



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Office of National Marine Sanctuaries
Stellwagen Bank National Marine Sanctuary
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Stellwagen Bank National Marine Sanctuary (SBNMS)
67th Sanctuary Advisory Council Meeting
Wednesday, February 28th, 2023
SBNMS Annex, 175 Edward Foster Road, Scituate, MA

SAC Members Present:

Bill Adler	Primary: Fixed Gear Commercial Fishing
Terri Birkeland	Alternate: At Large
Kevin Blinkoff	Primary: Recreational Fishing
Andrea Bogomolni	Primary: At Large
Tim Brady	Alternate: Recreational Fishing
Jonathan Brink	Alternate: Whale Watch
Todd Callaghan	State: MA Coastal Zone Management (Chair)
Rich Delaney	Primary: Education
Susan Farady	Primary: Education (Vice Chair)
Marc Gustafson	Alternate: Mobile Gear Commercial Fishing
Michael Henry	Federal: NOAA Office of Law Enforcement
Laura Howes	Primary: Whale Watch (Secretary)
Les Kaufman	Alternate: Research
Moira Kelly	Federal: NOAA Greater Atlantic Regional Fisheries Office
Martin Klein	Alternate: Maritime Heritage
Heather Knowles	Primary: Diving
Randall Lyons	Alternate: Business Industry
Conor McManus	Alternate: Research
Chris McGuire	Primary: Conservation
Eric Meschino	Alternate: Fixed Gear Commercial Fishing
Frank Mirarchi	Alternate: Mobile Gear Commercial Fishing
Iben Munck	Primary: Conservation
Tom Nies	Federal: New England Fishery Management Council
Kimberley Pearson	Alternate: Conservation
Monica Pepe	Alternate: Education
Wayne Petersen	Alternate: Conservation
Kevin Powers	Primary: At Large
CDR Clayton Preble	Federal: US Coast Guard
Jeff Rosen	Primary: Business Industry
Dawn Stancavish	Alternate: Marine Transportation
Mason Weinrich	Primary: Research
Kelly Whitmore	State: MA Division of Marine Fisheries



Members Absent:

James Bailey	Alternate: At Large
Shelley Brown	Alternate: At Large
Laura Lilly	Alternate: Education
Marissa Marcoux	Alternate: Diving
Carol Voigt	Primary: Marine Transportation
Representative	State: Massachusetts Environmental Police

Stellwagen Bank National Marine Sanctuary (SBNMS) Staff:

Pete DeCola	Caitlin Fitzmaurice	Mike Thompson
Ben Haskell	Tammy Silva	Liam Waters
Alice Stratton	Elizabeth Stokes	Dave Wiley

Office of National Marine Sanctuaries (ONMS) Eastern Region

Matt Brookhart, Director

I. Welcome (T. Callaghan)

II. SAC Business (A. Stratton, T. Callaghan)

1. Review and motion to approve Draft 66th SAC Minutes (T. Callaghan)

Motion by Bill Adler to approve the 66th SAC Minutes with the following revision below; Mason Weinrich seconded the motion. The Minutes were approved by consensus. No abstains.

Revision to 66th SAC Minutes, under “Old Business”: Bill Adler asked Pete DeCola, SBNMS Superintendent, about the potential discharge of radioactive water into Cape Cod Bay from the Pilgrim Nuclear Power Station (PNPS) and the US Coast Guard’s (USCG) Port Access Routing Study (PARS) for the offshore areas of Maine, New Hampshire and Massachusetts. Pete DeCola provided a quick update on the discharge issue by informing the SAC that the company conducting the decommissioning will be seeking a renewal of the National Pollutant Discharge Elimination System (NPDES) permit from the Environmental Protection Agency (EPA) prior to discharging any water and that would provide SBNMS staff with an opportunity to comment on that National Environmental Policy Act (NEPA) process.

2. Reminders:

SAC Hours

Alice Stratton reminded SAC members to keep track of their hours (i.e., SAC meetings, working groups, subcommittees; working on SAC-related issues with constituents, etc.). Volunteer hours should be tracked separately.

SAC Work Plan Update (T. Callaghan)

Maritime Heritage

Heather Knowles: My recommendation for moving forward with the 2023 Maritime Heritage SAC work plan is that the goals become more tactical. As we are coming out of the Management Plan review and revision and the Shipwreck Avoidance Plan has some traction, we should be looking to create goals with some measurable dimensions. I would recommend we also get a bit more tactical on implementation metrics with some objectives that have a measurable dimension. This could be things like a communications plan and measuring impact through the size of the audience reached, continued site monitoring (which is happening already), and identification of new sites, as a few examples.

Water Quality

Jeff Rosen: The Massachusetts Water Resources Authority (MWRA) reviewed 2021 the monitoring report focusing on a few key issues. Recent issues including harmful algal blooms, and low dissolved oxygen both of which are relatively new issues in Massachusetts Bay.

There is general (though not unanimous) agreement that the outfall pipe is not having broad ecological impacts. This means that many of the questions that were the foundation of the creation of the Outfall Monitoring Science Advisory Panel (OMSAP), have been addressed and in the opinion of the OMSAP, have been answered. OMSAP has communicated this opinion and therefore, the role of the OMSAP in future permits for MWRA is not clear. The US Environmental Protection Agency (US EPA) is considering the renewal of the MWRA discharge permit. It is likely that OMSAP *will not* be included as a requirement in the new permit.

Possible future roles for OMSAP were discussed. There are a number of organizations that might be suitable homes for an OMSAP-like organization, however, to be effective, a new set of questions need to be documented. Any new monitoring program needs to have clear questions, resources for sampling, data management, quality control, data analysis and reporting need to be developed. There is broad agreement that any ongoing efforts should expand their focus from the outfall pipe to a broader view of Mass Bay and possible Mass Bays (including Buzzards Bay, vineyard and Nantucket sounds, Seekonk River, etc.

Reviews of the Mass Bay models were discussed including both effective use and limitations. Nuances of how the models can be used to evaluate possible changes in major drivers were discussed. The models are well calibrated and operate well but it is important to keep in mind that the modes had very specific targets and their usefulness for other questions are not clear.

At the same time, OMSAP has observed the emerging concerns regarding harmful algal blooms and dissolved oxygen concentrations. Further, OMSAP has recently authored and published three white papers related to contaminants of

emerging concerns (CECs). Specifically, microplastics, PFAS and pharmaceuticals and personal care products (PPCPs).

The OMSAP meeting included presentations summarizing new data collections related to PFAS and other CECs (Anna Robuck, US EPA) and microplastics (Scott Gallagher and James Churchill, Woods Hole Oceanographic Institution). The PFAS data suggests a persistent but low concentration of PFAS coming from the MWRA outfall. The data regarding the microplastics were a first blush but were great new insights into what is going on. Publicly owned treatment works (POTWs) appear to be significant sources of microplastics. MWRA is doing a good job but other water utilities (e.g., New Bedford Harbor) are releasing significant amounts of microplastics on a daily basis. The good news is that it appears that POTWs, if operated effectively, can be effective at removing microplastics but even, when well operated, they are major sources of microplastics to receiving waters. These inputs are likely continuous from waste water treatment plants.

3. Recruitment Update (A. Stratton)

SBNMS staff just received notice of ONMS approval for the October 2022 recruitment. New members to be seated will be announced once they are all officially notified of their appointment to the SAC.

Alice explained the timeframe for the next round of recruitment which will be in April. There is a big turnover with key SAC members leaving. Staff is hopeful that the next round of recruitments will be approved by the middle of the summer. The goal of the recruitment is to maintain a balance between keeping people who are experienced and active partners and expanding interest for our seats by recruiting new people from different organizations; a mix of continuity and new input is what we hope for. As a result, there will be a large turnover for SAC subcommittees, work groups and the executive committee. All recruitments will be 2-and 3-year terms with everyone seated by the October meeting. We are planning to use the October meeting as an orientation and overall SAC review for all members to assist newly seated SAC members to understand who we are and what we do; this will also be a good review for everyone.

4. SAC Charter:

SAC Charters are due for review and renewal every five years, and ours expires in July 2023. Given that we are still recruiting to bring the full SAC membership back into regular terms, we will request a 2-month extension for charter renewal. The expectation is that we will begin the process after the full SAC is seated and has met in October. In the meantime, if anyone has any thoughts of how the SAC operates or suggestions for revisions, please let Alice know.

Susan Farady offered that if SBNMS staff needs any input from the SAC or the Executive Committee to address the turnover at the SAC level and the shortage

of staff to do this, Susan is happy to take action. She realizes this is not the biggest thing on the staff's plate right now, so it makes sense to ask for a deferral for all kinds of reasons including the changes in SAC leadership among the lack of staff resources.

5. Elections (A. Stratton)

Once again, we are overdue on executive committee elections due to the ongoing state of flux of SAC seats. We will need to hold elections in May since our Chair's term has expired, our Vice Chair is termed out, and the Secretary term will expire then. Please think about whether you'd like to participate on the executive committee.

Todd Callaghan encouraged old and new SAC members to volunteer and step up to one of the leadership positions on the executive committee. It's a good opportunity for new members to get involved with the many issues ongoing with the SAC. It's not a heavy lift and is very rewarding. It's fun seeing the nuts and bolts of how the SAC works and providing input into what goes on the agenda. There is also an annual Chair's meeting for all sites to share ideas and learn about what other sanctuary sites are working on. Susan Farady seconded Todd's comments; over the years she has held every seat on the executive committee and has found it very rewarding. Laura Howes concurred and has found being secretary more rewarding and interesting than she had expected.

6. Report from SAC Wind Energy Subcommittee (C. McGuire).

Chris McGuire, SAC Wind Energy Subcommittee gave an update from the Wind Energy Subcommittee. The Subcommittee is tasked with helping to identify potential buffer zones for the sanctuary and identify best management practices for any potential cable crossing, as well as other resource protection priorities. At our last meeting, we discussed the questions that subcommittee members have about how offshore wind might affect sanctuary resources. It's clear that impacts from cable installation remain a primary concern. Many members also feel that baseline and ongoing monitoring will be important to "get right" but also may be an opportunity for SBNMS to partner with other agencies and be able to gather vital resource information. The subcommittee is very eager to hear from SBNMS staff about how best we can provide assistance, and thus have invited Pete and the research staff to our next meeting to hear from them about priority resource issues that the subcommittee may be able to help with.

Todd Callaghan brought up two examples of recent experiences with offshore wind cables:

1. State and federal agencies were made aware a few months ago that some Orsted offshore wind projects south of Martha's Vineyard (South Fork Wind, Revolution Wind, Sunrise Wind) would require the movement of boulders before their offshore export cables could be installed. Larger boulders will be

“picked” with a remotely-operated tool and moved to the side. Fields of smaller boulders will be moved out of the cable corridor via a 50-foot-wide plow. These boulder fields may be tens of kilometers long.

2. State and federal agencies learned last week that a nearshore segment of the Vineyard Wind cable as it approaches Barnstable could not be buried to an adequate depth and therefore the company was looking to either cover it with concrete mattresses or polyethylene bags of quarried granite.

These types of measures could reasonably be expected to be proposed within the sanctuary IF at some point in the future offshore wind export cables are allowed across the sanctuary and adequate mapping of seafloor geology has not occurred. There is an opportunity for the wind energy subcommittee to advise the Superintendent on this issue and suggest policies and actions to prevent disturbance to the sanctuary’s important seafloor habitats.

III. Sanctuary Business

1. Response from ONMS Director regarding SBNMS resources (T. Callaghan/M. Brookhart)

Matt Brookhart attended the SAC meeting to address concerns the SAC expressed in a letter it sent to John Armor, Director of Office of National Marine Sanctuaries (ONMS), regarding staffing shortfalls at SBNMS, especially in light of the pressing need for SBNMS to have adequate staff and funding to address the offshore wind issue in the Gulf of Maine. This is a rapidly and a very complex changing environment, politically from a policy perspective and SBNMS is not alone with issues and challenges that are going on and affecting the sanctuary system as a whole. A large part of time is spent on jurisdiction and authority issues within the sanctuary system which is an ongoing debate which is occurring at the agency and political levels in terms of who has authority to consider authorizations or permits of anything related to wind in the national marine sanctuaries. There is a pretty strong disagreement right now between NOAA and The Bureau of Ocean Energy Management (BOEM) at this moment. Matt proceeded to describe the permitting process in the sanctuaries and how ONMS is addressing the wind issue. He also added that there will be a dedicated federal position assigned to SBNMS to provide support on offshore wind energy issues. HQ staff is also ready to step up and help as needed.

2. FY23 Update (P. DeCola)

Pete provided the Fiscal Year (FY) 2023 budget and SBNMS staffing updates. The FY allocations are coming out today. The good news for Operating Funds for FY23 increased \$61 to \$68 million, with an additional \$5.5 million in “PAC” funds which are allocated solely for construction and maintenance of vessels and facilities. These funds are earmarked for fixing the boat pier. The spend plan for the new Visitor’s Center in Provincetown is at the Office of Management and Budget for approval so

there is no update on that for the time being. There is also funding in this year's budget for directed spending to conduct mapping in the sanctuary aboard fishing vessels and to purchase sonar equipment and a deployable side scan sonar system to place on fishing vessels. Pete solicited Frank Mirarchi, Marc Gustafson, and Bill Adler to help find fishing vessels willing to assist with the floor mapping project.

SBNMS received the same allocation in FY23 that it did in FY22 (\$523K). We also received an additional \$100K in non-recurring funding to fund temporary staffing to address critical staffing shortages including the outreach/volunteer coordinator position. Several construction projects were also approved for funding including maintenance and improvements for the Admin Building and replacement of the small floating pier.

The Resource Management position announcement for SBNMS officially closed. Pete is looking forward to bringing a resource protection person on board since that is a workload to be addressed.

Anne Smrcina retired so the sanctuary has no one on staff to handle anything concerning education and outreach. Caitlin Fitzmaurice who is part time is helping out in the interim.

Other staffing gaps will remain until external funding can be found or the newly revised Management Plan taskings will not be accomplished.

Matt Brookhart added that while ONMS received an increase for this FY, it is still operating on \$68 million but that's not a lot of money since it supports the operations for all sanctuaries. This funding doesn't go as far as everyone wants it to once federal taxes and federal salary increases are factored in. Staffing issues are affecting the entire sanctuary program and region as a whole. Matt asked that any opportunity SAC members may have to reach out to their representatives and congressmen to voice their concerns about the ONMS funding shortfall for the sanctuary program would be appreciated and helpful because ONMS is managing a large part of the ocean with very little money.

3. Management Plan Update (A. Stratton)

Final documents are at HQ and we are waiting for final reviews. We did receive comments back from several policy staff and we have been through several rounds of revisions. The documents continue to work through the process; they are moving and hopefully we'll have some final news on it soon.

4. SBNMS Research Updates. (B. Haskell, T. Silva)

Tammy Silva provided an update on SBNMS's new research project, "Vulnerability of the Stellwagen Bank National Marine Sanctuary to climate-driven zooplankton changes in the Gulf of Maine". The 3-year project was funded by NOAA's Climate Program Office to improve understanding of climate related

changes and to inform sanctuary management. Objectives of the project include modeling work to understand connections between SBNMS and the larger Gulf of Maine in terms of Calanus conditions, modeling work to understand how Calanus will influence sand lance abundance in SBNMS, development of an interactive, predictive tool to explore future conditions of the sanctuary forage base and to inform management decisions. Formation of an informal SAC working group (to be determined) of 4-5 members will help inform development of the decision support tool.

Ben Haskell provided an update on the proposed Climate Sentinel Mooring to replace the current National Data Buoy Center mooring 44018. The two overview slides [here](#) provide information on its proposed purpose, parameters and partners. A grant application was submitted to the NOAA's Integrated Ocean Observation System office and awardees will be announced within two months. He also informed the SAC of the presentation he and Pete DeCola gave at the International Marine Protected Areas Congress in Vancouver, BC in February on the preliminary findings of the Shipwreck Avoidance Pilot Program (SAPP). Ben will provide an update on SAPP to the former Maritime Heritage Working Group in the next two months.

5. Climate Vulnerability Assessment Workshop (B. Haskell, L. Waters)

Liam Waters gave a brief overview of the Climate Vulnerability Assessment that the sanctuary will be conducting. There will be a workshop December 5th and 6th where subject matter experts will evaluate the vulnerability of a set number of pre-selected sanctuary resources (a species, habitat, ecosystem service, heritage resource, or community). For each resource, its exposure (amount of change in each stressor the resource will experience), sensitivity (if and how the resource will be affected by exposure), and adaptive capacity (ability of the resource to adapt to stressors) will be considered while coming up with ways to help each resource adapt to climate change. There will be a final report published after the workshop that outlines recommended measures for each resource and the sanctuary as a whole.

6. Sand Lance Workshop (P. DeCola).

Pete DeCola is hoping to pull together a sand lance workshop with the goal to identify some avenues for solutions to better understand and protect sand lance development from being disrupted by the opening of the scallop fishery in SBNMS in April. Visions and solutions to engaging stakeholders on how to make this happen. SAC members are asked to send any ideas to Pete.

7. SBNMS Input to USCG Fairway (P. DeCola)

SBNMS staff sent a letter to the US Coast Guard (USCG) asking them to consider establishing two different fairways in SBNMS to concentrate vessel traffic to minimize impacts on areas of high baleen whale density during their Port

Access Route Study (PARS) for the offshore areas (ME, NH, and MA). The USCG accepted these recommendations and included them in the PARS report. SBNMS staff will continue to work with the USCG as they move forward with the study's implementation.

IV. Discussion on Agency/Governmental Written Reports

1. Massachusetts Coastal Zone Management (MA CZM) (T. Callaghan)

CZM continues to work with the NOAA Office of Coast Management and the state coastal programs from Maine and New Hampshire on a comprehensive seafloor topography map of the entire Gulf of Maine (including SBNMS). A second phase of mapping is beginning that will use new data from off the coast of Maine, north and east of Stellwagen Bank, in southern Cape Cod Bay, and south of Cape Cod.

CZM and NOAA, as co-chairs of the Habitat, Coastal, and Ocean Mapping committee of the Northeast Regional Ocean Council (NROC), is beginning an effort to prioritize interest/needs across the northeast for bathymetry, sediment, and seafloor video mapping (including in SBNMS).

CZM continues to work with the BOEM and the states of Maine and New Hampshire on establishing an offshore, floating wind lease area in the Gulf of Maine.

CZM continues to have discussions with Massachusetts Department of Environmental Protection, the Massachusetts Environmental Policy Act office, and the Massachusetts Attorney General's office regarding the potential release of radioactive water stored onsite at the former nuclear power plant in Plymouth. The central point of discussion is whether a release of any water, containing radioactive materials or not, is allowable under the state's ocean sanctuaries act and regulations.

2. Massachusetts Division of Marine Fisheries (MA DMF) (K. Whitmore)

2022 Q3/Q4 DMF Newsletter: <https://www.mass.gov/service-details/dmf-news>. Includes updates on "red listing" of lobster, striped bass, offshore wind, electronic vessel trackers for lobster vessels, and more.

Right Whale Conservation

- On Jan. 10 and Jan. 31, DMF issued Advisories reminding fishers of Trap Gear Closures in MA State waters and adjacent Federal waters in effect Feb. 1, 2023.
- On Jan. 19, DMF issued an Advisory on early aggregations of surface feeding right whales in Cape Cod Bay to alert mariners about the risk of vessel collision.

- DMF continues gear removal efforts during the 2023 seasonal trap closure, in collaboration with law enforcement and commercial fishermen. To assist us, contact DMF if you observe lost or abandoned gear (include coordinates/TDs): conservationsolutions@mass.gov.
- At DMF's urging, NOAA Fisheries implemented an emergency closure of the MA Restricted Area Wedge ("wedge") to trap gear with persistent buoy lines, effective Feb. 1-Apr. 30 (notice). The wedge is in federal waters in MA Bay west of Stellwagen Bank, east of state waters off Boston.
- On Feb. 1, 2023, DMF issued an LOA and statement of permit conditions to NOAA Fisheries and five collaborating fishermen to participate in research trials of on-demand fishing gear within two discrete areas of state waters (defined in their Jan application) during the Feb. 1 - May 15 closure period. See NOAA Fisheries' 2023 on-demand testing website for details/updates.
- DMF contractor N. Oppenheim presents "On-Demand Gear Scoping, Phase II: What are the costs?" at the MLA Trade Show on Mar. 25. Phase I of DMF's on-demand gear project highlighted operational, legal/regulatory, and socioeconomic issues surrounding the gear; see 2022 Report. Phase II investigates impacts of on-demand gear on profitability of MA lobster fisheries and involves development of a socioeconomic model.

Atlantic cod

- DMF released a StoryMap on Cod Research in MA: <https://storymaps.arcgis.com/stories/3171a6a9ee594da2839ffd1a3a6c3fdc>.
- Dean MJ, WS Hoffman, NC Buchan, SB Scyphers, JH Grabowski. 2023. Lost in translation: understanding divergent perspectives on a depleted fish stock. Canadian J of Fisheries and Aquatic Sciences: <https://doi.org/10.1139/cjfas-2022-0090>. This publication offers an explanation as to why commercial fishermen see the state of GOM cod differently than the stock assessment. A large fraction of survey tows and cod stock biomass occurred within the SBNMS.
- McBride RS and RK Smedbol (Ed.). 2022. An interdisciplinary review of Atlantic cod (*Gadus morhua*) stock structure in the Western North Atlantic Ocean. NOAA Tech. Memo. NMFS-NE-273. This comprehensive technical report represents the culmination of a 5-year review of the stock structure of Atlantic cod in the US; several chapters were authored by DMF staff. The work has led to the re-drawing of new stock units (5 stocks assessed within 4 units). Cod in the SBNMS are now considered part of either the WGOM/CC Winter-Spawning stock or the WGOM Spring-Spawning stock - but are assessed collectively as a single WGOM unit that includes the GSC but excludes E. Maine.

Atlantic mackerel

- DMF staff participate in Atlantic mackerel management through the NEFMC/MAFMC. On Jan. 11, DMF established new rules for mackerel fishing in

2023 including a commercial permit endorsement, reporting requirements, and a recreational daily limit of 20 fish per person. Amendment 23 to the Atlantic Mackerel FMP established a 20-fish recreational limit for federal waters; New England states were requested to adopt complementary recreational measures.

Atlantic herring

- DMF staff participate in Atlantic herring management through the ASMFC/NEFMC. On Nov. 6, the directed Atlantic herring fishery in management Area 1A opened, following the reallocation of 1,000mt to the sub-ACL from the Canadian New Brunswick weir fishery. On Nov. 7, the allocation was projected to have been harvested and the 2022 directed Area 1A fishery was closed through the end of the calendar year.

3. Enforcement Reports

a. First US Coast Guard (USCG) (CDR C. Preble)

Coast Guard Sector Boston has conducted 72 Living Marine Resource boardings in the vicinity of the sanctuary since October 2022 resulting in a total of 25 commercial fishing vessel safety violations on 17 individual vessels. During this time, there have been 2 fisheries violations recorded resulting in a 99% fleet compliance rate.

Two operations concerning Stellwagen Bank are currently in effect: Operation Tangled Up in Blue coincides with recent changes to the Atlantic Large Whale Take Reduction Plan (ALWTRP) that include the Emergency Closure of the Massachusetts Restricted Area - Wedge (Feb-Apr) in the vicinity of Stellwagen Bank. The Coast Guard First District has directed units to inspect trap/pot buoy lines for marking and weak link requirements (current and future ALWTRP requirements) when units are in the vicinity of offshore lobster gear. No trap/pots will be pulled to the surface and will only focus on visible portions of the gear accessible to inspection.

Operation Right Speed is an operation developed to inform vessels 65 ft or larger on practices required to reduce whale strikes. Coast Guard Sectors are directed to communicate advisories via Local Notice to Mariners, Broadcast Notice to Mariners, and Navigational TELEX (NAVTEX). Vessel speed restrictions are communicated as well as regulations concerning the approach of Right Whales closer than 500 yards. Vessels observed by radar or Automatic Identification System (AIS) that are in violation are hailed and requested to reduce speed to comply with the Right Whale Ship Strike Reduction Rule. Sightings are entered into our database and also communicated to NOAA. This operation is a result of cooperation between NOAA and the Coast Guard First District in a Right Whale Protection working group.

Due to increased pressure internationally concerning the interdiction of alien migrants, particularly in the Windward Pass off the coast of Haiti, Coast Guard Medium Endurance Cutter (210'/270') availability has been reduced for Domestic Fisheries Law Enforcement in New England. The First District continues to employ newly-commissioned Fast Response Cutter (CGC CHADWICK) from District One in support

of the Living Marine Resource mission in the First District. The First District will commission its second of six Fast Response Cutters in March of 2023 and the third in June of 2023. They will be centrally based out of Boston, MA and will provide significant upgrades in seakeeping and endurance that will support a more active presence on the water.

b. NOAA Office of Law Enforcement (OLE) (M. Henry)

The Northeast Division of OLE has received clearance from OLE HQ and GC to start sending automated VMS notices again to vessels that enter shipwreck avoidance areas. This was discontinued last season, but will start back up soon. OLE will work with Ben Haskell to make sure we have the right area(s) defined and the message text correct.

The Acoustic/Sound Trap Project continues to move forward, slowly, between OLE, NEFSC and SBNMS staff. Where we are: We have sourced VMS and Observer data around a device that was deployed last spring and in the process of cleaning it up. Once finalized, it will be passed to the acoustic team for further analysis to match up VMS and Observer times with the recordings. OLE will also utilize Sanctuary sourced AIS data for this part of the project as well. Ultimately, AIS, VMS, and Observer data will all be analyzed to help categorize different activities by sound frequencies.

OLE monitors the areas that overlap with the SBNMS (NGOM Scallop Season/WGOM) with VMS and OLE will continue to use all the tools in the bag to detect and stop behavior that may be indicative of fishing in closed areas. This includes increased VMS polling, VMS messaging, patrols (OLE, JEA, USCG), overflights, AIS data, and general outreach.

OLE has been sending VMS messages to fishing vessels that are identified to be in close proximity (20 nm) to sighted right whales. OLE has sent messages to vessels in the southern part of the bank.

4. New England Fishery Management Council (NEFMC) (T. Nies)

The New England Fishery Management Council met in December 2022 and January 2023. Council decisions from both of these meetings that may be of interest to the SAC are summarized below. Additional information can be found on the Council web page, www.nefmc.org. Northeast Multispecies (groundfish):

The Council approved Framework 65 in December for submission to the National Marine Fisheries Service (NMFS). This action adopts a new rebuilding plan for Gulf of Maine (GOM cod). The plan is designed to rebuild GOM cod by 2033 with a 70% probability, using a lower fishing mortality rate than the current plan. The framework also adopts new Acceptable Biological Catches (ABCs) for a number of stocks, including GOM haddock. Because a fall assessment determined that GOM haddock was declining, quotas for the commercial and recreational fishery will decline substantially (roughly 80% from fishing year 2022). This led the Council to recommend

new recreational measures for GOM cod and haddock in 2023. If the Council's recommendations are adopted, haddock catches will be limited to 15 fish per angler per day, with a minimum size of 18 inches, and a closed season in March 2024. Fishermen will be limited to one cod per day per angler during a 2-month open season (September 1 – October 31, 2023), with a minimum size of 22 inches.

The Council also received an update on the Cod Research Track Assessment that will be reviewed in July. The cod population off New England is now understood to consist of five stocks, rather than two, with three in the Gulf of Maine. The ongoing assessment will develop assessment models for these stocks. If this is successful and the assessments are approved, it will lead to changes in how cod are managed.

Atlantic Sea Scallops: The Council approved Framework 36 for submission to NMFS. This action specifies measures for the scallop fishery in fishing year 2023, including the Northern Gulf of Maine (NGOM) scallop fishery that takes place largely on Stellwagen Bank. If approved by NMFS, the NGOM scallop fishery will be limited to 380,855 pounds after deductions are made for the scallop Research Set-Aside program and observer coverage. This is less than the 621,207 pound limit for fishing year 2022 and is expected to result in fewer scallop trips. In January, the Council discussed concerns that some permit holders with Limited Access General category Individual Quota permits (LAGC-A) were changing their permits to LAGC NGOM permits. The Council voted to ask NMFS to establish a control date that could be used in the future should the Council conclude this practice is a conservation concern. Permit holders that make the change after the control date could be treated differently. A control date, by itself, has no immediate effect.

Offshore Wind: The Council continues to track offshore wind development, with staff participating in several meetings designed to solicit feedback on the draft GOM call area (a map of the areas is at https://www.boem.gov/sites/default/files/images/GulfofMaine_call_area_grey_01-04-23.png). The draft call area excludes areas inshore of 70W, but it is not yet known where transmission cables will be located that bring the power to shore.

Priorities: In December, the Council agreed on tasks it will work on in 2023. The Council considered the Sanctuary's request for measures that would reduce the impact of scallop fishing on sand lance but did not agree to address this in 2023.

North Atlantic Right Whales: At the request of GARFO the Council is establishing a group to discuss ropeless/on-demand fishing gear and its interaction with mobile gear and recreational fishermen. Details will be developed at the April Council meeting.

5. NOAA Greater Atlantic Regional Fisheries Office (GARFO). No report.

V. Round Robin:

Bill Adler: Question to Tom Nies with regard to the "ropeless gear fiasco." Is it the Council that is trying to work something out into a plan or is it someone else?

Tom replied that the Council is responding to a request from the regional administrator on how to prevent and reduce the possibility of gear conflict.

VI. Old and New Business:

Eric Meschino asked if there is any update on the timeline for a potential discharge in Cape Cod Bay from Pilgrim Nuclear Power Plant. Pete DeCola noted that the plant is still using the spent fuel pool to disassemble the reactor. Once they are done using the spent fuel pool, the water will need to be tested to assess the contaminants in it. Once that's characterized and we understand what Clean Water Act pollutants and radioactive contaminants are in the water, then we'll have a better sense for how the process will proceed. There is no set time frame.

Todd Callaghan will send the SAC an update regarding the location of the Amitie cable in the sanctuary after he follows up with the company.

VII. Public Comment: No public comment.

VIII. Adjourn:

Motion by Bill Adler to adjourn the 66th SAC Meeting. Mason Weinrich seconded the motion.

The 67th SAC meeting adjourned at 2 pm.

*“Audio recording of SAC Minutes and Presentations are available on request.
Contact Alice.Stratton@noaa.gov or Elizabeth.Stokes@noaa.gov”*