



**Gray's Reef National Marine Sanctuary
Advisory Council Meeting**

February 27, 2014

Skidaway Institute of Oceanography
10 Ocean Science Circle
Savannah, Georgia

Advisory Council Members Present

Peter Auster, Living Resources Research
Bill Cliett, Citizen-at-large
Mary Conley, Conservation
Rick DeVictor, NOAA Fisheries SE Region (Council Chair)
Pat Geer, GA DNR CRD
Anna George, Conservation (Council Secretary)
Tim Goodale, University Education
Warren Hupman, Charter/Commercial Fishing
Emily Kroutil, K-12 Education
Christine Laporte, Citizen-at-large (via conference call)
LT Mike Mastrianni, USCG SRFTC
Randy Rudd, Sport Diving
Suzanne VanParreren, Sapelo Island NERR

Members Absent

Michael Denmark, Sport Fishing (Council Vice-Chair)
Chuck Hopkinson, Sea Grant
Doug Lewis, GA DNR LE
Jene Nissen, U.S. Navy
Scott Noakes, Non-living Resources Research
Al Samuels, NOAA OLE

Gray's Reef and Additional NOAA Staff Present

Reed Bohne, ONMS NEGL Region Director
Sarah Fangman, GRNMS Acting Deputy Superintendent & Research Coordinator/SEGoM
Region Program Coordinator
Steve Gittings, ONMS Science Coordinator
LTJG Jared Halonen, GRNMS Vessel Operations Coordinator
Leila Hatch, ONMS Stellwagon Bank NMS
Jody Patterson, GRNMS Administrative and Volunteer Coordinator
Karen Raine, NOAA GC for Enforcement (via conference call)
Amy Rath, GRNMS Outreach and Communications Coordinator
Todd Recicar, GRNMS Marine Operations Coordinator
George Sedberry, GRNMS Acting Superintendent/ONMS SEGoM Region Science Coordinator
Becky Shortland, GRNMS Resource Protection Coordinator

Maya Walton, ONMS Knauss Marine Policy Fellow

Public Present

Karen Grainer, Clean Coast/Sierra Club
Hunter Kennedy
Orlando Montoya, GA Public Broadcasting
January Murray, GA DNR CRD
Eddie Leonard, GA DNR CRD
Lou Phong
Doug Samson, Sapelo Island NERR
Cathy Sakas
Sarah Webb
Tom Wright

Welcome and Introductions

Council Chairman Rick DeVicor called the Gray's Reef National Marine Sanctuary (GRNMS) Advisory Council meeting to order welcoming members present and those joining via conference call. Also welcomed were several National Oceanic and Atmospheric Administration (NOAA) and Office of National Marine Sanctuaries (ONMS) staff, and the public in attendance. Introductions were made and the agenda reviewed with no changes.

Council Business

A motion was made to approve the December 10, 2013 meeting summary. There was a second to the motion and the summary was approved unanimously.

Council Chair Rick DeVicor asked for nominations for chairperson for the Science Advisory Group. Pat Geer nominated Peter Auster. Anna George seconded the nomination. Auster accepted the nomination and was approved unanimously by the sanctuary advisory council.

Presentation - Listening to our Sanctuaries: Understanding and Reducing the Impacts of Underwater Noise in 14 Special Places

Marine Ecologist Dr. Leila Hatch gave a presentation on acoustics to offer a better understanding of the human-induced sources of underwater noise and their potential impacts on marine mammals and other sanctuary resources. This presentation discussed NOAA's interest in broadening the agency's management goals and actions to address the conservation of acoustic habitat in addition to the minimization of adverse physical and behavioral impacts to specific species. Preliminary thoughts on ocean noise issues most pertinent to GRNMS were also offered to spur further discussion with the Sanctuary Advisory Council.

Rick DeVicor inquired about Leila Hatch's experience with consultation requirements of the National Marine Sanctuaries Act (NMSA). Hatch replied that the consultation requirements and sanctuary resource protection needs have been better articulated and there is heightened awareness among other agencies that they may have to consult with ONMS. Ongoing discussions with agencies like the U.S. Navy are evolving. She also noted that the Bureau of Ocean Energy Management (BOEM), the agency overseeing offshore energy activities, has been dialoging with ONMS, too.

George Sedberry asked if a sound field can be designated as Essential Fish Habitat (EFH) in management plans. Rick DeVicor noted that the South Atlantic Fishery Management Council (SAFMC) has discussed it, and Leila offered that a 10-year vision plan is being developed across NOAA offices to start working on ocean noise. Peter Auster asked if there are other aspects of

the NMSA and the Magnuson-Stevens Act that we haven't utilized, or should additional regulations be considered for noise. Hatch replied that regulations would not likely be changed to include noise but there will be a heightened awareness of acoustic impacts. NOAA's Habitat Blueprint initiative is also a means of looking at EFH and noise. She would like to see sanctuaries as a case study.

Rick DeVitor asked what might be happening with commercial vessel sound reduction. Hatch replied that in 2007, NOAA brought the issue of commercial vessel noise to maritime agencies, including the USCG. The shipping industry is interested because there are fuel-saving implications as well.

Steve Gittings suggested that we could learn something from the National Park Service (NPS) which declares natural sound as a valuable resource. Hatch noted that low frequency sound loses more energy in air than water, but that it changes the character of a place. The NPS is concerned about air traffic noise from heavily used flight paths and highway noise. These sources are outside of the park boundaries but affect the natural environment of a park. NPS' approach is less about new regulations and more about goals and authority at a regional scale.

Anna George asked what role we have in designing regulations given that we are a single player within a multi-jurisdictional box. She also asked what "message" is important for the general public. Hatch replied that factual messages are key (e.g., hearing underwater is vital for animals; the acoustics of a place matters; sanctuaries are important underwater places). Mary Conley asked about the implications for taking action with budget deficits. Hatch suggested that we have to "start listening." She explained that there are different infrastructure platforms to work with but the real cost is in the analysis. The technology for listening is relatively inexpensive and it is important to set up a network for multiple sites and program level needs.

George Sedberry replied that we have talked a lot about impacts to "mega fauna" but what about fish and invertebrates. Hatch replied that all species that could be affected are important in sanctuaries. Rick DeVitor asked if sound was included in the GRNMS condition report. Several people responded that it is not.

An analogy of acoustic impacts was offered by Suzanne VanParreren that a human in a noisy public space has the choice to leave, but marine life may not be able to. Another analogy is to consider the experience of a blind person walking through Manhattan. Peter Auster inquired if there is a precedent for requiring a permittee to address noise impacts of their permitted activities in a sanctuary. Hatch replied yes, but that there is often a miss-match between short-term specific monitoring and a broader picture.

The presentation was concluded and the council moved to a lunch break.

Following the lunch break, council members requested more time to discuss potential follow-up action from the morning presentation. Mary Conley asked if the council should do anything about noise activities; what might be next steps and potential equipment costs if GRNMS chose to "listen" as suggested in the presentation? Pat Geer asked if there was an estimate of the costs. Staff replied that they do not have an estimate for the cost of this equipment. Randy Rudd noted that there is not a baseline of what a "normal" noise level in GRNMS is to be able to determine impacts. Others noted that the baseline would be where the listening began. From what GRNMS knows so far, the predominant human-caused noise is from small boat traffic. Pat Geer agreed that we need to start the baseline data collection. Peter Auster offered that there are a few papers out there concerning soundscapes for some habitats. Other questions arose about

whether “elements” of soundscapes could be established and how different species use sound and are affected by human-caused noises. Anna George recommended that GRNMS staff look into the costs of equipment.

Rick DeVictor suggested the idea of the sanctuary advisory council sending a letter to ONMS leadership requesting that east coast sanctuaries consider the impacts of anthropogenic noise on sanctuary resources. In addition, Peter Auster suggested that headquarters consider addressing acoustics in the NMSA reauthorization language, as noise is clearly a concern for sanctuary resources. It was also noted that there has not been any movement on reauthorization of the NMSA. Peter asked that the idea at least be considered for inclusion in the NMSA in the future if not this reauthorization. Anna George recommended that staff “turn up the volume” on this topic looking to the NPS as a model.

Following up on Rick’s suggestion, Anna George recommended that GRNMS staff develop a draft letter to headquarters for council consideration at the next meeting. There was also discussion about requesting that standardized protocol across sanctuaries be developed, and that resources should be devoted to the issue at the national level. Mary Conley countered that we need a sense of the costs first. Peter Auster noted the potential for collaboration and that such collaborations should be mentioned in the letter. Conley likened the soundscapes to the letters that all advisory councils sent to ONMS leadership on ocean acidification, and that effort might be used as a model.

Management Plan, Proposed Rule, and Public Outreach

Resource Protection Coordinator Becky Shortland reminded council members that the draft management plan/environmental assessment and proposed rule was released December 10, 2013, for a 60-day public comment period that ended February 10, 2014. GRNMS staff held three public meetings during the comment period, with no public in attendance. Four comments were received through the Regulations.gov website. One comment expressed concern and caution about allowing the weighted marker buoys, but acknowledged the need for them. Two comments were in support of the weighted marker buoys; one comment was incomplete.

After consideration of the comments, the final management plan/environmental assessment and final rule were developed with no substantive changes from the draft. Those documents are now in ONMS for review and formal NOAA clearance. Becky noted that she is hoping the documents may be cleared for release by June. When the final rule is cleared and it is published in the *Federal Register*, a 30-day “cooling off” period follows before the rule is effective. At that point, weighted marker buoys would be allowed in GRNMS, subject to the specific guidelines in the rule established for their use.

Communications and Outreach Coordinator Amy Rath explained that in the meantime, outreach materials are being considered to help notify the public about the change in regulations. She hopes to have various materials to distribute at fishing tournaments and elsewhere by June. The GRNMS website will be updated as well. Amy asked if council members had other ideas for getting the word out. Suzanne VanParreren asked if this information can be integrated into existing fishing-related apps. George Sedberry mentioned that the SAFMC’s app will have an updated PDF of sanctuary regulations. Information stickers that can be used in/on a vessel or dive tanks are also a good medium. Information cards that accompany fishing licenses was also suggested, along with “QR” codes linking to our regulations on the website. Anna George noted that use of QR codes, however, seems to be diminishing.

Education and Outreach Working Group

With the new management plan, the mission of GRNMS education and outreach programming is to increase awareness and inspire action and support for the sanctuary. A working group of the advisory council is being formed to assess current activities and advise on the effectiveness of existing/ongoing programs. A process framework for the working group is being developed. GRNMS staff will invite participants to this working group and set a series of meetings. A core group has been considered to support this effort including council members Tim Goodale and Emily Kroutil.

Science Advisory Group Report

Peter Auster gave a report from the Science Advisory Group meeting that was held on the previous day. The report covered science activities over the past year during the NOAA Ship *Nancy Foster* and other science cruises, with an emphasis on research area results. Danny Gleason's ongoing studies are on invertebrate density and abundance. Roldan Munoz and Christine Buckel studied fish and structural habitat to categorize general distribution and abundance. Laura Kracker continued a hydro-acoustic fish survey to assess diurnal cycles and size class. Peter Auster continued predation studies and he noted that the predation events in GRNMS are impressive. Marcel Reichert's Marine Resources Monitoring, Assessment and Prediction (MARMAP) study continued. Jeff Hyland's group studied the soft-bottom benthos and overlying waters of GRNMS looking for contaminants and toxins. Scott Noakes continued his pCO₂ monitoring via data buoy and seafloor packages. Sarah Fangman noted that future studies will likely result in alternating years between research area monitoring and process studies.

After details were presented on Scott Noakes' work monitoring pCO₂, Randy Rudd asked if runoff from watersheds could be affecting the high levels. Anna George asked about long-term studies on coastal waters (eutrophication) in the southeast. George Sedberry noted that there are very few monitoring stations in the Atlantic; there are buoys in Florida Keys and Stellwagen Bank national marine sanctuaries. Steve Gittings noted that the CO₂/pCO₂ numbers here are so dramatic that it makes GRNMS a great site to do this study and asked if anyone has looked at growth rates around oysters as a study. Anna George asked if eutrophication in coastal waters is an issue. She suggested that NOAA needs to start looking inland because you cannot protect the ocean without protecting the watersheds.

Sarah Fangman continued the report outlining ongoing GRNMS research activities and noted the huge annual effort in collaboration with our research partners, most of which is done in-kind with GRNMS only providing marine operations.

Sarah went on to report that the 2014 Nancy Foster research cruise is scheduled for April. There may also be new Team Ocean science divers participating by that time. An expedition webpage will be a highlight as usual. Sarah also mentioned that a fine scale movement of acoustically-tagged fish has just been downloaded and is pending analysis.

Sarah Fangman explained that GRNMS is building toward a 5-year point for the research area (2016) for the site to produce a comprehensive summary. Also, ONMS is developing a regional plan to address invasive lionfish in the four sites affected – *Monitor*, Gray's Reef, Florida Keys and Flower Garden Banks National Marine Sanctuaries.

Law Enforcement Working Group Report

LT Mike Mastrianni reported for the U.S. Coast Guard (USCG) that vessels out of Charleston and Savannah conducted 32 man hours patrolling GRNMS with three vessel sightings and one boarding with no violations. He also mentioned that a Living Marine Resource enforcement national planning effort is upcoming including USCG operations in National Marine Sanctuaries.

Becky Shortland reported for GA DNR Law Enforcement Section since Captain Doug Lewis was unable to make the meeting. Rangers conducted 8 trips out to GRNMS in the past quarter even without the Joint Enforcement Agreement (JEA) funding. They invested 132 man hours, 32 boat hours, and boarded 7 vessels with no violations. Sarah Fangman noted that in a recent dive operation a charter vessel was employed by staff while GRNMS vessels were under repair. A GA DNR LE vessel came by to inquire about their activities in the research area which was appreciated.

Karen Raine with NOAA General Council Enforcement Section noted than an informal public comment period is open on administration of penalties and law decisions. Additional details can be found on the NOAA GC website.

Superintendent's Report

Acting GRNMS Superintendent George Sedberry discussed current budget constraints, open positions, and an update on facilities. The superintendent's position has been approved for rehire and will be announced on USAjobs.gov once formalized. A link will be uploaded to the GRNMS website and shared via social media and email to constituencies and colleagues.

ONMS has developed a Business Advisory Council (BAC). The BAC was created to provide advice and recommendations to the ONMS director regarding relations between ONMS and the ocean business community.

Regarding right whale protection, the National Marine Fisheries Service (NMFS) received a petition to exclude dredged river entrances from ship speed restrictions that were recently renewed to protect the highly endangered whales.

The final rule for re-establishing the Sanctuary Nomination Process is still pending approval.

Dr. Sedberry noted that GRNMS is exploring the idea of having a still camera on the data buoy in GRNMS. The instrument would come from the National Data Buoy Center if funding is available in the future.

The *Okeanos Explorer* will be transiting through the area and is willing to do some mapping of bottom features from the South Atlantic Bight to the Gulf of Mexico.

Rick DeVicotor provided an update from the NMFS Sustainable Fisheries Division, which included a proposed reversal of Black Sea Bass pot restrictions during North Atlantic right whale migration and calving season.

Becky Shortland inquired about dates for the next quarterly meeting of the advisory council and possible agenda items. GRNMS staff would also like to consider a SAC retreat in September.

In response to agenda items, Bill Cliett noted that the acoustic presentation was very good and timely after last meeting's Navy presentation. Becky Shortland noted that the ongoing dialogue

with the U.S. Navy on their activities and sanctuaries is productive. Mary Conley suggested that we make continuing education of the issue broader relative to North Atlantic right whales and BOEM activities.

Suzanne VanParreren and Anna George both asked if Scott Noakes could present on the pCO₂ monitoring at the next meeting to answer some of the questions that came up earlier in his absence.

Public Comment

There were no public comments.

Adjourn

The meeting was adjourned at 4:00PM.