

# FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

## Sanctuary Advisory Council Meeting Minutes April 20, 2016

### Meeting Attendance Roster:

Jimi Mack	Recreational Diving	Present
Jesse Cancelmo	Recreational Diving	Present
Natalie Hall	Diving Operations	Present
Randy Widaman	Diving Operations	Present
James Wiseman	Oil and Gas Industry	Absent
Clint Moore	Oil and Gas Industry	Present
Scott Hickman	Fishing - Recreational	Present
John Blaha	Fishing - Recreational	Absent
Shane Cantrell	Fishing - Commercial	Present
Buddy Guindon	Fishing - Commercial	Present
Adrienne Simoes Correa	Research	Present
Larry McKinney	Research	Absent
Karla Klay	Education	Present
Jacqui Stanley	Education	Present
Ellis Pickett	Conservation	Absent
Jorge Brenner	Conservation	Absent
James Sinclair	BSEE (non-voting)	Present
Matt Johnson	BOEM (non-voting)	Present
Jason Brand	U.S. Coast Guard (non-voting)	Present
Rusty Swafford	NOAA Fisheries (non-voting)	Present
Charles Tyer	NOAA OLE (non-voting)	Present
Ben Scaggs	EPA (non-voting)	Absent
G.P. Schmahl	Sanctuary Superintendent (non-voting)	Present

**Total voting member attendance:** 11 of 16

### Others in Attendance:

Leslie Clift, Kelly Drinnen, Emma Hickerson, Michelle Johnston, Shelley Du Puy, Travis Sterne, Dustin Picard, Bill Kiene, Kris Benson, Craig Beasley, Bill Jones, Raven Walker, and Jill Thompson-Grim.

**9:14am** Meeting called to order by Clint Moore.

**9:15am Administrative Business – Clint Moore**

Added a 15-minute time slot for an update from the SAC subcommittee on visitor center. Adoption of Agenda – motion from Randy Widaman, second from Shane Cantrell, no discussion, all in favor, motion approved.

Approval of May Minutes – motion from Shane Cantrell, second from Randy Widaman, no discussion, all in favor, motion approved.

**9:17am Welcome and Announcements – G.P. Schmahl**

G.P. requested Paul Montagna to give a presentation on impacts of Deepwater Horizon oil spill on deepwater benthic communities may be scheduled for a SAC meeting in the near future.

USCG Lt. Cmdr. Jason Brand will be transferred to the west coast, with this meeting being his last with FGBNMS. The SAC commended him on his support and service for the Flower Garden Banks National Marine Sanctuary (FGBNMS).

**9:15am Sanctuary Updates – G.P. Schmahl**

Four open SAC seats (recreational fishing, research, education, and conservation) were advertised in February. Applications were received and the review process, with the assistance of a SAC Review Panel Subcommittee, is nearly completed. Announcements should be made in approximately a month. G.P. and Clint Moore recognized and thanked SAC members Karla Klay and Jorge Brenner who will rotate off the SAC as their term expires. Karla offered to deliver a package from FGBNMS to the sanctuary in Komodo, Indonesia when she visits later this year.

G.P. announced and recognized Scott Hickman as the 2016 FGBNMS Volunteer of the Year, and presented him with a plaque. G.P. also announced the National Sanctuary Foundation selected Scott Hickman as the overall Volunteer of the Year. In June 2016, At Capitol Hill Ocean Week (CHOW) in Washington D.C., the Foundation will formally announce Scott's selection. G.P. will hope this event in June will lend additional support to the FGBNMS expansion review process.

*R/V Manta* is scheduled to come out of its annual yard maintenance next week. Dustin Picard updated the SAC on the vessels' projects.

G.P. recognized Michelle Johnston's two in-press publications: 1) paper on lionfish in FGBNMS in the journal *Bioinvasion Records*; and 2) paper on coral assemblages at East and West Flower Garden Banks (FGB) in the journal *Coral Reefs*. Clint asked about nutrient sampling, and Michelle gave information on quarterly monitoring for nutrients. Clint asked about the increase in macro-algae. FGBNMS staff said it's unknown at this point, but a combination of factors, such as bleaching events due to elevated water temperatures and nutrient input, are likely causes. With help from BOEM, FGBNMS' long-term coral reef monitoring methods were evaluated by an

independent study.

Three papers authored by FGBNMS staff were accepted for the 13<sup>th</sup> International Coral Reef Symposium (ICRS; June 19-24, 2016; Honolulu, Hawaii): 1) Schmahl et al. – Design of Marine Protected Areas; 2) Johnson et al. – Long term Monitoring E&WFGB; and 3) Nuttall et al. – Mesophotic coral monitoring. Two presentations on development of the Sister Sanctuary program with Cuba will also be given at ICRS. Clint asked about Sister Sanctuary program development with Mexico. Bill Kiene responded that more information will be forthcoming in May about this.

Mooring buoy installation at FGB will take place in May. Three upcoming cruises of interest in 2016: 1) Women Divers Hall of Fame/Coral Spawning (August 25-28); 2) Catlin Seaview – Google Earth (underwater 360 degree views); and 3) 2<sup>nd</sup> FGB Lionfish Invitational (August 28-September 1). Three new research efforts in 2016: 1) acoustic “soundscape” (listening device for biological and mechanical (vessel traffic) sounds) will initially be placed for a month and longer timeframes in 2017; 2) acoustic tracking array “ITAG” Project (Dr. Jay Rooker, TAMUG) which will identify acoustically tagged fish; and 3) Marine Biodiversity Observing Network (MBON) which will take water samples and analyze DNA to look at taxonomic, genomic, and functional diversities. The coral cap at EFGB will be completely covered by the acoustic array, and more receivers will be placed at WFGB and Stetson.

Deepwater Horizon Programmatic Restoration Plan was released in October 2015. The final consent decree was recently signed and published in February 2016. It outlines the restoration strategies for injured resources within various categories and has a 15-year timeframe. Mesophotic and deep benthic coral communities are included in the injury assessment categories with monies totaling \$273 million. Funds could be distributed not only to direct restoration, but also to ‘protect and manage’ these communities as marine protected areas. FGBNMS was specifically referenced in this goal. Clint asked if FGBNMS was internally strategizing for these communities. G.P. answered yes, the FGBNMS is looking at areas that could be identified to receive funds. Karla added marine mammals, specifically Sperm Whales, were largely overlooked in the Restoration Plan, and she had advocated a Sperm Whale sanctuary. She encouraged FGBNMS to think more broadly about sanctuaries in the Gulf of Mexico.

FGBNMS staff have been working on the development of a Draft Environmental Impact Statement (DEIS) for sanctuary expansion. As part of this analysis, public comments from the Notice of Intent were analyzed. FGBNMS entered cooperating agency agreements with BOEM and BSEE, and FGBNMS addressed their comments. Existing regulations would be applied to new areas. G.P. said additional banks, newly documented since the Boundary Working Group in 2007, will be included in the DEIS, as well as areas identified and relevant to the Deepwater Horizon Programmatic Restoration Plan. The DEIS is anticipated to be released in June 2016. Scott asked at what point in the process would be appropriate to develop a working group with commercial fishers and address access issues inside the areas included in the DEIS. G.P. answered that this could happen after the release of the DEIS, and added that

FGBNMS would also need to work with the Gulf of Mexico Fisheries Management Council (Gulf Council). Buddy asked if the commercial fishers should start the process of forming a working group. G.P. answered that forming either a SAC subcommittee or SAC working group (includes non-SAC members) would be appropriate. Clint asked if a preferred alternative has been selected and how that decision was made. G.P. explained the process of consulting both within the sanctuary program and agency partners. Matt asked about the timeline after the DEIS is released. G.P. responded a 60-90 day public comment period happens after the DEIS release, with public meetings scheduled during that time. After the public comment period, FGBNMS will identify the priority issues, followed by the SAC producing a SAC recommendation. No specific timeframe exists between the draft EIS and final EIS, but hopefully will be within a year (summer/fall 2017). Karla asked what the working group would work on since the DEIS is not public yet. Clint answered that the process can start and that members could be identified to invite to the working group. Buddy agreed the process of a working group needs to start now. Scott asked if about inviting a member from the Gulf Council on the working group, and creating a workshop. G.P. responded yes.

A motion was made by Shane Cantrell and seconded by Jesse Cancelmo to form a SAC working group on FGB expansion. Karla urged other stakeholders to be included in the working group in a holistic approach. Rusty Swafford asked G.P. to check with the rulemaking process and the interaction with the SAC working group as it regards the Federal Advisory Committee Act. All in favor. Motion carried.

Shane Cantrell, Jesse Cancelmo, Scott Hickman, Buddy Guindon, Randy Widaman, Adrienne Correa, Jacqui Stanley, Charles Tyer, Natalie Hall, and Clint Moore volunteered to serve on this SAC working group.

A motion was made to begin identifying potential additional working group members by Shane Cantrell, seconded by Randy Widaman. All in favor. Motion carried.

A motion was made to nominate Shane Cantrell and Clint Moore as co-chairs of the SAC working group by Randy Widaman, seconded by by Jesse Cancelmo. All in favor. Motion carried.

### **10:15am Education Update – Shelley Du Puy**

Tabled for later in meeting.

### **11:30am Visitation Permit Program update – Natalie Hall**

Natalie, the SAC subcommittee chair for the visitation permit program, and G.P. spoke with Joanne Delaney who oversees the access permit program in the Florida Keys National Marine Sanctuary (FKNMS). Information from this conversation included that permits are obtained by phone, no fee is required, and maximum duration is 2 weeks (but is in the process of being changed to an annual permit). No administrative work is needed in FKNMS, with the 36 access permits granted each year (400 total permits per year including research & education, special use, baitfish, lionfish removal, maritime heritage resources, and Tortugas North access). G.P. added Joanne Delaney's position

is funded for specifically permitting purposes and FGBNMS, through Emma Hickerson, currently only averages 12 permits per year. Scott reminded SAC with the expansion that an increase in permits could be a bigger number than currently projected. Natalie shared a draft reporting form for a FGBNMS annual permit.

A motion was made by Randy Widaman, seconded by Jimi Mack, to distribute the SAC subcommittee's work on the visitation permit program to the greater community for comment and feedback. An amendment to the motion was made by Scott Hickman, seconded by Jesse Cancelmo, to develop a SAC working group on the visitation permit program. Jason Brand noted the Enforcement Law Committee should be involved. All in favor. Motion carried.

Volunteers for the SAC working group on visitation permit program include Shane Cantrell, Charles Tyer, Jesse Cancelmo, Scott Hickman, Buddy Guindon, Jimi Mack, Natalie Hall, and US Coast Guard representative, and will be chaired by Natalie.

A motion was made by Scott Hickman, seconded by Jesse Cancelmo, to begin identifying potential additional working group members. All in favor. Motion carried.

A motion was made by Scott Hickman, seconded by Jesse Cancelmo, to nominate Natalie Hall as chair of this SAC working group. All in favor. Motion carried.

Charles Tyer encouraged any actions with enforcement relations be first passed through a SAC subcommittee on enforcement.

#### **11:30am SAC Chairs update – Clint Moore**

Tabled for later in the meeting.

#### **12:25pm Lunch Program: Oil platforms in and near FGBNMS: An ecological perspective – Adrienne Simoes-Correa**

FGBNMS has maintained a high (~50%) coral cover for decades since monitoring began, in contrast to the Caribbean where coral cover has declined 80% in the 3 last decades. The current global coral bleaching event is the longest on record, with 30-40% mortality in some areas. The summer 2015 bleaching in other Atlantic reef systems highlights the importance of protecting FGBNMS. Watches for summer 2016 bleaching events have already been issued, which is earlier than usual. Oil platforms provide opportunities for diving, fishing, habitat for encrusting organisms, and aggregation sites for fish, as well as logistical/financial benefits for the oil industry when the platforms are decommissioned. Decommissioned platforms can be partially removed, toppled and placed, kept in place, or completely removed and either placed at a reef site or taken back to a terrestrial site. Artificial reefs have many origins, approaches, and forms. Communities harbored at artificial reefs differ based on the type of artificial reef. More data exist on fish than benthic species, and as a coral biologist, Adrienne's talk will focus on benthos. She explained how platforms have facilitated the expansion of invasive coral populations in the GOM, and do not have an intrinsic environmental value. Native reef-building corals are a minimal component of encrusting communities

on oil platforms. For example, 3-17 colonies of the native *Madracis decactis* were reported in a study that examined oil and gas platforms in NW Gulf of Mexico near FGBNMS. Rice students through Adrienne analyzed benthos on HI389A platform at a depth of 52 meters, and were compared to FGBNMS. EFGB and WFGB had 56.1% coral, 33.6% macroalgae, and other. Most abundant coral species were dominant reef builders. In contrast, HI389A had 7% coral, 10.7% macroalgae, 41.3% sponge, 38.2% hydroid, and other. Most abundant coral species is almost entirely an invasive species, *Tubastrea coccinea*. Relative sponge cover on HI389A is >100X greater on the oil platform than at FGBNMS. Sponge assemblages on the artificial reef do not closely resemble the natural communities of sponges on FGBNMS. East and West FGB have over 50% of the benthos is occupied by reef-building species, whereas HI389A is 100% occupied by space occupiers only. Potential interactions of platforms: increased biodiversity, production vs. attraction (source vs. sink), range expansion, disease introduction or acceleration, and invasive species. The Gulf of Mexico numbers 4000 platforms and is much higher in number than other areas in the world. Artificial reefs provide habitat, and a set of coincident factors have to also be present for the establishment of non-indigenous species. More scientific studies are needed that are designed to explicitly test for positive/neutral impacts of platforms, as well as negative impacts of platforms. A precautionary principle should be applied to ensure that we maintain native reef-building stony coral-dominated communities on FGBNMS reefs. This will ultimately ensure the future of diving and fishing on these reefs. Given the numerous established reefing sites outside FGBNMS, there are opportunities to capitalize on diving and fishing of reefed platforms outside the sanctuary. Given the numerous established reefing sites outside FGBNMS, there are opportunities to capitalize on diving and fishing of reefed platforms outside the sanctuary. Adrienne recommends moving HI389A to an established reefing site further from FGBNMS in order to minimize potential invasive species and other impacts. Secondly, she recommended decommissioned platforms should be considered on a case by case basis for potential reefing in the sanctuary boundary expansion process, rather than receiving blanket treatment. Scott urged further SAC discussion on this topic. Karla reminded SAC to look at a variety of data, and not all will align with each other.

### **1:15pm Public Comment Period**

Craig Beasley, a recently retired geologist with Schlumberger, shared information with the SAC on Geoscientists Without Borders (GWB), which was formed in 2008 and has funds for humanitarian research and is part of the Society of Exploration Geophysicists. Two award cycles per year exist, with a \$50,000 maximum per year with a possible renewal for second year. GWB have awarded 25 diverse projects worldwide, including terrestrial and marine projects such as volcanic activity and tsunami preparedness. GWB partners with industry, universities, and Engineers Without Borders. GWB hopes to become the outreach portal for all of the oil industries. Website is <http://seg.org/GWB>. Awards have typically been awarded to graduate researchers.

### **1:30pm SAC Chairs update – Clint Moore**

A SAC Chair Teleconference occurred on April 14, 2016. Each SAC Chair had six minutes to provide an update. John Armor participated.

Topics presented by Clint on the SAC Chairs conference call about FGBNMS:

FGBNMS History – SAC numbers of seats

Strength – Research

Draft EIS for Boundary Expansion

Artificial Reefs – i.e. HIA389A

Visitation Permit Program Review

Visitor Center Initiative

Learnings from other SAC chairs:

1. Monterey Bay – El Nino pounding coastline
2. Monterey Bay – Wave-wind Projects proliferating
3. Hawaii – Management Plan failed to win HI
4. Cordell Banks – new working group for drones
5. Farallones – whale watchers using drones
6. Channel Islands – 2 Marine Shipping Reps \*\*\* - ship company, marine trade association
7. Channel Islands – Marine shipping Working Group done
8. Florida Keys – 53 marine zones with regulations
9. Olympic Coast – Oil spill risk assessment – Canadian Pipelines
10. Olympic Coast – Studying effects of Deepwater Ports
11. Olympic Coast – Ocean acidification – Sentinel Site
12. Northwest Hawaiian Islands – DOI closing Midway Visitor Center, Hypoxia buoy?
13. Grays Reef – Speakers Bureau of SAC members. Interest was garnered from Jesse, Jacqui, Jimmie, and Adrienne to create a speakers bureau for FGBNMS. Shelley offered to look into the speakers bureau at Grays Reef and will report back to the SAC.
14. Grays Reef – Considering Climate Change Working Group

Leslie added that John Armor asked for a joint SAC resolution on solution-based enforcement issues.

Lake Michigan sanctuary proposal going through process

Mallows Bay sanctuary proposal – Controversial

### **1:55pm Visitor Center update – Shane Cantrell and Jacqui Stanley**

Jacqui and Shane updated the SAC on the conference call the SAC subcommittee had regarding a visitor center. A report from Bob Leeworthy was helpful in how to identify audiences and funding sources. Many questions remain such as FGBNMS partnering with other organizations or being independent (a flagship sentinel site). The subcommittee is looking at three main target areas and creating three study teams: 1) seawall group; 2) east end group; and 3) the Strand district. The subcommittee asks G.P. to request that the same socioeconomic study conducted by Bob Leeworthy et al.

also be conducted for the FGBNMS, and the study be completed by December 31, 2016. Shane added that the study could also identify funding sources. Karla encouraged the subcommittee to contact the Galveston Park Board Trustees which successfully markets entities, and the east end may be designated as a national park site under the Lone Star Recreation Area.

A motion made by Shane Cantrell, seconded by Jacqui Stanley, to ask G. P. to request that the same socioeconomic study conducted by Bob Leeworthy et al. also be conducted for FGBNMS, and the study be completed by December 31, 2016. All in favor. Motion carried.

### **2:15pm Education Update – Shelley Du Puy**

Three successful Seaside Chats occurred in February 2016, held at Sea Scout Base Galveston. Seaside Chats included live webinars, a tour of the *R/V Manta*, and a lionfish dissection.

Ocean Discovery Day occurred in March. Attendance doubled this year with an estimated 4,000-4,600 in attendance. The event was held during spring break. Exhibits included a booth to make t-shirt bags, a booth on lionfish, the mural painting, and a coral reef monitoring activity. Artist Boat had a trash exhibit that was then displayed at the Art Car Parade. NOAA Fisheries had interactive exhibits/activities on fish and sea turtles. Over 50 volunteers helped make this day successful. Because of the increased attendance, long lines resulted and ideas of how to handle next year's event are being processed. A time lapse of the mural painting was shared with the SAC.

The FGBNMS traveling exhibit has recently moved to The Sea Center in Lake Jackson.

FGBNMS recently hosted a My Brother's Keeper event, which was formed as an effort to get minority students involved in science, technology, engineering, and math.

Since January 2016, FGBNMS education/outreach staff engaged in 6 other events: Sea Center Nature Day, Texas Wildlife and Woodlands Expo, Moms of Galveston County, and Moody Gardens educator open house. FGBNMS education/outreach staff gave 8 presentations to various groups: master naturalist training, Coast Guard, and Migration Celebration.

This weekend is Earth Day. FGBNMS education/staff will go to Galveston College which hosts an Earth Day event, and also attend the 3-day Earth Day event in Dallas.

FGBNMS will partner with Turtle Island Research Network for the Ocean Guardian project. FGBNMS will work with 2 local schools on the island in 2017 to implement a project.

Upcoming education/outreach events: Bay Day, World Ocean Day, Down Under Out Yonder (DUOY), and DEIS release. Other commitments include Nature Tourism Partnership, Marine Debris Task Force, podcast interviews, web/social media, and

routine education/outreach calls (Education Coordinators, Volunteer Coordinators calls, Climate Change Committee, Coral Communications, etc.).

Facebook likes for FGBNMS exceeded 23,000 likes.

### **2:51pm Artificial Reefs**

G.P. updated the SAC on HI389A process under the two permitting process: 1) partial removal permit is being reviewed by BSEE; and 2) artificial reef permit (i.e., general permit) through Army Corps of Engineers (ACOE). After the partial removal permit is issued, the ownership is transferred to Texas Parks & Wildlife Department (TPWD) where it will be designated an artificial reef. A memorandum of understanding (MOU) was crafted between NOAA and TPWD. Public comment was received, both in favor and in opposition, to the general permit application. Concurrently, an Environmental Impact Statement (EIS), is also in process. FGBNMS can then authorize the permits. The projected timeline is tentatively set for summer 2016. G.P. shared "ExactEarth" AIS information ([www.exactearth.com](http://www.exactearth.com)) on vessel traffic, vessel draft, and proximity to East FGB. An example was shown from June 2014-September 2015, with 244 vessels that were within the vicinity of the East FGB boundaries. Thirty-two of the vessels had drafts greater than 49.2', 9 vessels with >65.6' draft, and the largest vessel draft was 75.5'. As part of the ACOE permit, FGBNMS has requested an aid to navigation buoy be placed on the partially removed platform, with the buoy maintained by TPWD. Jason Brand commented with the new Panama Canal, more shipping traffic will occur in the Gulf of Mexico, with larger ships and deeper drafts. Scott Hickman added that two new container ports are being developed for Galveston/Houston/LaPorte areas. Charles Tyer agreed an aid to navigation buoy is needed, especially until the charts are updated with the submerged platform.

Clint asked about the possibility of adding a shipping industry stakeholder on the SAC. Jesse suggested engaging a conversation with west coast SAC members regarding shipping industry stakeholders. G.P. noted the DEIS has recognized this issue, as it relates to sanctuary boundary expansion in areas where shipping fairways exist.

### **3:30 Agency Reports**

**Charles Tyer** (OLE) – No new enforcement cases to report at FGBNMS. Patrols are being scheduled for the upcoming season.

#### **Jason Brand** (USCG) –

SKIPJACK- CGC Skipjack patrol at FG Banks.

During the patrol 5 boardings were conducted in the vicinity of the banks:

- 2 boardings were conducted on Commercial Reef Fishing Long Liners. No violations were issued on either boarding.
- 3 boardings were conducted on Recreational boats. No violations were issued on all three.

USCG has seized 26 Mexican Lanchas this year IUU fishing in US EEZ.

Red snapper season consisting of 6-9 days will start on June 15, 2016.

Operational Game Keep was formed and can be contacted at 800-792-GAME.

On April 4, federal agents confiscated nearly 500 illegally caught red snapper taken from federal waters by 3 poachers on a 30' recreational boat (488 red snapper, 152 vermillion snapper, 1 Warsaw Grouper, and 1 Gag Grouper; 2,000 pounds total; valued at \$9,000). A high penalty is expected.

Some discussion followed whereby Scott Hickman said there is a huge poaching effort in federal waters and that poachers will jump back and forth between state and federal waters. Karla Klay mentioned Restoration money can be used for enforcement. Charles Tyer pointed out MS fisheries violations are civil cases.

**Rusty Swafford** (NMFS) – no report

**Matthew Johnson** (BOEM) – Long-term monitoring report is in final stage.

**James Sinclair** (BSEE) – Interagency agreement for long-term monitoring of Stetson Bank is almost complete, and includes funding for 2016.

### **3:45pm New Business**

Jesse – Plan for 2016 teambuilding SAC dive trip to FGBNMS will take place September 10-11, on the *M/V FLING*, departing September 9, with 30 divers, hopefully including participants from Mexico and Cuba. FGBNMS SAC and other SAC members have first priority – former SAC, spouses/significant others, and sanctuary staff are also welcome.

Karla – World Ocean Day is in June and is looking for people to host ocean-related booths at the Stewart Beach Pavilion in Galveston. Artist Boat also has a call for seawall benches, and is looking for artists. TXDOT is sponsoring 35 benches. Sponsoring a bench costs \$3,000. Clint will discuss with interested SAC members to sponsor a bench.

**4:05pm Meeting Adjourned** - Motion by Randy Widaman, seconded by Shane Cantrell. All in favor. Approved.

Next SAC Meeting scheduled for September 14, 2016.