

PROPOSED LAKE ONTARIO NATIONAL MARINE SANCTUARY ADVISORY COUNCIL

Meeting #12 - VIRTUAL

Thursday, September 9, 2021

MEETING SUMMARY - FINAL

Welcome – Bill Crist

Bill Crist called the meeting to order at 6 p.m. EST. Bill welcomed everyone to meeting #12. Bill outlined the agenda for this evening and will include reviewing the four-county non-NOAA public information meetings along with some of the questions and comments that were raised. Thank you to Katie Malinowski and Bob Morgan for taking the opportunity to meet with folks in all four counties and give a presentation on what the sanctuary will offer to upstate New York and, in particular, Lake Ontario. We will hear from Katie and Bob later in the meeting on how the meetings went. Bill was able to attend one session in Oswego and there were some great questions asked. Bill would also like to review the public comments already submitted to NOAA on the DMP. A lot of hard work has occurred over the past twelve months from a lot of different people and we are very appreciative of the time and effort from many different people.

NOAA Updates – Public Comment Period - Ellen Brody/Bill Crist

Ellen Brody - We have had a very busy July and August getting ready for the public comment period. NOAA gave the same presentation at all four meetings including an overview of the sanctuary system, review of the sanctuary proposal and where NOAA was seeking public comment. Unfortunately, we had to hold all four public meetings virtually. Approximately 65 people attended and we received 13 public comments. Overall public comments were quite supportive. We will provide transcripts of the public comments and upload them to the sanctuary website in a few weeks. We also have an online portal through regulations.gov. Ellen encouraged everyone to look at the portal to see the comments made to date (31). Comments ranged from one-line sentences supporting the sanctuary, some made comments on the boundary alternatives and some comments were more substantive from agencies such as the Army Corps of Engineers and the Great Lake Port Association, to name a few.

Bill Crist mentioned that several SAC members have commented as individuals and highly encouraged other SAC members to provide a public comment as a citizen, not as an advisory council member. All of us have a voice and vested interest on what's happening in Lake Ontario and the St. Lawrence Seaway. Comments are being accepted until 11:59 pm on September 10, 2021.

Ellen invited two of the county representatives attending the meeting tonight to weigh in on the non-NOAA sponsored meetings.

Steve Lynch – Cayuga County: Cayuga County continues to express strong support. Steve attended the Cayuga presentation in Fairhaven along with several others from Cayuga County and the sanctuary advisory council. The Cayuga County Office of Tourism has sent out the LONMS website link to all of its members' listserv and affiliates encouraging them to review the DEIS, DMP, website stories and proceed to comment. Our planning department has commented. Steve mentioned that Phil Church (absent tonight) is attending a legislative meeting and preparing a support resolution which will be passed

tonight and uploaded regulations.gov. Unfortunately, Cayuga County did not get together in time to prepare a support resolution but rest assured all are in full support. Thanks to Bob and Katie for making the time to travel to all four counties.

Bob Hagemann – Jefferson County: Unfortunately, we had four pre-existing meetings where we could not breakaway to put together a resolution of support. Two nights ago, there was a gathering in Henderson Harbor and many of the folks who came to the meeting had good things to say. There was some hesitancy expressed by a few folks who attended the meeting and were worried about a “federal takeover”. There were some folks who did their own research and “see the light at the end of the tunnel” and with continued discussion there was overall ease in the proposed sanctuary. The majority of the board members are in full support of the sanctuary.

Ellen mentioned there will be another opportunity when the final rule is published to prepare a support resolution.

Four County Non-NOAA In-Person Meeting – Katie Malinowski and Bob Morgan

Katie Malinowski and Bob Morgan, members of the Citizen-at-Large seats, conducted four in-person meetings in all four counties (Wayne, Oswego, Jefferson and Cayuga) to get the word out about the proposed sanctuary. Katie reported that attendance was good and she was happy to see some advisory council members at the meetings. There were a lot of questions that were asked and answered to the best of Katie and Bob’s ability. Katie and Bob made it very clear that the meetings were non-NOAA sponsored meetings in each of the counties and referred questions they could not answer to Ellen Brody.

Bob Morgan reported divers/professional divers, especially in Henderson Harbor, voiced concern about permitting being restrictive. Bob emphasized that NY state regulations are followed. Overall there was interest in the proposed sanctuary and support for the St. Lawrence River up into the Thousand Islands. There were similar questions in all four county meetings:

- Who is paying for the sanctuary?
- What is NOAA’s stance on wind turbines? Concern over placing a turbine on wrecks.
- Where will the visitor center be located?
- What is the square mileage of the proposed sanctuary?
- Is there a way to reinvigorate the Seaway Trail? Better signage? Been there since the 60s.
- Would Canada have a role in the proposed sanctuary?
- Most people are in favor of both options.

Q&A/Comments:

Steve Lynch - Noted a comment about environmentalism, wondering about the environment and ecology, NOAA research and education outside the shipwrecks and their history.

Ray Tucker – Katie and Bob did a great job. Attended the meeting at Henderson Harbor. One note from a number of divers was the research performed by Jim Kennard and his partners over the years including mapping Lake Ontario. Concern it would be a duplication of effort and a message needs to be sent to NOAA about starting off where they left off with 3D modeling.

Bill Crist – Attended the meeting in Oswego and it was clear having all four counties come together and support a project like this brings people together. Several folks mentioned how the sanctuary would bolster economic development and what the sanctuary could mean for the upstate region. The proposed sanctuary would be within an earshot of several large cities to include Buffalo, Rochester,

Syracuse and Canada. Hopefully this brings tourism, maritime heritage, diving, fishing and education to the region. Thank you, Bob and Katie. You hit it out of the ballpark!

Ellen Brody – Circling back to the regulations question Bob H brought up. There will be permitting but not a blanket permit across the board. NY State has regulations already in place.

Dale Currier – Coast Guard puts out a journal once a year. New edition just came out and in this issue there's an article on NOAA Blue Economy. This garnered eight pages, emphasizing the importance of environmental and soundly moving materials in waterways including the Great Lakes. Talked about different things NOAA was doing including the recently designated Mallow's Bay-Potomac River NMS and mentioned two proposed shipwreck sanctuaries in the Great Lakes. NOAA is obviously putting this out to the world. Other maritime organizations like CG are publicizing this. The magazine is only available in print. Dale will scan and send it to Ellen.

Ellen Brody – This is great Dale. The proposed sanctuary has been important in the old administration and continues to be an important issue in the new administration.

Bob Morgan – People mentioned we need to come up with a better name and there was mention of a Haudenosaunee name.

Mercedes Niess – It would be good to get the Haudenosaunee input. Hats off to Jeanie for that.

Jeanie Gleisner – I had read somewhere recently where there was the Lake of Shining Waters. Congers up good imagery and plays homage to the Haudenosaunee. We would need to run this by the Haudenosaunee to see if they would be okay with that.

Review of Timeline – Ellen Brody

What's Next:

- Consider all public comments and how the public weighed in on the boundary and regulatory consent
- Draft the final rule this Fall
- Once we get comments back from the final rule we will finalize the DEIS, Management Plan and the final rule.
- Still focused on late 2022 for designation

Dave White – Caution putting date at the end of the calendar year with new elections. Former Governor and current Governor are strong supporters of the sanctuary.

Bill Crist – October is a good stepping off point but early November document will work as well

Ellen Brody – In close contact with the State. This does present a wild card.

Working Group Report Out – Ellen Brody and Bill Crist

Bill Crist – Recently asked for volunteers and reached out to a few people on the council to help draft a position paper. Several of you committed to help draft a position paper from the SAC on the DEIS and DMP and the whole concept of what the LONMS would look like. This is a draft derived from the input of the working group.

Bill Crist– Would like to have everyone review the document while we are in the meeting, see if there are any omissions or clarifications that need to be included. Looking for the SAC to endorse a final support resolution at the October 20 advisory council meeting.

Q & A/Comments:

Dale Currier – Feels this is concise enough for people to understand what the objective is. It is broad in its base to add other things. Hits the mark across the board.

Ellen Brody – To add some context, our next SAC meeting will be Oct 20th. The meeting tonight was the first opportunity to look at draft comments and continue to refine this. The reason we are allowing the advisory council more time to submit a support resolution is that the advisory council has more time to see how the public weighed in with the written comments before voting on a support resolution. We will continue to refine the letter and at the October SAC meeting we hope to pass a resolution to submit comments to NOAA.

Steve Lynch - Thinks the comment piece is very good. Supports the fact that it includes all the regulatory concepts that are in the DMP and proposed draft rule. Would be surprised if the public comments came in and contradicted any of those regulatory concepts. Didn't see anything about tourism opportunities.

Katie Malinowski – Important opportunity to state this.

Ellen Brody - With regards to regulatory concepts, unless there is something that we hear one way or the other there's no reason we can't put this forward. People will then be able to see the exact wording on what the preferred boundary is.

Katie Malinowski – Speaking of boundaries, what are the results of the straw poll?

Bill Crist - There was a straw poll where we asked all of you to weigh in on either Alternative 1 being the eastern LO basin area up to Tibbett's point into the St. Lawrence Seaway to include the *America* and *Keystorm* wrecks or Alternative 2 the LO region minus any consideration for the St. Lawrence Seaway.

- 15 voted for Alternative 1
- 5 voted for Alternative 2

Discussion:

Ellen Brody – Some of you did write some comments in the open-ended questionnaire. For those who voted for Alternative 2, Lake Ontario only, there seemed to be a sense that the sanctuary could be expanded in the future. It wasn't an anti-Thousand Islands region perspective but more about let's get the sanctuary started and expand later. With Alternative 1, there are a lot of shipwrecks in the Thousand Islands and the sanctuary should cover the wrecks and use management tools and outreach in that area.

Bill Crist – Would love to hear from each of you who voted and understand your views on the pros and cons of Alternative 1 and Alternative 2. Katie and I will reserve our thoughts for now.

Dale Currier – Voted for Alternative 2 which is our original four counties and this should be our preferred approach. It's been said before but this is the way we started and we worked to keep it a cohesive group and any effort to expand now could cloud objectivity or view point of others. Thinks it would be easier and less politically confusing to go with four counties and, as Bob mentioned, identify if there is a need to expand at a later date.

Dave Granoff - Voted for Alternative 1 to have the St. Lawrence area included because of cohesiveness. Most everything I talk about has to do with continuity and cohesiveness. We were talking about tourism and having the Thousand Islands in the mix all the way down to Sodus Point. This would allow sharing educational cohesiveness in the north country. It would be great to promote LO and not just have one tiny little chunk of a sanctuary. We want as much as possible from the start and we all should start working together to build this cohesive project from the beginning.

Mercedes Neiss – Voted for Alternative 2, the four counties to start with. Concern with resources available in NOAA (limited people and limited resources). Thinks the original proposal is manageable and we should see how it plays into everything and how the communities play into it. Certain that down the road Rochester and Buffalo folks may want to get involved. A topic to tackle with the SAC at a later date.

Ray Tucker – Voted for Alternative 1 and feels the option is 100% beneficial and in the best interest of divers. This is an opportunity for government funding for mooring buoy placement near favorite wrecks. Canadian divers to *Keystorm*, *America* and *Victory* are quite heavy with Canada being so close along with their excellent mooring buoys funded by the Canadian Government. Feels Alternative 1 is 100% beneficial and in the best interest of the divers and the proposed sanctuary. We already know it makes sense and it would make no sense not to proceed with the expanded boundaries.

Katie Malinowski for Gail Smith – Gail is having difficulty with her audio but agrees with Ray and voted for Alternative 1. The Thousand Islands Tourism Council is a bi-national organization that includes Canada and parts of New York and they're a vital source for our tourism. Rock solid organization. Corey Fram is their Executive Director, who is our Tourism member seat on the SAC.

Steve Lynch - Voted for Alternative 1 and cited economic development, tourism and blue economy. Likes the long view and not the short view. Important to have cohesiveness and supporting constituents on the ground including divers and stakeholders. Takes time to build networks, collaboration, coordination and partnerships. Good point (Mercedes) on resources and how far they can stretch. While something to consider it's nothing I would change my vote on.

Ellen Brody – Would like to point out that this should not affect opinion. Not a simple thing to expand a sanctuary. We would have to go through a designation process again, EIS, proposed rule and NOAA would have to consider that. Thunder Bay started with a SAC that wanted expansion. Same process we are going through now. Not a simple thing.

Shane Broadwell - From a connectivity standpoint and a representative from the tourism industry, did not participate in the straw poll but voted for Alternative 1 and added the Thousand Islands are golden. Eventually when Canadian tourism comes back with tourism dollars and people moving around we are so close to the Thousand Islands. We have Sackets Harbor, Oswego and the surrounding areas that could draw national attention in one cohesive environment. People will travel far and wide for history and culture. Coming from a non-diver and a tourism guy, we need to work together and expand on what we have.

Jeanie Gleisner – I voted for Alternative 1 for all the reasons that everyone has mentioned. There are some great resources already in the Thousand Islands and connecting internationally with Canada is a real plus. Hesitant to do this at first and had been thinking of Alternative 2 for a long time. Need to think about what we would gain overall by having the Thousand Islands area. As Ray said these are some of the best dive site and it makes great sense to include them.

Bob Morgan – The meetings in all four counties the consensus was for Alternative 1. Bob supports Alternative 1.

Ed Mervine – Confusing this even more. I originally voted for Alternative 1. Thinks there is some diver hesitancy in the St. Lawrence area which could be contributed by the heavy shipping that takes place in the St. Lawrence. Feels like he is now waffling, hearing Mercedes comment. Maybe start out on a smaller scale then expand later when we are so successful on a smaller scale that everyone will want to join us both westward and eastward.

Bob Hagemann - Feedback received so far has been in the Clayton area, and now more recently with the Henderson Harbor meeting the other night. Divers were unanimously supportive of Alternative 1. Fishermen and retailers were in favor of Alternative 1, expanding their horizons in many ways. There are options with both alternatives. Candidly liked the example in Thunder Bay, build one block at a time and don't go too far too fast, but there's so much history in that part of the river and Lake Ontario it expands the horizon not in terms of area but wealth of history. I would suspect that if a vote were taken it would be for Alternative 1.

Katie Malinowski - Our recommendation to the SAC doesn't necessarily have to be one or the other. It could be more of an emphasis on what we just went through.

Ellen Brody – When the advisory council provides not just their position but their recommendation this will be helpful. It's not surprising that there would be differences in options. We want to hear from everyone, part of your job and the process.

Katie Malinowski – Last thoughts? We can send out the revised document and we can take a deeper look.

Ed Mervine – Going to ask if that was the option because my comment regarding shipping was from me and looking at comments submitted thus far. Someone requested that all of the ports and bays be excluded from the area. Makes me think there was concern over shipping and commercial activity. Maybe we can take the straw poll again and massage the paper that the working group came up with.

Katie Malinowski – Great idea. In a few days we'll have the totality of comments, so we can see where we are as seat members and the comments reflected in the seats we occupy.

Ellen Brody – Will get a summary for everyone so you don't have to go on regs.gov.

Ray Tucker – I think Shane touched on it but the Thousand Island regions through Alexandria Bay is the only land access to Canada for 100 miles. Good opportunity for Canadians to come to America for shopping, history, culture, etc.

Q: Ellen Brody – We will convene the working group over the next two weeks to refine the document after all the public comment period closes. We will share this with the advisory council, get comments and hopefully pass a resolution at our next meeting on October 20.

SAC Administration – Katie Malinowski

- Approval of minutes from Meeting 10 and 11. No discussion. Motion for first and second. All in favor to approve. Approved.
- Next SAC meeting Wednesday, October 20, 2021.
- SAC vacancies. Received 3 applications. Seeking three new seat members to include Education alternate, Citizen-at-Large alternate and Maritime History and Interpretation member. Will send

applications to the nominating committee for review. Will continue to keep vacancy open. Please encourage others to apply.

Bill Crist – Closing Remarks/Last Thoughts

Mark Slosek – Association of Public Historians of New York State will be holding their conference next week in Oswego. The conference will be virtual and in-person. There are about 1,600 municipal historians across the state. There will be a session with Bill and Ellen talking about the sanctuary advisory council and the process and this will hopefully spread word throughout the State. Approximately 50 to 60 people registered to attend and virtual registrations around 90. There will also be a session on making Safe Haven a national park. We will also have field experiences.

Peter Evans – Has been a part of this group for years and will be attending the conference in Oswego. Happy to help with adding extra sessions, etc.

Ellen Brody – Tomorrow is the last day to make comments on-line. This is a major step forward. Thrilled to take the next step. It feels like progress.

Public Comment:

None

Bill Crist – We are a great team and thanks to everyone for their involvement. Congratulations to Pam Orlando on her recent addition of a daughter-in-law into her family.

Meeting adjourned at 8 pm.

Attendees:

NOAA/ONMS:

Ellen Brody, Great Lakes Regional Coordinator
Edward Lindelof, Senior Policy Analyst
Pam Orlando, LONMS Advisory Council Coordinator
Julia Snouck-Hurgronje, Senior Policy Analyst

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
Bob Hagemann, County Administrator, Jefferson County
Ben Heckethorn, Member, Education

Robert Humphrey, Alternate, Education
Steve Lynch, Member, AICP, Director (Cayuga)
Katie Malinowski, Member, Citizen-at-Large (Vice-Chair)
Janet Marsden, Alternate, Tourism
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
David White, Member, New York Sea Grant
Christine Worth, Alternate (Wayne)
Joseph Zarzynski, Alternate, Maritime History & Interpretation

Public:

Matthew Reitz, Palladium Times

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