

**Gray's Reef National Marine Sanctuary
Sanctuary Advisory Council Meeting
December 18, 2001
10:00 a.m. - 4:00 p.m.
Sanctuary Office
Skidaway Island, Savannah, GA**

Attendance:

SAC Members Present: Jim Henry, Henry Ansley, Doug Rader, Anne Lindsay Frick, George Sedberry, Judy Wright, Bing Phillips, Patty McIntosh, and Joe Kimmel. Lt. Mark Gordon is attending for LCDR Dave Cinalli.

SAC Members Absent: Dave Cinalli

NOAA Gray's Reef staff in attendance: Reed Bohne, Marcy Lee, Cathy Sakas, Becky Shortland, Greg McFall, Mark Boland, Peter Fischel (NOAA Corps officer replacing Mark Boland), and Ebony Henderson.

Public in attendance: Steve Booker, a Chatham County recreational diver.

Distributed Materials:

- Agenda
- Draft minutes from October 24-25, 2001 SAC Retreat
- Draft SAC Biennial Accomplishments Report
- Final Memorandum of Understanding (MOU) with South Atlantic Fishery Management Council (SAFMC) and National Marine Fisheries Service
- SAFMC news release

Call to Order and Welcome

SAC Chair Jim Henry called the meeting to order and reviewed the agenda. Rather than approving the minutes from the SAC retreat in Charleston, Reed Bohne asked the SAC to use them as a basis for reviewing discussions from the Charleston meeting on the management plan.

Public Comment

No members of the public were present.

Election of Officers

Jim Henry asked for a review of the terms of office for each position, which was provided by staff. Dr. Henry then asked SAC members for nominations. Matt Gilligan

was nominated by George Sedberry, seconded by Joe Kimmel, and elected by acclamation as Chair. George Sedberry was nominated by Joe Kimmel, seconded by Anne Lindsay Frick, and elected by acclamation as Vice Chair. Patty McIntosh was nominated by Anne Lindsay Frick, seconded, and elected by acclamation as Secretary. Becky announced that all non-governmental members are due for reappointment in August and must reapply if they wish to continue serving on the SAC. She added that appointments would also be open to the public at that time. The SAC agreed that Jim Henry would continue to serve as Chair through the meeting.

SAC Accomplishments Report

Staff distributed a draft of the report to the SAC in advance of the meeting. Becky asked the SAC to submit any changes to her by the end of the week. The report will then be finalized and sent out to all members and to the Program SAC Coordinators.

Draft Management Plan

Reed reviewed the strategies addressed in the workshops, and reported that draft action plans have been prepared and sent to program staff in Silver Spring for informal review. He noted that the SAC's comments from the Charleston meeting are reflected in the document.

The SAC had a lengthy discussion about the format of the document. Doug Rader asked whether the document follows National Environmental Policy Act (NEPA) guidelines by including alternative actions or only the preferred alternative. Staff answered that the early draft only included the preferred alternative, but that the final draft document will include all alternatives. Henry Ansley stated that for public review it would be best to outline all alternatives up front and provide an explanation of why the preferred alternative was chosen. Joe Kimmel recommended working closely with NOAA's NEPA staff in preparing the document and offered to provide a recently completed document for use as a model. He further advised that noting throughout the document that NEPA has been complied with would be advantageous.

Doug Rader also suggested an abstract or summary up front that lays out information for public education. Joe Kimmel mentioned that most of the time these plans are presented as a single, integrated document, which is the preference of SAFMC. The SAC discussed various ways of preparing a document for NEPA compliance, and so that it is useful for the public. Doug Rader suggested designing a single document that satisfies NEPA, serves as a management plan, and serves as a public education/public relations plan.

(See "Update of management plan development process and timeline" for further discussion.)

Bing asked whether there was an opportunity to comment on the minutes from the Charleston retreat. The following discussion ensued, with those not present in Charleston encouraged to give input.

Anchoring: After some discussion, it was reaffirmed that SAC members support an anchoring prohibition. More detailed discussion followed on the impacts and benefits of a mooring buoy system. Judy Wright expressed concern that people will congregate at mooring buoys. Doug Rader noted that it appears there is interest but not consensus on an appropriate mooring system. Reed Bohne emphasized that the staff's recommendation is for an experimental mooring buoy program. Joe Kimmel inquired whether the Sanctuary has the authority to prohibit all anchoring. Becky Shortland responded that the National Marine Sanctuaries Act does indeed provide that authority. The discussion concluded with a consensus that the SAC supports a prohibition on anchoring and an experimental mooring buoy program. Members were encouraged to offer additional input and information on mooring systems.

Diver contact: Reed Bohne explained that the consensus during the SAC retreat was to address diver contact issues through education and not regulation at this time. He noted that the educational component is outlined in the draft action plan, and that there is a low cost research component.

Marine debris: Reed Bohne also explained that the consensus during the SAC retreat regarding marine debris was to address the issues through an education program with a low cost research component as well. Existing regulations already cover this issue, but the public may not be aware of the scope of the regulation relating to marine debris. A discussion began regarding marine sanitary devices and other effluent that might be discharged into the Sanctuary and that regulations may need to be clarified or changed to protect water quality. Doug Rader suggested that the Sanctuary consider strengthening of existing regulation to be termed "marine waste". Becky Shortland noted that staff would be working to review and clarify the existing regulations. SAC members also emphasized the opportunities for education and stewardship through these actions. Bing Phillips noted that he believes the existing regulations are adequate.

Discussion followed on the ongoing need for better enforcement of existing laws. Joe Kimmel pointed out that although resources limit enforcement, we should not use that as a reason not to recommend new regulations. Judy Wright suggested that stickers with educational information would work well. Doug Rader suggested that the Sanctuary consider strengthening waste management programs as needed, so these issues would be addressed in the future through enforcement, education or other appropriate steps.

Fishing: Discussion included a rationale to justify a prohibition on spear fishing in the Sanctuary, as well as restrictions where commercial fishing would be affected. Becky Shortland noted that there is still a need to document the level of commercial fishing at the Sanctuary. Doug Rader asked what the Sanctuary is trying to achieve, through these actions, what the impact is on the resources and on users. Reed Bohne explained that one strategy is to request SMZ (Special Management Zone) designation by the SAFMC. Bing Phillips noted that the SMZ approach would accomplish the goals. George Sedberry noted that if the goal is reducing fishing mortality, addressing spear fishing and commercial fishing may not achieve the goal since the majority of fishing mortality at Gray's Reef is through recreational fishing.

Doug Rader expressed concern that the Sanctuary may not be complying with the intent of the NMS Act to protect the resources. It was further noted that the Sanctuary should first identify the resource protection needs, and then the actions. Becky Shortland noted that the Research and Monitoring Action Plan, emphasizes steps to gain information needed to better protect the resources. Further discussion led to the suggestion that the prohibition of spear fishing may need to be approached separately from commercial fishing or SMZ restrictions. Cathy Sakas emphasized that Gray's Reef as a sanctuary, places resource protection as the primary objective.

The final consensus among SAC members was to request a spear fishing prohibition rule from SAFMC as a test case, with the understanding that further research and analysis may lead to more fishing restrictions in the future.

Further discussion by SAC members concluded with a request that staff look at the need for other commercial fishing gear restrictions, such as long-lines that may be used for shark, and also to clarify whether or not lobster take is already prohibited by existing regulations on take of marine invertebrates.

Research Area: Reed Bohne noted that the consensus during the SAC retreat in October was that we should establish a process to identify and designate a research-only area in Gray's Reef. Bing Phillips asked that the record reflect that he opposes a research area designation. He explained that he takes issue with the term "only". It was agreed that the term in the retreat minutes would be "research area or zone" rather than "research-only area or zone"; and that a framework may be established to explore the feasibility of a research area (size, location, restrictions, research and education programs, etc.). Doug Rader reminded the SAC that many workshop participants emphasized a desire to establish a research-only area now, but he is willing to step back as long as we have a measured approach. Jim Henry noted that there was extensive discussion about this issue during the SAC retreat. The final consensus was that a research area should be designated in the future, with size, location, limitations, etc. to be determined by a working group. Doug Rader emphasized that a similar approach led to the successes of the Tortugas Ecological Reserve designation process.

Presentation by Jeff Hyland, National Center for Coastal Ocean Science (NCCOS)

The meeting was adjourned for lunch and Jeff Hyland's presentation. Dr. Hyland reviewed the results of research entitled, "Gray's Reef National Marine Sanctuary: Survey of Soft-Bottom Benthic Assemblages and Levels of Contaminants in Sediments and Biota."

Prior research on fish stocks and assemblages had been associated with rock outcrop, but very little has been done on ecological conditions of species that live in sediments. This research is the first ever study of organisms living in sediments at Gray's Reef. He described the objectives of the study: 1) establish a baseline condition of macroinfauna; 2) use the information to provide a quantitative baseline for tracking potential changes in properties with time due to natural or human events (for use as a management tool). The

study is being coordinated with Georgia DNR through the new Georgia Coastal Analysis Program.

The study looked at general habitat condition, contaminants, diversity and abundances of macroinfauna, aesthetic quality, and contaminants in tissues of target benthic species at specific sites. Dr. Hyland discussed the first year findings of selected habitat characteristics and provided a summary of sediment chemical contamination in year one.

All measured contaminants were below human health guideline values. Two fish samples were found to be just below the lead value, and there were trace concentrations of man-made pesticides. Dr. Hyland commented that the fact that they are found in resident ark shells says that contaminants are moving offshore from land or atmospheric deposition. The findings were based on limited sample population (19). He stated that future research could include air deposition monitors and perhaps groundwater transfer.

The study found that GRNMS is much higher in biodiversity than other areas in the Southeast, although the density is about the same. Dr. Hyland stated that the high diversity finding should serve as a basis for countering the notion that seemingly featureless stretches of sand are not biologically important. Sandy substrates throughout the Sanctuary support a highly diverse and abundant infaunal community (mostly annelids, molluscs and arthropods).

Dr. Hyland outlined possible future research at Gray's Reef to build on the findings of the existing studies in the Sanctuary. Reed remarked that the study findings provide an important protocol for measuring change in future research.

Management Plan Development Process and Timeline

Reed Bohne reviewed some key next steps in the management planning process. In January, Reed and Becky will meet with sanctuary program staff to review suggested regulatory changes, NEPA requirements and format of the document. Staff expects to submit a draft of the action plans for NOAA clearance in January, with a release of the document for public review this spring. The review should be 45-60 days long including public meetings. Staff is discussing whether they should conduct informational meetings with interested parties in addition to formal public hearings.

Once the public comment period is closed, comments would be analyzed and considered, a revised plan would be produced for clearance, and a final document released by the end of 2002.

Staff added that the socioeconomic studies need to be completed and would be finalized over the next few months. Those studies will focus on elements that may include new regulations and would look at the economics associated with the new regulations. Matt Gilligan mentioned that Savannah State University would have funds for a visiting professor in the marine biology master's program specializing in socioeconomics.

Doug Rader asked whether the process would be slowed down by headquarters' attention to the three California sanctuaries that are conducting planning processes involving enormous territory and complex issues. Reed reported that headquarters has assured staff that they will be provided what they need to complete the process within the planned timeframe. Becky encouraged the SAC to quickly and carefully review the documents when they are available and lend support to the process.

Doug raised the possibility of coordinating regulatory changes with the current Amendment 13 proposed rule being considered by SAFMC. Reed assured the SAC that staff is working collaboratively with SAFMC, and will work with them to coordinate any regulatory changes.

Research and Monitoring Project Priorities

Gray's Reef Research Coordinator Greg McFall reviewed an extensive list of research projects to be initiated or continued in FY02 and potential partner organizations for each. Projects discussed include the following: benthic habitat characterization; bathymetric cruise projects; benthic infaunal characterization; MARMAP fish tagging; invertebrate identification guide; fisheries monitoring; water quality monitoring; sediment analysis and monitoring; oceanographic monitoring; summarization of known trophic-level information; benthic primary production; and invertebrate recruitment dynamics. Potential partners for the various projects include other NOAA agencies, Skidaway Institute of Oceanography, SAFMC, South Carolina Dept. of Natural Resources, Savannah State University, GA Tech, Georgia Dept. of Natural Resources, US Environmental Protection Agency, GA Southern University, US Geological Survey, University of NC Wilmington, and College of Charleston.

SAC FY2002 Work Plan

In finalizing the FY2002 work plan for the SAC, Becky Shortland asked the SAC to factor in other things the Council wants to do in addition to the management plan. Given the timeline of the management plan, the SAC decided not to add any major activities before spring. The SAC discussed whether it should meet before the draft management plan is ready to be released to the public and whether a SAC meeting could serve as point of release of the draft. Reed asked whether there was any reason to meet to hear briefing reports by key investigators. No decision was made.

Other / New Business

SAFMC activities: Staff distributed copies of the final Memorandum of Understanding (MOU) with SAFMC and reported that there were no significant changes since the SAC last reviewed the agreement. All parties have signed the MOU. Staff also provided and reviewed the latest SAFMC news release, which reported that SAFMC has identified potential Marine Protected Area (MPA) sites. SAFMC will hold two rounds of public meetings on MPAs. Doug Rader noted that SAFMC is very interested in an ecosystem science-based approach to fishery management.

Update on USCG missions: Lt. Mark Gordon, who attended in LCDR Dave Cinalli's absence, reported that the USCG's priorities shifted after Sept. 11th to primarily homeland defense and maritime security. Port security is our new number one priority alongside search and rescue. While maritime security will likely remain a high priority, the Coast Guard is attempting to determine the new "normalcy" and begin to return resources to our other mission areas such as fisheries enforcement. Fisheries enforcement, drug enforcement, and immigration law enforcement are all vital to our national security.

Lt. Gordon also mentioned that Station Brunswick was conducting operations at Gray's Reef approximately once a month, and in coordination with the State of Georgia DNR every other week. Station Tybee did not do Gray's Reef enforcement due to the reef being in Station Brunswick's AOR (Area of Responsibility).

Several cutters did visit the reef within the last three months including transits by visiting cutters such as KEY LARGO and THETIS. Little recreational or other activity was reported. The general consensus from the units polled was that activity has been low. Station Brunswick requested a heads up and a willingness to respond to any requests from Gray's Reef staff if an increased level of activity was taking place.

Upcoming SAC activities: Becky Shortland reported that as the newly elected Chair, Matt Gilligan would be invited to the annual SAC Chair/Coordinators meeting in the Florida Keys in February. She also noted that Sanctuary Program Director Dan Basta has two new initiatives: a directory of SAC members throughout the program and possibly a SAC exchange program.

Jim Henry asked about the status of the Ocean Discovery Center Working Group. Reed Bohne reported that the approved federal budget did not include funding for a facility in Savannah, but that the SAC should proceed with appointing a working group and preparing a proposal for 2003 in case funding is included next year.

Public Comment

No members of the public were present.

Final Comments and Announcements

Jim Henry thanked the SAC for the opportunity to serve as Chair, and expressed appreciation to Becky Shortland for her work as the SAC Coordinator and to the rest of the staff for their support of SAC activities. Staff will circulate dates for the next meeting, possibly in March.

The meeting adjourned at approximately 4:00 PM.