

PROPOSED NATIONAL MARINE SANCTUARY IN HUDSON CANYON

SANCTUARY ADVISORY COUNCIL MEETING NOTES

Tuesday, December 5th, 2023

Third Meeting December - Virtual

Attendees:

Raymond Fusco- Citizen at Large

Agency Representatives (present)

LeAnn Hogan - Eastern Regional Operations

Coordinator

Ellen Brody - Eastern Regional Coordinator

Matt Brookhart - Eastern Regional Director

Pam Orlando - Sanctuary Advisory Council

Coordinator, Lake Ontario

Wilamena Harback - Environmental

Compliance Coordinator

Council Members (present)

Meghan Lapp - Commercial Fishing

Greg DiDomenico - Commercial Fishing

Alan Lee - Recreational Fishing

John Depersenaire - Recreational Fishing

Noah Chesnin - Conservation

Carl Lobue - Conservation

Stephen Lyman - Marine Industry

John Dempsey - Marine Industry

Lisa Breslof - Education and Outreach

Chrissy Word - Education and Outreach

Council Alternates (present)

Andrew Minkiewicz - Commercial Fishing

Deane Lambros - Recreational Fishing

Will Poston - Recreational Fishing

Judith Weis - Conservation

Jim Kent - Education and Outreach

Rick Weber -Business and Economic
Development

Rik Van Hemmen - Marine Industry

Ron Rapp - Marine Industry

Martin Scanlon - Citizen at Large

Brynn Heller - Citizen at Large

Government Non-voting (present)

Carly Bari - NMFS/ GARFO

Sarah McLaughlin - NMFS/Atlantic HMS

Michelle fman - NEFMC

Chris Moore - MAFMC

Chip Collier - SAFMC

Kevin Hassell – NJ DE

Council Members (absent)

Rob Nixon - Tourism and Recreation

Kiera Maloney - Tourism and Recreation

Chris Lido - Education and Outreach

Courtney Worrall - Business and Economic Development

Peter Chaibongsai - Conservation

Paul Collier - Citizen at Large

Mercer Brugler - Science and Research

Walter Golet - Science and Research

Patrick Knapp- Commercial Fishing

I. Welcome and Overview of agenda

Meeting officially began at 1:00pm ET on GoToWebinar.

LeAnn Hogan opened the meeting and welcomed the Sanctuary Advisory Council (SAC) members. LeAnn went through the agenda and then turned it over to Matt Brookhart for opening remarks and Office of National Marine Sanctuary (ONMS) updates.

Matt Brookhart: Good afternoon, everyone. I know we sound like a broken record when we pass on our thanks to all of you for your time and effort participating in these advisory council meetings. Thank you for joining us for this meeting and participating in our third meeting of the Hudson Canyon Sanctuary Advisory Council. We again can't do this without you and are very much looking forward to talking with you about progress that we're making here on the NOAA side with the designation. Most importantly, we will hear from the folks who are being put forward for the officer spots on the council.

As we approach the end of the calendar year, I'd like to highlight a few points from NOAA and the Office of National Marine Sanctuaries. The budget process can be challenging, with uncertainty often extending into February for fiscal year 2024 allocations. This uncertainty affects planning efforts across NOAA and within sanctuaries. We're currently operating under a continuing resolution, awaiting our full budget. I'll revisit our fiscal year 2024 numbers shortly.

Just a quick reminder about our top priority: expanding the sanctuary system with new national marine sanctuaries. This unprecedented growth demands significant resources and staff time, especially for those like Pam, Ellen, and LeAnn who manage multiple responsibilities alongside these designations. Their dedication is truly commendable. Here is an update of where we stand on those designations and management of system expansion. Regarding the restoration blueprint for the Florida Keys National Marine Sanctuary: This initiative addresses complex issues, including climate impacts on the south Florida reef tract. Coral bleaching and die-off are significant concerns. Our team, along with partners, is working to mitigate these effects. The restoration blueprint, a roadmap for future actions, is nearing completion after nearly a decade of work. It's undergoing clearance with the Office of Management and Budget. Negotiations with the state of Florida on proposed management actions are also ongoing. We anticipate finalizing this process soon and implementing management actions in the coming year.

We're progressing through the designation process for new national marine sanctuaries, including Lake Ontario in western New York, led by Ellen Brody. We're close to finalizing interagency review, with strong support from state and federal partners as well as indigenous tribal groups. The proposal promises exciting economic opportunities for the region. Similarly, the Lake Erie designation in western Pennsylvania is underway, marking positive momentum in expanding our sanctuary system. We're expanding our team in Pennsylvania and establishing a pre-designation

Sanctuary Advisory Council. Similarly, the Pacific Remote Islands proposal is in its early stages, addressing fishing concerns in the western Pacific. The Chumash Heritage National Marine Sanctuary has reached a major milestone with the release of draft designation documents, marking progress in central California. This collaborative effort with tribal partners is soon to undergo public review.

One final note, on behalf of the Office of National Marine Sanctuaries, I'm pleased to announce that Joel Johnson has joined the National Marine Sanctuary Foundation as CEO. Joel brings valuable experience and innovative thinking from his previous roles, notably with Trout Unlimited. His leadership will be instrumental as we move forward. We're excited for you to meet him at an upcoming advisory council meeting. The Foundation's role will be crucial in the future of our sanctuary efforts. Joel has already begun making significant contributions, traveling extensively within the sanctuary system. We're thrilled to have him on board.

Questions from the SAC Members:

John Depersenaire: One thing I'm not really clear on, and if you could provide your thoughts on. I know there is a quasi formal relationship with the sanctuary foundation. I'm not exactly clear on what role they play other than providing funding to a lot of the programs (creating sanctuaries for carrying out the sanctuaries act and the management plans). Could you provide a bit more insight into that relationship and what exactly that entails? **Response:** That is a great question. The most important thing I want to reiterate to you all is that The National Marine Sanctuary Foundation operates independently from the Office of National Marine Sanctuaries, focusing on cooperative efforts to fulfill the sanctuary system's mission. While they're not responsible for executing sanctuary duties, they support resource protection and promote compatible uses. Fundraising is becoming a priority under new leadership, with a focus on large-scale directed fundraising initiatives. Additionally, they provide contractual staffing agreements, with staff located in sanctuaries to support mission objectives.

Matt Brookhart: I want to mention an update on the FY24 projections for funding from the three branches of our political system. Last year's funding for the Office of National Marine Sanctuaries was \$68 million. President Biden's request for FY24 was \$92 million, but the Senate passed a bill with level funding at \$68 million, while the House proposed a cut to \$61 million. Typically, a compromise is reached between the two figures during conferencing. Despite the President's higher request and last year's funding, our budget outlook is uncertain. This underscores the challenge of expanding the sanctuary system amid budget constraints.

II. Statements of Interest from Chair and Vice Chair Nominees

Chair Nomination Alan Lee: Good afternoon, everyone. I'm Alan Lee, and I'm honored by the nomination for Chair of the SAC. I've been involved in recreational fishing out of Point Pleasant, New Jersey, near the Hudson Canyon, since 1976. The Hudson Canyon holds great personal significance for me, beyond just fishing—it's a way of life. Preserving it is essential. As Chair, I aim to respect the diverse perspectives within the SAC and communicate effectively with all stakeholders. My background in psychology and negotiation will be valuable in fostering collaboration and finding common ground. I envision smart policies that preserve the Hudson Canyon while respecting everyone's interests. Relationships are crucial, whether on the water or in leadership roles, and I'm committed to fostering teamwork and collaboration within the SAC. Thank you

Vice Chair Nomination Noah Chesnin: Thank you for the opportunity to speak today and for the nomination as Vice Chair. I'm the Associate Director of the New York Seascape Program at the Wildlife Conservation Society's(WCS) New York Aquarium. With nearly 10 years at WCS and previous experience in environmental organizations, I've focused on collaborative conservation and policy. I've been involved in building support for the Hudson Canyon's designation as a national marine sanctuary and chaired the Aquarium Conservation Partnership. The Hudson Canyon is ecologically, economically, and culturally significant, and I'm passionate about community-led conservation efforts. My approach is to balance conservation and sustainable use, supporting permanent protection from oil and gas exploration while promoting fisheries management within existing authorities. I see the sanctuary as a tool for placemaking and storytelling to raise awareness and connect people to the region. Additionally, I aim to support NOAA's government-to-government consultation with tribal nations and advocate for a more inclusive naming process for the sanctuary. If elected Vice Chair, I'm committed to inclusivity, accessibility, and building community within the SAC. I'm excited to collaborate with you all and welcome any questions.

Questions from the SAC Members:

Rik van Hemmen: I have a question for both candidates. In 10 years what do you think would be the changes you would foresee or like to see or expect to see or are scared to see even and, and how that would change from what it is today? **Response (from Alan Lee):** It's crucial to acknowledge potential challenges and threats to the Hudson Canyon and surrounding areas. While recreational and commercial fishing are dominant, we must ensure sustainable practices. Fisheries management is handled by other organizations, but we need to remain vigilant. Offshore wind development is an emerging concern that requires careful monitoring to prevent abuse and misuse of the area. **Response (from Noah Chesnin):** I'd like to delve deeper into the ideas I mentioned earlier. A sanctuary offers the opportunity for federal funding to support ongoing long-term ecological and biological monitoring of the Hudson Canyon. This monitoring is crucial due to the area's ecological and economic significance, especially with climate impacts

shifting populations and habitats. Cooperative research with local stakeholders and academic institutions can inform research priorities and create career opportunities, particularly for underrepresented communities in STEM fields. Additionally, bipartisan support for the sanctuary is valuable. Building on existing bipartisan backing, expanding support across the region can enhance resources for sanctuary programs and achieve shared goals. This long-term goal of bipartisan support is essential for the success of our efforts.

Meghan Lapp: This is kind of more of a procedural question. But is this advisory council subject to the Federal Advisory Committee Act (FACA)? Are we a “FACA body”? **Response:** Sanctuary advisory councils are exempt from FACA.

Rik van Hemmen: I want to be more specific about my previous question. 10 years from now will we have 10 times as many recreational fishing boats out there, and lots of tourist trips out to the Hudson Canyon to kind of show people what's going on? Does everyone in New York City now know that the Hudson Canyon marine sanctuary exists? **Response (from Alan Lee):** My general thoughts, I think it is going to call into play a lot of other things. For instance, increased tourism to the Hudson Canyon may require insights from our economic and tourism experts. As for the SAC, we must respect diverse interests and disciplines. While we aim to preserve the Hudson's significance, this doesn't necessarily mean limiting opportunities. Protection also involves preventing exploitation and misuse. I believe there's potential to expand opportunities beyond fishing, though currently, tourist activities are limited due to distance from land. However, this could evolve over time. **Response (from Noah Chesnin):** Rick, I fully support Alan's approach. You raised an important point about connecting those unfamiliar with the Hudson to its significance. A sanctuary can serve as a bridge, showcasing sustainable economic activities and their ties to the ocean. Collaborating with artists and technology firms can help visualize this for those unable to venture offshore. Additionally, there are opportunities for recreational activities like whale watching trips and birding tours. A sanctuary can facilitate greater awareness and participation across our region, fostering engagement through educational programs and stakeholder meetings.

Judith Weiss: I want to make a comment, people can appreciate Hudson Canyon through experiences like visiting the aquarium or reading about it, without needing to travel there. Cluttering the area with whale-watching or bird-watching boats may disrupt its health, and the distance limits tourism rewards. Visiting the aquarium and learning about it can provide meaningful connections to Hudson Canyon. I do have a question, do people scuba dive in Hudson Canyon? Or is it too cold? **Response (from Alan Lee):** I am not a scuba diver, but since the canyon is so deep I do not think people dive there.

III. Presentations

Ellen Brody gave a brief presentation outlining the Advisory Council elections and how to vote using the google form.

LeAnn Hogan gave a presentation on the elements of a sanctuary management plan.

Questions from the SAC Members:

Ronn Rapp: Is there an opportunity for the various subcommittees to come together and sort of adjudicate conflicts? There might be a strategy developed in one subcommittee that doesn't fit with the goals of another subcommittee. **Response:** Don't worry about overlap in ideas; it's natural and expected. Focus on sharing your thoughts, and we'll organize and compile them later. Getting everyone's input is the priority, so don't hesitate to contribute your ideas.

Ronn Rapp: Will the discussion of the actual boundary of the sanctuary be discussed in any of the subcommittee's? Pros and cons of trade studies? **Response:** We will look at the management plan that would apply to any of the boundary alternatives. That's the simplest way that we can do it.

Judith Weiss: I think what Ron was saying was what if two different subcommittees say the opposite thing? It's not that they're duplicating each other, that they're in conflict with each other. **Response:** If this happens we will discuss this at an upcoming SAC meeting when we come together in person. Realistically, assembling the four subcommittees before the meeting might be challenging. The in-person SAC meeting will allow us to delve deeply into the action plans and address any conflicts that arise.

John Depersenaire: I remember a discussion at our last meeting was about this macro plan being a non regulatory management plan. As we work through these action plans, do you recommend us using non regulatory language such as, "promoting, collaborating or monitoring" nothing that would impose or suggest action like implementation? **Response:** You don't have to avoid using certain types of language. Some examples include phrases like "implement data management programs." The provided examples cover a wide range of language, so feel free to include what you feel strongly about. Each breakout group will have an ONMS staff member to assist with any questions or concerns, and we can continue discussing this in future meetings as well.

Matt Brookhart: To comment on John's question, Even as committees work on non-regulatory management plans, knowing proposed regulations could impact their language. For instance, a dumping prohibition may prompt research actions in the management plan. Updates to the draft

language may be needed as we finalize proposed regulations. Regarding the Advisory Council not seeing proposed regulations or boundaries, it's not a choice but a legal restriction under the Administrative Procedures Act and NEPA. This isn't a matter of preference, but a legal constraint.

John Depersenaire: I joined this SAC as a volunteer, I thought we would have some opinions and be able to provide you all with some background on how the sanctuary should be regulated, what should be allowed and what shouldn't be allowed? I'm hearing that that's not the charter of this group. **Response:** It's not the charter of the pre-designation Sanctuary Advisory Council. However, there is nothing that prohibits you from weighing in on the proposed regulations or potential boundaries.

IV. Subcommittee Breakout Session

Council members left the webinar to break out into subcommittees on Google Meet to brainstorm ideas for recommendations for the draft sanctuary management plan content.

V. Public Comments

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

Meeting adjourned at 2:20pm ET