

**DRAFT OPTIONS DOCUMENT FOR THE FLOWER GARDEN BANKS
NATIONAL MARINE SANCTUARY MANAGEMENT PLAN REVISION**

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I. Introduction

The Flower Garden Banks National Marine Sanctuary (FGBNMS) was designated in January 1992, and consists of three separate areas in the northwestern Gulf of Mexico, known as East Flower Garden, West Flower Garden and Stetson Banks. The present management plan for the sanctuary was completed at the time of designation. In accordance with Section 304(e) of the National Marine Sanctuaries Act, as amended, (NMSA) (16 U.S.C. 1431 *et seq.*), the National Marine Sanctuary Program (NMSP) of the National Oceanic and Atmospheric Administration (NOAA) is currently reviewing the FGBNMS management plan to evaluate substantive progress toward implementing the goals for the Sanctuary and to make revisions to the plan and regulations as necessary to fulfill the purposes and policies of the NMSA.

The proposed revised management plan will likely involve changes to existing policies and regulations of the sanctuary, to address contemporary issues and challenges, and to better protect and manage the sanctuary's resources and qualities. The review process is typically composed of four major stages: 1) information collection and characterization; 2) preparation and release of a draft management plan/environmental impact statement (DMP/DEIS), including proposed changes to sanctuary regulations and/or designation document; 3) public review and comment of the DMP/DEIS; and 4) preparation and release of a final management plan/environmental impact statement (FMP/FEIS), including final changes to the regulations and/or designation document. The NMSP anticipates completion of the revised management plan and concomitant documents will require approximately twenty-four to thirty months.

The FGBNMS has conducted public scoping (Oct. – Nov. 2006), prepared an analysis and characterization of the priority issues (Dec. 2006 – Apr. 2007), and is developing potential proposed strategies working with the Sanctuary Advisory Council (May 2007 – present). Public workshops on specific issues also helped gain additional information for potential strategies. The NMSP anticipates the preparation and dissemination of a DMP and DEIS to occur in May/June 2008.

Six priority issues were identified through the public scoping process and by the Sanctuary Advisory Council and sanctuary staff: 1) boundary expansion, 2) education and outreach, 3) enforcement, 4) fishing impacts, 5) pollutant discharge, and 6) visitor use. The sanctuary advisory council formed several subcommittees and working groups to address these issues. Through public meetings and workshops, the working groups developed recommendations on management activities and strategies for consideration by the full advisory council and the sanctuary superintendent. Some of the potential management plan or regulatory changes under consideration may affect fishing activities.

II. Purpose and Need

The purpose and need for the Proposed Action are based on both statutory requirements and the need to address current management issues and concerns within the FGBNMS.

A. The National Marine Sanctuaries Act

The National Marine Sanctuaries Act (NMSA) of 1972, as amended (16 U.S.C. § 1431 *et seq.*), is the legislative mandate that governs the National Marine Sanctuary Program (NMSP). Under the NMSA, the Secretary of Commerce is authorized to designate and manage areas of the marine environment as national marine sanctuaries. Such designation is based on attributes of special national significance, including conservation, recreational, ecological, historical, scientific, cultural, archaeological, educational, or aesthetic qualities. The primary objective of the NMSA is resource protection. The purposes and policies of the NMSA (16 U.S.C. § 1431) are clearly reflected in the goals of the 2005 NMSP Strategic Plan. The strategic plan was designed to describe and define how the NMSP is moving toward comprehensive protection and management of national marine sanctuaries as mandated by the NMSA.

The NMSA also requires the NMSP to review sanctuary management plans at five-year intervals and to revise the management plans and regulations as necessary to fulfill the purposes and policies of the NMSA (16 U.S.C. § 1434(e)). Sanctuary administrators must evaluate the progress toward NMSP and sanctuary-specific goals, techniques used to achieve those goals, and involve and inform the public as sanctuary priorities are reviewed and revised along with the strategies to accomplish those priorities.

B. Flower Garden Banks NMS Management Plan

The Flower Garden Banks was designated a national marine sanctuary in 1992 for the purposes of protecting and managing the conservation, recreational, ecological, historical, research, educational, and aesthetic resources and qualities contained therein. The management plan provides an integrated program for comprehensive resource protection and management, including programs for science, education, outreach, regulation, enforcement, permitting, and coordination with other local, state, and federal agencies. The plan was developed in 1991 prior to the designation of the sanctuary. No review or revision has been conducted since that time. Stetson Bank was added to the sanctuary through Congressional designation in 1996.

Many issues have been identified by the NMSP and the public for consideration during review of the FGBNMS management plan, including potential impacts to sanctuary resources from fishing and diving activities, pollutant discharges, regional water quality, invasive species, and wildlife interactions. Scientific information, advancements in managing marine resources, and new resource management issues over the past 16 years must also be addressed. Evolving biological information is leading to an examination of the interconnections of the East and West Flower Garden and Stetson banks with similar bank features outside the existing sanctuary boundaries. In addition, law enforcement partners agree that compliance and enforcement strategies must be revisited. Global

climate change, too, may affect the review and selection of management strategies for the future of corals at FGBNMS.

C. Flower Garden Banks NMS Goals and Objectives

Every National Marine Sanctuary is required to develop a set of goals and objectives to help guide the development of its management plan. Activities, strategies and regulations must be consistent with the sanctuary's goals and objectives in addition to the purposes and policies of the NMSA. The review and revision of the goals and objectives for a sanctuary is an important element of management plan review. The strategies and activities that comprise the action plans of the management plan should contribute to the attainment of the sanctuary goals and objectives and the purposes and policies of the NMSA.

The following sanctuary goals were developed cooperatively with the Flower Garden Banks National Marine Sanctuary Advisory Council and approved at their public meeting in July 2006. These goals were published in the State of the Sanctuary Report in September 2006, and distributed for public comment during scoping. They will be included in the draft management plan.

Goal 1: Protect, maintain, and where appropriate, restore and enhance the characteristics of the Flower Garden Banks National Marine Sanctuary including, but not limited to, the natural living and geological resources, ecological processes, and water quality.

Goal 2: Enhance conservation and protection of the region by supporting, promoting, and coordinating scientific research and monitoring of the FGBNMS environment.

Goal 3: Enhance and foster public awareness, understanding, appreciation, and stewardship of the FGBNMS and the regional marine environment.

Goal 4: Manage and facilitate multiple sustainable uses of the FGBNMS compatible with the primary purpose of resource protection.

Goal 5: Promote and lead conservation and management partnerships to protect FGBNMS resources and the regional marine environment.

Goal 6: Promote ecosystem-based management of marine resources within the region adjacent to the FGBNMS.

Goal 7: Provide appropriate infrastructure and assets for FGBNMS programs to effectively conserve and manage FGBNMS resources.

III. Potential Management Strategies and Regulations under Consideration

During the scoping phase of management plan review, the NMSP summarized and, with input from the sanctuary advisory council, prioritized the issues to be addressed. Some of the potential management strategies and regulations being considered by the advisory council and the NMSP may affect fishing activities. These issues include: boundary expansion, fishing impacts (primarily the creation of a research area), and visitor use.

The following section outlines potential management plan strategies and activities that may affect fishing activities. This is a preliminary analysis and is still under consideration by the advisory council and the NMSP.

A. BOUNDARY EXPANSION

Some potentially vulnerable and significant geological and biological features in the northwestern Gulf of Mexico are outside current sanctuary boundaries. Additional features were revealed through the collection of high-resolution multibeam bathymetry in the years since the present sanctuary boundaries were established. Numerous banks and associated topographic features in the northwestern Gulf of Mexico, like the Flower Garden Banks, have unique or unusual structural features, and may be ecologically linked to each other. These features may be highly vulnerable to certain anthropogenic impacts that alter the physical, chemical, or biological environment. It is proposed that selected features be evaluated for inclusion under the management and protection of the NMSP through the FGBNMS.

Possible Boundary Expansion Alternatives

An initial list of potential boundary expansion sites was compiled from the public scoping comments, Sanctuary Advisory Council and sanctuary staff knowledge, and information contained in a series of Bureau of Land Management (now Minerals Management Service) documents that resulted from scientific investigations in 1970s and 1980s in the northwestern Gulf of Mexico. The Sanctuary Advisory Council created a Boundary Expansion Working Group (BEWG) to evaluate boundary expansion options. The list of possible sites was subjected to a ranking process developed by the BEWG. Although input was received from the public to consider areas throughout the Gulf of Mexico, the BEWG agreed that the scope for the FGBNMS Management Plan Review would be restricted to reefs and banks of the continental shelf within the northwestern Gulf of Mexico. The BEWG developed and presented a range of boundary expansion alternatives to the full Sanctuary Advisory Council. The council voted to adopt Option 3A as its recommendation to the FGBNMS Superintendent.

The BEWG recommended that the boundaries for new sanctuary areas be as small as possible while still providing adequate protection to the critical habitat areas associated with each feature. "Critical habitat areas" were identified based on seafloor topography, and biological information obtained through previous SCUBA, remotely operated vehicle (ROV) and submersible investigations. The primary biological assemblages considered as critical habitat include coral reefs, coral communities, coralline algal reefs, and deep coral zones. The critical habitat area includes prominent features associated with each

