

PROPOSED LAKE ONTARIO NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Meeting 2 - VIRTUAL

Tuesday, May 27, 2020

MEETING SUMMARY

The meeting was called to order at 6 PM EST.

Ellen Brody (NOAA) welcomed everyone to the second advisory council meeting for the proposed Lake Ontario National Marine Sanctuary (LONMS). Ellen introduced Steve Kroll, Chair, Thunder Bay National Marine Sanctuary (TBNMS).

Steve Kroll, Chair, TBNMS

Steve gave an overview and insight of being the Chair of the TBNMS Advisory Council:

- Advisory councils are a very strong body of people who inform constituents and the sanctuary/sanctuary program. Develop your management plan. Write your dreams down. Benefits of being on the SAC are great people, keeping communications open, considering ideas, a diverse group of people that represent different things, you will have growth. Meetings are invigorating. Important to be a part of events.
- TBNMS accomplishments include a beautiful visitor center, glass bottom boat rides and community activities that include cardboard boat races every 4th of July. Event brings in thousands of people.
- TBNMS and SAC work closely with schools building and incorporating curriculum, ROV program, trails program.

Roles of Chair and Vice-Chair:

- Need to work together, set up agendas and work with staff on the agenda.
- Go to events. All SAC members need to take an active role in rotary clubs, youth groups in community, etc. Chair or vice chair may go to the national meeting of chairs.
- Make sure that NOAA's promises are kept. Create a management plan but don't get too specific. Specific things will bring you down.
- Make sure when talking to people or a group of people you cannot make your opinion or represent your personal opinion of the SAC. Line can't cross. Steve attends other SAC meetings when in different sanctuary communities (FKNMS).

Questions for Steve:

- Steve LeRoy - Can you share reflections on unanticipated outcomes, both good and bad? Steve Kroll – when I first got started I expected bickering and people taking strong stands. People do

listen to people and their concerns - that puts together the management plan but a consensus was reached. People were willing to share thoughts and were considerate of others' positions.

- Brad Broadwell - Why were you initially against the sanctuary? Steve – I was a diver. I wasn't looking at where the sanctuary would go. I was only looking at the limitations and having to give up information. Didn't happen and now the resource is more protected and we are able to share it.
- Jay Matteson – How has TBNMS sanctuary benefited from local communities along the shoreline and what stands out for economic development? Jeff Gray/Steve – we focus on tourism. Grown to become the largest tourist destinations in this sector of the state. When going through expansion our Chamber of Commerce sent their letter of support to our two Senators about economic development, tourism and quality of life. In a small community quality of life is important. It's not just about tourism, it's about the residents and residents who live here year round. It's about the hospital, programs for kids, cultural opportunities, marketing, college courses and businesses that have come up because of the sanctuary.
- Joe Zarzynski - What is the interaction with the State of Michigan in managing the submerged cultural resources? – Jeff – NOAA has agreement with the state who co-manages. Appointed by the Governor. Work hand in hand. State provides some funding to help with operations. State employee shares an office in the NOAA building.
- Look for cross pollination.
- Ellen - looking for strong co-management with the State of New York.

Status of designation:

Ellen reviewed the designation process and where we are now. SAC will be working on the sanctuary proposal providing input on options of the DMP. When complete draft documents will be published. Public comments follow. Important SAC members connect with community members. Revising and publishing documents are the final step.

Maritime Heritage Research (Hoyt/Roth)

Joe Hoyt discussed that the initial nomination included eastern Lake Ontario and a separate area for *HMS Ontario*. NOAA is in the early stages. We need to understand resources and define environmental impacts and develop regulations that will protect and develop a management plan that engages the community. We need to know the breadth of the resource, continue to refine and learn more about the resources. Work in progress. DMP is a draft and will always continue to be refined.refinement. Working with experts in this field including Jim Kennard and Dennis McCarthy. Another distinction is there is a difference between a known resource and potential resource. Important to understand. Varying degrees of certainty - what is there and assign values to the resources.

Maddie Roth described the importance of maritime heritage resources. To date there has been focus on shipwrecks but they are not the only resources. Looking at other potential resources that tell the story of Lake Ontario. Other heritage sites that have been located early include Iroquois confederacy and Haudenosaunee docks, wharfs, aids to navigation, aircraft, and other resources to include midden sites with historic artifacts, battlefields, etc. This will be described in the Environment Impact Statement. Came up with three main themes:

- Military heritage – waterways were transport for troops
- Local shipbuilding history to include commerce on the lake and pleasure craft that entered in the late 19th century.
- People operating vessels, shipwrecks, divers and salvage.

Stories are unique in the Great Lakes. Can tell different levels of stories, managing for prosperity and for engaging public and communities to best utilize resources making a difference in the area.

NOAA reviewed the number of shipwrecks that came in with the nomination and also public comments at scoping meetings about shipwrecks in the St. Lawrence River (both known and potential). Foundational information for boundaries.

- Eastern Lake Ontario = 39/Potential Shipwrecks and Sites = 30
- St. Lawrence River = 29/Potential Shipwrecks and Sites = 10
- Combined 68/40
- HMS Ontario +1/N/A

Boundary Considerations. Ellen discussed boundary considerations. Based on nominated boundary, representation of historical themes, national significance of shipwrecks and maritime heritage resources, and threats and needs for additional protection that NOAA can offer. Considered public comments from the public scoping meetings in June 2019. Nomination was submitted by the four counties. Have been working with elected officials from each county.

- Draft Boundary Option 1: 1,700 square miles. May or may not include the *HMS Ontario*.
- Draft Boundary Option 2: Adding approximately 55 square miles of the St. Lawrence River from mouth up to Alexandria Bay (29 shipwrecks). Interest expressed during public scoping to having a mooring buoy system, Canadians do a better job than we do, shipwrecks tend to be more accessible in this area and gate way to LO. Want feedback.

Questions/Comments:

Ray Tucker: At the last meeting felt the boundary for LO was too limited, especially with the Thousand Islands and St. Lawrence area. It's better to fix it now rather than expand later.

Jay Matteson – seems like it makes tremendous sense to have St. Lawrence River included.

Ed Mervine – In favor of adding the St. Lawrence, but what about Oswego River? (Important to include the Native American aspect.

June Smith – agrees St. Lawrence River should be included.

Dale Currier – St. Lawrence makes sense - go bigger now.

Jay Matteson – has interest in the Oswego River up to the first dam.

Jim Kennard – makes sense to include St. Lawrence River. Not much off the southern shore of Lake Ontario. Keeping diver interest from economic perspective is a good idea.

Bill Crist – should include portion of St. Lawrence but knows the wreck of *Keystorm* and *America* are in St. Lawrence County.. Ellen – we are aware and looking at.

Bob Morgan – expanded option makes sense. Early expansion in the 1800s progressed to the St. Lawrence Seaway in the 1950s should protect both eras.

Katie Malinowski – any thought on including *HMS Ontario*? Joe - *HMS Ontario* is a historically significant site and included in the boundary alternative in the nomination package. *HMS Ontario* does present additional challenges including jurisdiction and military or known military vessel. Most significant wreck but would have to have discussion with the advisory council on going forward. Jim Kennard – the shipwreck is the property of the UK. Dive site is very deep. Concerned about pilfering.

Brad Broadwell – In Option #2 have you had experience in an international partnership? We have concerns on flooding and rising waters on the Lake. Ellen – we have to do more outreach with the Canadians and Parks Canada. We do have international relationships as well, TBNMS. Joe – with regards to lake levels this would be outside the scope of what the sanctuary is.

Bob Hagemann – are there drawbacks including Option 2. He is in favor. Does adding the *HMS Ontario* necessarily mean the area needs to be disclosed? Ellen – I don't necessarily agree with go big and go early. People need to see successes (TBNMS). Adding more area means you need more resources. Need to think of pros and cons. Jeff Gray – you can always have the option to expand. Ellen – there are several sanctuaries that have gone through expansions. Joe – does the *HMS Ontario* area need to be disclosed – we have authority to withhold certain archaeological information but it would need to be disclosed to NOAA to draw the boundary. Would have to have open discussion on what considerations and how large or how big the area would have to be drawn.

Jay Matteson – Does the establishment of the sanctuary have any potential impact on Fort Drum? Joe – we are required to identify all impacted users, one of which is military use. Can carve out areas of concern or have the ability to enter into agreements with Navy/Army to make sure the activities they are undertaking are compatible. Ellen – there was outreach to the Air National Guard about their pilot training but there is no impact in the water. We are likely to exclude the Port of Oswego because of the commercial activities there.

Shane Broadwell– the excitement comes from the education opportunities and facilities that can bring these shipwrecks to the surface. More than a dive sight.

Pamela Caraccioli – if we choose not to expand what contiguous waterway is de facto?

Jim Kennard – shipwrecks are protected by Federal and State laws. Assumes that NOAA will be handling the anchoring and grappling. Joe H – we look to complement our partners in sanctuaries. NOAA would focus on addressing threats to resources.

Jay Matteson – not including St. Lawrence River forces Jefferson County to divide resources between river and lake. Better to focus on the entire resource.

Steve LeRoy – voices support for sanctuary.

Shane Broadwell – can our next meeting be in person? Ellen – highly unlikely that sanctuary staff will be able to travel to New York.

Resource Protection – Joe Hoyt

NOAA's first task is describing and defining the boundaries and the resources. Based on threats, NOAA will propose draft regulations. Unfortunate reality in the way that the regulatory structure works - NOAA needs to "prohibit" an activity to regulate the activity. Prohibition does not mean outright ban but instead it allows a permitting process to develop best practices or rules so the resource is respected and will thrive. Very important distinction.

NOAA will propose regulations based on proven best practices for historic preservation and tailor them to unique uses. There are a range of approaches to protect shipwrecks and other maritime heritage resources. Regulations are developed based on degrees of threat. NOAA presents a range of approaches in the development of our overall proposal; two major tools include proposed regulations and non-regulatory actions in the management plan. We support resource protection through education and outreach and best practices management such as the buoy program.

Internally we conceptualize and identify human threats in LO and what has worked elsewhere. Develop this into a surgical approach with your expertise in the region. This includes artifact removal or disturbance and how would this be regulated. Looking for the expertise of the SAC to help identify threats, i.e., anchors and grappling hooks, diving practices.

Advisory Council Subcommittees – Ellen

To provide input on the Draft Management Plan, NOAA is proposing to establish three groups: Education and Outreach, Research, and Resource Protection. Subcommittees will provide input, feedback and ideas into the DMP and boundary options. They will consider opportunities, needs and interests We want the committees to look at other management plans from other sanctuaries (Monitor/Thunder Bay/Wisconsin) for ideas. These management plans should provide ideas for the Lake Ontario draft plan, but they don't have to match. Looking for higher level ideas by July 1. Does not need to be detail oriented. The subcommittees will present their ideas to the advisory council. Will query group on interest and availability.

Elections for Chair and Vice Chair – Ellen. Looking for nominations or self-nominations. At July SAC meeting will ask nominees to talk a little bit about themselves. Hopeful to have Chair and Vice Chair at the August SAC meeting.

Public Comments: None

Meeting adjourned at 8:01 pm.

Next Meeting Wednesday, July 15 6-8 pm.

Attendees:

NOAA/ONMS:

Ellen Brody, Great Lakes Regional Coordinator
Eric Buck, Policy Analyst
Katie Denman, National Advisory Council Coordinator
Sophie Godfrey-McKee, Policy Analyst
Jeff Gray, Sanctuary Superintendent, TBNMS
Russ Green, Regional Coordinator
Joe Hoyt, National Maritime Heritage Coordinator
Jessica Kondel, Director, Policy & Planning Division
Steve Kroll, Chair, TBNMS SAC
Edward Lindelof, Senior Policy Analyst
Richard Mannix, Attorney
Pam Orlando, LONMS Advisory Council Coordinator
Paul Orlando, Sanctuary Superintendent, MBPR
Jean Prevo, Advisory Council Coordinator, TBNMS
Madeline Roth, Maritime Archaeologist
Ryan Shea, Socioeconomic Analyst
Julia Snouck-Hurgronje, Senior Policy Analyst

Advisory Council:

Brad Broadwell, Alternate, Economic Development
Pamela Caraccioli, Alternate, Education
Philip Church, Member, Oswego County
Bill Crist, Member, Education (Chair)
Dale Currier, Member, Recreational Boating
Nathan Emmons, Alternate, City of Oswego
Peter Evans, Alternate, Tourism
Corey Fram, Member, Economic Development
Susan Gately, Alternate, Maritime History & Interpretation
Greg Gehrig, Member, Recreational Fishing
Jeanie Gleisner, Member, Economic Development
Robert Hagemann, Member, Jefferson County

Ben Heckethorn, Alternate, Education
Robert Humphrey, Member, Education
Jim Kennard, Member, Divers/Dive Clubs, Shipwreck Exploration
Ken Kozin, Alternate, Divers/Dive Clubs, Shipwreck Exploration
Stephen Lynch, Member, Cayuga County
Dennis McCarthy, Member, Maritime History & Interpretation
Kathi McCarthy, Alternate, Citizen-at-Large
Daniel Mackay, Alternate, New York State
Katie Malinowski, Member, Citizen-at-Large (Vice-Chair)
Jay Matteson, Member, Economic Development
Ed Mervine, Member, Shoreline Property Owner
Robert Morgan, Member, Citizen-at-Large
Mercedes Niess, Member, Maritime History & Interpretation
Rebecca Shuford, Alternate, New York Sea Grant
Mark Slosek, Alternate, Recreational Boating
June Smith, Alternate, Economic Development
Michael Snyder, Member, New York State
Amy Tressider, Member, Port of Oswego Authority
Ray Tucker, Alternate, Divers, Dive Clubs & Shipwreck Exploration
Dave Turner, Alternate, Oswego County
David White, Member, New York Sea Grant
Jim Wieser, Member, Divers, Dive Clubs & Shipwreck Exploration
Christine Worth, Alternate, Wayne County
Joseph Zarzynski, Alternate, Maritime History & Interpretation

Public:

Dan Durocher