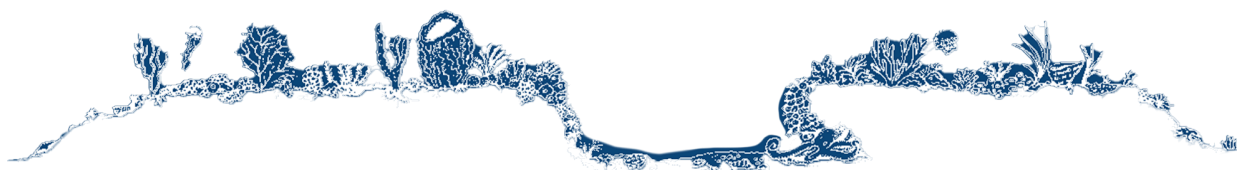




GRAY'S REEF
NATIONAL MARINE
SANCTUARY

GRAY'S REEF NATIONAL MARINE SANCTUARY ADVISORY COUNCIL CHARTER

Revised October 2026



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Establishment and Authority

Pursuant to the National Marine Sanctuaries Act (act) § 315,¹ the Secretary of Commerce, through the director of the Office of National Marine Sanctuaries (director), hereby renews Gray's Reef National Marine Sanctuary Advisory Council (advisory council). The advisory council is governed by the act and shall operate pursuant to the terms of this charter and the National Marine Sanctuary Advisory Council Implementation Handbook (handbook).

Advisory Council Policy Statement

The Office of National Marine Sanctuaries (ONMS) regards community involvement and stewardship as vitally important in carrying out its mission. Advisory councils facilitate this involvement by bringing various representatives of the community together to assist ONMS in guiding a proposed site through the sanctuary designation process, or to provide ONMS with advice on the management and protection of established sanctuaries.

The resources ONMS manages differ in countless ways. This rich variety is part of our natural heritage, a gift to be discovered, appreciated, and protected. Similarly, by recruiting for and having representation by advisory council members from a variety of sectors, ONMS can leverage new creativity, knowledge, and experiences to achieve its vision of a thriving sanctuary system that protects our nation's underwater treasures and inspires momentum for a healthy ocean.

Gray's Reef National Marine Sanctuary

Gray's Reef National Marine Sanctuary (GRNMS) protects a vibrant hard-bottom area off the Georgia coast. At 22 square miles, GRNMS is the only protected natural reef area on the continental shelf off the Georgia coast and one of only a few natural marine protected areas between Cape Hatteras, North Carolina and Cape Canaveral, Florida. Within its waters, scattered rocky outcrops and ledges as tall as six feet provide homes for a variety of marine life. These soft corals, sponges, crabs, lobsters, sea stars and other organisms form a dense carpet of living creatures that cover the nooks and crannies of GRNMS, giving it the name "live bottom." The reef attracts numerous species of fish, including black sea bass, snappers, groupers, and mackerels. Loggerhead sea turtles, a threatened species, forage and rest year-round at GRNMS, and the reef is located within critical habitat and the only known winter calving ground of the highly endangered North Atlantic right whale.

Science conducted in GRNMS helps NOAA make informed decisions that protect the sanctuary, as well as sanctuary resources that range well beyond its boundaries. GRNMS provides a living laboratory for study of this unique marine ecosystem. Recreational anglers, divers, boaters, and researchers are core sanctuary user groups; however, given the sanctuary's remote location 20 miles east of Sapelo Island, Georgia, most people experience the sanctuary through pictures, videos, or immersive exhibits at the Ocean Discovery Center (the sanctuary's visitor center) in Savannah, Georgia. GRNMS also has exhibit partnerships with the University of Georgia Marine Education Center and Aquarium, the Tybee Island Marine Science Center, Sapelo Island Visitor

¹ 16 U.S.C. § 1445a (2012).

Center, the Riverbank Zoo and Garden, and Fernbank Museum of Natural History, among others.

Advisory Council Roles

The advisory council is authorized to advise and make recommendations to NOAA regarding the designation and management of national marine sanctuaries. Accordingly, any council advice, recommendations, or comments, must affect the planning or management of Gray's Reef National Marine Sanctuary or the management and protection of sanctuary resources, and if implemented, must be part of or related to existing or potential management measures that could be authorized under the National Marine Sanctuaries Act. Any council advice, recommendations, or comments must also be consistent with the scope and provisions of this charter.

Advisory council members serve as liaisons between their constituents and ONMS. The advisory council shall draw on the expertise of its members to provide advice and recommendations to the sanctuary superintendent regarding the protection and management of Gray's Reef National Marine Sanctuary. This advice shall fairly represent the collective and individual views of the advisory council members. In formulating advice, the advisory council shall remember that the primary objective of the National Marine Sanctuaries Act and ONMS is resource protection. Only the council chair, or an approved spokesperson, can present the official views of the council.

Nothing in this charter constitutes authority to perform operational or management functions, or to make decisions on behalf of ONMS, the National Oceanic and Atmospheric Administration (NOAA), or the Department of Commerce.

Advisory council members shall not reference or otherwise use their advisory council membership in connection with public statements made in their personal capacities unless they also include a disclaimer that the views expressed in the statement are their own and do not represent the views of ONMS, NOAA, or the Department of Commerce.

Advisory council members and alternates may not use their official council title or positions to directly benefit other roles in which they serve. Members and alternates may not use their affiliation with the council for personal profit, or to attempt to influence an issue by invoking their council affiliation outside the context of the council itself. Advisory council members and alternates are not NOAA employees or affiliates and may not perform functions of NOAA employees or affiliates. No member or alternate (when the member is absent) shall cast a vote or be part of a consensus on any matter that would provide a direct financial benefit to that member or alternate or otherwise give the appearance of a conflict of interest. An advisory council member or alternate with a competing interest must disclose the conflict of interest before the advisory council discusses and votes on the matter. Council members shall perform their duties consistent with the personal conduct expectations described in the handbook.

The following ethics classifications govern advisory council members and alternates:

1. Federal employees appointed to an advisory council are performing their duties on the advisory council in their official capacities as full-time federal employees, and the ethics laws and regulations that apply to them while serving on the council are the same that apply to them in the course of their federal duties. Federal employees are prohibited from serving on federal advisory councils in a personal capacity.

2. Employees of state agencies who occupy a position reserved for that particular state agency are serving in their capacity as state officials, representing the state. They would be subject to the rules that govern employees of that particular state/agency because they would be serving on behalf of the state. With respect to federal ethics rules, they would be subject to rules against misusing government resources.
3. State employees serving on advisory councils in their personal capacity would be representing a stakeholder other than that particular state, and would have to do so pursuant to whichever ethics/outside activity rules apply to them in that particular situation. They would be subject to rules regarding the misuse of government resources.
4. Other appointed advisory council members representing stakeholders and not employed by a state or the federal government would be considered to be representatives of the various stakeholder groups, and would be subject to rules regarding the misuse of government resources.

Advisory Council Membership

The advisory council shall consist of 22 total members, including the sanctuary superintendent, 14 voting members, and 7 non-voting members. Members shall be selected by the director from groups representing the various perspectives surrounding sanctuary resources, including federal, state, or local agency employees with expertise in natural resources management; local user-group representatives; conservation and other public interest organizations; scientific and educational organizations; and members of the public interested in the protection and multiple-use management of sanctuary resources.

Seat Categories

Sanctuary superintendent. Because the advisory council ultimately provides advice to the sanctuary superintendent, the superintendent does not hold an official seat. However, the superintendent shall sit on the advisory council in a neutral, non-voting capacity. The superintendent (or designee) must be present at each advisory council meeting or the advisory council cannot meet. Additionally, the superintendent shall work with the chair in scheduling each meeting and approving the agenda to ensure each topic is relevant to the sanctuary. The superintendent may also participate in advisory council discussions by providing factual information and official ONMS opinions. However, the sanctuary superintendent shall not provide personal opinions on advisory council issues.

Voting seats. The categories of seats for which voting members are appointed or selected are as follows:

- ***Governmental.*** Due to the close proximity of Gray's Reef to Georgia coastal waters and inshore nursery habitats key to the lifecycles of many resident species at the reef, the Georgia Department of Natural Resources, Coastal Resources Division, shall be invited by ONMS to designate a representative to sit on the advisory council as a voting member.
- ***Non-governmental .*** Representatives of each of the following activities or groups, which are integrally affected by ONMS sanctuary management goals, shall also serve on the advisory council:

- Citizen-At-Large (3)
- Conservation (2)
- Education K-12
- Education University
- Marine Fishing Industry (for-profit fishing, seafood industry, tackle/bait shops, fish receiver businesses, marinas, etc.)
- Research (2)
- Sport Diving
- Sport Fishing
- Tourism

These members are appointed for a term of three years, and may compete for reappointment (subject to the ONMS non-governmental seat term limits policy described in the handbook). Should a non-governmental seat become vacant, the vacated position should be advertised and a replacement appointed as specified below. The newly appointed member shall serve for a full term beginning on the date of their appointment by the director. Precise term lengths will be specified in the member's or alternate's appointment letter.

Nonvoting seats. There is one category of seats for which nonvoting members are appointed or selected. These categories are as follows:

- *Governmental.* By virtue of the shared functional responsibilities of federal, state, and local jurisdictions in the sanctuary's management, and to ensure relevant information exchange and consistent management, the following government entities shall be asked to designate one representative each to sit on the council:
 - U.S. Coast Guard
 - NOAA Fisheries Southeast Regional Office
 - Sapelo Island National Estuarine Research Reserve
 - Georgia Department of Natural Resources, Law Enforcement Division
 - NOAA Office of Law Enforcement
 - NOAA Sea Grant office from Georgia, South Carolina, North Carolina, or Florida
 - U.S. Navy

Governmental members are appointed by their agencies and are not subject to term limitations or the competitive application process.

An alternate (from the same government entity) of a primary governmental member may be appointed by the agency and, in the absence of that council member, have the full voting rights that apply to that seat. An alternate may not name another alternate.

If a government entity decides to no longer participate on the council, or its representative fails to attend three (3) consecutive council meetings without reasonable justification and is formally removed by the director, the sanctuary superintendent, with the approval of the director, shall invite another appropriate government entity to replace that agency on the council.

Alternates

Members accept the responsibility of attending advisory council meetings and may not designate alternates to serve in their place in any capacity. The sanctuary superintendent/director will not designate alternates to serve in an advisory council member's place or to represent an absent member in meetings or at other advisory council activities.

Advisory Council Officers

The advisory council shall elect one member to serve as chair, one member to serve as vice chair, and an executive officer. These officers will serve two-year terms and may serve a maximum of two consecutive terms if reelected. The handbook provides guidance on the roles of each officer position. Note: The executive officer's role is identical to the role of the secretary, as described in the handbook.

Advisory Council Member Removal

As indicated in the handbook, advisory council members serve at the discretion of the director. The sanctuary superintendent may recommend removal of a member who violates any term of this charter or any of the proscribed activities in the handbook, including absence from 3 consecutive meetings without reasonable justification, or failure to attend at least two (2) quarterly council meetings "in-person" during any calendar year without reasonable justification

Administration

Members of the advisory council serve without pay, except that each member may receive travel expenses (including per diem in lieu of subsistence) for travel to and from official advisory council meetings, meetings of subcommittees of which they are members, and meetings of working groups of which they are members. Similarly, working group members who are not advisory council members shall serve without pay, except that they may receive working group meeting travel expenses (including per diem in lieu of subsistence)².

All reimbursement of travel expense requests are at the discretion of the sanctuary superintendent and dependent upon financial considerations and constraints. Travel expenses for governmental members may be provided by their own agencies. No alternates may receive travel expenses for council meetings unless they are filling the seat in the absence of the primary member. All travel expenses are governed by federal travel regulations.

ONMS may make available any staff, information, administrative services, or assistance that the sanctuary superintendent determines reasonably required to enable the advisory council and its subunits to function.

Operation

The advisory council's success depends on its members' consistent attendance and participation at meetings, as well as their constituent outreach. Members should recognize this responsibility (and its corresponding rewards) before applying for and accepting any advisory council seat.

In addition to attending meetings and engaging with constituents, advisory council members must also be familiar with the processes and regulations governing the sanctuary, including the

² 5 U.S.C. §§ 5702–5703 (2012).

provisions of this charter and all sections of the handbook. The following paragraphs provide an outline of the advisory council's primary activities, but members should consult the handbook for detailed guidance.

Full advisory council meetings. Advisory council meetings are held at the call of the chair and sanctuary superintendent and may be in-person, virtual, or hybrid. Full regularly-scheduled advisory council meetings shall be held at least once every six months, but no more than once in any calendar month. Each meeting shall be open to the public, and the public shall be notified at least two weeks ahead of the meeting time, place, and agenda. Failure to provide adequate public notice of each agenda item precludes the advisory council from taking any action on that item. Advisory councils shall also make each meeting's minutes available to the public.

Any matter that an advisory council member wishes to bring to ONMS's attention shall be brought to either the sanctuary superintendent or the chair so that it can be added to a future meeting agenda. The superintendent and the chair discuss agenda topics, but the superintendent must ultimately approve all topics placed on the agenda.

Advisory councils shall offer advice following either a formal vote (noting any opposing votes and abstentions), or consensus of the members (noting any minority opinions). In either case, a quorum of more than half of the advisory council's voting members must participate.

Any correspondence or other written documents from the advisory council as a body shall be coordinated with, and approved by, the chair and superintendent prior to sending. Any written recommendation, resolution, correspondence, or information the council wishes to offer or express as a body must be voted on and approved by both the council and the sanctuary superintendent prior to sending and must be on council letterhead (or accompanied by a cover letter on council letterhead) with the appropriate disclaimer. Verbal advice or queries transmitted through formal council action (i.e., by vote or general consent) shall be recorded in the written meeting minutes. All documents and communications originating from the council shall include the following disclaimer: *The advisory council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of the National Oceanic and Atmospheric Administration.*

There may be some instances in which a council conveys official communications to other federal agencies, to Congress, or to other external parties. Under the NMSA and ONMS policy, the council may not provide advice, recommendations, or comments to entities beyond ONMS without the approval of the ONMS director or the site superintendent, as applicable. The ONMS director or site superintendent may, at their discretion, approve the transmittal of council advice or comments to agencies or other third parties beyond ONMS. Any advice, correspondence, or information the council wishes to offer or express beyond the ONMS director shall be voted on and approved by the council. The ONMS director or site superintendent may convey the council advice, recommendations, or comments to the third party or may authorize the council to transmit the comments directly to the third party after providing it to the ONMS director or superintendent. For comments conveyed to any legislature, including Congress or a state legislature, ONMS will work with the NOAA Office of Legislative and Intergovernmental Affairs to transmit the comments through official channels. ONMS will consult legal counsel before sharing any information that is potentially proprietary, potentially contains Personally Identifiable Information (PII), or is otherwise sensitive or potentially controversial.

Subunits. The chair, in consultation with the advisory council as a whole and with the concurrence of the sanctuary superintendent, may establish subcommittees or working groups as necessary. A subunit may not submit its findings and recommendations directly to the superintendent or ONMS, but the advisory council may choose to take action on the findings or recommendations, including adopting them and/or transmitting them to the superintendent.

The standing “executive subcommittee” will serve as the administrative body of the advisory council and handle administrative activities as appropriate, working closely with the council coordinator. For example, the executive subcommittee may set the time and place of meetings, select agenda items (with the superintendent’s approval), and oversee meeting conduct. This subcommittee consists of the chair, vice chair, executive officer, and superintendent. The chair, with concurrence from the superintendent, may also appoint one additional member from the advisory council. With the exception of the superintendent, executive subcommittee members shall also serve as the preliminary review panel for advisory council member selection. Meetings of the executive subcommittee are not subject to public meeting requirements because executive subcommittee meetings focus on administrative and preparatory work rather than the official advisory council business of advising the superintendent on sanctuary management issues. Workshops, including working groups and subcommittee meetings, addressing strategic planning, administration, or specialized technical issues are exempt from the public notice and participation requirements.

Other Terms

The charter shall remain in effect for five years from the date of signature (i.e., until October 7, 2031). Six months prior to expiration, ONMS, with input from the advisory council members, will determine whether to renew the charter based on the ongoing need for the advisory council. ONMS may revise the charter or handbook as it deems necessary, with input from the advisory council.



John Armor
Director, Office of National Marine Sanctuaries

10/7/2026
Date