Monitor National Marine Sanctuary

Dear Friend of the Monitor National Marine Sanctuary:

The Monitor National Marine Sanctuary Advisory Council was established pursuant to Federal law to ensure continued public participation in the management of the sanctuary. Designated in 1975 as the nation's first marine sanctuary, the Monitor National Marine Sanctuary is managed by NOAA's National Marine Sanctuary Program. It is one of 14 marine protected areas within the U.S. and protects the wreck of the famed Civil War ironclad USS *Monitor*, best known for its battle with the Confederate ironclad CSS *Virginia* in Hampton Roads, Virginia on March 9, 1862.

The advisory council consists of twenty one members: twelve primary (voting) community members, one (non-voting) student seat, and eight related (voting) governmental members. The community seats represent a variety of regional interests and stakeholders, from recreational divers and fishermen to maritime archaeologists and heritage tourism interests, among others. Government seats are related to the sanctuary's mission and include the North Carolina Department of Natural and Cultural Resources, Office of Archaeology, North Carolina Department of Environmental Quality, two North Carolina local government entities, Virginia Department of Historic Resources, National Park Service, U.S. Navy, and U.S. Coast Guard. It is the combined expertise and experience of these individuals that creates an advisory council that is both a valuable and effective resource for informed and timely sanctuary management.

The council's objectives are to provide the sanctuary manager with advice on: (1) protecting underwater cultural heritage and resources, and identifying and evaluating emergent or critical issues involving sanctuary use or resources; (2) developing an informed constituency to increase awareness and understanding of the purpose and value of the sanctuary and the National Sanctuary Program; (3) identifying and realizing the sanctuary's research objectives; and (4) identifying and realizing educational and media opportunities to increase public knowledge and stewardship of the sanctuary environment.

The council may serve as a forum for consultation and deliberation among its members and as a source of advice to the sanctuary superintendent regarding the management of the Monitor National Marine Sanctuary. The sanctuary advisory council holds open meetings to ensure continued public input on management issues and to increase public awareness and knowledge of the sanctuary environment. Public participation at these meetings is welcomed and encouraged.

Enclosed is our sanctuary advisory council application kit, which includes a copy of the council charter, an application form, information about each seat, as well as some information about the sanctuary. Council terms will be for two years with a three term limit.

Please note that if you have been a federally registered lobbyist in the two-year period before your potential appointment date to the council, you will not be eligible to serve as a member of a sanctuary advisory council. Please contact William Sassorossi at 757-591-7329 or by email at William.Sassorossi@noaa.gov if you have any questions about this restriction.

We are looking forward to receiving completed applications at our office located at 100 Museum Drive, Newport News, VA 23606. Applications will be reviewed by a preliminary review panel consisting of a contingent of current members of the sanctuary advisory council. This panel will help narrow down the number of candidates for each seat to the top three. Of these, a member will be chosen, and officially notified of their selection.

If at any point you have a change in circumstance that will not allow you to serve on the council, please notify the advisory council coordinator, William Sassorossi at 757-591-7329. Also, feel free to contact William if you have any questions about the sanctuary, the council or the council member selection process.

Sincerely,

Russ Green
Acting Sanctuary Superintendent

Enclosures

ENCLOSURE

MONITOR NATIONAL MARINE SANCTUARY

Sanctuary Advisory Council Recruitment
Member Expectations and Requirements

NOAA's Office of National Marine Sanctuaries regards the involvement of communities and the development of a stewardship ethic as vitally important to successfully conserve sanctuary resources. An important way to achieve this involvement is through the operation of a sanctuary advisory council. Advisory council members serve as ambassadors between the sanctuary staff and the various communities and users adjacent to its boundary. They actively engage their constituencies and work with sanctuary staff to resolve issues and concerns. As such, we are looking for highly motivated people who are able and willing to volunteer their time to help us reach out and work constructively with the diverse interests, users and communities that have a stake in the resources of Monitor National Marine Sanctuary.

General Commitment / Expectations:

Sanctuary advisory council members serve two-year terms as volunteers to the National Oceanic and Atmospheric Administration (NOAA) and are not paid.

Council members are expected to attend regularly scheduled advisory council meetings, either in-person or by phone. Alternates are expected to attend when the primary member cannot do so. Meetings are held three to four times each year and are agreed upon by the council members in advance of each year. The meetings usually last approximately 3 to 4 hours during the day (10:00 am to 2:00 pm is a common schedule). Additional meetings may be scheduled as needed. Meetings are held in Newport News, Virginia and on the Outer Banks of North Carolina.

Sanctuary advisory council representatives are expected to actively reach out and communicate to the various constituencies associated with their seat. This includes communicating sanctuary issues and policies to constituents and bringing issues, questions, and concerns to the attention of the advisory council and sanctuary staff.

Specific Requirements for Seats

Citizen-At-Large:

- Reside in the area affected by the sanctuary;
- Proven ability to communicate with members in communities near the sanctuary;
- Experience and/or knowledge regarding marine or Great Lakes management and resource protection issues in the sanctuary;
- Freedom to express views and cast votes without consideration of any expectations held by an employer or other organization with which the member is affiliated; and
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

Conservation:

- Affiliation with archaeological conservation institutions or organizations active in communities near the sanctuary;
- Ability to effectively communicate with multiple conservation institutions in the sanctuary's region;
- Direct experience with marine or Great Lakes conservation programs;
- Experience, ability, and availability to conduct outreach within the conservation community consistent with the goals of the sanctuary and the mission of the council; and
- Commitment and availability of time to chair and/or participate on the council's research working group or subcommittee.

Economic Development:

- Familiarity and affiliation with economic development in communities near the sanctuary;
- Understanding of the links between economic development, sanctuary resources, and human activities;
- Ability and willingness to communicate with key representatives specializing with economic development; and
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

Education:

- Affiliation with educational institutions or organizations active in communities near the sanctuary;
- Ability to effectively communicate with multiple institutions and educators;
- Direct experience with marine or Great Lakes education programs;
- Experience, ability, and availability to conduct educational outreach consistent with the goals of the sanctuary and the mission of the council; and
- Commitment and availability of time to chair and/or participate on the council's education working group or subcommittee.

Heritage Tourism:

- Familiarity and affiliation with the tourism industry in communities near the sanctuary;
- Understanding of the links between tourism, sanctuary resources, and human activities;
- Ability and willingness to communicate with key representatives from the tourism industry; and
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

Maritime Archaeological Research:

- Affiliation with scientific research institutions or organizations active in communities near the sanctuary;
- Ability to effectively communicate with multiple institutions and archaeologists in the sanctuary's region;
- Direct experience with marine or Great Lakes research programs;
- Experience, ability, and availability to conduct outreach within the research community consistent with the goals of the sanctuary and the mission of the council; and
- Commitment and availability of time to chair and/or participate on the council's research working group or subcommittee.

Ocean Sports:

- Knowledge of and/or experience with recreational activities including, but not limited to, kayaking, boating, spear-fishing, surfing, kite boarding (i.e. ocean sports), within the sanctuary's region;
- Knowledge of and/or experience with various recreational ocean sports organizations and businesses in the sanctuary's region;
- Knowledge of the laws, policies, and practices affecting recreational ocean sports activities within the sanctuary and surrounding waters;
- Ability and willingness to communicate effectively and build agreements with key representatives from local commercial or recreational ocean sports activities communities.
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

Recreational / Commercial Fishing:

- Knowledge of and/or experience with commercial or recreational fishing within the sanctuary's region;
- Knowledge of and/or experience with various commercial or recreational fishing activities, organizations, and businesses in the sanctuary's region;
- Knowledge of the laws, policies, and practices affecting commercial or recreational fishing within the sanctuary and surrounding waters;
- Ability and willingness to communicate effectively and build agreements with key representatives from local commercial or recreational fishing communities.
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

Recreational Diving:

- Knowledge of and/or experience with recreational diving within the sanctuary's region;
- Knowledge of and/or experience with various recreational diving activities, organizations, and businesses in the sanctuary's region;
- Knowledge of the laws, policies, and practices affecting recreational diving within the sanctuary and surrounding waters;
- Ability and willingness to communicate effectively and build agreements with key representatives from local recreational diving communities.
- Commitment and availability of time to chair and/or participate on appropriate council working groups or subcommittees.

National Marine Sanctuary Advisory Council

Application Form

Before applying for sanctuary advisory council membership, please review:

(1) the sanctuary advisory council charter provided in your application kit, and;

(2) the Office of National Marine Sanctuaries (ONMS) *National Marine Sanctuary Advisory Council Implementation Handbook* available online at:

https://sanctuaries.noaa.gov/management/ac/

(or you may obtain a copy from your local sanctuary—see contact information on page 2).

The charter outlines the purposes and governs the operation of the sanctuary advisory council. The handbook provides broader operational requirements for sanctuary advisory councils. In applying for sanctuary advisory council membership, you are agreeing to abide by the terms of the charter and the handbook if you are selected as a council member or alternate.

As a part of the selection process, please note the Office of National Marine Sanctuaries will conduct a LEXIS/NEXIS check and a departmental bureau check for potential conflict of interest and other issues in your background.

Additionally, as per guidance from the White House Office of Management and Budget on May 7, 2009, the Office of National Marine Sanctuaries will conduct a database search (via the Senate's Lobbying Disclosure Act Database) to determine if you have been a federally registered lobbyist. Individuals who have been federally registered lobbyists in the two-year period prior to the proposed appointment date for the advertised council seat(s) may not be selected as an advisory council member or alternate if they would be serving in individual capacities.

Additional information and guidance regarding the use of the information you submit on this form and its availability under federal law can be found at the end of this form. Please review this information.

Sanctuary advisory council members and alternates must be 18 years of age or older, with the exception of individuals filling for youth seats.

Please note that federal government employees are not allowed to sit on sanctuary advisory councils in a personal capacity. State employees and members of a state legislature are allowed to apply to sit on sanctuary advisory councils in a personal capacity. State employees must provide a letter of support on official agency letterhead from their state supervisor at the time they submit their applications. Members of state legislatures are not required to provide such letters of support.

Please indicate which advertised seat(s) (e.g., Research, Education) and position(s) (i.e., council member or alternate) you are applying for, provide your contact information, and respond to the questions below. The Office of National Marine Sanctuaries may consider applicants for seats and positions for which they have not applied if the Office of National Marine Sanctuaries believes they are qualified for that seat and are willing to serve in it.

Applications are accepted on a rolling basis. Please return all pages of your completed sanctuary advisory council application form, and any attached statements or documents, to **William Sassorossi, NOAA's Monitor NMS, 100 Museum Drive, Newport News, VA 23606; FAX: 757-591-7353; Email: William.Sassorossi@noaa.gov**

Date: _____

First Name*:_____ **Middle** _____ **Last** _____

* Please include full first, middle and last names.

Position(s)/Seat(s) applying for:

_____ Citizen-At-Large _____ Conservation _____ Heritage Tourism

_____Economic Development_____ Education

_____ Maritime Archaeological Research _____Ocean Sports

_____Recreational/Commercial Fishing _____Recreational Diving

Home Address

Address 1: _____

Address 2: _____

City:_____ **State:** _____ **Zip Code:** _____

Home Phone:_____ **Cell Phone:** _____

Home Fax: _____ **Home E-mail**: _____

Work Address

Company/Organization: _____

Position/Job Title: _____

Address 1: _____

Address 2: _____

City:_____ **State:** _____ **Zip Code:** _____

Work Phone:_____ **Work Cell:** _____

Work Fax: _____ **Work E-mail**: _____

Please answer all of the questions below thoroughly and in numerical order. Answers should appear on a separate attached document with each answer clearly marked with the corresponding question number.

1. Why are you interested in serving on the sanctuary advisory council?
2. Explain your views regarding the protection and management of marine or Great Lake resources, including natural (fish, coral reefs, etc.), historic, or cultural resources.
3. Describe your formal community and professional affiliations and employment. In particular, highlight how your particular expertise and experience relate to the goals and uses of the sanctuary and the seat(s) for which you are applying. Be sure to include qualifications that you have or other information that you think would be relevant and beneficial to the advisory council.
4. Describe what you think is the role of the council, and how you will work to best support the sanctuary as a sanctuary advisory council member or alternate.
5. Explain how you will coordinate with, consult with, and inform the members of the constituency you will represent, if appointed.
6. How much time do you have and are you willing to give to participate in sanctuary advisory council activities (e.g., meetings, constituent outreach, retreats, chairing or participating on a subcommittee or working group, and reviewing written materials)?
7. How long have you lived in the community or area affected by the sanctuary? Please address whether you are a year-round or seasonal resident of the area.
8. Have you attended previous sanctuary advisory council meetings or sanctuary advisory council working group meetings? If so, please describe your past attendance and participation.

Per the instructions on page 1, state employees must provide a letter of support on official agency letterhead from their state supervisor at the time they submit their applications. If you are a state employee (except members of state legislatures), please ensure your state supervisor's letter is included with this application. Members of state legislatures are not required to submit such letters.

Information obtained through this application process will be used to determine the qualifications of the applicant for membership on the sanctuary advisory council. The Office of National Marine Sanctuaries intends affirmatively to disclose the applications only to Department of Commerce/National Oceanic and Atmospheric Administration staff and other members of the applicant review panel. However, the Office of National Marine Sanctuaries may be required to disclose the applications in response to a court order, a congressional request, or a request from the public under the Freedom of Information Act (FOIA).

If disclosure is requested under FOIA, the Office of National Marine Sanctuaries will endeavor to protect the privacy of applicants by withholding personal information, such as home addresses and telephone numbers. In contrast, statements of philosophy or opinions contained in the application would likely be released. Applying for membership on the sanctuary advisory council is voluntary.

Public reporting burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Office of National Marine Sanctuaries, 1305 East West Highway, N/NMS, Silver Spring, Maryland 20910.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OMB Control #0648-0397

Expires 07/31/2021

Sanctuary Advisory Council

Photo: MNMS

Photo: Historic Print by Kurz & Allison

Photo: Tom Freeman, NOAA/ONMS

Photo: MNMS

The Monitor National Marine Sanctuary Advisory Council enhances awareness and protection of the historic shipwreck, USS *Monitor*, within our nation's first national marine sanctuary through its members' expertise, experience, and ties to the surrounding communities.

Purpose

Recognizing that national marine sanctuaries belong to all of us, community involvement and advice are vital components to successful management and long-term protection of the Sanctuary. The Sanctuary Advisory Council provides a public forum for consultation and deliberation on issues affecting our underwater heritage and resources, and it offers community-based advice to the Sanctuary superintendent. Council meetings are open and participatory processes that ensure continued public input to management decision-making, while at the same time expanding public awareness about the Sanctuary.

Specifically, the Advisory Council's objectives are to provide the sanctuary superintendent with advice on the following:

⇒ Protecting underwater cultural heritage and resources within the Sanctuary;

⇒ Identifying and evaluating emergent or critical issues that could affect Sanctuary use or resources;

⇒ Identifying and realizing the Sanctuary's research and monitoring objectives;

⇒ Identifying and enhancing educational and media opportunities to increase public knowledge and stewardship of the Sanctuary environment; and

⇒ Assisting with developing an informed constituency to increase awareness and understanding of the purpose and value of the Sanctuary and the National Marine Sanctuary System.

Membership

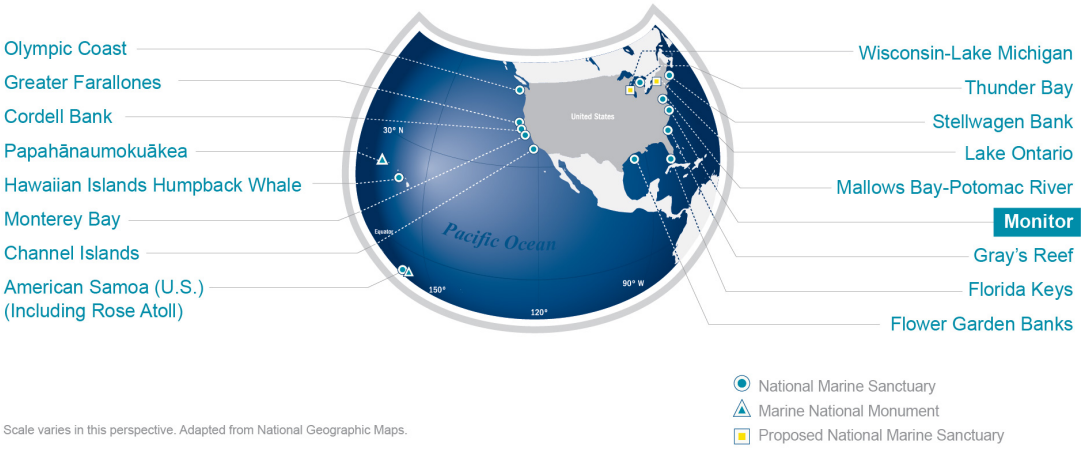
One of the Council's most important strengths is its diversity of membership. The Council consists of 21 members and 9 alternates, representing a range of constituencies and agencies. The in-depth and varied knowledge of all participants brings together a collective body of valuable expertise and experience.

Non-governmental Council members are appointed competitively by the National Oceanic and Atmospheric Administration (NOAA) and serve voluntarily for two-year terms. Community members represent regional interests and stakeholders, from recreational divers and commercial fishermen to maritime archaeologists and heritage tourism interests, among others. Government seats are related to the Sanctuary's mission and include local government entities.

Sanctuary Advisory Council Seats

Citizen-at-Large
Conservation
Economic Development
Education
Heritage Tourism
Maritime Archaeological Research
Commercial / Recreational Fishing (2 seats)
Recreational Diving (2 seats)
Ocean Sports
The Mariners' Museum
Student Seat
National Park Service
NC Department of Natural & Cultural Resources, Office of Archaeology
NC Department of Environmental Quality
NC Local Government - Dare County
NC Local Government - Town of Beaufort
U.S. Coast Guard
U.S. Navy, Underwater Archaeology
VA Department of Historic Resources

NATIONAL MARINE SANCTUARY SYSTEM



Recognizing the strength of advice built on input from a variety of informed viewpoints, the Sanctuary Advisory Council provides a model for developing agreements based on shared values and common interests.

Working Groups & Subcommittees

Community involvement in Sanctuary management is further enhanced through the Advisory Council's establishment of working groups and subcommittees. These groups are created by and operate under the purview of the Council. Subcommittees are comprised of current Council members, while working groups bring in additional non-member stakeholders and experts to focus on specific issues. In 2009, working groups were created in preparation for the Management Plan review, concluded in 2013. Former groups included the following:

- Archaeology Working Group
- Boundary Expansion Working Group
- Education / Outreach Working Group
- Facilities Working Group
- Human Remains Working Group
- Monitor / Research Working Group
- Permitting/Access/Enforcement WG
- Youth Working Group

An Open Public Process

The Advisory Council conducts itself in an open, transparent and publicly accessible process, which allows for participation of all stakeholders. All meetings of the Council are open to the public, and each member helps link the Sanctuary and the advisory council process to broader networks of constituencies. The Advisory Council thus serves as the Sanctuary's connection to the larger community of stakeholders, and as an entry point for community participation in Sanctuary management. The Advisory Council meets quarterly in open sessions located throughout the Outer Banks of North Carolina and in Newport News, Virginia.

It's Your Sanctuary… Get Involved!

The advisory council process helps to vest ownership and responsibility for shaping the future management and protection of the Sanctuary in the communities that are most interested in and dependent upon Sanctuary resources. In this way, a sense of community-based sanctuary stewardship is fostered.

All meetings of the Sanctuary Advisory Council and its working groups are open to the public. Please consider attending a meeting or contacting the Sanctuary office to learn more about this community process. Complete information about the Sanctuary Advisory Council, including meeting schedules, can be found on the Sanctuary's website: **www.monitor.noaa.gov**.

To sign up to be notified about Sanctuary Advisory Council meetings or opportunities to apply for membership, please contact Will Sassorossi, the Sanctuary Advisory Coordinator, at (757) 591-7329 or William.Sassorossi@noaa.gov.

Photo: The Mariners' Museum

Photo: NOAA/ONMS

Photo: NOAA/ONMS

Monitor National Marine Sanctuary
Sanctuary Advisory Council
Charter

Establishment and Authority

Section 315 of the National Marine Sanctuaries Act (NMSA or Act; 16 U.S.C. Sections1431 - 1445c) authorizes the Secretary of Commerce to establish sanctuary advisory councils to provide advice to the Secretary of Commerce regarding the designation and management of national marine sanctuaries. This authority has been delegated to the director of the Office of National Marine Sanctuaries (ONMS). The director hereby reestablishes the Monitor National Marine Sanctuary Advisory Council (council).

This charter provides background on the ONMS and Monitor National Marine Sanctuary (MNMS), and describes the objectives and roles of the council's activities, procedural requirements regarding the appointment of council members and officers, requirements for the conduct of council members and meetings, and other requirements. All council activities must be conducted pursuant to this charter.

Sanctuary Advisory Council Policy Statement

The ONMS regards community involvement and the development of a stewardship ethic as vitally important to successfully protecting sanctuary resources. One key way to achieve this involvement is the formation of sanctuary advisory councils.

Sanctuary advisory councils bring diverse community members together to provide advice to the sanctuary superintendent on the management and protection of a national marine sanctuary, or to assist the ONMS in guiding a proposed site through the designation process.

The ONMS is committed to the full support, utilization, and enhancement of councils at all sanctuaries. In order for councils to achieve their full potential, the ONMS within the limits of available resources will:

- Provide sufficient support to allow councils to operate efficiently and effectively at each site;
- Provide support and guidance from the national office to help councils operate efficiently and at a basic level of consistency across the system;
- Promote coordination and communication among councils and among sanctuary staff that work closely with councils; and
- Develop training programs appropriate to council officers and members, and sanctuary superintendents and staff.

Office of National Marine Sanctuaries

A national marine sanctuary is an area of the marine or Great Lakes environment of special national, land sometimes international, significance warranting protection and management under the NMSA. As steward of coastal and ocean resources, the National Oceanic and Atmospheric Administration (NOAA) protects and manages sanctuaries through the ONMS.

ONMS is a network of national marine sanctuaries and marine national monuments, currently encompassing more than 600,000 square miles of ocean and Great Lakes waters. ONMS seeks to protect the extraordinary scenic beauty, biodiversity, historical connections and economic productivity of these areas so they may continue to serve as the basis for thriving recreation, tourism and commercial activities that drive coastal economies. As stewards of these places, through domestic and international partnerships, ONMS helps ensure a healthier ocean, now and for future generations.

Vision of the ONMS: A thriving sanctuary system that protects our nation's underwater treasures and inspires momentum for a healthy ocean.

Mission of the ONMS: We protect treasured places in the ocean and great lakes.

Goals of the ONMS are:

1. Ensure thriving sanctuaries and other ocean parks
2. Safeguard more underwater treasures as national marine sanctuaries
3. Increase support for sanctuaries
4. Deepen our understanding of sanctuaries
5. Ensure ONMS is a great place to work.

Monitor National Marine Sanctuary

Monitor National Marine Sanctuary enjoys the distinction of being the nation's first national marine sanctuary, established in 1975. USS *Monitor* rests upside down on a sand-covered seafloor about 16 miles south-southeast of Cape Hatteras, North Carolina in 230 feet of water. USS *Monitor* is recognized worldwide for its significance as the vessel that revolutionized modern naval technology and warfare. In 1862, the turreted ironclad engaged the Confederate Ironclad, CSS *Virginia*, in battle. Less than a year later, *Monitor* sank in a storm off Cape Hatteras, N.C.

Since 1975, the ONMS and its partners have worked to document and study the shipwreck and recovered major components of the ship including the propeller, propeller shaft, skeg, and steam engine. Recovery of *Monitor*'s famous revolving turret and guns, along with the remains of two crewmen, was completed in August 2002.

The wreck and the waters above it are protected by an area one nautical mile in diameter. Sanctuary management goals include protecting the wreck from future damage.

Monitor National Marine Sanctuary Goals:

- Continued scientific investigations and dissemination of historical and cultural information of the USS *Monitor* site.

- Continue to build education and outreach programs that complement and promote sanctuary resource protection and historical, climatological, and ecological research programs.

- Resource protection through encouraging public access to the wreck site, while promoting safe, responsible and well-informed enjoyment of the sanctuary and enhancing public awareness of sanctuary regulations and permitting process.

- Increase public visibility, knowledge, and support for the conservation efforts on USS *Monitor* artifacts.

- Conduct archaeological research to characterize and monitor sanctuary maritime heritage resources; and to develop and encourage collaborative research programs to meet MNMS's ongoing management needs.

- Work with partners and local communities to document and record important historical North Carolina shipwrecks to promote maritime heritage tourism so as to aid in sustaining local economies, while bringing national awareness to the unique assets of North Carolina coastal communities.

Council Roles

1. The council, in accordance with the NMSA, shall provide advice and recommendations to the sanctuary superintendent regarding the protection and management of Monitor National Marine Sanctuary and the *Monitor* Collection (i.e., *Monitor* archaeological artifacts, including specimens and material remains and Associated Records), including implementation of the management plan, Curatorial Services Agreement between the ONMS and The Mariners' Museum; and the Programmatic Agreement between the ONMS, The Mariners' Museum, the Virginia State Historic Preservation Officer; the North Carolina Department of Cultural Resources, and the Advisory Council on Historic Preservation. Additionally, at times, the Council may communicate advice or recommendations, through the sanctuary superintendent, to the ONMS Northeast and Great Lakes Regional Director, ONMS Director, NOAA or other agencies and staff, and focus on issues relevant to the National Marine Sanctuary System and ocean resources.

2. The council shall draw on the expertise of its members, alternates, and other sources in order to provide advice to the sanctuary superintendent.

3. Council members and alternates shall serve as liaisons between their constituents and/or

communities and the sanctuary, keeping sanctuary staff informed of issues and concerns, as well as providing information to their respective communities on the sanctuary's behalf.

4. The council may serve as a forum for consultation and deliberation among its members and as a source of advice and recommendations to the sanctuary superintendent. Such advice shall fairly represent the collective and individual views of the council members. In formulating such advice, the council members shall recall the goals of the NMSA as described in section 301(a)(4)(A-C).

5. The council is established to provide advice and recommendations to the sanctuary superintendent regarding the management of MNMS. Nothing in this charter constitutes authority to perform operational or management functions, or to make decisions on behalf of the sanctuary, NOAA or the Department of Commerce.

6. The council shall develop an annual work plan, in consultation with and approved by the sanctuary superintendent to establish an agenda for specific issues and projects the council intends to address.

Members, Alternates and Officers

1. The council shall be appointed by the director, consist of no more than 21 members with one non-voting student seat and 20 voting members, who shall be appointed by the director from among persons employed by federal, state or local agencies with expertise in management of cultural resources, representatives of local user groups, 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. The membership is designed to be balanced in terms of points of view represented, geographic diversity, and advisory functions the council will perform.

2. There are two categories of seats for which non-voting members are appointed or selected.

   (a) Sanctuary Superintendent

   The sanctuary superintendent may sit on the council as a nonvoting member and shall work with the chair in scheduling each meeting and approving the agenda to ensure that topics of discussion are relevant to the sanctuary. Council meetings may not be conducted in the absence of the sanctuary superintendent or his/her designee.

   (b) Student Seat

   A non-voting student seat represents the student segment of the community, being considered a full-time student at an institution of higher education (e.g., college,

university). The student member shall be appointed for a term of two years, and may compete for reappointment. A student member's appointment will terminate once he or she graduates or is no longer attending school full time. At the sanctuary superintendent's discretion, the student seat may be allowed to remain involved (as an interim measure) in a specific council activity or until the selection of a new student member.

This seat is governed by the same application, nomination, and appointment procedures as non-governmental voting seats on the council, and is also subject to the same grounds for removal.

The individual filling the student seat must:

1) Must be considered a full-time student an institution of higher education (e.g., college, university), in the area affected by the sanctuary (NC/VA);
2) Have the proven ability to communicate and network with other students within their school and other schools within his/her community;
3) Possess an interest in sanctuary resource protection and management;
4) Have experience or knowledge regarding public uses and activities in the sanctuary;
5) Be able to travel to and attend council meetings and retreats; and
6) Provide written recommendation from one or more professors.

3. There are two categories of seats for which voting members are appointed. The following procedures shall govern the application, nomination, and appointment of voting council members.

(a) Governmental Seats

1) Governmental (8 members): By virtue of the shared functional responsibilities of federal, state, and local jurisdictions in the implementation of sanctuary-related management, each of the following government entities shall be requested to designate two individuals (one primary and one alternate) to serve on the council. The following government agencies shall sit on the council as voting members:

United States Navy, Department of Defense
North Carolina Department of Natural and Cultural Resources, Office of Archaeology
North Carolina Department of Environmental Quality
North Carolina Local (Town/City/County) Government
North Carolina Local (Town/City/County) Government
Virginia Department of Historic Resources
National Park Service
United States Coast Guard

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

3) An alternate (from the same government entity) of a governmental council member may attend a council meeting on occasion if the chair and sanctuary superintendent are notified in advance of any meeting at which an alternate will represent the council member, including the name, address and position of the individual designated. An alternate may not name another alternate.

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

5) If it is found that a governmental member or alternate of the council has violated one or more of the terms of this charter, the sanctuary superintendent may recommend to the director that the appropriate agency be notified and requested to replace the designee. The sanctuary superintendent may consult with the council prior to taking such action.

6) Governmental members or alternates are subject to the same grounds for removal as non-governmental members.

(b) Non-governmental Seats

1) Non-governmental (12 members). A representative of each of the following activities, which are integrally affected by the management goals of the sanctuary, shall be selected:

Citizen-At-Large
Conservation
Economic Development
Education
Heritage Tourism
Maritime Archaeological Research
Ocean Sports
Recreational/Commercial Fishing (two seats, one of which may be a non-staff member of the South Atlantic Fishery Management Council)
Recreational Diving (two seats)
The Mariners' Museum (one primary and one alternate, appointed by museum leadership)

The non-governmental members are appointed for a term of two years, and may

compete for reappointment. If necessary, subsequent terms of appointment may be changed to provide for balanced (staggered) expiration dates.

2) Term Limits: The non-governmental council members will serve on the council for no more than three consecutive terms. This policy applies to the seat (e.g., conservation seat) and not the Council. For example this would allow an individual to serve three terms as the conservation member, and if qualified, may apply for another seat on the council (e.g., citizen-at-large) once they reach their term limit on the former seat. The council membership recruitment process shall happen on an as-needed basis, with a yearly notice for recruitment placed in the Federal National Register.

3) The ONMS Director may waive the limit on the number of consecutive terms for non-governmental voting council members in the following two circumstances. The waivers and the process as it relates to the council member recruitment and selection process are as follows:

   a) **Waiver #1**: It is determined that continuity of membership is deemed critical by the sanctuary superintendent (e.g., at a critical juncture in the management plan review process). The request for this waiver should be made at least two months prior to the expiration of the subject seat(s).
   Process: The waiver applies to the entire council, not a specific seat. The sanctuary superintendent will be aware of this situation well in advance of recruitment and should send a memo to the director requesting the waiver for a certain length of time and providing a justification as to the need. The signed memo should be provided to the council and posted on the website.
   b) **Waiver #2**: It is a seat that is historically challenging to fill due to the remote location of the sanctuary and distance from population centers, or a limited applicant pool for a particular seat has been shown to limit the number of available candidates to fill a vacancy in a timely and efficient manner and may disrupt or prevent a council from fulfilling its responsibilities.
   Process: The term-limited individual should be advised of the situation and advised not to apply during the first round of recruitment. If after adequate advertising, there are no qualified applicants in the first round of recruitment, the sanctuary superintendent will send a memo to the director requesting the waiver and providing justification as to the need. The signed memo should be provided to the council and posted to the website. The term- limited individual will then be allowed to submit an application during the second round of recruitment. The application will then be reviewed by the Candidate Review Subcommittee on an equal footing with any other applications submitted during the second round; the signed memo should accompany the application through the entire process from the Candidate Review Subcommittee to the regional director and ONMS. See Part 11, C Selection of Council Members section in the Hand book for a full description of the recruitment and selection

process.

4) Members serve at the discretion of the director. The sanctuary superintendent may recommend to the director the removal of a non-governmental member or alternate of the council on any of the following grounds if that member:

   a) Is convicted of any felony offense;
   b) Is found to have violated any of the following laws or regulations promulgated thereunder: the National Marine Sanctuaries Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or another environmental law for which NOAA or another federal agency has jurisdictional responsibility;
   c) Is found to have violated state environmental laws or regulations;
   d) Is found to have violated national or state laws or regulations protecting cultural resources;
   e) Is determined to have abused his or her position as a member or alternate of the council (including but not limited to use of council information for personal gain; use of council position to advance a personal agenda or harm another member or alternate of the council or of the community; misrepresentation of, or spreading misinformation about the council or the sanctuary; and/or refusal to recuse himself or herself if so requested by the sanctuary superintendent and/or chair in a matter in which the member or alternate has a conflict of interest);
   f) Has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that member's qualifications for being a member of the council;
   g) Misses three consecutive meetings without reasonable justification;
   h) Disrupts on more than one occasion council meetings in a manner that interferes with the council conducting its business; or
   i) Violates any term of this charter.

   The sanctuary superintendent may consult with the council prior to taking such an action.

5) As each non-governmental seat becomes vacant and the process for selection of a new member or alternate (described under Appointments) is conducted, the sanctuary superintendent shall recommend to the director the member from among the top three candidates resulting from the review process.

6) Members accept the responsibility of attending council meetings. The sanctuary superintendent/director will not designate alternates to serve in their place or to represent them in meetings or at other council activities.

4. Council Officer Elections and Terms

The council shall elect one member to serve as chair and one member to serve as vice-chair. Terms of the chair and vice-chair are two years; the chair and vice-chair may serve a maximum of two consecutive terms if reelected. The council may elect one member to serve as council secretary. The term of the council secretary is two years. The council secretary may serve consecutive terms if reelected.

A chair, vice-chair or secretary may leave his/her term to run for another council officer position if desired. If the chair, vice-chair or secretary is elected to a new position, the council shall nominate and elect a new representative for the vacated position. Council members, including non-voting members, may nominate individuals for the council officer positions (except sanctuary superintendents and/or their designees). Any primarymember of the council, including governmental seats (with the exception of the sanctuary superintendent and a student seat representative), may be nominated and elected as a council officer. Election for all positions is by majority vote of all council members (except sanctuary superintendents and/or their designees,) including the non-voting members and votes shall be made by written ballot. In instances where an official publicized council meeting is held via teleconference, members may vote verbally. Alternates may vote during an election only when the alternate is filling the seat in absence of the primary member. Members who will not be present at the time of the election may submit their vote in writing to the sanctuary superintendent prior to the meeting.

If a council officer resigns, the council should hold an election at the next regularly scheduled council meeting. If the newly elected individual feels comfortable, they may begin serving in their position immediately upon being elected; otherwise they may begin serving at the next meeting. If the chair resign, the vice chair acts on their behalf until the new chair assumes their position. If the vice-chair resigns, the secretary acts on their behalf until the new vice-chair assumes their position. If the secretary resigns, the position may remain vacant until the new secretary assumes their position.

In extraordinary circumstances, if all council officers resign at the same time, the council can agree to allow another council member to serve as interim chair until the new officers are elected; new officers should be elected at the next scheduled council meeting.

5. Roles of the Council Officers

(a) Chair: The chair schedules and sets agendas for all council meetings with the approval of the sanctuary superintendent, presides over all meetings of the full council and ensures that meetings are run according to accepted meeting practices, signs all correspondence and documents authorized by the council, and generally represents the council's interests and concerns to the public. The chair also continues to fulfill the general roles that all council members fill, including representing the interests of their sector.

(b) Vice-Chair: The vice-chair serves as chair in the absence of the chair and assists as necessary in performing executive duties of the council. The vice-chair also continues to fulfill the general roles that all council members fill, including representing the interests of their sector.

(c) Council Secretary: The council secretary assists sanctuary staff in performing administrative duties (recording or reviewing minutes or notes, tracking action items, drafting correspondence, etc.) as directed by the chair or vice-chair. The secretary also continues to fulfill the general roles that all council members fill, including representing the interests of their sector.

Appointments

1. Recruitment and appointment of non-governmental council members shall follow the process outlined in the ONMS Sanctuary Advisory Council Implementation Handbook (currently Part II, section C.2, Selection of Non-Governmental Members). Public notice shall be provided as to the vacancy of non-governmental seat(s) and recruitment of new council members. In all cases, submissions of written statements of particular interest, qualifications, and experiences shall be requested. Guidelines for applying shall be available at any time on the MNMS web site or by mail upon request. Council members should be encouraged to recruit potential candidates

2. Copies of all applications and nominations for each seat will be submitted by the sanctuary superintendent to the preliminary review panel to obtain recommendations on selections. Any council member that has a conflict of interest (i.e., financial, personal, self-nomination, or political benefit) shall recuse him/herself from making a recommendation for the vacant seat.

3. Selection from among those recommended by the preliminary review panel shall be made by the sanctuary superintendent with the approval of the director. The sanctuary superintendent may choose to re-advertise the vacant seat(s) if adequate candidates are not available after the first recruitment process.

Administration

1. Members and alternates of the council shall serve without pay except that each member or alternate may receive travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C., for travel to and from official council meetings, meetings of council subcommittees of which they are members, and meetings of council working groups of which they are members. Persons outside the council who are members of council working groups shall serve without pay except that they may receive working group meeting travel expenses including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of Title 5, U.S.C. Reimbursement of travel expense requests is at the discretion of the sanctuary superintendent and dependent upon budgetary (or financial) considerations and constraints. Travel expenses

for governmental members and alternates of the council may be provided by their own agencies.

2. The ONMS may make available such staff, information, administrative services, or assistance as the sanctuary superintendent determines are reasonably required to enable the council and its subcommitees/working groups to carry out their funcitons.

Operation

1. Meetings

   (a) Meetings are held at the call of the chair and the sanctuary superintendent.

   (b) Decisions (e.g., recommendations) made by the council shall be made by majority vote of those present, provided there is a quorum (more than half of the voting members). A recorded vote may be requested by the chair or the sanctuary superintendent. For purposes of a quorum an alternate member shall assume the rights and privileges of the member in the member's absence.

   (c) Each meeting shall be open to the public.

   (d) Interested persons shall be permitted to present oral or written statements on items on the agenda, or other pertinent topics.

   (e) Emergency meetings may be held at the call of the chair or presiding officer and the sanctuary superintendent.

   (f) Timely notice of each council meeting, including the time, place, and agenda of each meeting, shall be provided to the local media and additional notice may be given by such other means as will result in appropriate publicity to interested groups. This requirement shall not apply to workshops scheduled by the council to address strategic planning, administration, or specialized technical issues. The council may not vote at any meeting for which the above public notice has not been issued. The council may not vote on any agenda item for which notice was not provided.

   (g) The council shall meet as frequently as necessary, not to exceed once per month (the meetings should be in different months, but do not have to be precisely 30 days apart) for voting meetings, but at least once every six months. The council meeting place may be rotated among various locations adjacent to the sanctuary and meeting sites shall be chosen to accommodate anticipated public attendance and be reasonably accessible to those interested in attending.

   (h) Minutes of each meeting shall be kept by a person specified by the sanctuary superintendent and contain a summary of attendees and matters discussed; such

minutes shall be available to the public.

2. Procedures for Providing Advice: The following procedures shall be used to provide advice:

   (a) The council may provide advice on a relevant issue or topic to the sanctuary superintendent. Requests for information, assistance, or advice from the ONMS, other NOAA offices, or other agencies shall be made in writing and be coordinated through the sanctuary superintendent.

   (b) Any matter that a council member or alternate wishes to raise to the attention of the sanctuary shall be brought to the attention of either the sanctuary superintendent or the council chair so that it might be placed on the agenda as a discussion topic. The sanctuary superintendent and the council chair shall discuss topics for the agenda. The sanctuary superintendent approves a topic to be placed on the agenda.

   (c) The council shall provide advice directly to the sanctuary superintendent via a written recommendation or a motion passed by the council and reflected in the minutes. Draft recommendations and verbal discussions shall be considered by the sanctuary superintendent as additional background information and shall be included in the minutes.

   (d) Any advice, correspondence, or information the council wishes to offer or express beyond the sanctuary superintendent shall be voted on and approved by the council prior to sending. Because the council was established specifically to provide advice to the Secretary, and operates through the sanctuary superintendent, the sanctuary superintendent must also approve any advice, correspondence, or information that goes outside the sanctuary prior to sending.

   (e) The council shall base its advice on a vote of the council with negative votes and abstentions noted or on consensus reached during discussion with minority opinions noted. A quorum shall be present when the vote is taken or a discussion to reach consensus is conducted.

   (f) Any information or advice resulting from discussions in subcommittees or working groups that is requested by the council shall be presented to and considered by the full council and as appropriate incorporated into the council's recommendation to the sanctuary superintendent. If the council does not incorporate information or advice of a subcommittee or working group, it shall inform the sanctuary superintendent and explain in its advice or information the reasons for not incorporating the subcommittee's or working group's advice or information.

3. Conduct of Individual Members and Alternates

Council members and alternates are expected to be familiar with the processes and regulations governing the sanctuary and to keep themselves informed of sanctuary-related events and issues. Expectations include regular meeting attendance and familiarity with the council charter and the ONMS Council Implementation Handbook.

(a) When speaking to the public or writing about any matter regarding the sanctuary in a document for distribution beyond council membership the sanctuary superintendent, or sanctuary staff, a member or alternate shall clearly distinguish those recommendations, opinions, or positions officially adopted by the council as a body from those he or she may have as an individual. In no case shall a member or alternate represent individual opinions as those of the council, the sanctuary superintendent, sanctuary staff, or NOAA.

(b) Any council member or alternate that has an interest (financial, personal or business interest) in any matter before the council, a subcommittee or a working group shall identify such interest prior to discussion and voting on such matter. No member or alternate shall cast a vote 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 under federal law. An affected member or alternate who may not vote on a matter may participate in council deliberations relating to the decision after notifying the council of the voting recusal and identifying the interest that would be affected. These same guidelines apply to members of working groups who are not members or alternates of the council.

(c) All council members and alternates are expected to conduct themselves in a civil fashion, showing courtesy and respect to other council members and alternates, sanctuary staff and any other individuals present at the meeting.

4. Conduct of the Council as a Body

(a) Any correspondence or other written documents that are intended to speak for the council as a body shall be coordinated with, and approved by, the chair and the sanctuary superintendent prior to sending.

(b) The following disclaimer shall be placed in all documents and communications originating from the council: "*The council is an advisory body to the sanctuary superintendent. The opinions and findings of this publication do not necessarily reflect the position of the Monitor National Marine Sanctuary and the National Oceanic and Atmospheric Administration.*"

5. Council Letterhead

The council shall, with the assistance and approval of the sanctuary superintendent, design and use its own letterhead. All correspondence from the chair or other members or

alternates of the council, or the council as a body, shall be on this letterhead. The council shall not use official NOAA or DOC letterhead for any correspondence or other purpose.

6. Subcommittees and Working Groups

   (a) Subcommittees: The chair, in consultation with the council as a whole and with the concurrence of the sanctuary superintendent, may establish such subcommittees as necessary to fulfill the council's duties. Subcommittees shall be composed solely of members of the council at the superintendent's discretion, alternates may also serve on subcommittees. The subcommittee must be chaired by a primary member of the council. Subcommittees shall be recognized as official subunits of the council. Subcommittees are subject to all requirements of this charter.

   (b) Working Groups: The chair, in consultation with the council as a whole and with the concurrence of the sanctuary superintendent, may establish working groups for specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee. Their work will be limited to functional areas and discrete issues relating to individual sanctuaries. Working groups may be composed of members and alternates of the council and persons outside the council. Working groups shall be chaired by a primary member of the council and shall function under the purview of the council. At the sanctuary superintendent's discretion and if the full council approves, an alternate member may chair a working group; that alternate shall function under the purview of the council. Working groups established by the council to address specific issues shall disband once the final advice on the particular matter is submitted to the council.

Other Terms of this Charter

1. The council shall operate pursuant to the terms of this charter.

2. This charter shall remain in effect for a period of five years from the date of signature.

3. Six months prior to the expiration of this charter, the need for the council will be evaluated by the ONMS, with input from council members, to determine whether to renew the charter.

4. Revisions to the charter may be made as determined necessary by the ONMS with input from the council.

Holyoke / for
John Armor
Director, Office of National Marine Sanctuaries

07/31/2018
Date