

**FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY
Sanctuary Advisory Council Boundary Expansion Working Group
Meeting Minutes
April 4, 2018**

Meeting Attendance Roster:

Clint Moore	Oil and Gas Industry	Present
Shane Cantrell	Fishing – Commercial	Present
Natalie [Hall] Davis	Diving Operations	Present (webinar)
Jesse Cancelmo	Recreational Diving	Present
Scott Hickman	Fishing - Recreational	Present
Buddy Guindon	Fishing - Commercial	Present
Adrienne Correa	Research	Not Present
Charles Tyer	NOAA OLE	Not Present
Randy Widaman	Diving Operations	Present
Jake Emmert	Conservation	Present

Total member attendance: 8 of 10 members (8 of 9 voting members)

Others in attendance:

Leslie Clift (Flower Garden Banks National Marine Sanctuary (FGBNMS)), G.P. Schmahl (FGBNMS), Emma Hickerson (FGBNMS), Bill Kiene (FGBNMS), Dan Dorfman (National Centers for Coastal Ocean Science (NCCOS)), Steve Gittings (NOAA; webinar), Joanie Steinhaus (Turtle Island Restoration Network, SAC member), Sepp Haukebo (Environmental Defense Fund)

5:07 PM – Meeting called to order by Clint Moore

Adoption of Agenda – Randy Widaman moved to adopt, Scott Hickman seconded motion. No discussion, all in favor, motion approved.

Adoption of Minutes – Minutes from March 21. Randy Widaman moved to adopt, Shane Cantrell seconded motion. No discussion, all in favor, motion approved.

5:09 PM – **Public comment**

Joanie asked if she was commenting as a member of the SAC or the public. After consulting the Sanctuary Advisory Council Handbook, GP replied the SAC Handbook did not address this topic. Joanie replied that she would comment as a member of the public.

Joanie Steinhaus – See attached comment letter.

Discussion followed. In response to Joanie's questions, Clint responded to Joanie's comments about the 73 million acres offered by BOEM in an upcoming Gulf lease sale, by stating that oil & gas fields discovered in the Gulf represent less than 1% of the surface area of the Gulf. Clint added oil & gas is very tightly found in places, especially in places like the salt dome flanks around these salt dome banks, making these bank areas very prospective future exploration areas. He also said that oil & gas exploration prospects are very unique and there are specific small populations of projects and prospects. He commented that all 73 million acres is prospective for the industry is not accurate. In response to her question about the multiple criteria used in the modeling, Shane responded to the question regarding changes in ecological significance from the model output, by saying that the changes between the two criteria sensitivity runs did not look all that significant. Dan added the BEWG (Boundary Expansion Working Group) did not make a specific decision that a certain criteria of representation would be the goal. He then said that in the case of Sonnier Bank, 100% of the CSZ was adopted, and the BEWG has not only been looking at the results of representation goals as they make boundary decisions, but also the information that supported them. The points that represent the ecologic and biological observations without any filter are also shown. Clint stated the BEWG has taken a bank by bank approach because of the variance in percentages, and the BEWG is trying to balance the multiple uses. G.P. commented on the process that the BEWG is going about establishing these areas. He used Sonnier Bank as the example to say that there is not a lot of difference between the alternatives considered, but the differences are the amount of the buffer. He summarized Alternatives 2 and 3 processes succinctly as: include CSZ (Core Sensitivity Zones), add a 500 meter (m) buffer and then describe a polygon around it. Clint interjected that there was a big difference in the buffers because Alternative 3 drew large boxes around the banks. G.P. said that they chose the box for Sonnier Bank because it was an HAPC (habitat area of particular concern) and that BOEM told them that there was little oil & gas interest in these areas around Sonnier Bank. He then added that the role of the BEWG was to look at the boundaries and see if they could be modified to reduce conflict or achieve various goals. G.P. said the BEWG has shifted away from using CSZ and instead has focused on NAZ (no activity zones) or in certain case, the features (Sonnier, Alderdice, and Stetson Banks). He said that that this shift has not been voted on or had a consensus drawn from the BEWG. G.P. stated he thinks it should be affirmed by the BEWG and explained to the SAC. Clint responded the BEWG, which is a group of stakeholder groups, is charged to develop its own criteria to apply to the banks, and decides on criteria to be applied collectively for all banks or consider banks individually. He added the BEWG is going to continue their review bank by bank. Jesse acknowledged the time BEWG has spent thus far on the sanctuary expansion review process, but questioned if there is a reason to not establish criteria that can be applied

to all banks. Clint replied each bank has unique aspects, and he does not want unintended consequences or anomalies should the same criteria be applied to all banks. Jesse offered a suggestion to establish criteria, and then look for unique situations that should be addressed for particular banks. Clint's response was to consider banks individually, and asking for a recommendation or motion for Alternative 2, Alternative 3, or Clint's NAZ Plus Plan (NPP) maps and unless there was an objection, the BEWG will continue to proceed in this way. Shane agreed Clint's suggestion was reasonable, because the BEWG has taken a lot into account, and so many different data sets, and including NCCOS, that helps the BEWG to make a recommendation. He added it doesn't have to be a DEIS Alternative; it can be a compromise.

Joanie inquired about a standard or protocol for moving forward, and urged the BEWG to establish criteria and consider the entire CSZ, with its known dataset. Shane responded the criteria used in the BEWG's review process is derived from both NOAA and stakeholders. Clint referred to the consensus effort where stakeholders' needs are listened to. Jesse distilled the process as the value of biology vs energy. He added he would like to see a little bit more understanding and compromise from the oil and gas industry. Clint said his industry was strongly opposed to Alternative 3 as the preferred option, and the reaction was to move to Alternative 1. However, for the last 18 months, Clint has struggled to get his industry to embrace an expansion. Additionally, Clint has worked 12 years to get an expansion. He stated in making the NPP maps, he has compromised by adding most all of the non NAZ 85 m multi beam bathymetry areas to them, as well as most of the 152 m BOEM NTL (notice to lessees) buffer areas. He added that his industry will likely only support the NAZs with a 150 m buffer. Clint added that there is a large majority of companies that just want 9 banks, and another group that want just 3 banks, and those that want no expansion at all. Clint said he is trying to get to a solution that won't be widely opposed by his industry.

5:10 PM NCCOS Presentation (Dan Dorfman)

Dan explained the NCCOS process and MARXAN output, and will soon provide to the BEWG the definitions used in the NCCOS process, such as Cumulative Significance and Optimal Solution. He ran different ecological criteria which was originally 80% representation of CSZ, was then lowered to 40% representation, and then lowered again to 20% representation. Coral was 90%, then lowered to 45%, and then 20% criteria. Dan further commented lower representation goals (e.g., 20%) represent more opportunity to avoid human use conflicts. It (MARXAN) will automatically choose the 80% that does not have human use.

Sonnier Bank

The discussion then focused on beginning with Sonnier Bank. Dan commented the last BEWG discussion regarding Sonnier Bank was the expansion of the area that would have been selected from the Marxan results, and its core feature where conflict is least. Instead of Marxan results, Clint's NPP map used feature definition, and buffered it by 100-200 m, and then developed a polygon no more than 200 m from the feature, as

opposed to just the NAZ. The feature around Sonnier Bank is topography that forms a ring, as opposed to just the NAZ.

Dan's maps now include BOEM's NAZ stipulation package's shapefiles, as well as the newer multibeam bathymetry data for areas known to above 85 m (which varies somewhat on individual banks). The group reviewed Clint's NPP map of Sonnier Bank with a 100-200 m buffer.

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Emma asked Clint about synthetic based muds because FGBNMS currently is reviewing a BOEM permit request for a company that will use water-based muds. Clint responded water-based muds are for shallow drilling wells, and future drilling for most companies will be deeper drilling and likely to use synthetic muds.

Shane motioned, Scott seconded to accept Clint's NPP map boundaries plus a 150 m buffer for Sonnier Bank. Vote was taken and none opposed. Motion carried.

Alderdice Bank

Clint explained the criteria for boundaries on his NPP map for Alderdice (similar to Sonnier) was utilizing the NAZ areas, and including the seafloor uplift caused by the underlying salt dome.

Shane motioned, Scott seconded to accept Clint's NPP map boundaries plus a 150 m buffer for Alderdice Bank. Vote was taken and none opposed. Motion carried.

Stetson Bank

Emma pointed out the coral HAPC (habitat areas of particular concern) at Stetson is larger than the boundary the BEWG is considering. Stetson would then have two levels of regulation and its HAPC would be bigger than the BEWG's proposed boundary.

Shane motioned, Buddy seconded to accept Clint's NPP map boundaries plus a 150 m buffer for Stetson Bank. Vote was taken and none opposed. Motion carried.

Geyer Bank

Jake asked about Geyer Bank's bathymetry. He also observed how this bank's biology extends to the boundaries of Alternatives 2 and 3, and Clint's NPP map's boundaries are not the margin of the salt dome. Shane commented on how any oil and gas activity outside the NAZ but inside the CSZ would trigger a shallow water hazard survey to be conducted and submitted to BOEM for their review, and approval of the location. The BEWG discussed the shipping fairway that traverses the middle of Geyer Bank. Emma asked Clint how far away oil and gas activities can be located from shipping fairways. Clint responded at least 100 feet.

Jake noted how the BEWG has narrowed the boundaries a lot from Alternative 2, this bank has a shipping fairway, and there is a lot of CSZ not captured in Clint's NPP map boundaries.

G.P. mentioned Alternative 2 at some point in time was okay with the oil and gas industry, but now it is not. Clint responded NOAA has new information, and so does the oil and gas industry. Examples include the following: 1) new seismic technology in processing old data shows a potential for reserves to exist all the way down to 35,000 ft (feet) around these salt domes; 2) drilling fluids are different now (i.e., synthetic muds) and; 3) the need for vertical wells below 25,000 feet (directional drilling can be done above 25,000 feet).

Jesse requested since BEWG is going bank by bank, the group should consider a 300 m buffer instead for Geyer Bank. Discussion followed.

Jesse motioned, Scott seconded Clint's NPP map boundaries plus a 300 m buffer for Geyer Bank. None opposed. Motion carried.

MacNeil Bank

Shane motioned, Buddy seconded to accept Clint' NPP map boundaries plus a 100 m buffer for MacNeil Bank. During discussion, G.P. pointed out the complex shape of this boundary. **Vote was taken and none opposed. Motion carried.**

McGrail Bank

During discussion, Emma noted McGrail Bank is a Coral HAPC. Clint said his concern is the MARXAN "bleed" between the two main NAZ. Scott asked what protections the sanctuary would provide for McGrail. Emma responded any vessel other than fishing can currently anchor on McGrail, and treasure salvaging is currently not prohibited.

Jake motioned to adopt Alternative 2's boundaries for McGrail Bank, seconded by Jesse. During discussion, Jesse commented on other stakeholders' earlier concessions on the 5 banks previously voted on by the BEWG, and encouraged the goodwill of the oil and gas industry for Alternative 2 boundaries for McGrail Bank. Clint responded star coral is already protected by HAPC. He added Alternative 2 encompasses too much area, and renders it non-drillable. Jake urged Clint to look at a broad ecosystem approach.

Clint reiterated Alternative 2 is no longer acceptable to him or anyone in his industry because of the new technologies. His industry does not consider PSBF (potentially sensitive biological feature) as nationally significant. Clint said if McGrail is proposed with Alternative 2's boundaries, then it jeopardizes the entire package.

Based on what Jake proposed during the continued discussion, **Clint made an amendment to the original motion, seconded by Buddy to combine the 2 NPP areas, and add 3 additional areas. After Scott made a motion to call to question (4**

ayes, 2 no, (2 abstain), Clint's amendment was carried 7 to 1, and became the main motion. Motion carried.

Natalie motioned to amend the new main motion, seconded by Jake to amend Clint's adopted amendment to connect the two most northern areas in the proposed boundaries, and extend the large NPP on the south. Vote was taken and none opposed. Motion carried. Amendment was adopted and became the new main motion. Vote was taken and none opposed. Motion carried. See attached picture.

The BEWG will discuss Parker, Elvers, Bouma complex, Bright complex, and Flower Garden Banks (FGB)/Horseshoe complex at their next meeting.

Clint asked for the fishers to speak about Horseshoe Bank. Buddy said the fishing industry does not want any fishing regulations at Horseshoe Bank because it has some of the biggest vermillion snapper populations in the Gulf. Shane said if the GMFMC (Gulf of Mexico Fishery Management Council) recommendations are adopted, the fishermen will not have a problem. Clint proposed his NPP map. Buddy motioned, Scott seconded to use Clint's NPP map for Horseshoe Bank, but not change existing boundaries for East and West FGB. Shane made a motion to postpone this vote to next meeting, and was seconded by Natalie. Motion carried. None opposed.

The next BEWG meeting was scheduled for April 12, 2018.

7:57 PM Shane motioned to adjourn, Buddy seconded. Meeting adjourned.

Comments to the Subcommittee working on Proposed Sanctuary Expansion

Joanie Steinhaus

The Sanctuary provides a wide range of habitat conditions that support several distinct biological communities, including the northernmost coral reefs in the continental United States. Sanctuary formations provide the foundation for essential habitat for a variety of species, including sea turtles, sharks and other important marine wildlife.

Proposed alternative 3 would expand the existing sanctuary from 56 square miles to 383 square miles. Alternative 3 includes a total of 18 nationally significant natural features within 11 discrete proposed boundary areas.

It was recently announced the federal government would offer for oil and gas exploration and development of 77.3 million acres in the Gulf of Mexico this August. These tracts are in waters 3 to 231 miles offshore and in water from 9 feet to more than 2 miles deep.

My questions to the committee is why were the criteria weighting thresholds for biological/ecological observations in the Core Sensitivity Zones lowered from 80% to 40%, and ROV (remotely operated vehicle) annotations for high coral abundance lowered from 100% to 50%?

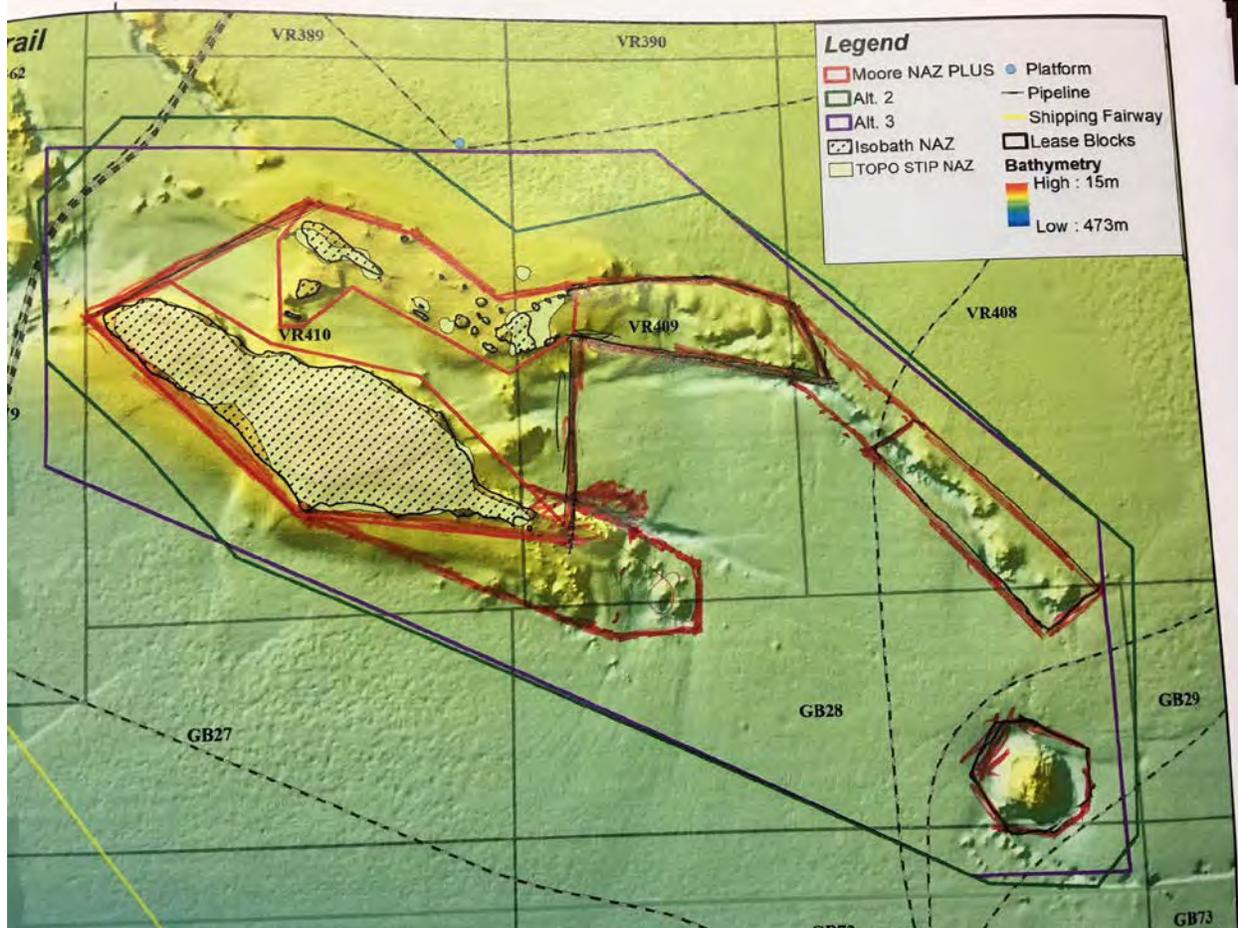
Is this something the group has voted on and agreed to determine expansion boundaries?

NAZ and CSZ were part of the discussion in the last meeting, and the NAZ's do not incorporate the entire bank but only areas above a specific contour. Has the committee determined and voted on not recognizing the significance of the deeper area?

Until recent years, life on the reefs in parts of the Gulf of Mexico was a mystery, but researchers from the FGBNMS have documented numerous fragile coral communities.

These reefs play important ecological roles in the deep sea, offering feeding grounds, nurseries, and shelter for fish, crabs, lobsters, and many other marine animals.

I hope the committee will consider and allow for "ecological connectivity" among the communities of biota occupying the various reefs and banks in the northwestern Gulf of Mexico.



Lines drawn by BEWG members for McGrail Bank at the BEWG meeting on April 4, 2018.