-water regions of the NMS”. For fiscal year 2019, the President’s request changed little from the request submitted from the previous year.

Last year, 11,385 people volunteered over 130,000 hours, representing \$3.4 million (i.e., salaries for 65 full-time employees). Volunteers contributed to citizen science, education programs, visitor centers, and beach clean-ups.

John Armor recognized Nicole Morgan, 2017 Volunteer of the Year for the Flower Garden Banks National Marine Sanctuary (FGBNMS). Nicole started volunteering at Ocean Discovery Day, and also collected and analyzed data from FGBNMS research cruises. She was recently commissioned to the NOAA Corps, a uniformed service whose mission is to provide vessels and support for the science needed to accomplish NOAA’s missions.

9:45 Predictive Modeling of Mesophotic Habitats in the Northwestern Gulf of Mexico – Travis Sterne

While working at FGBNMS, Travis Sterne attended Texas A&M University at Galveston, working on his master’s thesis. His project focused on developing predictive models of mesophotic habitats in the northwestern Gulf of Mexico, with a specific focus on the 18 reefs and banks in NOAA’s preferred alternative for sanctuary expansion. Travis used ROV (remotely operated vehicle) photo records collected over the past 15 years along with high-resolution bathymetry to develop a predictive model. He stated empirical research has shown that local geographic characteristics influence the distribution of biologically important marine habitats and the organisms they contain.

Travis explained the method for the development of the model, defined mesophotic habitat (i.e., “middle light”; between 50-300 meters (m)), and types of mesophotic habitats found in the northwestern Gulf of Mexico (e.g., coral reef, coral community, algal nodule (i.e., rhodolith/CCA (crustose coralline algae)), algal reef, deep corals, and soft bottom). Mesophotic habitat may contain both light- and non-light-dependent coral species and associated plant, invertebrate, and fish communities.

Jesse Cancelmo asked about the definitions between coral community and coral reef, and the differences between the two. Travis answered the method he used in his analysis was to use the designation of coral reef if the underwater picture had 50% hard corals.

The model was able to accurately (>80%) predict habitats within the study site. As expected, depth contributed most to the overall performance of the model. Local relief is a very good predictor of habitats.

Travis displayed the maps with his models of the areas in Alternative 3 and the BEWG recommendation.

Jesse commented on Geyer Bank and the 2 peaks on which he has been diving, verifying the model's prediction.

G.P. mentioned groundtruthing is costly and time intensive, but can help with accurately predicting habitat. James suggested running the model on known habitats that have been groundtruthed. Jake asked about applying the model to different areas of the world. Travis responded the model may not be transferable in terms of the habitat scheme, and suggested starting with all of the NMS in different parts of the Caribbean. Scott asked to see again the map of Elvers Bank. Jesse asked Travis for his opinion about Elvers and [the BEWG recommendation] leaving so much deepwater coral unprotected. Travis answered it needs to be looked at post-consideration, and making a management decision based on lack of evidence is a poor one. Clint asked if Travis had looked around in other places of the Gulf of Mexico beyond the scope of the sanctuary expansion. Travis replied high definition bathymetry has to be available in order to run the analysis.

10:20 SEEDS – Yorkshire Academy, Houston – Jacqui Stanley

Jacqui Stanley introduced her students from Yorkshire Academy in Houston: SEEDS (Students Engaging the Environment through Discovery and Science). Their mission is to create awareness about all the marine sanctuaries, especially FGBNMS, and to become better educated about our blue planet. The students gave explanations of history and geography of NMSS and FGBNMS, special interests (jellyfish, sea turtles, sharks, Mardi Gras Wrasse, Golden Smooth Trunkfish, Manta Rays, and corals) and threats to their special interests. They also spoke about the problems at FGBNMS (coral bleaching, mortality event, and invasive species such as lionfish and orange cup corals). The students spoke in favor of the sanctuary expansion.

10:52 Sanctuary Expansion Review Process

G.P. Schmahl

G.P. shared his personal story about his first time hearing about the Flower Garden Banks when he attended a talk by Tom Bright in 1977 in Miami, Florida. Years later,

G.P. applied for the position of FGBNMS Superintendent. To prepare, he read Rezak's book titled, "Reefs and Banks of the Northwestern Gulf of Mexico". During his interview he was asked, "Where do you see FGBNMS in 10 years?" He replied, "In 10 years there won't be a FGBNMS. There will be a Gulf of Mexico Banks National Marine Sanctuary." His response demonstrates G.P. has been thinking about expansion before he even arrived at FGBNMS. In 1999, during the Sustainable Seas Expedition, Dr. Sylvia Earle wanted to look at different areas in the Gulf of Mexico. Minerals Management Service (precursor agency of BOEM) conducted seafloor mapping (i.e., multibeam bathymetry), and working with USGS and NOAA, 12 reefs and banks were mapped during 2001-2007, in preparation for additional work with the Sustainable Seas Expedition. G.P. explained his master's thesis was sponges, but below 50 m, he didn't know any of the species. Deepwater was a completely different ecosystem, a whole new world. After the Sustainable Seas Expedition, the Gulf of Mexico Fishery Management Council (GMFMC) started looking at habitat areas of particular concern (HAPC). FGBNMS provided information to GMFMC. In 2006, GMFMC designated HAPCs in the northwestern Gulf of Mexico, including most of the banks under consideration for expansion. In 2007, the process to revise FGBNMS's management plan was initiated, with one of the action plans being sanctuary expansion. At that time, the SAC created a Boundary Expansion Working Group that studied the issue and made several recommendations for boundary expansion, of which the top choice was to include 9 additional banks. This recommendation was approved by the SAC, and eventually in 2016 became Alternative 2 in the DEIS. Their recommendation was included in the 2012 FGBNMS management plan as a way to inform the management plan review, primarily to show the area of interest (i.e., not the entire Gulf of Mexico). This recommendation did not go through the NEPA (National Environmental Policy Act) process. G.P. also mentioned the second choice of the 2007 SAC recommendation, which included 5 additional banks.

G.P. next distinguished the separate process of the Notice of Intent for public scoping and drafting the EIS (Environmental Impact Statement). After public comments were received, the scope of area was expanded to the reefs and banks of the northwestern Gulf of Mexico, and also included other areas eastward to banks and areas off of Alabama and near the Deepwater Horizon oil spill. G.P. then briefly went through the DEIS (Draft Environmental Impact Statement) and its range of alternatives.

G.P. explained how the boundaries were established, based on the 2007 SAC recommendation of including Core Biological Area (live bottom and PSBF (potentially sensitive biological feature)) plus a 500 m buffer, thus creating polygons around each bank with boundaries that, based on input from enforcement, were then squared off when appropriate. FGBNMS recommended in the DEIS to apply existing regulations to new areas. Oil and gas exploration is allowed within the boundaries, outside of NAZ (no activity zone).

Over 8,000 comments were received during public comment period, with overwhelming support for expansion. A new BEWG was created in April 2016, just prior to the issuance of the DEIS, and it was charged by the SAC to review the areas proposed in

the DEIS and to make a recommendation.

Lastly, G.P. showed a map depicting Alternative 3 (383 square miles) compared to the 2007 BEWG recommendation DEIS-Alternative 2 (206 square miles).

BEWG – Shane Cantrell and Clint Moore

The SAC created the BEWG and approved BEWG membership during the SAC meeting on April 2016, comprised of 10 SAC members: Shane Cantrell (co-chair), Clint Moore (co-chair), Natalie Davis, Jesse Cancelmo, Scott Hickman, Buddy Guindon, Adrienne Simoes-Correa, Charles Tyer, Randy Widaman, and Jake Emmert. The BEWG's overall goal was to review FGBNMS boundary expansion outlines and regulations, and provide its recommendations to the SAC.

Clint presented a slide deck from which he reviewed and summarized each of the twenty-one BEWG meetings over the last two years, beginning on July 28, 2016, through May 2, 2018, culminating in the following recommendations:

BEWG expansion recommendations to SAC

- Expand FGBNMS to include the following 14 new banks: Horseshoe, McNeil, 28 Fathom, Rankin, Bright, Geyer, McGrail, Sonnier, Alderdice, Bouma, Rezak, Sidner, Parker and Elvers using BEWG polygons.
- Expand FGBNMS existing 3 banks at Stetson, EFGB (East Flower Garden Bank), and WFGB (West Flower Garden Bank) using BEWG polygons.

Fishing regulatory recommendations to SAC

- Include all fishing regulatory recommendations of the Gulf Coast Fishery Management Council (GCFMC) for all expansion areas, as contained in the letter dated November 8, 2016.
- Recommendation that the weak link environmental safeguard be mandatory for anchors within the boundaries of any Coral HAPC or FGBNMS.
- Include regulations that allow free-diving spearfishing at all new banks, but not the three current and expanded bank areas of the present FGBNMS. There shall also be no take of reef fish by spearfish equipment and there shall be no possession of any reef fish on board the vessel, when in possession of a speargun in the new areas of the FGBNMS. SCUBA tanks are prohibited on board a freedive spearfishing vessel.
- Exemption to current regulations: possession of speargun (stowed and not available for immediate use) on board a vessel while within the boundaries of the existing FGBNMS is allowed, but the vessel may not be in possession of any fish species (with the exception of bait fish). (Prohibit possession of any fish species if in possession of a speargun within the existing FGBNMS.)
- To recommend that, prior to the development of a final EIS of the FGBNMS Expansion, the FGBNMS present the modified boundaries under consideration to the Gulf Council and the Gulf Council be given the opportunity to provide recommendations of fishing regulations in these modified boundaries.

Oil and gas regulatory recommendations to SAC

- Continue to allow seismic surveying acquisition inside the boundaries of the new bank expansion areas, adopting the BOEM & BSEE regulations for these activities.
- Continue to allow BOEM oil & gas leasing of the areas inside the boundaries of the new bank expansion areas.
- Continue with the existing regulations regarding pipelines inside the boundaries of the new bank expansion areas.

Clint ended by thanking Leslie Clift for her work with the BEWG. Jesse commended the 700-800 hours of effort by Council members and staff. Scott Hickman said he is pleased with the effort and the product, and thanked everyone.

NCCOS – Dan Dorfman

Dan Dorfman with National Centers for Coastal Ocean Science (NCCOS) shared his presentation titled, "Flower Garden Banks National Marine Sanctuary: Boundary Expansion Integrated Analysis," the result of a project worked on by Dan, Randy Clark, Chris Taylor, Chris Jeffrey, Sarah Hile, Ayman Mabrouk, Rachel Husted, and Jake Howell.

Dan started by giving a brief history of the NCCOS process using a biogeographic assessment framework that uses remote sensing imagery, coupled with community analyses and predictive modeling.

For the FGBNMS project, NCCOS used ecological information from approximately 600 ROV (remotely operated vehicle) dives with approximately 6,000 data points of information on ecology, significant coral species, transect analysis/photographic analysis, and grouper observations. In addition to these in situ observations, core sensitivity zones related to geomorphology features and biological communities were identified.

In addition to looking at the biological and ecological information, NCCOS looked at human use of these areas related to shipping, fishing, and oil & gas activities. Dan mentioned the relatively low shipping traffic across the shipping lanes across Geyer and Elvers Banks. VMS (vessel monitoring system) data were obtained for fishing data. Oil & gas pipelines and other infrastructures were used. Using all 3 categories, NCCOS developed human use conflict avoidance scenarios that also protect the biological and ecological communities.

The MARXAN model established four different representation criteria with different levels of biology/ecology observations ranging from 100% (all observations included) to 20%. The ultimate goal was to identify sets of areas that best represent biological/ecological attributes, avoid human use conflict, and minimize perimeter/area. Dan said the model provides a guide for consideration, not actual footprints of what the expanded sanctuary should look like. Optimized solutions were developed based on the geospatial decision support scenarios.

Dan ended his presentation with a slide of his analysis of the BEWG's proposal and the percentages of biology/ecology represented in their recommendation for expansion: 63% ecological observations, 60% coral annotation, 33% coral annotations high, 95% photo observations, 100% photo high, 23% transect observations, 27% transect high, and 28% Core Sensitivity Zones.

12:00 Break for Lunch

12:30 Restoration Planning for Mesophotic and Deep Benthic Communities by the Deepwater Horizon Open Ocean Trustee Implementation Group – Kris Benson

Kris Benson works with NOAA's Restoration Center and has been coordinating a team for the restoration planning of deepwater and mesophotic communities affected by Deepwater Horizon (DWH) spill. G.P. has been part of this planning team.

Kris displayed a map of the quantified injury footprint of the significant mesophotic and deep benthic community (MDBC) sites in the northern Gulf of Mexico relative to the DWH oil spill extent. Over 2,000 square km of injured benthic habitat and ~10 km of injured mesophotic habitat (primarily in the Pinnacles region) were quantified around the wellhead. A deep plume extended 250 miles southwest of wellhead. The area of surface oil area was 43,300 square miles.

Kris' planning team identified the area north of the 27 Parallel to focus restoration efforts. Because of the size and difficulty to access these areas, ship platform requirements were established for restoration efforts and are described in the NRDA summaries. Limited experience with these sites, remote locations, and deep sites will require cross-project infrastructure and capacity (i.e., collaboration) will be needed between agencies.

In 2016, the Programmatic Restoration Plan identified three goals: 1) to improve understanding of mesophotic and deep-sea communities to inform better management and ensure resiliency; 2) actively manage valuable mesophotic and deep-sea communities to protect against multiple threats and provide a framework for monitoring, education, and outreach; and 3) restore mesophotic and deep benthic invertebrate and fish abundance and biomass for injured species, focusing on high-density mesophotic and deepwater coral sites and other priority hard-ground areas to provide a continuum of healthy habitats from the coast to offshore. These three goals were disseminated in the 2017 Project Solicitation Web Notice. Over a 15 year timeframe, \$273 million will be allocated towards projects working toward these goals. More than 1,600 projects were submitted, with more than 100 with a nexus to MDBC. Over 50 submissions primarily focused on MDBC and met the criteria identified by PDARP (Final Programmatic Damage Assessment and Restoration Plan) and by TIG (Trustee Implementation Group). Over 30 submissions with significant overlap prioritized and binned for further development. Currently, 4 broad projects have been identified and were included in the

Notice to Initiate Restoration Planning (NIRP), published in February 2018. MDBC approaches considered for further project development in the 2018 NIRP include those projects related to, “Improving understanding of these deep sea coral and ocean bottom communities to inform and maximize benefits of restoration, by mapping and assessing the areas where they occur, developing innovative techniques to restore corals injured by the spill, and reducing threats through active management and protection activities.

12:45 Constituent Updates

Brian Shmaefsky (Education) – shared his recent activities including speaking at Chamber of Commerce events, and at Nature Fest, an event attended by 1,000 visitors, where Brian displayed a video loop of FGBNMS and the ROV trip on which he participated.

Jimi Mack (Recreational Diving) – she continues to work with local dive clubs in the Dallas/Ft. Worth (DFW) area. She mentioned the upcoming Youth Educational Summit from June 30-July 7 in Roatan, Honduras, with its focus on ROVs.

Jake Emmert (Conservation) – he has been working in South America on conservation projects. Jake briefed the Council on Moody Gardens Aquarium partnership with Correa Lab at Rice University. He shared information on the upcoming World Oceans Day and the *Chasing Coral* screening with FGBNMS staff at Moody Gardens. Jake also has been assisting with FGBNMS scientific diving training.

Adrienne Correa (Research) – her lab at Rice University, Correa Lab, attended the mini-symposium at FGBNMS regarding the coral mortality event. In August, her lab will conduct a follow-up cruise at FGBNMS for Hurricane Harvey impacts and also for coral spawning.

Natalie Davis (Diving Operations) – she has continued to work on the FGBNMS Visitor Permit Program, including outreach.

Scott Hickman (Recreational Fishing) – he attended the National Recreational Fishing Summit in Washington DC. Scott shared, as per conversations with John Armor, ONMS has an annual budget of \$40K for signage, and expressed interest in developing a budget for a sign for FGBNMS.

Charles Tyer (NOAA’s Office of Law Enforcement) – OLE has worked with EFP (Exempted Fishing Permit) for recreational fishers in the Gulf of Mexico so that each state will be exempted for state Red Snapper regulations for 2 years. OLE recently purchased two larger offshore vessels which will allow sanctuary patrols. More uniformed, local officers such as Matthew Roache, have been hired.

Clint Moore (Oil & Gas) – related to the BEWG, he has recently been engaged with his industry more than any other time during his 12 years on the SAC, including conference calls with ~50 different companies and ~100 individual interactions. He and co-chair

Shane also organized and prepared agendas for all 21 BEWG meetings on boundary expansion, including nearly half a dozen since the last SAC meeting.

Shane Cantrell (Commercial Fishing) – mentioned his work with the BEWG related to getting feedback from fishers, GMFMC recommendations to FGBNMS, and fishing regulations. Shane has also continued working on the FGBNMS Visitor Permit Program. Along with Scott, he participated in the National Recreational Fishing Summit. His organization hosts monthly meetings on the first Tuesday of each month at the Galveston Yacht Basin, and also hosted a fishing education program in Tampa, FL to learn about fishery management and science.

Larry McKinney (Research) – Harte Research Institute (HRI) participated in the EarthX event in DFW, where he led a panel regarding ocean science. HRI will soon issue a report card on the overall health of the Gulf of Mexico. HRI will participate in CHOW (Capitol Hill Ocean Week).

Mark Zanowicz (USCG) – USCG will be working through red snapper regulations and conducting regular patrols of FGBNMS and Gulf of Mexico. Two new vessels have been commissioned with plans of three additional vessels in the coming two years that will have more offshore endurance. Scott asked about the closest foreign vessel has been sighted in proximity to FGBNMS. Mark and Larry replied their fuel capacity would not allow them to reach FGBNMS.

Joanie Steinhaus (Conservation) –The Ocean Conservancy in March organized a visit of different organizations including TIRN (Turtle Island Restoration Network) to visit Capitol Hill. She gave numbers of recent sea turtle strandings, as well as her education/outreach conducted regarding FGBNMS such as the program, Teach a Kid to Fish (ethical fishing practices, marine debris, habitats), held at the Galveston Island Fishing Pier. Other events included Earth Day at Discovery Green in Houston, UTMB (University of Texas Medical Branch) Earth Day, and Moody Gardens Earth Day. World Oceans Day is coming up in June. Program Coordinator Theresa Morris is working on a regional plan for addressing marine debris, and a micro-plastic research project. Clint asked about plastic bag ban. Joanie answered that it is in a holding pattern because the city of Galveston was threatened by a lawsuit.

Jesse Cancelmo (Recreational Diving) – introduced Russell Ramsey and Frank Burek in the audience from HUPS (Houston Underwater Photographic Society). Jesse recently gave a presentation at the Southwest Boat Show in Clear Lake, in which he highlighted the northwest banks in the Gulf of Mexico, including a 3-minute video of Sanctuary projects.

Jacqui Stanley (Education) – has been working with Scout groups in Katy, and also giving workshops to Katy ISD in June. She has been educating/outreaching to a middle school group in west Houston regarding corals. Jacqui and her husband, Rod, are both on the Underwater Webcam Working Group.

James Wiseman (Oil & Gas) – has been interacting more with contractors, service providers, and suppliers. His company just exited the Gulf of Mexico, which has undergone a slump in investors/investment companies.

Buddy Guindon (Commercial Fishing) – thanked Charles Tyer and OLE for their efforts.

1:00 Public Comment and Q&A Period

Tom Bright –
See attached comment letter.

Sharon McBreen Pew Charitable Trusts
See attached comment letter.

G.P. mentioned Coral Amendment 9 meeting for GMFMC in League City tonight.

1:30 Continued Discussion: Sanctuary Expansion Review Process and Recommendation

Leslie reviewed Robert's Rules of Orders, reading over the 1-page brief she prepared for Council members. For Council's convenience, she also prepared a 1-page summary of commonly used acronyms

Clint stated substitute amendments draw the process out (i.e., takes more time) because it also requires a vote on original main motion. The BEWG has instead been using amendments, and he urged the SAC to not use substitute amendments. Joanie asked for clarification. Clint replied a motion for a substitute amendment supercedes the discussion of the main motion at that time, and if passed, then it becomes the action and the main motion is not voted upon. However, if the substitute amendment fails, then the main motion requires a vote.

Jesse asked about having discussions before any motions are made. Clint replied the Council must first take the BEWG recommendation before the SAC as a motion.

Scott motioned for the FGBNMS Advisory Council to approve the BEWG regulatory and boundary recommendations for the expansion of FGBNMS.

Seconded by Natalie. Scott detailed his rationale and shared his history with his involvement with FGBNMS. He said anything more than the BEWG recommendation will not get across the finish line in this era of political culture.

Jesse said he recognizes the tremendous effort, but asked about delaying this decision. At the end for the final evaluation, discussions and recommendation were very much compressed and proceeded very quickly in order to get to the SAC meeting today. He also was disappointed in the constituency representation in that not every constituent seat was present during the BEWG process.

Clint asked John Armor about the timeline. John replied ONMS does not want to force the SAC to take an action that it is not ready to take. He thinks BEWG should be proud for the amount of thought and effort, and he thinks it is a good product. John said after the SAC makes a recommendation, G.P. would send it through Matt to John. From there it would be put through the NEPA process, which takes some time. John added it would be a shame to wait until September. Matt Brookhart mentioned the noticeable level of support agency-wise (e.g., Blue Economy), and although it doesn't guarantee anything, it may be a good time politically for an expansion.

Clint reiterated the effort by BEWG, FGBNMS staff, and sees no real value in waiting.

Adrienne asked about convening one more BEWG meetings with more diverse participation, and hold a special SAC meeting over this coming summer. G.P. responded the SAC could potentially hold an emergency meeting, via webinar.

Jesse made a substitute amendment to delay the SAC recommendation to FGBNMS management, add additional Council members to the BEWG with at least one member of each constituent group represented, and then hold an emergency SAC meeting. Adrienne seconded. Shane mentioned issues with summer schedules with FGBNMS staff, Council members, and the 21 meetings already held. He does not want to give up his productive summer hours for additional meetings.

Joanie said she has great concern over the process. She attended the BEWG meetings but many stakeholders who did not attend BEWG meetings are not aware of the full breadth of the BEWG recommendations, and recommends stopping to fully discuss the recommendations because deciding nationally significant areas should be more deliberative.

Natalie stated Shane and Clint have been open to discussion from all constituents, and everyone has had more than enough opportunity to be involved.

Adrienne said she appreciates the process, but she was not able to attend many of the meetings, and suggested moving around the meeting locations would improve attendance. She added she needs time to process the recommendation for the boundaries and science involved in the BEWG recommendation. Adrienne called attention to Dan Dorfman's presentation with the low percentage of Coral Sensitivity Zones protected in the BEWG's recommendation. She too thinks the end part of this process moved very quickly, and wants more time to examine some of the specifics and increase the percentage of CSZ incorporated into the recommendation. Adrienne added she does not think the process used enough science and evidence.

Jake recognized members of public from the oil & gas industry, and would like to hear more from them, and why lines need to be drawn the way they were drawn. He said he recognizes the tremendous efforts but that he wants to hold off on a recommendation. The BEWG's recommendation captured low percentages of CSZ.

G.P. raised a concern about Stetson Bank in that the BEWG recommendation does not include portions of the existing Sanctuary.

Buddy commented on the amount of time put into this document, and that there is no reason to delay the vote. James stated he thinks it would damage the goodwill of the SAC if a vote did not occur today.

Scott spoke against Jesse's substitute amendment and called to question. Motion to call the question failed to carry 6:8. Discussion continued.

Larry asked about the NCCOS chart [table at end of presentation], the percentages shown, and the BEWG discussions. Shane responded multiple sensitivity scenarios were run and results were presented at BEWG meetings, and subsequently reflected in the meetings' minutes. However, the table Dan displayed today was a summary of the final BEWG recommendation, and was calculated and added to his presentation this morning. Dan said he wanted to evaluate the BEWG recommendation with respect to ecological and biological observations, separated out from the NCCOS MARXAN process. Jake reiterated the BEWG and SAC did not have the table until today. He added these are important things to look at because the percentages drifted from the original output of the model.

Clint said he has great concern over how CSZ are determined because it is based on bathymetry only. He thinks the BEWG's recommendation has captured the most sensitive areas of national significance. Jake said the process must be science driven and he wants to learn more why some Council members have more questions.

Joanie shared her concern she raised at BEWG meetings regarding if/how the criteria were established. Jacqui said she is concerned the BEWG recommendation has greatly reduced or halved the areas for banks as recommended by NOAA's preferred alternative [Alternative 3] and the 2007 SAC recommendation. She requested more time and information to review the BEWG recommendation.

Larry asked Dan to confirm that the BEWG had not seen the last table in his presentation. Dan confirmed this and said after discussions with Sanctuary staff, he calculated the numbers in order to provide the information during the meeting.

Adrienne reiterated the compressed time period when major decisions were being made near the end of the process. She suggested one or two more meetings where Council members can review the maps and see if boundaries could be slightly adjusted to increase the percentage numbers of CSZ and other biological/ecological criteria.

Natalie stated discussion has always been open, co-chairs were available, and she attended every meeting via webinar.

Joanie mentioned the April 30th API/Joint Industry letter, and the 2nd one that was distributed today, not giving enough time to review. She repeated her concern the BEWG did not develop criteria and when she asked about this during a BEWG meeting, the response was, "Let's keep moving and maybe one will happen." Clint responded, saying all the information was used and criteria can be found in the minutes. He added the BEWG did not let the NCCOS process draw the maps. Rather, individuals (e.g., Clint, Jesse) used information to draw their own maps to bring forward to the BEWG. Clint's interpretation of Joanie's comments was she wanted the model to draw the maps rather than the BEWG members, but the BEWG recommendation represents significant additions to the protection of benthic communities to the sanctuary, as well as represents a huge step forward. His industry has not supported expansion until a few weeks ago, and he would hate to jeopardize that support now.

Buddy called the question on Jesse's substitute motion. **Motion carried 13:0:2.**
Discussion ended.

The SAC then voted on Jesse's substitute motion (to delay SAC action). **Motion failed 7:8.**

Adrienne asked to see the percentages in a NCCOS table for Alternative 3 vs. the BEWG recommendation. Dan said he is calculating those percentages [during the meeting]. Clint said that he thought those percentages would be very high, because the areas are very large (in Alternative 3). Larry said he is "not happy at all" about the process this morning and how it went through when the staff brought up the NCCOS table this morning that no one had seen before. He added one of the important issues for him is how we bring all of these groups in and work through these things, and we need to move forward. He always wants to make sure that everyone has opportunity to have input.

Charles stated he has been on the SAC since 2006, was a member of the BEWG, and thinks the BEWG was a consensus. He wants the full Council to know that he strongly encouraged boundaries with as few vertices or sides as possible for enforcement purposes, and to create banks no smaller than 0.5 mile wide. He gave the example of McGrail Bank, and its "tail" that is less than 0.5 mile wide. This is a concern for enforcement.

Scott reiterated he agrees with John that the timing is right, and it would be a big risk if the recommendation was not moved forward now.

James said he is concerned about not being able to vote today. The agenda was distributed prior to the meeting and approved at the beginning of today's meeting, and he thinks the SAC should take the first step and approve this recommendation.

Buddy said questions can be asked now during this meeting. He thinks powerful constituents will make it possible to not have an expansion if it is not moved forward

now with consensus. More territory [for the Sanctuary] can be obtained in the near future.

Shane said it has been 2 years since he volunteered for the BEWG, and didn't volunteer thinking it would be easy, and it hasn't been with 21 meetings. This is the first tough decision the SAC will make since he's been on the Council. Need to protect them now.

Jesse said everyone understands the political environment and that 206 square miles is certainly better than existing 56 square miles. And now have the blessing of O&G. He really wanted to see if the decision really has to be made today, and to have discussion on it. There are questions that people still have, including himself. He asked to not be rushed if the oil and gas industry is okay with it. Clint said Jesse's motion to delay the decision was already voted upon and failed. Moreover, he thinks the SAC needs to go for it now.

Adrienne said she is concerned with some of the areas (e.g., Sidner and Rezak Banks) where PSBF (potentially sensitive biological features) are not included in the BEWG boundaries. She wants more PSBF areas in the boundaries, and thinks there has to be areas where a little compromise can be made. If not, her stakeholder group would have issues. Clint responded there are tremendous amounts of PSBFs all across the Gulf, and pulling the boundaries out to include additional PSBFs would jeopardize access to the "oil band", subsequently jeopardizing the support of his industry who would then go to Congress, then the White House, and the Commerce Secretary.

Larry called the question on the original motion. **Motion carried 10:4:1. Discussion ended.**

Scott motioned to make a roll call vote for the main motion. **Motion carried 10:1:4 for the FGBNMS Advisory Council to approve the BEWG regulatory and boundary recommendations for the expansion of FGBNMS.**

Roll call vote: Jimi Mack – aye, Jesse Cancelmo – abstain, Natalie Davis – aye, Randy Widaman – absent, James Wiseman – aye, Clint Moore – aye, Scott Hickman – aye, John Blaha – aye, Shane Cantrell – aye, Buddy Guindon – aye, Adrienne Corea – abstain, Larry McKinney – aye, Brian Smaefsky – aye, Jacqui Stanley – abstain, Joanie Steinhaus – nay, Jake Emmert – abstain.

3:15 Working Group Updates

Visitor Permit Program – Natalie Davis

Natalie gave a brief history of the Visitor Permit Program Working Group. **Shane made a motion for the FGBNMS AC to approve the Visitor Use Permit Program working group's created documents that include Visitor Permit Application, Reporting Form, and examples of the Annual Reporting Forms for the fishing and diving charters.** Mark questioned how it would be enforced. Natalie reviewed the penalties. Mark said he is concerned how the permit would be onboard but is electronically

obtained. His concern is some of the vessels will not be able to access the internet while offshore. He suggests having a requirement to have the permit onboard. Natalie said some details still need to be worked on, including attorneys and enforcement. Mark said it seems the intent behind this program is to get more information from individuals who visit FGBNMS, but why have it mandatory? Natalie replied in the years since FGBNMS initiated voluntary reporting forms, only 3 or fewer forms were submitted. Larry asked if the Sanctuary would maintain the database, and GP responded yes. Shane asked about the process, and G.P. answered it, as a proposed rule, it would go through the NEPA process, Notice of Intent, public comment, etc. There is a potential for complication during the expansion process and coupling it with this additional regulation for a mandatory permit. He thinks the next step is to get a formal recommendation from the SAC, and then submit it through Matt to John. Charles said a lot of the enforcement questions will be answered during the process. For example, the penalties section will be decided upon by General Counsel. Scott said he and Dr. Will Heyman are interested in information that would be received from the recreational fishing communities. Jimi asked about a medallion that could be issued annually with the permit number on the back and could be placed on their SCUBA dive gear. She referenced other places in the world with similar programs. Charles clarified this is a vessel permit for this program, not an individual permit program.

Discussion ended and SAC voted 14:0. **Motion carried.**

Underwater Webcam Working Group – Jesse Cancelmo and Brian Shmaefsky

This working group is looking at installing an underwater webcam at EFGB. Brian showed a video, an example of an underwater webcam. For the underwater camera to be effective and sustainable the following needs should be met:

- Access to Fieldwood Platform 376A
- Webcam with powering buoy
- Signal communication between buoy and platform
- Web streaming from platform for online viewing (gateway access)

The buoy could be powered by solar or by wave motion energy. However, this project is dependent upon an operational platform that may or may not exist in the future. The working group is seeking collaboration with different companies and institutions. Jesse extended an open invitation. Brian said the project is not entertainment only, but for the collection of visual data amongst other things.

Jake mentioned the FGBNMS exhibit at Moody Gardens, and would like the ability to put up a screen with the webcam right next to the exhibits. Larry suggested contacting Tony Knap (TAMUG; GERG; TABS Buoy), and Jacqui responded the group is in contact with him. Shane mentioned Saltwater Recon that has webcams all over Galveston Bay. Emma mentioned a very deep underwater webcam in Hawaii that uses fiber optic cable, funded through private donors and the National Science Foundation.

Visibility Working Group – Scott Hickman and Jacqui Stanley

Scott explained the \$40K budget for ONMS for signage, and said G.P. could submit an official request to John for money for signage. Jacqui recommended Council members, during this initial data gathering stage, to send the co-chairs an email about what they see. Natalie suggested sending an email to the SAC and setting a deadline for input. John said to think about messaging and audience for the signs. G.P. can provide examples of signs at other sanctuary sites such as ones at Monterey Bay NMS.

4:00 Sanctuary Update – G.P. Schmahl

G.P. said the following SAC seats will expire on August 1, 2018:

Recreational Diving – Jimi Mack (2 terms)

Oil and Gas – James Wiseman (2 terms)

Research – Adrienne Corea (1 term)

Education – Jacqui Stanley (3 terms)

G.P. thanked Jacqui for her extensive service. He explained the process for the current recruitment and the decision to keep existing SAC members for this meeting. Now that this meeting has occurred, G.P. will be sending his selections for the current recruitment to NOAA Headquarters. G.P. briefed the SAC on the new Federal Register process –a single announcement each year, instead of quarterly. Each sanctuary now has the ability to locally announce which seats are open. The review panel that served for the current round of recruitment will be the same for the August recruitment.

G.P. communicated with W&T Offshore regarding getting HIA389A ready for partial removal. Abandoned wells have been plugged. Conductors have been removed. The other equipment from the deck platform is in the process of being removed. They are targeting a mid-June timeframe for removal, and have contracted Derrick Barge for this operation.

Seaside Chats were completed at Texas A&M University at Galveston in their waterfront pavilion.

This year is International Year of the Reef, and FGBNMS has been sponsoring screenings of the *Chasing Coral* documentary. G.P. shared information on the Woodlands Film Festival events, including the two screenings.

Earth Day events – EarthX was attended by Shelley Du Puy and Dustin Picard. At the event, the FGBNMS booth was located across from Liquid Galaxy booth, a 360 imagery company that showed some footage from FGBNMS during the event. Kris Sarri from NMSF (National Marine Sanctuary Foundation) attended.

The FGBNMS traveling exhibit will be relocated from Palacios, TX to Alvin, TX, and will also host the traveling art gallery (funded by NMSF), as well as the historic SCUBA gear exhibit.

NOAA's *Okeanos Explorer* recently explored the northern Gulf of Mexico, including several sites in Alternatives 4 and 5. New coral species and geographic range extensions were recorded and collected. The Principal Investigator was Dr. Charles Messer. This mission's telepresence was large, with online participants able to view live ROV while scientists across the world commented on species being observed.

FGBNMS research staff are preparing for a busy research season including ROV work for habitat characterization. The R/V *Manta* will go soon into the shipyard for routine maintenance. The budget process this year resulted in a late start for shipyard time. FGBNMS received funding through BOEM for multibeam mapping. BOEM wants to look at topographic features and at places where no NAZ are currently designated - from Sackett Bank to south Texas banks. Emma mentioned the long-term monitoring projects, and partnerships with other programs for monitoring cruises. Michelle mentioned two lionfish invitational cruises. The second lionfish cruise was added this year because last year's was canceled due to weather. Texas Lionfish Control Unit is assisting (i.e., funding, organizing) with this year's cruises.

Clint asked about the mini-symposium and the potential for another bleaching event. G.P. briefed the Council on the mini-symposium held at FGBNMS at the end of February 2018. The result was a consensus that low dissolved oxygen was the most probable contributing factor to the localized mortality event, but the process still remains a mystery. Higher than normal temperatures, lower than normal salinity, and high amounts of rainfall on land all likely contributed. The full oral report will be given at the next SAC meeting. Instrumentation is now in place at EFGB and WFGB for salinity and turbidity. There is currently no instrument out there recording DO (dissolved oxygen) continuously. However, the OA (ocean acidification) buoy, to be installed in EFGB this summer, will have a DO meter. An instrument was installed at the site of the event and measures temperature and salinity. Hurricane Harvey's waters did not reach FGBNMS. Clint wonders if anything came up from the caprock. G.P. replied he does not have a full report from the subsea geology, and coring has not been deep enough to penetrate the full coral cap, whose depth is unknown. Michelle issued a meeting report which Leslie sent to the SAC. Michelle is currently working with HQ to develop a web story that will accompany the meeting report. Both will be posted online. Michelle shared that a manuscript to document the event is being drafted and is in the internal review process and will be submitted to the journal *Coral Reefs* for publication.

Kelly said a Manta webinar hosted by Josh Stewart from SCRIPPS will occur on May 16, 2018 at 7pm. Get Into Your Sanctuary will be celebrated at Lasker Park community public pool in Galveston on Sunday, May 20, 2018. Jake mentioned the events at Moody Gardens for World Oceans Day, June 9, 2018. Kelly mentioned the FGBNMS screening of *Chasing Coral* at Moody Gardens and the fashion show, showcasing the Chasing Coral dress. Stewart Beach will be another site for events for World Ocean Day.

Steve Gittings said the music band Little Texas is doing a benefit concert in Pensacola next week, with proceeds benefitting lionfish activities.

4:37 Closing – John Armor

John expressed his appreciation for the time and effort of the BEWG and SAC. While he recognizes not everyone agrees, the SAC recommendation is a good product and feels strongly it will be moved forward. John also recognized the efforts of FGBNMS staff.

John presented last year's (2016) Volunteer of the Year to Andrea Stroymeyer who has been active with FGBNMS since 2012.

4:43 New Business

No new business.

4:43 Meeting Adjourned - All in favor. Approved.

Next SAC Meeting scheduled for September 12, 2018.

PUBLIC COMMENT

Sharon McBreen's submitted public comment letter at SAC meeting on May 9, 2018.

Hello, my name is Sharon McBreen, and I'm representing The Pew Charitable Trusts. I'm here today to talk about the value of deep-sea corals in the Gulf of Mexico and the need to protect them.

The Gulf of Mexico Fishery Management Council is near completion of its Coral Amendment, which designates 23 coral sites in need of protection as Habitat Areas of Particular Concern, or HAPCs.

A working group of scientists appointed by the council originally identified 47 such sites, including some of those you are considering today for inclusion in the Flower Garden Banks sanctuary expansion plans.

We hope that whatever coral sites do not get included in the sanctuary expansion will be considered by the Gulf Council for HAPC designations in its next Coral amendment.

We appreciate the coordination between the Flower Garden Bank sanctuary staff and the Gulf Council's Morgan Kilgour and hope that the dialogue will continue as the next Amendment develops in order to create strong and lasting protections for these corals.

Through our outreach, Pew has been educating the public on the value and need for protection for Gulf marine animals in the deep-sea environment, including deep-sea corals that have been dated at thousands of years old.

Here are just some of those reasons:

- Healthy corals benefit fishermen, seafood lovers, divers, boaters and coastal economies.
- Deep-sea corals provide habitat for many important marine animals, including valuable fish species that need these places to live, eat and breed.
- These ecosystems are fragile and ancient and face many threats. Slow-growing corals can take centuries to recover from damage, if they recover at all.
- Deep-sea communities, which are difficult and expensive to study, contain natural disease fighters. Recent searches for new drugs have shown that marine invertebrates produce more antibiotic, anti-cancer, and anti-inflammatory substances than any group of terrestrial organisms. We cannot afford to lose whatever future benefits might exist.

We appreciate the long hours and hard work that the boundary expansion working group has put in on the Sanctuary Expansion plans.

And we ask that you consider the value of deep-sea corals in all of your decision-making. Thank you.

Tom Bright's submitted public comment letter at SAC meeting on May 9, 2018.

My name is Thomas Bright. I am retired from Texas A&M University, where I was a professor of Oceanography and coprincipal investigator for Bureau of Land Management sponsored studies of Topographical Features on the Texas-Louisiana continental shelf.

As a public observer I attended by webinar and conference phone all of the meetings held in 2018 by the Flower Garden Banks National Marine Sanctuary Boundary Expansion Working Group. I witnessed their extensive discussions relating to proposed expansion boundaries and associated regulations. Primary topics concerned the impacts of expansion on petroleum exploration and development, recreational uses, sport and commercial fisheries, protection of bank biota (including reef-builders and mesophotic coral communities), and enforcement. Opinions, needs and demands were forcefully expressed. Consensus was not the norm.

After exhaustive consideration of all issues, the Working Group finally agreed upon a compromise proposal for a set of expansion boundaries and regulations that adequately satisfy the demands of the various stakeholders, enable enforcement, and partially serve objectives of the Marine Sanctuary.

Of overbearing importance during negotiations has been the desire of the petroleum industry to safeguard future access to presumed oil and gas reservoirs associated with the banks included in the expansion proposal. My opinion is that these concerns have been addressed by restricting proposed expansion boundaries to previous BOEM oil and Gas "No Activity Zones" and some adjacent areas, and by re-affirming existing Sanctuary rules that allow for oil and gas exploration and development within the Sanctuary under current federal guidelines and controls. I suggest that the petroleum industry should support the Sanctuary expansion as an example of reasonable cooperation between it and the National marine Sanctuary Program to assure access to valuable offshore petroleum resources while protecting nationally significant marine biotic communities.

I believe that expansion of the Flower Garden Banks National Marine Sanctuary to include the areas proposed will provide Sanctuary protection for most of the reef-building bank biota in the northwestern Gulf of Mexico, as documented in Topographic Features studies during the 1970s and 80s. The proposed boundaries also include very limited areas inhabited by a portion of the extensive regional mesophotic coral communities, as described in Sanctuary studies over the past 2 decades. In my opinion, more such mesophotic areas could have reasonably been included and protected within the expansion boundaries without appreciably limiting access to exploitable resources.

In general, incorporation of the proposed expansion areas into the Flower Garden Banks National Marine Sanctuary, with the inclusion of some additional, adjacent mesophotic coral community habitat, will facilitate ecological integrity and biotic connectivity among the hard-bank communities in the Gulf of Mexico.

Therefore, I recommend that the Sanctuary Advisory Council consider adopting this most recent recommendation, with slight modification to adequately protect sensitive mesophotic biota and proceed to the next step in accomplishing expansion of the Flower Garden Banks National Marine Sanctuary.

Thank you.



OFFSHORE OPERATORS COMMITTEE



May 9, 2018

Members of the Sanctuary Advisory Council
Flower Garden Banks National Marine Sanctuary
National Oceanographic and Atmospheric Administration
4700 Avenue U, Building 216
Galveston, TX 77551

Council Members,

The Offshore Operators Committee ("OOC"), American Petroleum Institute ("API"), and National Ocean Industries Association ("NOIA") offer the following comments in advance of the May 9, 2018 meeting of the Flower Garden Banks National Marine Sanctuary (FGBNMS) Sanctuary Advisory Council (herein referred to as "SAC"). These comments are submitted as supplemental to the April 30, 2018 comments submitted by the Associations. In addition, the OOC supports the comments provided by our allied trade associations to the SAC Boundary Expansion Working Group (BEWG) on April 30, 2018.

OOC is an offshore oil and natural gas trade association that serves as a technical advocate for companies operating in the U.S. Outer-Continental Shelf (USOCS). Founded in 1948, the OOC has evolved into the principal technical representative regarding regulation of offshore oil and natural gas exploration, development, and producing operations. The OOC's member companies are responsible for approximately 99% of the oil and natural gas production from the Gulf of Mexico. The comments offered in this letter are made without prejudice to our members who may have differing or opposing views.

API is a national trade association representing over 640 member companies involved in all aspects of the oil and natural gas industry. API's members include producers, refiners, suppliers, pipeline operators, marine transporters, and service and supply companies that support all segments of the industry. API and its members are dedicated to meeting environmental requirements, while economically and safely developing and supplying energy resources for consumers.

NOIA is the only national trade association representing all segments of the offshore industry with an interest in the exploration and production of both traditional and renewable energy resources on the U.S. OCS. The NOIA membership comprises roughly 250 companies engaged in a variety of business activities, including production, drilling, engineering, marine and air transport, offshore construction, equipment manufacture and supply, telecommunications, finance and insurance, and renewable energy.

The Associations' members have significant interest in ensuring that future opportunities for offshore oil and natural gas exploration and development are not unduly restricted by expanding sanctuaries to include new geographic areas for which expansion is not necessary, or with boundaries larger than those needed to protect appropriate reef or bank areas consistent with the best available science and data and the multiple uses of all stakeholders. The Associations and our members support appropriate

preservation of marine areas and resources through the Sanctuaries Program, and the Associations strongly support the following key principles:

- Identify sites that are truly unique places of “special national significance” (National Marine Sanctuaries Act (“NMSA”), Sections 301 & 303);
- Base the value proposition, threat identification and benefit assessments on science and evidence (NMSA, Section 303);
- Allow for multiple use with reasonable access regulations and reasonable mitigation measures that directly address threats (NMSA, Sections 301(b)(6) & 303(b)(1));
- Recognize other agencies’ statutory responsibilities and protective regulations and avoid duplicative regulation and unnecessary restriction of activities that do not threaten Sanctuary resources (NMSA, Sections 301 & 303(b)); and,
- Use a collaborative, consensus-building, transparent process for selection and management of Sanctuary resources (NMSA, Sections 303(b)(2), 304 & 315).

The Associations continue to express our support for the No Activity Zone¹ (“NAZ”) PLUS Plan version 3 boundary maps on the nine (9) banks (Sonnier, Alderdice, McGrail, Geyer, Bright, McNeil, 28 Fathom, Stetson, and Horseshoe) contained in DEIS: Sanctuary Expansion² Alternative 2, which were recommended for expansion by the 2007 SAC. In our view, the NAZ PLUS Plan version 3 boundaries contemplated by the BEWG for these nine (9) banks are:

- 1) sufficient to provide additional protection to these banks;
- 2) follow key principles identified by NMSA;
- 3) do not include any existing oil and gas infrastructure; and
- 4) provide access and use of multiple resources in the region (e.g. potential deposits of oil and gas and fisheries).

Since April 30, our members have considered potential impacts to their current and future energy leasing and development activities near the five (5) banks – Bouma, Rezak, Sidner, Parker, and Elvers – in consideration by the BEWG. The Associations supports the inclusion of four (4) of the five (5) banks – Bouma, Rezak, Sidner, Parker with NAZ PLUS Plan version 3 boundaries. After thorough deliberation, the Associations oppose the proposed addition of Elvers bank for the following reasons:

- 1) The potential energy resources in and south of this area that have yet to be explored or developed, but may be of interest to our members in the future;
- 2) It is regionally a low relief topographic feature whose designation was not considered in the SAC’s 2006-07 effort;
- 3) The designation does not follow key principles outlined by the NMSA Sections 301 and 303; and,
- 4) It is contradictory to the Presidential Executive Order on Energy Independence (E. O. 13783)

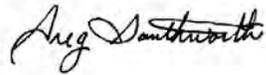
The Associations reiterate that we no longer support the boundaries recommended by the SAC in 2007 for the reasons discussed in the April 30, 2018 letter. In addition, though we support the inclusion of these four (4) banks, the Associations still maintain our position that these new areas are not of the same “special national significance” or scientific importance as the live coral reef areas in the existing FGBNMS.

¹ No Activity Zone as defined by BOEM in its Western and Central Gulf of Mexico Topographic Features Stipulation Map Package for Oil and Gas Leases in the Gulf of Mexico, March 2018, <https://www.boem.gov/Topographic-Features-Stipulation-Map-Package/>

Therefore the regulations governing oil and natural gas activities in these proposed new sanctuary areas should not be the same as in the existing FGBNMS areas, since in the future, industry will likely need to acquire new nodal seafloor and streamer seismic surveys on and across these banks (*see April 30, 2018 letter, pg. 2*).

We appreciate the SAC reviewing and taking into consideration our comments and fostering transparency of the process and giving invested stakeholders the opportunity to review the recommendations. We appreciate the opportunity to work with NOAA and the SAC on this matter going forward and continue to encourage NOAA Office of National Marine Sanctuaries and the FGBNMS SAC to consider how best to address such changes to the DEIS alternatives moving forward with the proposed rulemaking and preparation of a final EIS and regulations. Should you have any questions, please contact Greg Southworth at greg@offshoreoperators.com.

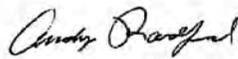
Sincerely,



Greg Southworth
Associate Director
Offshore Operators Committee



Jeff Vorberger
Vice President, Policy and Government Affairs
National Ocean Industries Association



Andy Radford
Sr. Policy Advisor – Offshore
American Petroleum Institute