

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

Sanctuary Advisory Council Meeting Minutes

Thursday, September 27, 2007

9:00 AM – 4:00 PM

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
Art Melvin, Diving Operations (Alternate)
Clint Moore, Oil & Gas Production
Tim Gibson, Oil & Gas Production (Alternate)
Irby Basco, Recreational Fishing
John Stout, Recreational Fishing (Alternate)
Joe Hendrix, Commercial Fishing (Alternate)
John Embesi, Research (Alternate)
Kristina Hardwick, Education (Alternate)
Page Williams, Conservation
Dana Larson, Conservation (Alternate)
James Sinclair, Minerals Management Service
Rusty Swafford, NOAA Fisheries

Advisory Council Members Absent:

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
Tracy Hamburger, Marine Operations Coordinator

NMSP Staff Present:

Vicki Wedell, Policy Analyst

Public Present:

Kim Dankert
Bea Stong
Lori Gernhardt

Charles Tyer
Ryan Ono
Doug Peter
Bianca Whittaker
Tim Trahan
Mark Kinsey

Frank Wasson, Council Chair, called the meeting to order at 9:13 AM. Mr. Wasson moved that the agenda be adopted. The motion was seconded by Frank Burek. Art Melvin moved that the minutes of the April 19, 2007 Sanctuary Advisory Council meeting be adopted as written. John Stout recommended that the April 19 minutes be corrected. Mr. Stout noted that the discussion of the Marbled Grouper catch recorded on page two of the minutes should indicate the grouper were caught on Geyer bank. Emma Hickerson explained that the specific catch location was the southern side of Geyer Bank. Mr. Melvin moved that the minutes be adopted with the changes. The motion was seconded and carried.

G.P. Schmahl presented a sanctuary update. He began by listing the activities that have occurred since the April 19 SAC meeting. James Sinclair and MMS were involved with the FGBNMS in a post-hurricane study in which significant impacts were seen at Sonnier Bank. Information about conditions prior to the storm were pieced together. Other sites had minor impacts only. NOAA, MMS, and contracts participated in the long-term coral reef monitoring that has been done since 1988 and during the mid-1970s prior to that. G.P. referenced underwater journal article on the long-term monitoring program. DUOY 1 and 2 were conducted over the summer. These teacher workshops involved those new to the program and alumni. DUOY takes alumni to the next level with hands on activities. The annual Stetson monitoring was conducted by FGBNMS staff; Stetson is not included in the contract with MMS for long-term monitoring. Spawning events were seen during the August research cruise and on the September research cruise. The September spawning event was the larger of the two, but was not quite as prolific as during the last two years. The industry/government expedition also occurred in August. The Nancy Foster cruise occurred in September. During this cruise the staff and others worked on biogeographic characterization, establishing a monitoring program for benthic species, and fish counts. The sanctuary hopes to expand this monitoring program to add to monitoring information. This cruise rode out Hurricane Humberto in the Gulf of Mexico which cut the trip short. Green water was noted on the research cruise this summer. The green water indicated fresh water influx and low salinity (30 ppt) on East Bank; Stetson and West bank were normal. Doug Weaver looked at the satellite imagery which showed elevated chlorophyll levels. Near shore water was pulled out by eddies. Even though the sanctuary is far offshore, it is still impacted by near shore water conditions.

G.P. reported on the construction progress of the RV Manta. All American is in the process of constructing the 83 ft. aluminum catamaran. G.P. showed a schematic and photos of construction. The vessel is being built in Bellingham, WA. Gulf of Mexico shipyards were either destroyed by the 2005 storms or were too busy. Therefore, All American Marine was selected for the project. Photos from September 18th were shown. G.P. explained the flexible deck design and noted that two winches are included in the design (A frame, J frame). The vessel is capable of oceanographic work and diving. Work on the interior cabinetry has also begun. Vessel construction and completion relates to our management plan review, as it will give us the ability and opportunity to do more. The vessel is scheduled to go in the water on January 14th, with completion by March and deliver sometime later. The vessel will be delivered to Ft. Lauderdale after traveling on a ship through the Panama Canal. The vessel may be painted or left as raw aluminum; uncertain at this point.

Clint Moore inquired about the resolution passed at the last SAC meeting. The letter has been prepared and signed by Frank Wasson, but has not yet been passed on to the ONMS. G.P. stated that he had, however, talk with legal counsel and this and that it will be discussed at next Coral Reef Task Force (CRTF) meeting. G.P. also discussed the proposed coral reef act which would give NOAA control over living and dead coral. If this law passes, NOAA will have jurisdiction of areas within the EEZ were the percent of live coral is small, like Bright Bank. It might be possible to send a SAC member to the CRTF meeting. Currently, there is no law to protect coral reefs in the U.S., especially when fishing or oil and gas activity is not involved

Frank Wasson stated that he was on Bright Bank placing manta tracking devices the day before Hurricane Humberto hit. He found unexploded parts showing that people are leaving stuff behind. He noted that the fish life was tremendous, but nothing else was alive. G.P. said that he encountered treasure hunters in March who stated that they were just diving and picking up old artifacts. In March, the Argus circled Bright Bank. It is rumored that there is an excavation on the NW side called the stern castle of the treasure ship which is thought to be overgrown by coral. Some treasure hunters have supposedly burrowed in 75 ft. and have been said to have found an open "room". Frank Wasson has not seen this opening, but will be looking. Depth of opening is at depth of 176 ft. (Bright Bank is only visited for Tech diving). The rate of coral growth does not make the presence of a treasure ship under the coral possible. G.P. indicated that he would consider inviting Ola Varner to the next SAC meeting in December.

John Stout mentioned a recent spearfishing incident. Information regarding this violation was passed on to NOAA OLE and an investigation is ongoing.

Art Melvin provided a presentation on education and outreach as it relates to the sanctuary. He stated that this is only one set of thoughts and that his

presentation is given as an interested member of the public, not as a representative of the SAC or the education subcommittee.

Art began by providing education and outreach definitions and comparing and contrasting the two types of efforts. Outreach was defined as an organization's involvement in the community. Education was defined as the act of imparting or acquiring knowledge. Outreach is maintaining relationships and providing general public awareness. It is difficult to measure. It needs to be done, but should be done at a continuous low-level. Education provides specific knowledge, directly supports sanctuary activities, is delivered to targeted audiences for specific purposes, is measurable and the level of activity and focus will vary.

He also described his background and explained that he has a history of teaching experience with universities, high school, industry training and SCUBA diver training.

Art stated that education is the first solution to enforcement, and is therefore very important to the management plan. Education is part of meeting every goal and can address user damage, conflict, etc.

Art explained that he feels there is risk in the current process: a reactive education plan and strategy instead of a proactive approach. The current process is constrained to known solutions. Priorities are set on what we think we can accomplish instead of what we need to accomplish. He noted a failure to assess the importance of education action requests made by other management plan working groups and subcommittees. He feels that the current strategy is too tactical in nature, providing tasks rather than tools.

Art stated that we should know who we are educating: current and potential users of the sanctuary; those affected or that effect the sanctuary; our constituents. He stated the purpose of education was to reduce the need for enforcement and to gain support for sanctuary actions.

Art listed his priorities for education and proposed changes to current education strategies. He would like the strategy to be general, allowing the flexibility to be responsive, and to provide the necessary tools.

Page Williams asked Art about how his plan addresses politicians, decision makers and children. Dana Larson discussed industry lobbying. G.P. noted that Governor Perry expressed interest in diving the Flower Garden Banks while at the Gulf of Mexico alliance meeting. Clint Moore asked if Art's take-away message was that the focus should be on the users. Art agreed, but stated that the plan should be for a flexible strategy with a marketing focus. Charles Tyer also commented.

Clint Moore reported for the Boundary Expansion working group (see slide presentation). He reviewed the problem statements from the April SAC meeting. Clint provided a review of the salt sheets existing under the banks, noting that they provide the topographic relief on which the banks are formed. He showed the exploration areas of interest for the oil and gas industry and explained why the industry continues to have interest in the NW Gulf of Mexico.

G.P. presented the Boundary Expansion working group's list of proposed alternatives. He reminded the SAC that any action we take will require an EIS, that we must present a range of alternatives, and select a preferred alternative. Alternative 1 was presented as the no action alternative. Before moving on, he stated that the SAC should make a decision to go with polygons or HAPC boundaries.

Alternative 2 was presented as a minor modification of current sanctuary boundaries. The Stetson map shows that the current boundary doesn't incorporate the full feature. He noted that if the HAPC box boundaries are chosen there will be areas included within the sanctuary that are leased by oil and gas industry companies.

G.P. stated that there is a perception of restrictions within sanctuary boundaries, even if they are not in place, or that restrictions will be more likely in the future. Clint added that there would be multiple levels of potential conflicts with larger boundary areas, especially with a change of government administrations. There may be push-back from industry if we ask for a broad area. Using more limited polygons may facilitate achieving boundary expansion. The necessity for square areas (e.g. for enforcement) is declining, as current GPS can deal with complex boundaries. Art Melvin suggested that we limit the number of sides of each polygon.

For Alternative 2, the area within the HAPC adds 18.14 sq.nm to the sanctuary.

Alternative 3 consists of Alternative 2 plus the inclusion of horseshoe reef with either a polygon around the sensitive habitat or a large rectangular boundary.

Alternative 4 consists of Alternative 3 plus McGrail, Geyer, Bright, Sonnier, and Alderdice with boundaries based on either a polygon around the sensitive habitat or HAPC boundaries (with slight modifications of the HAPC around Bright Bank—a decreased box size that is currently the HAPC).

It was noted that Geyer Bank lies under fareway for shipping traffic. Rankin was not included due to the outcome of the ranking process; it was not included for this alternative, although there is important habitat there. Sonnier was described as a series of smaller banks. James Sinclair noted that the MMS No Activity Zones (NAZ) are based on depth, not new information.

Alternative 4 would add 316 sq. nm to the sanctuary.

Alternative 5 consists of Alternative 4 plus MacNeil, Rankin, and 28 Fathom. Again, boundaries would be based on either a polygon around the sensitive habitat or HAPC boundaries.

Rankin and 28 fathom are joined to Bright in the current HAPC.

John Stout asked if current HAPCs were drawn using scientific information. Emma Hickerson stated that the FGBNMS was involved in providing information for the designation of the current HAPCs. G.P. added that an EIS was done to establish the HAPCs.

Clint Moore commented that broad areas established as sanctuaries can have future impacts and that we need a win/win situation.

Alternative 6 consists of Alternative 5 plus 29 fathom, Bouma, Reszak, Sidner and Jakkula. This alternative would add ?? sq. nm.

Alternative 7 is the most restrictive and creates a large box around the banks of interest. This alternative would add 5558 sq. nm. Smaller management zones would be necessary within the big box. John Stout asked if there is a precedent for layered regulations. G.P. stated that yes, that situation already exists within the current sanctuary. A layered scheme could work, but perception is difficult to deal with. John Stout asked whether or not any user group other than oil and gas would be impacted by the use of HAPC boundaries instead of more limited polygons. G.P. stated that that depends on regulations inside the boundaries, but in general yes. Regulations would include anchoring, sea floor disturbance, etc. We would need to work through this group by group.

Frank (Wasson ?) asked if boundary expansion is going to happen at a congressional level or if regulations for within boundary areas will happen at some other level. G.P. stated that this would go through a normal process—we will send the plan to congress for review, but if they don't reply then it goes into effect. Art Melvin stated that we can't affect what other agencies will do, e.g. EPA. John Stout asked if the range of the new vessel will allow it to reach newly proposed areas. G.P. stated that yes, we wrote the mission requirements for the vessel based on this. Galveston to Jakkula is 200 miles.

G.P. reported to the SAC on the progress of the Fishing Impacts subcommittee. He reminded the council that at the April SAC meeting they reached a consensus on a plan to pursue an experimental design for a fishing closure. This was the intent of the summer workshop on fishing impacts. Workshop guests included Dr. Jim Bohnsack, Dr. Felicia Coleman, Kevin Rademacher, Dr. Christy Pattengill-Semmens, and Charlie Menza; 55 people were in attendance. Much discussion was had, but it didn't go exactly as predicted. We never got to the

design of the proposed closure, as there was much discussion as to whether or not a closure was the right approach. Dr. Steve Gittings provided take-home messages (see 3 slides from G.P.). The main points were: we don't have data to close area; there is enough general concern; marine debris and by-catch are not enough to justify closure; additional information is needed and baseline data collection should continue; and fishing prohibition could help guard against future changes.

G.P. stated that the Fishing Impacts subcommittee held a recent conference call and developed a proposal (see handout for exact language). The subcommittee proposes registration and closures based on experimental design. G.P. reviewed the handout. Dick Zingula asked if any other sanctuaries require registration. G.P. indicated that the Tortugas in FKNMS and NWHI both do. G.P. stated that the exact nature of closure (areas) is not yet determined.

Joe Hendrix suggested that we could cut the proposed 8 years short if significant impacts were found earlier than that. He also indicated that early voluntary registration will give important data and may influence the study.

Frank Wasson addressed Charles Tyer inquiring whether landing information is for specific boats and can VMS be used to acquire specific landing information. Charles stated that fishers do not need to report the exact location of where fish were caught. It was noted that with vessel registration we can ask what was caught in the sanctuary with a post-trip report.

Dana Larson asked if we can use satellite data to track vessel traffic, and then educate them. G.P. responded that yes, we can, but security clearances are required to get this data and is therefore difficult.

John Stout stated that AIS does provide vessel name and other details. Dick Zingula reinforced the idea that we need information on landings.

Art Melvin provided a report for the Education subcommittee. He explained a transparent process for setting priorities with flexibility. He further explained that rubrics were being developed for use with three different strategies.

G.P. reminded the council that he would like to leave this meeting with formal recommendations on preferred alternatives from the SAC. With that information, the sanctuary staff can begin to develop the EIS. Frank Wasson polled the SAC to determine if it would be possible to vote on a preferred alternative for boundary expansion and to move forward with the fishing recommendations. The subcommittees and council responded affirmatively. The Education subcommittee stated that they would move forward with formal recommendations at the next SAC meeting.

Frank Wasson described a situation where a fisher was using charts from 1986.

The following comments were recorded during the public comment period.

Ryan Ono, Environmental Defense:

Ryan explained that he had examined the ranking criteria document. He agrees with the system used for ranking, noting that seven banks were highlighted, but he also wants to emphasize that others are also biologically significant and geological unique. The banks have coral species that foster biological activity and provide habitat for reef fish like grouper, red snapper, vermillion snapper, rough-tongued ???. He stated that these fish are undergoing re-building plans. He hopes that the council takes all of this into consideration. The Gulf of Mexico derives economic drivers from this area. He pointed out that MacNeil, Rankin and 28 Fathom, due to their nearness to FGBNMS, would lead people to believe that they are biologically connected to the sanctuary and their nearness would make enforcement easier.

Doug Peter, Texas Parks and Wildlife Department:

Doug suggested that we consult mpa.org to find recommendations regarding the use of polygons or squares to set boundaries. He emphasized the need to manage for multiple users and suggested smaller boundaries within the larger one.

Bea Stong, W&T offshore:

Regarding boundary expansion, Bea stated that when boundaries encompass existing infrastructure then there are more issues. With HI389, restrictions on discharge make corrosion control difficult. They are required by MMS to do level structural inspections. They need to remove marine growth to do the required testing by MMS, but then find that they may be in violation of sanctuary rules.

John Stout asked what triggered EPA's jurisdiction and what about being in the sanctuary brings on other agency jurisdiction. G.P. answered saying that the EPA issues a general permit for discharge to platforms. There was a provision that the general permit does not apply to special biological areas, but later they added that within a sanctuary there were exclusions. Discharge was not covered by the general permit and this became a big issue.

Bea Stong stated that in a zero discharge situation removal of corrosion is difficult since it is necessary to capture it. That is what W&T Offshore planned, but then that creates health and safety issues for workers---an operational challenge. And 100 % containment is impossible. She continued by stating that 1.3 million dollars was spent on corrosion control, and then that work was taken out by a storm; then EPA issues noncompliance for having corrosion problems. She stated that expanding boundaries will put more platforms within special areas.

Frank Wasson asked the council for any unfinished business. None was reported.

Frank Wasson reminded the SAC that the council members are not directly responsible for writing the management plan. He stated that the council is contacting constituent groups and providing input so that staff can write it.

G.P. introduced Kay Crouch and explained that Crouch Environmental would continue to be involved in the development of the management plan, the DEIS, and the review process. He explained that MRAG and Crouch are contracted to work specifically with the boundary expansion components of the management plan.

Clint Moore began a discussion of the boundary expansion alternatives and invited questions and answers about the process and conclusions.

Page Williams asked if the council needed to pick an alternative or agree on the proposed range of alternatives. James Sinclair reminded the council that there will be public scoping of the draft EIS that includes the alternatives. Art Melvin stated that he would like the subcommittee's opinion on which is the preferred alternative.

Doug Weaver stated that in some places this is not boundary expansion but boundary modification. HI 389 is in sanctuary not necessarily due to biology but geometry, that's where they drew the straight line.

Clint Moore stated that after making a recommendation today, this will not be the end of opportunity for input. James Sinclair said however, that we are coming to the end. The schedule shows Dec. 6th as date of final SAC recommendation. We need to come to a decision to go forward with and staff may adjust and make changes.

Frank Wasson suggested that this effort could be called "boundary changes". He prefers that no artificial structures exist within the sanctuary boundaries. HI 389 is not within the proposed boundary. We could use polygons for our benefit for management; platforms may be undesirable to include within the sanctuary.

The council became involved in a discussion of changing the boundary around HI389. Emma Hickerson asked about the restrictions that would be lifted from the platform if it were outside the sanctuary. Bea Stong stated that there would still be many restrictions in place. She stated that no additional development is planned there and that operations wouldn't change. They have a containment system in place that works and there is no reason to change. Bea discussed cathodic protection for corrosion control and the installation of anodes.

It was noted that if boundaries included 2 platforms at West bank, they would have to totally change operations.

Clint Moore suggested writing a list of advantages and disadvantages for including platforms or not within sanctuary. Emma Hickerson explained that HI389 is a special case; divers enjoy it. She stated that when treating for corrosion by water blasting, marine life is removed and they are also considered also sanctuary resources.

Dana Larson suggested that buoys are also artificial structures within the sanctuary, as well as submerged vessels, e.g. the aquarius lab.

John Stout stated that we may be more in agreement than we realize. He suggested that we rank the alternatives and suggested a hybrid for boundaries between HAPC and polygons. He stated that we should consider the sellability of what we propose. If platforms are excluded, we can minimize a battle and still expand boundaries.

Dick Zingula stated that when environmental studies for Exxon were done, they found no debris coming onto the reef from discharge. He stated that there is no reason to include platforms within sanctuary boundaries.

Bea Stong stated that MMS has an excellent program in place; provisions are already in place due to biological areas.

G.P. stated that President Clinton put in place no new leasing within sanctuaries. He asked if this became law or was simply a proclamation and a statement that was made. James Sinclair stated that there are designations for lease blocks around special topographic features. The price on the lease is prorated according to the amount of the block that is useable. Clint Moore stated that there are no prohibitions on leasing blocks within the sanctuary (one block within West Bank is totally within the NAZ).

Art Melvin suggested that we move on to ranking alternatives and not spend time on drawing lines now that include platforms or not. Emma agreed and suggested that we hold off on details, first reach consensus on alternatives, and get the subcommittee to voice their opinion. Emma showed slides of each alternative to refresh memories of the council members.

Clint Moore, representing the oil and gas industry constituents, stated that he has concern and fear regarding the use of the HAPC boundaries. He feels that they are too large and could be turned into a national monument or may have too great of an impact on oil and gas. He recognized the need to work with other users and stakeholders. If we use the HAPC boundaries then we will have to loosen the regulations. But all of that could change with a stroke of a presidential pen. Polygons were derived with scientific staff. Polygons create smaller areas,

give staff less to regulate. Small boundaries honor the science behind it, as well. Directional drilling has limits and HAPC boundaries limit access to potential wells where, there are likely large supplies of oil or gas below salt sheets. Clint stated that he supports alternative 5 with polygon boundaries.

Page Williams stated that she prefers squares.

James Sinclair stated that he is debating between alternatives 4 and 5—he could go with 5 and prefers irregular polygons over HAPCs. He explained that although there is a strong preference for ease of squares, with modern technology we can use an irregular polygon. He contacted Garmen and they used a free program to within minutes put a track around the sanctuary. He suggests that anyone who is concerned enough can easily get an irregular boundary shown on their charts/GPS. He stated that regarding a large rectangle around the FGB and the horseshoe, he feels there is too much soft bottom included. He prefers an option that would gain more support. He mentioned a 250 m. buffer within the sanctuary boundary and a 250 m buffer on the outside. He wants to simplify issues for the sanctuary and the users, especially oil and gas.

John Embesi stated that he prefers alternative 6A, as some areas are being unfairly omitted from Alternative 5.

Frank Burek stated that he prefers Alternative 5A.

Charles Tyer recommended that should the SAC decide to go with polygons, they should try to keep polygon points to a minimum. Limit the area needed to sustain the resource, but do what you can to keep it simple. He stated that many commercial fishers do not have electronic charts or gps.

A straw poll of voting members was taken on their preferred alternative:

Clint Moore: 5a

John Stout: 6 with hybrid c

John Embesi: 6 with hybrid

Frank Wasson: 5 with hybrid

Joe Hendrix: 4c

Frank Burek: 5a

Page Williams: 5c

G.P. noted that the sanctuary would likely apply existing regulations to new areas and that we already have a layered regulatory regime within boundaries; so we already kind of have a hybrid.

Emma Hickerson asked if Clint Moore could identify a few banks of particular concern or do his concerns apply to all banks. Clint stated that he has concern for most of the areas; about 25 oil and gas companies would be affected.

Frank Wasson suggested that the SAC accept the range of alternatives before moving on to a vote on the preferred alternative.

Clint Moore moved to reject alternatives 1, 2, 3, and 7. The motion was seconded. Alternatives 1, 2, 3, and 7 were considered and discussed by the advisory council, but rejected. The SAC does not recommend alternatives 1, 2, 3, and 7. Those in favor: Page Williams, Frank Burek, Frank Wasson, John Embesi, Clint Moore. Those opposed: John Stout, Joe Hendrix. No abstentions were made. The motion passed.

Clint Moore moved to recommend alternative 5 with alternative 6 as a second choice and alternative 4 as a third choice. The motion was seconded by Frank Burek. The Council did not debate the question. Those in favor: Page Williams, Frank Burek, Frank Wasson, John Embesi, John Stout, Clint Moore. Those opposed: Joe Hendrix. No abstentions were made. The motion carried. The Sanctuary Advisory Council prefers alternative 5 with the second most preferred alternative as 6 and the third most preferred alternative as 4.

Clint Moore moved that the Advisory Council adopt option A, the Sensitive Habitat Zone Boundaries, as the preferred boundary method. Frank Burek seconded the motion.

The council members engaged in a discussion regarding the method for drawing boundaries. Clint stated that he respects and understands his colleagues preference for larger areas, but this is not a static end of the road process. This is a 5 year plan. There will be opportunities to improve this plan. Option A has exciting and expansive areas that will go a long way to do what we want. John Stout stated again that sellability is important and that the hybrid is preferred; we need a fallback to be in a better negotiating position; the HAPCs have already been established. Frank Burek noted that the sanctuaries act requires us to acquire only what is necessary to protect the resource. James Sinclair said that he would like to hear from those that prefer HAPC boundaries. Page Williams stated that she just doesn't like polygons. Bill Kiene noted that this discussion is all about how big to make the sanctuary and whether or not there is access to subsurface resources. He pointed out that the flanks of the salt domes are the areas of interest and asked whether it is possible to estimate the maximum cone and targets. Clint stated that this was examined yesterday in the working group. Some boundaries are stretching the limit of directional drilling, but are close. He added that polygons also just make biological sense and then we don't have to explain why the sanctuary includes soft bottom areas. James Sinclair stated that he has been trying to figure out what resources are below these features; it may be possible to drill any of these horizontally, but will be much more costly. Bea Stong stated that we should also consider pipeline routes as a potential problem.

Frank Wasson noted that for the purposes of this vote, the SAC would not be voting on the exact boundaries outlined today, but on the concept of creating boundaries based on sensitive zones and that this concept or method would apply to any alternative selected. Those in favor: Page Williams, Frank Burek, Joe Hendrix, John Embesi, Clint Moore, Frank Wasson. Those opposed: John Stout. The motion carried. The SAC will adopt the Sensitive Habitat Zone method for drawing boundaries around proposed sanctuary areas.

G.P. summarized by saying that the staff would now go back and redraw the polygons, trying to make them as regular as possible (or as simple).

Frank Wasson opened the floor for discussion on excluding platforms. Frank Burek suggested taking a closer look at all structures and pipelines. Page Williams expressed concern over letting platforms dictate how we draw boundaries. John Stout suggested keeping HI389 within sanctuary boundaries to consider it as a sanctuary resource. Dana Larson said that putting HI389 outside of the sanctuary would send a message that platforms are dangerous to the environment. Frank Wasson stated that he does not consider them a danger, but doesn't want to pose unnecessary hardships to them due to their location. Dana stated that there are many natural resources on platforms. Art Melvin added that in general we may want to exclude platforms, but can make an exception if they offer something to protect. Bea Stong asked if there is any oil and gas activity or any vessel traffic that is not properly regulated. G.P. answered by saying not at the present moment, but if new wells were drilled, then shunting and cuttings may result contamination in sediments directly in that area. Frank Burek expressed an interest in putting monitoring equipment on the platforms to aide with enforcement. Bill Kiene stated that when the sanctuary is working closely with industry, it shows that the sanctuary program is compatible with industry, and that industry has a good environmental ethic. If we exclude platforms, we show that there is conflict between the two entities. Emma Hickerson said that the council was getting bogged down here, and that now the subcommittees and staff would work to redraw boundaries. John Stout added that if we put HI389 outside the sanctuary, then we open it to spearfishing.

Joe Hendrix moved to table this discussion. Frank Burek seconded the motion. All were in favor.

Frank Wasson moved to hold the vice-chair election at this point in the agenda. Page Williams seconded the motion.

Clint Moore nominated Irby Basco as Vice-Chair. The nomination was seconded by Frank Burek. Irby Basco was elected by written ballot with the majority of votes. [Irby Basco: 11; Page Williams: 1]

The SAC members engaged in a discussion of the Fishing Impacts proposal. Changes and suggestions for changing the verbage used in the proposal were recorded.

Frank Wasson discussed tug and tow across the sanctuary, stating that it is not a fishing issue, but a possible reef damage issue.

Art Melvin recommended registration for transiting vessels. Frank Wasson asked if it is possible to establish an "area to be avoided" like Tortugas and Olympic coast has established. Emma Hickerson agreed that it is a good idea to register transiting vessels. She has seen cable damage. Establishing such an area would give them a reason to avoid it.

A discussion of what kind of research diving is allowable followed.

Members of the Advisory Council again read and suggested changes to the language used in the Fishing Impacts Subcommittee's Proposed Strategies. Joe Hendrix moved that the Sanctuary Advisory Council will send the proposed fishing impacts strategy plan as changed to the sanctuary staff. Page Williams seconded the motion. The Council did not debate the question. Frank Wasson, SAC Chair, put the question to a vote. Those in favor: Page Williams, Joe Hendrix, Frank Wasson, John Stout, Clint Moore. Those opposed: none. Abstentions: John Embesi, Frank Burek.

Frank Wasson called for any new business.

Emma Hickerson explained the reusable shopping bag initiative. She ended by adding that the company that is printing the bags wants to give funds back to the NMSP from sales through the foundation. Charles Tyer suggested marketing the idea for use of the bags to teachers.

Clint Moore thanked members of the boundary expansion working group for their efforts.

Frank Wasson thanked all subcommittee and working group participants for their preparation and recognized that much work had been accomplished.

Frank Burek made a motion to adjourn the meeting. The motion was seconded. The meeting was adjourned by 4:00 PM.