

**Monitor National Marine Sanctuary (MNMS)
Advisory Council Meeting
February 13, 2009**

In attendance: Mitch Bowman (Heritage Tourism), Robert Neyland (U.S. Navy), Anna Holloway (The Mariners’ Museum), Scott Boyd (Citizen-At-Large), James Bunch (Recreational Diving), Teri Kirby-Hathaway (Education), Dave Krop (The Mariners’ Museum—Alternate), Susan Langley (Archaeological Research), Richard Lawrence (NC Department of Cultural Resources), Joseph Schwarzer (Maritime Museum), Ron Grayson (VA Department of Historic Resources), Jay Kavanagh (Recreational/Commercial Fishing), Joanna Wilson (VA Department of Historic Resources—Alternate), Dave Alberg (Sanctuary Superintendent), Shannon Ricles (Council Coordinator), Jeff Johnson (Monitor NMS Historian), Joe Hoyt (*Monitor* NMS Staff), and Tom Culliton (NOAA Headquarters), Paul Ticco (Regional Coordinator for Office of National Marine Sanctuaries), and Sara Block (Special Agent, Department of Commerce Office of Law Enforcement).

Public Guests in Attendance: Alex Varouxis, John Bright, Vince Cook, Pete Nawrocky, Doug Stover (National Park Service), and Bob Bradish.

Absent: Wayne Smith (Conservation), Dave Conlin (National Park Service), and Mark Wilde-Ramsing (NC Department of Cultural Resources—Alternate).

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Welcome

Joe Schwarzer, *Monitor* National Marine Sanctuary (MNMS) Advisory Council Chair, called the meeting to order. After Mr. Schwarzer's welcoming remarks, the Sanctuary Advisory Council (SAC) members introduced themselves. Mr. Schwarzer recognized the guests in attendance.

Approval of the Minutes

Mr. Schwarzer called for the approval of the minutes from the last meeting. The minutes were approved.

Next SAC Meeting

Shannon Ricles informed the SAC members that the proposed date for the next quarterly meeting is April 24, but there is a conflict with that date. Discussion was held as to which dates would work in May. Recognizing that no date would work for everyone, Dave Alberg proposed selecting a couple of dates in May and then he will choose the date that works best for the majority.

Action Item: Shannon is to email two possible May dates to the SAC members, and they are to let her know which one works best for them.

Renewal of Seats/Elections of Officers

Dave Alberg explained that Joe Schwarzer's Maritime Museum Seat terminated in August 2008, but that he has been extended and will continue to act as Chair until a new Chair can be selected. He requested that Shannon start the application process and told Joe that he could reapply for the position. Dave also explained that the Education Seat expires in November 2009 and asked that Terri Kirby-Hathaway send a letter indicating her intentions to reapply or not.

Action Items: Shannon is to begin the application process for the Maritime Museum Seat. Terri Kirby-Hathaway is to send a letter indicating her desire to continue in the education seat. Council members are to consider who they want to be the new Council Chair.

Swearing In of New Council Members

Due to the meeting being conducted as a conference call, it was decided to postpone the swearing in of new member, Ron Grayson, until a face-to-face meeting occurred.

MNMS Superintendent's Report

Dave Alberg thanked everyone for joining in for the meeting and said that the intent of the meeting was to keep the Council up to date on Management Plan Review. He provided an update to the council on a variety of topics, summarized below:

- Introduced staff and explained that staff has spent a significant amount of time preparing and dealing with the scoping process.
- Joe Hoyt is now officially onboard as the sanctuary's marine archaeologist.

- Lauren Heesemann will be onboard fulltime in June and will work as an education specialist, but she will also work on researching *Monitor*'s natural resources.
- Graveyard of the Atlantic Museum update—last fall, the *Monitor* set aside \$250,000 that was transferred to the State of North Carolina and it is officially designated and cannot be touched. The money is intended for exhibit development and the state will create a report to start the bidding process. Jeff Johnston is taking the lead on the project, and the project should be completed before the 2009 tourist season begins. Temporary exhibits will be used until permanent ones arrive.
- Budget—The government is still operating on a continuing resolution, so budget remains tight. There is hope that a budget might be forthcoming by late March or early April. The new budget should be roughly the same as last year's budget. Our office is anticipating getting about \$700,000. Half of the budget goes to labor costs and \$250,000 goes to The Mariners' Museum for conservation, leaving about \$70,000 for other operating costs.
 - Joe Schwarzer asked if NOAA would be receiving any money from the stimulus bill. Jeff explained that NOAA will receive about \$319 million. Dave explained that the money is intended mostly for satellites and natural resource research. The *Monitor* NMS put in a request for new money for maritime heritage and museums, but there is not any money available at this time.
- Outreach activities included staff supporting The Mariners' Museum's Antarctic weekend by manning a booth and securing a NOAA speaker for the event.
 - Anna Holloway described the event and thanked the *Monitor* staff for their participation.
- State of the Sanctuary Report—The report is complete and printed copies are available if anyone needs them for outreach activities. It is a nice piece depicting the history of the sanctuary and outlining its future.
- U-boat project—Joe Hoyt has finished the Thunder Bay projects he was working on and is now working on the German U-boat reports. He has the site plans completed for U-85, U-352, and U-701. He hopes to have a draft report by the end of February. There will be an internal review and then a printed report by May.
 - Joe Schwarzer asked Joe Hoyt to send a copy of the site plans and report so that they can be incorporated into the museum.
 - Dave explained that the German government was briefed on our expeditions and that they have been very clear that they are in support of these boats being protected. There has been a lack of a lead for support from the federal government, but there are additional meetings to be scheduled that will address these issues.
 - Robert Neyland explained that the Germans want the boats protected.
 - Joe Schwarzer commented that there are mixed messages being sent to recreational divers by shows such as the Discovery Channel® Treasure Quest.
 - Robert Neyland concurred that it is deplorable, but that it may push other countries into adopting protection plans for shipwrecks. He indicated that

we don't want to restrict diving off our coasts, but the Germans may want to in order to protect what is left of the U-boats.

- Dave said that at one time the Coast Guard put together a tri-fold brochure that helped to educate divers about the laws and regulations surrounding shipwrecks. He said that the sanctuary would support updating and reprinting those brochures for dive shops to hand out to divers.
- Joe Schwarzer asked Jim Bunch if he thought that the dive community is aware of restrictions.
- Jim Bunch replied that he felt they were aware of restrictions, but there is a need for clarification where the rules come from. He said that most divers know the laws, and larger operators are good at passing along the information. If something was published with the basic guidelines, he feels that it would be helpful. He also indicated that to his knowledge that most U-boats are being left alone, but there are those that don't abide and there is a need for more education and the problem will cease.
- Bob Bradish said that most people don't care because there is so much miscommunication out there no one knows for sure what the rules are.
- Jim Bunch said that his remarks were only about the U-boats not the freighters and other ships.
- Dave closed the discussion on German U-boats by saying that NOAA does not have justification over the U-boats, but will support other federal agencies and the German government in their efforts to better protect the U-boats. He also stated that MNMS can help the Coast Guard with printing brochures to help educate the dive community and the general public to make the rules more clear and concise.
- Dave explained that he will be making Hill visits in Washington DC to the new and incumbent Senators and Congressmen the first week of April.
- Dave shared that he is a member of the Marine Operations Committee for small boat operations. He hopes that our sanctuary will get a boat in the future, maybe by 2010.
- National Council meeting is being held in Alpena, Michigan the first week of May and Dave hopes to be able to take some folks from North Carolina up to visit Thunder Bay NMS. He suggested that Jim Bunch, Richard Lawrence, and Terri Kirby-Hathaway might want to go along with some North Carolina officials.
- On Feb. 25-26 the *Monitor* will be visited by folks conducting a facilities study. The study is done every ten years and drives new facilities. They will look at how we use the MAC and address the need for an MNMS office in North Carolina.

Action Items: Joe Hoyt is to send site plans and reports of the German U-boats to Joe Schwarzer at the Graveyard of the Atlantic Museum for inclusion in their exhibits. *Monitor* staff will work on getting a brochure that details the laws concerning shipwrecks ready by the end of May for distribution.

Review of Working Groups and Committees

Dave Alberg reminded everyone that a subcommittee was formed last May to deal with any issues that might arise concerning expansion. He explained that a subcommittee by

charter definition is limited to SAC members only. He further explained that a working group would allow for more community members to be involved, and he suggested that the subcommittee be abolished and that a working group be formed.

- Joe Schwarzer asked if there was a motion to abolish the subcommittee and form a working group. Susan Langley put forth the motion and Richard Lawrence seconded the motion. All were in favor.

Shannon Ricles explained that the addition of a Youth Seat is being delayed due to an approval process required by the Paper Reduction Act. However, she hopes to have everything approved by next fall, so that a Youth Seat can be added with the new school year. Shannon also explained that a Youth Working Group is less restrictive and she has been working with Karen Brubeck to write the policy. The policy is in the final stages of the approval process, and Shannon hopes to start soliciting applications for the working group within the next few weeks. Applications will be solicited from both Virginia and North Carolina students through the local school districts. She explained that most schools have been receptive, but she requested that the council members help to spread the word and to let her know of any contacts that might be helpful as she tries to solicit youth to apply.

Action Items: Council members are to send Shannon any school or other contacts that might be helpful in soliciting youth for the Youth Working Group.

Public Comment Period

- Rob Bradish commented that he believes the right thing to do is to clarify laws concerning the shipwrecks. JP Hill had two soldiers onboard when it sank, so not sure if that ship qualifies as a military craft. There needs to be more accuracy and clarification to help with the pain of confusion over the laws. He is also very excited about the Youth Working Group and offered to help however needed. He feels it is very important to involve the youth.
- Pete Nawrocky commented that printed matter is great to get the word out, but he suggested that it also be sent in email through list serves. He suggested making the brochure a PDF so it can be disseminated easily. By doing so would allow groups to send it out and that it could even become an addendum to a training course. He also requested a copy when it is completed.
- Bill McDermott commented that has been teaching basic classes and educates divers about laws and ethics. One issue is that the left hand doesn't talk to the right hand and subgroups don't talk. He feels that there is a need to get the information to the agencies, but more importantly to the different certifying agencies. He and John Bright have been working on material to include and will be giving Shannon a preliminary copy. Dave commented that the MNMS is committed to help and that he wants to do Nautical Archaeology Society (NAS) training, but it might not be possible by this summer with no budget. However, maybe by fall it will be possible.
- Alex Varouxis noted that NOAA is working with Google Earth/Oceans. He wants to know how the dive community can be involved. The *Monitor* is not situated correctly in Google Earth/Oceans. Dave commented that Jeff is working to correct

that problem. Alex also noted that U-85, U-352, and U-701 are not on the chart but other ships that have not been actually located are on the chart. He wanted to know if anyone can add to it. He thought that adding the shipwrecks to the chart would help to boost tourism in the area. Alex also said that he will help to pass out information to schools on the Youth Working Group. He also thanked the staff and Council for all their work and dedication to the *Monitor*.

- Vince Cook said that operators know their jobs, but many “six packers” don’t. So he feels that there is a need for the brochure to help get a uniform message out to the dive community. He also asked if NOAA is going to be able to step up law enforcement of the sites. Dave said that the sanctuary has to rely on the Coast Guard to be our eyes on the water. Sara Block has worked in the past to make sure that we meet the new officers with the changing of commands and that has helped tremendously. This year the Coast Guard alerted the office immediately when a boat was at the *Monitor*. Joe Schwarzer said that enforcement is very complex and that the only chance to control is through education. Dave commented that there is a value in seeing a presence on the water and why it is important for us to be there as we saw this past summer with NOAA boats on the water. Alex agreed that education is the key. Bill McDermott asked if any headway has been made on the addition of a Coast Guard Seat on the Council. Discussion ensued and Shannon is going to check into changing the Council Charter to add a seat.
- Doug Stover with the National Park Service commented that he wants to work with *Monitor* education. NPS has a major submerged cultural resource grant of \$200,000 and wants to work with divers. Dave suggested that he contact Larry Murphy and Dave Conlin to perhaps find a Hatteras person to work with. Shannon explained that she has made contact with several NPS education specialists and will make sure that they know *Monitor* is willing to participate and help.

Action Item: Shannon will check on changing Council charter to add a Coast Guard Seat. Shannon will contact Mary Doll with NPS to confirm MNMS’s desire to collaborate with NPS.

Update on *Monitor*’s Management Plan Review and Timeline

Dave Alberg described the five scoping meetings held in Virginia and North Carolina from December 1-6, 2008. He explained that each meeting was small, but each was very different. He said that most comments were about the possibility of expansion, and that there were very few comments about the *Monitor*. Dave said that there were about 1,000 cards mailed and handed out to advertise the meeting, so the small turnout either indicated that people were indifferent or thought that we were doing a good job. Dave said that the major issues seem to be access and expansion. However, since we have no formal position on expansion, the public seemed frustrated because they felt that they couldn’t get answers. Therefore, some may have seen us as evasive, which we were not trying to be.

Dave indicated that the staff and headquarters have reviewed the comments. The Council meeting in May will focus on creating working groups to handle any issues that arise in

archaeology, human remains, permitting, etc. The final draft management plan document should be small with only about 75-80 pages. Dave suggested that it might be prudent, as the working group looking into the issue of possible expansion is established, to go to the State of North Carolina, the Commonwealth of Virginia, and others to ask for their input now and to work with the National Park Service to seek their input in developing a cultural resource assessment. Dave said that Bruce Terrell with the Office of Marine Sanctuaries will make the first attempt at an evaluation matrix for criteria to select national sites to be protected. Discussion ensued about possible wreck sites to be considered. Dave then asked the Council to be thinking about the working group and who needs to be on it. He said that it is a public process with State and Federal agencies, dive community, and other stakeholders. Everyone was in agreement that the issues of expansion needed to be addressed.

Dave said that now is the time for the seats to begin to dialog with their constituents because the constituents' voices are important. Jay Kavanagh expressed concern by bottom fishermen. Joe Schwarzer reiterated that now is the time for them to step forward and give us their input, so we can make this work for everyone. Dave Krop asked if it would help for NOAA staff and Council to be advised of the rules for fishing to better understand the fishermen's issues. He asked if Jay could talk and clarify the rules.

Other Business

John Bright said that anchorage is a big issue for boats. If provided and a storm washes it away, what happens until it can be replaced? Dave Alberg said that that was a very good question, but not sure of what the answer is. Discussion ensued.

Jay Kavanagh asked if there was an update on the installation of the new weather data buoy for the *Monitor*. Dave said that it was set to be deployed last October 29, but the cutter had engine problems. However, it is still scheduled to be deployed and perhaps by this spring, but no firm date.

Paul Ticco informed the Council about a new communication initiative on the West Coast where the councils share minutes and other information between them. He explained that the *Monitor* is part of the Northeast Region and asked if the Council members would like to receive the minutes from the other councils in the region. Dave Alberg said that minutes can also be obtained from the other sanctuaries' Web sites.

Joe Schwarzer said that he had been misquoted in a German newspaper and that it had affected his relationship with the dive community. He said that being misquoted makes our job more difficult because we are fighting battles that we shouldn't be fighting. Susan Langley said that at the federal level she has been dealing with similar situations for years. Addressing misinformation constantly takes a lot of time away from real work. Dave encouraged everyone to continue to reach out to the community and that the Council's role is critical to help get accurate information out the community.

Anna Holloway said that museums can be a good way to get clear messages out to the community and said that The Mariners' Museum would be willing to work with NOAA.

Dave Alberg said that it is a good opportunity to tell the story and that the museum and the National Park Service are both good partners to work with in this endeavor. Joe Schwarzer said that it must be told from a positive perspective. Richard Lawrence said that the message should be that it is about the data and what we learn from it, not the objects themselves.

Scott Boyd commented that Frank DuCoin's comments about prioritizing *Monitor* artifacts for recovery were well said. Dave Alberg said that Mr. DuCoin had some good points and that management plan review will need to address that issue as well as what our policy will be on small finds. There won't be a specific recovery plan, but the management plan should address if and why we recover items. Need to determine what our approach will be. Discussion ensued.

Anna Holloway announced that NOAA and The Mariners' Museum will be engaging in the Battle of Hampton Roads March 6, 7, and 8. Dave Krop said that some new *Monitor* artifacts will be on exhibit for the weekend.

Action Item: Shannon Ricles will email SAC members and ask for them to let her know if they want to receive the other councils' minutes and create a master list to send to Paul Ticco.

Closing Remarks

Joe Schwarzer and Dave Alberg gave closing remarks thanking everyone for their time.

Meeting Adjournment

Robert Neyland made a motion to adjourn. Dave Krop seconded the motion. All were in favor and the meeting was adjourned.