

PROPOSED LAKE ONTARIO NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Meeting #10 - VIRTUAL

Thursday, June 10, 2021

MEETING SUMMARY (FINAL)

Welcome – Bill Crist

Bill Crist called the meeting to order at 6 p.m. EST. Bill welcomed everyone to meeting #10 and continues looking forward to the day we can meet in person.

Tonight's agenda: NOAA is in the process of getting the documents ready for public review. We have a guest from the Florida Keys National Marine Sanctuary, Beth Dieveney, who will talk about the sanctuary in the Florida Keys. Beth will share her perspective on the role and responsibilities the FKNMS advisory council plays in a DEIS process.

Bill commented on where we are and where we've been. We've covered a lot of ground in the past several months and have made incredibly great progress. There have been questions from some of you whether we, as SAC members, can see the draft documents ahead of time. This is a process that requires a level of patience and cooperation as we move through this process and when we all cross the finish line together. We are counting on your own local representation and what you do on behalf of the SAC and our partners at NOAA. This is a great opportunity for our region and ultimately advance to the designation of a national marine sanctuary in Eastern Lake Ontario.

NOAA Updates – Ellen Brody

Ellen reported out on two very significant updates in ONMS and NOAA.

- Proposed Wisconsin Coast Shipwreck Sanctuary. Finally got approval from OMB to publish the final rule which is the final piece that goes into designating the sanctuary. This has a 45-day consecutive congressional in-session time. This is imminent. Will be proud to welcome another sanctuary to the Great Lakes and Thunder Bay NMS will have to change their motto of being the only national marine sanctuary in the Great Lakes.
- President's budget was released for FY22. This takes a while for the report to be generated but we received our budget numbers. ONMS received a significant increase which is very welcome and legitimizes the sanctuary program, gives credit to the role we are playing in the administrative process. Our operating budget over the past several years has been \$57 million. We received a substantial increase to \$84.5 million. Tremendous increase that we have never seen before. There's a long road ahead in the budget process but for internal NOAA it signals that our program is recognized and deserving of the increase. There is language in the budget that calls out Wisconsin and Lake Ontario to be funded. More information as it becomes available to us.

Q&A:

Q: How long did it take for WI to go thru this process?

A: Longer than we thought. Received their nomination in 2014. Seven years since. We had a 3-year stoppage where the previous Governor of Wisconsin withdrew his support. Support of the Governor and State is critical.

Re-grounding: The Road to Designation – Ellen Brody

Ellen refreshed the council once again on the steps to sanctuary designation.

- Scoping is complete. NOAA held public meetings in all four counties in 2019 and the public was able to comment.
- Over the past two years we have been working on the sanctuary proposal with the NOAA team. We are poised to publish, undergo public review, finalize the document, then designation.
- Typically when we publish the draft documents we publish the draft rule. We are not doing that with LO. We want to receive public comments and then write the draft rule based on the public comments.
- Targeting the end of 2022 for designation which happens to be the 50th anniversary of the sanctuary program.

Ellen reviewed each chapter in the DEIS. We are unable to share the DEIS with any member of public before it is published.

- Chapter 1: Introduction and overview
- Chapter 2: Purpose and need. This is important for NOAA. This is where we lay out what and why we are looking to designate a sanctuary. This is to manage the maritime heritage resources in Lake Ontario. We describe the threats to the underwater cultural resources.
- Chapter 3: Alternatives.
 - Alternative 1: No action alternative (NOAA would not designate)
 - Boundary alternative 1: Eastern Lake Ontario and Thousand Islands Region
 - Boundary alternative 2: Eastern Lake Ontario
- Chapter 4: Affected Environment. Longest chapter and covers a lot of territory. Describes all aspects of the protected environment. This is the chapter where we have all the information on the history, historical significance, and where we describe the shipwrecks in both boundaries. We have a section on human uses and socioeconomics. This is where we identify many instances in Lake Ontario and the St. Lawrence River including fishing, recreational fishing, diving, offshore energy generation, commercial shipping, Coast Guard, Fort Drum and National Guard regarding their activity with overflights. The second part of Chapter 4 is the physical and biological environment. This is a requirement we have to include. This is basic information on the geology, climate, types of species, etc.
- Chapter 5: Consequences of Alternatives: This chapter evaluates the impacts of all alternatives as it relates to the affected environment. We follow the National Environmental Policy Act (NEPA). We have to describe what the impact is to the environment.
- Chapter 6: Conclusion.
- Appendices. First appendix is the Draft Management Plan.
 - This is the document the council worked on, voted on and sent the amendment forward to NOAA.

- We have staff in the science, maritime heritage, education and outreach, policy and planning divisions who reviewed the document and provided additional context. You will see changes that focus on the management plan, hiring staff, addressing facilities and administration.
- There are now five action plans in the DMP.
- Thank you for participating in the creation of the management plan. It is a reflection of your words and opportunities on Lake Ontario and the St. Lawrence River.

What's Next:

1. Documents are in official clearance
2. Targeting early to mid-July to publish
3. Official notification will be in the Federal Register
4. NOAA will issue a press release and social media announcement
5. Local and state government will also have a press release
6. The day of publication we will activate our website with all the documents. There will be links to the DEIS
7. Around the time of publishing either the day of or the day before, we will hold a SAC meeting to dive into this and give you information to help you understand and communicate the documents
8. There will be a freestanding executive summary, DMP, fact sheet with key dates on the public meetings and instructions
9. NOAA will hold two in-person meetings (August 18/19) and two virtual meetings (August 24/26). Members of the public can stand up and provide a comment verbally, in a comment box, a handwritten letter to Ellen or through www.regulations.gov (instructions will be provided on how to do that if you cannot attend a public or virtual meeting).
10. Public comment period will last through mid-September.

Q&A:

Q: Jeanie – What is the mechanism for helping the public assess pros or cons of Alt 1/Alt 2?

A: Ellen: We describe differences, shipwrecks and in Chapter 5 (Consequences) provides some comparison. There is some analysis in the document for that.

Q: Should SAC members attend the meetings?

A: Ellen: We want SAC members to attend!

Q: Ed M: Who makes the final decision on alternative selection and how is that made?

A: Ellen: NOAA, but the state is our partner and will also consider comments from public. That decision will be in the final EIS.

Q: Ed M: How do you drum up attendance at the public meetings?

A: Ellen: Networking with your local communities

Q: Ed M: How long is the public comment period?

A: Ellen: 90 days

Beth Dieveney – Policy Analyst and SAC Coordinator, Florida Keys National Marine Sanctuary

Ellen introduced Beth Dieveney. Beth will share an overview on how beneficial an advisory council is during a DEIS process including public meetings and the public comment period.

Beth:

Commended the LO advisory council on meeting #10 and all of them through a virtual platform! One of the highlights for us in our job is working with advisory councils to manage these special places. What a phenomenal testament to your commitment for LO.

In the Florida Keys our sanctuary advisory council was integral in helping us look at our current sanctuary regulations, management plan and updating the DEIS proposal. The Florida Keys NMS has not done a comprehensive review of our management plan since 1997. This was our first in depth look at how we are working with the resources. The FK sanctuary advisory council played a significant roll and provided advice and recommendations on management of the site.

FK's has a large AC council with 20 voting members with alternates as well as 10 state and federal government agencies and 5 municipalities. AC provides a key role.

In the Florida Keys we approached the DEIS process much like Lake Ontario is approaching this. We did crafted a DEIS and later this year we will release our draft rule. We did it for similar reasons...to have public input on the proposal and have public input shape our draft proposal.

What role(s) can the SAC play during this process?

- Share constituent perspectives (pre and post-release)
- Identify target audiences
- Refine key messages
- Identify topics for talking points

After the DEIS was released in the FK, just like you're getting ready to do in LO, we had six public, in-person meetings. This shows how engaged the community can be and care about these special places and learn about what your proposing. The role for the FKNMS SAC post-release included:

- Participate in public information/comment meetings
- Actively engage with the community: radio spots, op-eds, etc.
- Conduct briefings for various constituent groups
- Proactively share and clarify information (i.e., social media)
- Provide individual SAC member and collective SAC engagement

SAC Engagement Guidance:

- Council speaks on its own behalf as an advisory body, not as the sanctuary, ONMS or NOAA in an official capacity.
- 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 represent individual opinions as those of the council, the sanctuary superintendent, sanctuary staff, or NOAA.
- If a council member wishes to write a letter expressing their personal opinions (not those of the council), reference to the member's advisory council title or affiliation with the federal government is inappropriate.

Bill thanked Beth for her knowledge and insight in the DEIS and DMP process. Moving on to the rest of the agenda we will open the floor to ideas and questions. Bill asked the advisory council how members would engage with their constituents and what do you need from us.

Discussion/Ideas:

Katie: I know it would be helpful to go to some of the local governments, post offices, etc., to put some info up. Will there be materials we can put up?

Ellen: Yes. We will do a poster and fact sheet. We will also have some hard copies for each county and have the county administrators place them in libraries and City Hall for public access. People can also look at the documents on line and print.

Bob M: I'm a CAL and we have a timeline for the end of July. Maybe Katie and I can pick a place in each county to hold a meeting leading up to the NOAA meeting in August. This might attract more people to come to the in-person meetings.

Katie: Absolutely.

Jeanie: I would like to do something similarly through the regional planning board and reach across to get the word out to the towns and villages. Is there were any kind of a PDF to send to summarize what the message is we want to get out to folks?

Ellen: I would direct people to look at the Executive Summary and Management Plan which is the most relevant piece of information (documents will be accessible). The DMP gives an overall vision (241 pages). In mid-August we are on with the regional planning board (25 August).

Laura M: The State is working on a press release and likely there will be several other folks from State agencies who will be rolling out social media campaigns. There is also a plan to have another discussion with local governments. Exciting to hear there will be in-person public meetings.

Ellen: Public comment is an opportunity for everyone to comment and it is in NOAA's best interest to hear from a variety of different interests. We want to know if people have concerns about the sanctuary and if so we can revise our proposal. We have the responsibility to respond to comments in our final document (policy document) on what we heard from the public and how we will adjust. We want to reach a wide range of people and users in the proposed sanctuary.

Ed M: What is the objective to drum up attendance at the meetings?

Ellen: Whatever you're comfortable with. As we have said before this project has had low visibility.

Bob M: Can we get NOAA t-shirts?

Ellen: We will work on that. What do the SAC members wear in FK? (Action Item)

Beth: We have golf shirts that have FK AC and the whale tail. We try to have the members wear them when representing the AC and are at the public sessions. We also have brighter colored t-shirts specific for SAC members to wear at public meetings.

Dave W: From the first day LO was nominated there have been a lot of presentations in the community and the community at large is much more aware of what's going on. The community is waiting for the next steps whether it affects boating, diving, etc. The recreational communities are well poised on what NOAA will bring forward in July and August.

Ellen: I completely agree. This proposal is one of the fastest in terms of publishing a DEIS.

Shane B: Oswego Tourism County Board meets on the June 22nd ... is there a one-page flyer people can pick up look at? (Action Item)

Ed M – Maybe we can do infographic earlier?

Upcoming Events:

Dave W: Meet and Greet on June 23rd 4:30-6:30 pm. There will be introductions and remarks from Bill. This will give council members an opportunity to say hello and network. Dave will send out an email with rules and protocols prior to the meeting. Registration is required in order to participate.

Bob M: There's also an opportunity on June 23 to tour the H. Lee White Museum and take a boat ride out to the lighthouse thanks to the New York Canal Association along with Dave Granoff. More information to follow.

Dave W: Syracuse State Fair August 20-September 6. Follow-up w/Dave W on having a presence at the fair. (Action Item)

SAC Administration - Pam and Bill

- Approval of minutes from Meeting 9. No discussion. Motion first and second. All in favor to approve.
- Next SAC meeting on early July. Review published DEIS/DMP rollout and SAC role.

Public Comment:

None

Meeting adjourned at 7:15P

Attendees:

NOAA/ONMS:

Ellen Brody, Great Lakes Regional Coordinator
Edward Lindelof, Senior Policy Analyst

Pam Orlando, LONMS Advisory Council Coordinator
Jean Prevo, MB-PR NMS Advisory Council Coordinator
Julia Snouck-Hurgronje, Senior Policy Analyst

Guest Speakers:

Beth Dieveney – Florida Keys National Marine Sanctuary

Advisory Council:

Shane Broadwell, Member, Tourism
Bill Crist, Member, Education (Chair)
Dale Currier, Member, Recreational Boating
Peter Evans, Alternate, Tourism
Jeanie Gleisner, Member, Economic Development
Dave Granoff, Alternate, Economic Development
Robert Humphrey, Member, Education
Jim Kennard, Member, Divers/Dive Clubs, Shipwreck Exploration
Ken Kozin, Alternate, Divers/Dive Clubs, Shipwreck Exploration
Steve Lynch, Member, AICP, Director (Cayuga)
Dennis McCarthy, Member, Maritime History & Interpretation
Kathi McCarthy, Alternate, Citizen-at-Large
Laura McLean, State of New York, Alternate
Katie Malinowski, Member, Citizen-at-Large (Vice-Chair)
Jay Matteson, Member, Economic Development
Ed Mervine, Member, Shoreline Property Owner
Robert Morgan, Member, Citizen-at-Large
Duane Morton, Alternate, Shoreline Property Owner
Mercedes Niess, Member, Maritime History & Interpretation
Rebecca Shuford, Alternate, New York Sea Grant
Mark Slosek, Alternate, Recreational Boating
Gail Smith, Alternate, Recreational Fishing
Ray Tucker, Alternate, Divers, Dive Clubs & Shipwreck Exploration
Dave Turner, Alternate, Oswego County
David White, Member, New York Sea Grant
Jim Wieser, Member, Divers/Dive Clubs, Shipwreck Exploration
Christine Worth, Alternate (Wayne)
Joseph Zarzynski, Alternate, Maritime History & Interpretation

Public:

Jason Pfothauer
Matthew Reitz, Palladium Times
William Schickling