



MARINE MAMMAL COMMISSION

13 December 2010

George Sedberry, Ph.D., Superintendent
Gray's Reef National Marine Sanctuary
10 Ocean Science Circle
Savannah, GA 31411

Dear Dr. Sedberry:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the National Oceanic and Atmospheric Administration's proposal (75 Fed. Reg. 55692) to create a research area within the Gray's Reef National Marine Sanctuary for conducting controlled scientific studies. Specifically, the agency proposes to prohibit fishing, diving, and stopping while transiting in an area of approximately 6 nmi² in the southern portion of the sanctuary to facilitate comparative ecosystem research on areas with and without human activities.

RECOMMENDATIONS

The Marine Mammal Commission recommends that the National Oceanic and Atmospheric Administration—

- adopt the proposed rule to establish a research area within the Gray's Reef National Marine Sanctuary and prohibit fishing, diving, and stopping while transiting the area;
- encourage research to assess the localized effects of removing fishing and other human activities on the size, distribution, abundance, and reproduction of economically important fish and shellfish within and outside the research area; and
- encourage researchers working in the Gray's Reef National Marine Sanctuary to record information on bottlenose dolphins that occur in this area and thereby provide a stronger basis for their management and conservation.

RATIONALE

In 1981 the National Oceanic and Atmospheric Administration established the Gray's Reef National Marine Sanctuary to protect its productive and fragile live bottom habitat, facilitate scientific understanding of its reef ecosystem, and promote public awareness and wise use of this natural resource. The agency proposes to establish a research area of roughly 6 nmi² within the sanctuary and to prohibit fishing, diving, and stopping while transiting that area. Establishment of such a research area would enable scientists, managers, and resource users to better identify and evaluate the effects of human activities on this marine ecosystem, thereby helping to meet the goals of the Sanctuary.

This proposal represents the culmination of a stakeholder-driven process intended to facilitate scientific understanding and science-based management strategies. It is based on the unanimous recommendations of the Research Area Working Group, a multi-stakeholder subgroup of the Gray's Reef National Marine Sanctuary Advisory Council, and it has undergone several years

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of development and review. The South Atlantic Fishery Management Council also considered the proposal and moved to defer regulations governing the research area to the Office of National Marine Sanctuaries. That Office has developed a draft environmental impact statement with this proposal as its preferred alternative.

The Marine Mammal Commission agrees that scientific studies to compare areas in which fishing and other activities are and are not allowed will help sanctuary managers and users understand the effects of human activities on ecological features and dynamics of this unique marine environment, and it commends the Sanctuary Advisory Council, the Office of National Marine Sanctuaries, and the South Atlantic Fishery Management Council for working together to advance such studies. The studies conducted in the proposed research area would address important questions facing marine resource managers and advance the goals of sustainable use and protection. Therefore, the Marine Mammal Commission recommends that the National Oceanic and Atmospheric Administration adopt the proposed action to establish a research area within the Gray's Reef National Marine Sanctuary and implement regulations to prohibit fishing, diving, and stopping while transiting the area. To address the need for information on the ecosystem effects of fishing and other activities, the Marine Mammal Commission also recommends that the National Oceanic and Atmospheric Administration encourage research to assess the localized effects of the removal of fishing and other human activities on the size, distribution, abundance, and reproduction of economically important fish and shellfish within and outside the research area.

The draft environmental impact statement notes that the Sanctuary provides habitat for Atlantic spotted and bottlenose dolphins, the latter of which are designated as depleted under the Marine Mammal Protection Act. The proposed research area also may provide opportunities to advance scientific understanding and management of those dolphins. For example, researchers working in the area may be able to collect information that would help determine the population's stock structure and thereby facilitate recovery and management strategies for the species. Accordingly, the Marine Mammal Commission recommends that the National Oceanic and Atmospheric Administration encourage researchers in the Gray's Reef National Marine Sanctuary to record information on the bottlenose dolphins that occur in this area and thereby provide a stronger basis for their management and conservation. Such information might include where and when dolphins are sighted, group size, behavior, and collection of tissue samples from dead animals for genetic analyses. Such activities should be coordinated with the National Marine Fisheries Service to ensure that they are permitted appropriately.

Please contact me if you have any questions about the Commission's recommendations and rationale.

Sincerely,



Timothy J. Ragen, Ph.D.
Executive Director