

# PROPOSED NATIONAL MARINE SANCTUARY IN HUDSON CANYON

## SANCTUARY ADVISORY COUNCIL MEETING NOTES

Thursday, February 15th, 2024

*Fourth Meeting February- Virtual*

### **Attendees:**

#### **Agency Representatives (present)**

Ellen Brody- Eastern Regional Coordinator  
LeAnn Hogan- Eastern Region Operations Coordinator  
Matt Brookhart- Eastern Regional Director  
Julia Snouck-Hurgronje- Policy Analyst  
Sage Riddick- National Advisory Council Coordinator  
Alice Stratton- Stellwagen Marine Ecologist And Permit Coordinator

#### **Council Members (present)**

Lisa Breslof- Education and Outreach  
Chrissy Word- Education and Outreach  
Paul Collier- Citizen at Large  
Raymond Fusco- Citizen at Large  
Meghan Lapp- Commercial Fishing  
Greg DiDomenico- Commercial Fishing  
Alan Lee- Recreational Fishing  
John Depersenaire- Recreational Fishing  
Kiera Maloney- Tourism and Recreation  
Noah Chesnin- Conservation  
Carl LoBue- Conservation  
Mercer Brugler- Science and Research  
John Dempsey- Marine Industry  
Stephen Lyman- Marine Industry

#### **Council Members (absent)**

Andrew Minkiewicz- Commercial Fishing  
Patrick Knapp- Commercial Fishing  
Chris Lido- Education and Outreach  
Water Golet- Science and Research

#### **Council Alternates**

Peter Chaibongsai- Conservation  
Judith Weis- Conservation  
Martin Scanlon- Citizen at Large  
Brynn Heller- Citizen at Large  
Rick Weber- Business and Economic Development  
Rik van Hemmen- Marine Industry  
Ron Rapp- Marine Industry  
Jim Kent- Education and Outreach  
Will Poston- Recreational Fishing  
Deane Lambros- Recreational Fishing  
Rob Nixon- Tourism and Recreation

#### **Government Non-voting (present)**

Carly Bari- NMFS/ GARFO  
Sarah McLaughlin- NMFS/ Atlantic HMS  
Kevin Hassell- NJ DEP  
Matthew Kahley- USCG  
Mike Snyder- New York  
Chip Collier - SAFMC  
Luke Feinberg- BOEM primary  
Chris Moore - MAFMC  
Michelle Bachman- NEFMC

Cortney Worrall- Business and Economic Development

## **I. Welcome and Overview of agenda**

Meeting officially began at 2:30pm ET on GoToWebinar.

LeAnn Hogan opened the meeting and welcomed the Sanctuary Advisory Council (SAC) members. LeAnn turned it over to Alan Lee for opening remarks and overview of the agenda.

**Alan Lee:** Thank you all for joining the proposed Hudson Canyon national marine sanctuary advisory council virtual meeting. We appreciate everyone's presence, including representatives from NOAA and the SAC. Your commitment to the SAC and the proposed designation process is invaluable. To update you all, Noah Chesnin and I have been meeting with the various disciplines within the SAC, including government non-voting members. We are pleased with our discussions, getting to know each of you and your expertise. We've sensed strong collaboration and cooperation, and we look forward to continuing these meetings in the future. It's a promising start.

To review today's agenda, we'll aim to review and approve the October 2023 meeting minutes shortly. Following that, each of the four subcommittees will present their respective updates. We'll also discuss upcoming steps, including an in-person meeting and a public comment section.

### **I. Approval of the October 2023 meeting minutes**

The meeting minutes from the October 2023 meeting of the Sanctuary Advisory Council were sent to the council members prior to this meeting for review. Alan asked the Council members if there were any comments or edits to the minutes. No edits or comments were made.

Alan Lee provided a motion to approve. The October meeting minutes were approved and finalized and they have been posted to the Hudson Canyon website, <https://sanctuaries.noaa.gov/hudson-canyon/involved/meetings.html>.

### **II. National Marine Sanctuary Foundation Update**

**LeAnn Hogan:** I'd like to bring attention to a recent job announcement from the National Marine Sanctuary Foundation for a community engagement specialist to join our Hudson Canyon team. John Depersenaire had emailed me important questions regarding this opportunity, I believe it would greatly benefit our entire advisory council to address his inquiries. John raised two main points: the National Marine Sanctuary Foundation's involvement in the Hudson Canyon designation process and their broader role in supporting the sanctuary program. I'm going to turn it over to Matt Brookhart to address these questions for the group.

**Matt Brookhart:** These questions are important for all advisory councils to know and understand. Regarding the role of the National Sanctuary Marine Foundation in designations like Hudson Canyon, the foundation isn't directly involved in drafting an Environmental Impact Statement (EIS) or management plans. Their focus lies in raising awareness and support for the National Marine Sanctuary Foundation mission, rather than formal document development. They do engage in outreach efforts to inform stakeholders about ongoing designations and gather public input. It's important to understand that our collaboration with them differs significantly from that with federal agencies; they operate as nonprofit partners, not formal consultants.

**LeAnn Hogan-** Another piece to John's question is what kind of support does the National Marine Sanctuary Foundation provide to the sanctuary program in terms of staffing?

**Matt Brookhart:** The National Marine Sanctuary Foundation has evolved over the years, transitioning into a small employer of versatile staff dedicated to supporting the sanctuary mission directly. While our core workforce consists of federal employees, we also engage various contractors and affiliates for specific needs. The foundation allows us to hire affiliate contract staff who can fulfill a range of roles, from direct support for individual sanctuaries to corporate requirements like policy analysis. These employees, though employed by the foundation, work under statements of work drafted by the Sanctuary program, addressing critical needs such as coordinating Advisory Councils. This arrangement enables us to tap into specialized expertise while ensuring alignment with our mission. It's essential to understand that these individuals are not advocating for the foundation but executing tasks outlined in statements of work tailored to our mission needs. If my explanation sounds overly bureaucratic, I apologize, and please feel free to ask for clarification.

**LeAnn Hogan:** While it may sound bureaucratic, it effectively conveys the process-oriented nature of the answer.

Questions from the SAC Members:

**Rik Van Hemmen:** How is the foundation funded? **Response:** The foundation's funding primarily comes from two sources, with the main one being a grant from the Sanctuary program. While they are our primary nonprofit partner, they also engage in fundraising activities. The foundation's direction is shifting more towards fundraising, as indicated by their board's direction to the new CEO. Their original charter emphasized their role as a fundraising body. Therefore, their funding sources include funds raised independently and grants provided by various National Marine Sanctuaries and other parts of NOAA.

**Alan Lee:** I have a question about this job position. Is this position something that would help facilitate sort of day to day operations in the proposed designation process? **Response:** Right

now, LeAnn, serving as our project manager alongside Ellen Brody, our senior project manager for two other designations, are stretched thin. We want to ensure that the Advisory Council receives appropriate attention. This adjustment doesn't mean you'll lose touch with LeAnn, Ellen, or myself. Rather, we're enhancing support at a more junior level to manage the Advisory Council effectively. This allows LeAnn to focus on overseeing the designation and the regional operations portfolio, without spreading herself too thin. This initiative is funded through the Inflation Reduction Act (IRA), part of a broader Biden initiative allocating funds to NOAA for various purposes, including designation support.

**Michelle Bachman:** I attended a Stellwagen SAC meeting yesterday, just as an observer. One point that arose regarding the Foundation and sanctuary budgets under continuing resolutions was the benefit of increased flexibility for the Foundation in spending. Unlike federal programs constrained by budget cycles, the Foundation can adjust spending more readily. Though I may not be articulating this precisely, I believe it's an important aspect of our collaboration with the Foundation to note to the group. **Response:** That's absolutely correct. Typically, we allocate grants or specific funds, such as the IRA funding, to the Foundation for particular purposes. Once the money is transferred, the Foundation can spend it according to their timelines. This means they're not bound by the annual appropriations rules that we must adhere to, such as spending within a fiscal year without carryover. While we can't allocate all our funding this way, it's advantageous because it allows the Foundation more flexibility in spending, following their own rules rather than ours.

### **III. Presentations**

Alan Lee delivered a presentation on what a draft management plan is, followed by presentations from the four subcommittees detailing their ongoing work, encompassing strategies and progress updates.

#### **Strategies from Resource Protection and Conservation subcommittee**

1. Ensure compliance with sanctuary regulations and other applicable laws.
2. Increase and encourage access to sustainable/responsible use of sanctuary resources by fostering greater awareness while preserving existing uses and experiences.
3. Monitor vessel traffic compliance.
4. Work with Federal partners and relevant stakeholders (e.g., dive community, fishing industry, transportation industry and scientists), develop an inventory of sanctuary resources with a focus on biotic, abiotic, cultural and aesthetic attributes.
5. Develop a strategy to identify habitats, living resources, and other unique sanctuary features that may require additional protections as “special areas of concern” and are known to provide essential ecological services to the sanctuary and broader region.

6. Collaborate and coordinate with relevant government agencies and the military on actions that could impact sanctuary resources.
7. Identify, evaluate, track, educate, and respond to emerging activities and potential threats to sanctuary resources (e.g., offshore wind; submarine cables; aquaculture; illegal, unreported, and unregulated fishing; sand mining; mineral extraction; oil and gas exploration).

Questions from the SAC Members:

**Greg DiDomenico:** What does your subcommittee consider illegal, unreported, and unregulated (IUU) fishing? What is their definition? **Response from Rick Weber:** We didn't delve deeply into that aspect, as we were focused on discussing potential threats. I acknowledge your concern.

**Greg DiDomenico:** I'd be careful with the term "IUU," as it's typically applied broadly to various issues. Specifically concerning the Hudson Canyon, I don't foresee easy incursions from foreign fleets. If we're discussing IUU, we might need to adjust the definition to focus on fishing activities occurring outside the standard management processes, involving individuals without proper permits or those violating fisheries management laws at any given time. **Response from Rick Weber:** One consideration was to grant the sanctuary the authority to address international IUU fishing, given its offshore nature and involvement with highly migratory species (HMS). This would empower the sanctuary to weigh in on international overfishing, adding another entity capable of addressing such concerns.

**Greg DiDomenico:** What factors did the subcommittee consider when discussing the performance of the deep-sea coral zones? Specifically, what aspects are not meeting expectations or may not be performing as desired? **Response from Rick Weber:** There wasn't much depth in the discussion, and the language used was somewhat of a compromise. Some individuals were adamant about supporting existing authorities, especially regulations already in place. The idea was to defer to existing regulations and management schemes unless there were clear reasons for them not to work. Specifically, the discussion centered around reviewing existing protections for special areas, such as those outlined in the Deep Sea Coral Protection Area and Amendment 16 of the Squid, Mackerel, and Butterfish Fishery Management Plan. The focus was on determining if these regulatory actions provided adequate protections or if further attention was needed.

**John Dempsey:** I'd like to question the characterization of offshore wind as a threat. While it's indeed emerging in the region, I don't believe it fits the definition of a threat. Firstly, it's worth noting that there won't be any offshore wind activities in the sanctuary area. Additionally, offshore wind offers numerous benefits, including reducing reliance on fossil fuels, which contribute to ocean warming. Furthermore, the industry provides environmental justice and related activities to onshore communities, aligning with the foundational concept of the

sanctuary. Thus, I suggest revising this characterization. Regarding strategy seven, I believe it's important to acknowledge that the Council comprises a diverse body of individuals with varying opinions. Therefore, the idea of forming a collective opinion may require careful consideration.

**Rick Weber:** How do we plan to address potential changes to these recommendations? Will we be updating existing documents or keeping separate notes? I fully understand John's point regarding the term "threat," and I agree that it might be overly aggressive. There are indeed diverse opinions on placement and activities. I'm willing to concede on the term "threat," as it presupposes a negative connotation.

**Ron Rapp:** I'd like to comment on undersea cables. Current regulations permit a few cables through marine sanctuaries under special use permits, subject to the review of the sanctuary administrator. Thus, I agree that we should acknowledge the potential for non-environmental impact uses involving cables. Additionally, I'll discuss the possibility of undersea observatories later, similar to those in the Monterey Bay sanctuary. To echo John's point, while some of these may not pose actual threats, they should be considered in any use of the sanctuary.

### **Strategies from Research and Monitoring subcommittee**

1. Support science that is focused on the priority sanctuary activities and needs identified below. Compile needs and activities into a Strategic Scientific Framework.
2. Implement coordinated data management and facilitate the flow of science information among academic institutions, government agencies, and other institutions.
3. Characterize the sanctuary's biological and physical features to better understand relationships among ecosystem components, biodiversity, and system productivity.
4. Explore other important research areas including Maritime heritage and Maritime Cultural Landscapes including Indigenous considerations.
5. Undertake research and monitoring to understand climate change effects on physical, biological, maritime heritage and human communities in the Sanctuary.
6. Conduct monitoring to understand pollution/dump sites in the Sanctuary, if they exist.

### Questions from the SAC Members:

**Ron Rapp:** This presents a fantastic opportunity for oceanography. Allow me to share an idea. Years ago, I collaborated with Dr. Peter Rowan, a Rutgers geologist, on a project involving using our ROV to explore submarine landslides in the Hudson Canyon and advancing our understanding of their geology. I believe this is an excellent opportunity to pursue such research, especially with potential funding and involvement from the Sanctuary Foundation. Thank you for the insightful presentation.

**Judith Weis:** I'm curious about the funding for these studies. Would we need to apply to NOAA for funding for these research projects, or is there another avenue we should explore? **Response:** Developers of offshore projects are typically required by states to contribute significant amounts into a Renewable Energy Mitigation (RMI) fund. While I'm not entirely sure how these funds are dispersed, they are often used for initiatives in the area. For example, in recent New Jersey awards, RMI deposits amounted to around \$40 or \$50 million, signifying their significant impact. Although I may not have the full picture, it's my understanding that there's no set purpose for these funds, and they are managed by state NJ DEP offices.

**LeAnn Hogan:** When considering funding for scientific research and monitoring in this area, it's important to note that it can come from multiple sources. Federally appropriated dollars from the sanctuaries program are one avenue, especially as the sanctuaries are designated. Additionally, we collaborate extensively with academic partners and other organizations that bring assets to the table for research projects. If anyone else from the Office of National Marine Sanctuaries (ONMS) wants to add to this idea, please feel free to do so. **Response from Matt Brookhart:** We have to remember that these strategies fall squarely within NOAA's jurisdiction. I commend the subcommittee for articulating them at this stage. However, it's crucial to acknowledge that the responsibility for much of the research falls on several other NOAA offices. This includes the Office of Exploration and Research, National Centers for Coastal Ocean Science, and others. With new designations coming online, the Administration is increasingly emphasizing the need for support from various parts of NOAA. Additionally, we'll also be advocating for ship time, which is a competitive process within the Agency. Whenever new sanctuaries are established, there's significant interest in allocating resources for exploration and research, given the valuable insights gained from studying these new areas.

**Carl Lobue:** I would like to highlight that our region is in an advantageous position due to initiatives like the Regional Wildlife Science Collaborative, which focuses on information sharing and standardization, particularly regarding resources related to offshore wind. Given the proximity of the canyon just to the east, we have a tremendous opportunity to capitalize on this collective effort.

**Noah Chesnin:** Another opportunity, especially concerning strategy six, is to consider not only monitoring needs tied to historic dump sites but also potential land-based and nonpoint sources of pollution. This could be a way to expand and explore the strategy further. Regarding the remaining pieces around strategies four, five, and six, while I understand you're considering their intersections with other subcommittees, I think it's essential to ensure that these areas are fully developed before submitting them to the Agency.

**Judy Weis:** Regarding dump sites, back in the days when ocean dumping of sewage sludge occurred, there were designated areas such as the six-mile and twelve-mile dump sites. I'm not sure where the Hudson Canyon fits into those, but I doubt there were dump sites in that specific

area unless there was widespread disregard for regulations. So historically, there may not be a known sub-site in the Hudson Canyon region.

**Mercer Brugler:** Many of you may know that below 600 meters, the canyon is largely unexplored, and it extends far deeper than that. I would be thrilled to have the opportunity to explore those deeper depths. When considering our assets, we need to think about using tools like OBS deep divers, ROVs capable of diving to 6000 meters or more, and other deep-sea exploration equipment. While a 500-meter ROV is a start, I'm hoping we can also deploy deep-diving submersibles to get eyes on the deepest parts of the canyon.

### **Strategies from Education and Outreach subcommittee:**

1. Collaborate with partner institutions related to the Hudson Canyon to develop an education curriculum regarding the region's ecology, resources, and history.
2. Develop sanctuary interpretation and outreach with partner organizations.
3. Develop media relations and marketing plans for regional and national outlets.

### Questions from the SAC Members:

**Carl Lobue:** When people think of the Hudson, they often realize how far offshore it is. Even those of us who are fortunate enough to visit occasionally rarely go as deep as 600 feet or 3000 feet. Video is one way to bring the depths of the Hudson to people who may never have the chance to explore it in person. I just want to ensure that the creation of this content aligns with our goals and strategies. I'm eager to hear your thoughts on incorporating it into our plans.

**Response:** One potential challenge we discussed is how to engage people in something they may never see. Under Strategy Three, creating a video or multiple videos, perhaps tailored for different audiences, could be crucial in bringing attention to the Hudson Canyon.

**Rick Weber:** Within the realm of economic development, I see a discussion emerging around sustainable fisheries. I'm curious if we have sustainable fisheries in the canyons and if promoting them as a good and local choice could include an outreach component. This could involve educating people that their food is sourced from 150 miles away, rather than halfway around the world, and is harvested by local fishermen under some of the most sustainable regulations globally. I would like to see this incorporated into our education and outreach efforts, if possible.

**Response:** It's a bit complicated, to be honest. Ensuring the accuracy of such claims would be essential. From the perspective of someone in New York City, it would be challenging to pinpoint the exact sources of all the fish in such a vast urban area. Perhaps partnering with individual grocery stores like Whole Foods for public outreach could be a potential avenue to explore.



**Raymond Fusco:** I believe the education outreach group should explore these fantastic ideas and consider how to integrate them with various partners at different levels. This approach allows us to meet people where they are in terms of their education and connections to the sanctuary. For example, we've discussed interpretive events, displays, and exhibits with museums and educational institutions, which could help people visualize and understand the sanctuary's significance. We should compile a running list of these great ideas and determine how we can collaborate with partners to implement them effectively. Other sanctuaries have demonstrated creative ways to achieve impactful outcomes with limited resources, and we should follow their lead in finding innovative solutions. Ultimately, we aim to connect with people by presenting specific pieces of information in engaging and memorable ways.

**Mercer Brugler:** Boats are definitely on the table. It would be fantastic if we could potentially employ telepresence technology so that as we actively explore the canyon, its water column, and benthic community, people from the general public could join us virtually. Additionally, we could organize live events at institutions like the American Museum of Natural History, Smithsonian, or New York Aquarium. These events could take place in their halls of ocean life or the Hudson Canyon exhibit, allowing the audience to ask questions and even help direct our surveys. If feasible, employing telepresence technology similar to what Paul Ballard's Nautilus or NOAA's Okeanos Explorer use would be incredible.

#### **Strategies from Recreation, Tourism and Economic Development subcommittee:**

1. Plan for on-land visitor centers and tourism facilities to engage the public on proposed Hudson Canyon sanctuary.
2. Create opportunities for the public to visit the Hudson Canyon, perhaps in partnership with other sectors.
3. Collaborate with relevant agencies, NGOs, and commercial/recreational industries to develop voluntary business recognition programs.
4. Collaborate with NOAA Fisheries to ensure sustainable fisheries in and around Hudson Canyon.
5. Support utilization and advancement of the marine technology sector to share information and gather data.
6. Establish working relationships with economic and tourism development agencies and collaborate on strategies to use the sanctuary as a development asset.
7. Cultivate a generation of travelers who are also ocean stewards.
8. Evaluate the potential for Telecom Cable Corridors to provide economic development of the Northeast and greater U.S.

#### Questions from the SAC Members:

**Lisa Breslof:** I just wanted to inquire about the underwater cables. I recall a conversation with a scientist from Rutgers, who has since passed away, mentioning that he had been down in a submersible in the canyon area and was aware of cables already present there. So, it seems this particular item is already in place. Were you considering a different use for the cables?

**Response:** Currently, some cables are present in the area, with some of them being out of service. One question to address is whether these cables should be recovered and if they would be allowed to be recovered if they pass through the sanctuary. There are companies that specialize in cable recovery for their recycling value. Another consideration is the installation of new cables, particularly given the increasing demand for high-speed connectivity. Looking at the map, there appear to be numerous cables entering the area from the north. The question arises: is there room for a new cable, and is it appropriate to install one, especially if space is limited elsewhere? The decision will likely depend on factors such as the size of the sanctuary and its specific boundaries. Additionally, advancements in technology may require cables with higher capacity.

**Noah Chesnin:** In response to this subcommittee but also to the education and also the research and monitoring subcommittee there's an opportunity to consider the intersection of workforce development with research priorities for the sanctuary. This could be STEM programming, and potential job opportunities. This extends beyond the sanctuary itself to include research and monitoring outside its boundaries and collaborations with various industry sectors like fishing or shipping. The sanctuary program can serve as a central convener, bridging gaps and potentially directing federal funding towards workforce programming. This approach benefits the economy, research and monitoring efforts, and provides educational and career pathway opportunities for residents in our region. While it's challenging to pinpoint its placement within each subcommittee, it's clear that it benefits all three areas.

**Matt Brookhart:** You all have a good grasp of what sanctuaries can achieve, and I applaud the progress made in this early phase. The management plan is crucial in making National Marine Sanctuaries thrive, and what you've outlined here is promising and practical. It's great to see you considering ideas from other sanctuaries while also focusing on what makes Hudson Canyon unique. I encourage you to continue thinking about feasibility as you move forward, considering resource constraints and prioritizing impactful initiatives. Promoting sustainable fisheries in the canyon is a fantastic idea, and sharing stories of successful practices from other sanctuaries can be valuable. Overall, I'm encouraged by the direction of the program and commend everyone for their hard work in developing these initial draft strategies and actions.

### **III. Public Comments**

There were no members of the public that gave comments during the open public comment period of the meeting.

Meeting adjourned at 4:32 pm ET