



**Gulf of Maine  
Council on the  
Marine Environment**

**Council Briefing Packet**  
*Version 1 • December 6, 2006*  
Fredericton NB • December 14, 2006



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## Council agenda

Thursday, December 14, 2006, Grand Ballroom D, Delta Fredericton, Fredericton NB

7:30 AM	<b>Joint US and Canada budget discussion meeting</b> – Grand Ballroom D A full breakfast will be provided during this session outside of Grand Ballroom D
8:00 AM	<b>Canadian Representatives Meeting</b> – Grand Ballroom D <b>US Gulf of Maine Association Meeting</b> – Hampstead Room
9:00 AM	<b>Welcome, Review of Agenda and Introductions</b> <i>T. Byron James, Council Chair 2006-2007, Deputy Minister, NB Dept. of Agriculture &amp; Aquaculture/Dept. of Fisheries</i>  <i>Hon. Roland Haché Minister of Environment Minister responsible for the Northern New Brunswick Initiative</i> Greeting and overview of initiatives by the New Brunswick Dept. of Environment
9:15 AM	<b>Approval of consent agenda</b> 1. June 2006 meeting summaries (p. 6) – <i>Michele L. Tremblay, Council Coordinator</i> 2. Committee, sub-committee, task force, and initiative reports: <ul style="list-style-type: none"> <li>▪ Habitat Monitoring Sub-committee (p. 11) – <i>Hilary Neckles, US Geological Society and Al Hanson, Canadian Wildlife Service</i></li> <li>▪ Ecosystem Indicator Partnership (p. 12) – <i>Ray Konisky for Gary Matlock, National Oceanic and Atmospheric Administration, Susan Russell-Robinson, United States Geological Survey, Charlie Strobel, United States Environmental Protection Agency, and Maxine Westhead, Fisheries and Oceans Canada, Co-chairs</i></li> <li>▪ Sewage Sub-committee (p. 13) - <i>Peter Wells and Pat Hinch, Task Force Co-chairs</i></li> </ul> <u>Expected Outcome:</u> Approval of Consent agenda <u>Decision:</u>
9:30 AM	<b>Action Plan release</b> <u>Meeting Packet Materials:</u> 2007-2012 Action Plan (separate document with briefing packet materials) GOMC Action Plan Marketing Strategy (p. 14) <u>Purpose/Action Requested:</u> Understand the scope of the Action Plan, release the document and implement marketing strategy <u>Elements:</u> Highlights of the Action Plan – <i>Elizabeth Hertz</i> Finalize and implement the Marketing Strategy – <i>David Keeley and Theresa Torrent-Ellis</i> Council comments – <i>Russ Henry and Michele L. Tremblay</i> <u>Expected Outcome:</u> Release of the Plan and commence outreach/marketing <u>Decision:</u>  <u>Persons responsible:</u> Russ Henry, Elizabeth Hertz, David Keeley, Theresa Torrent-Ellis, Michele L. Tremblay
11:00 AM	<b>Break</b>
11:15 AM	<b>Implementation of the 18-month Work Plan</b> <u>Meeting Packet Materials:</u> Work Plan (separate document with briefing packet materials) Allocating Existing Funds and Fundraising Strategy (p. 15) Jurisdictional Buy-in Examples (p.16) <u>Purpose/Action Requested:</u> Councilors understand the contents of the work plan, exhibit support/buy-in, and initiate a strategy to move the tasks in the work plan forward <u>Elements:</u>



	<p>Overview of Work Plan and high priority activities – <i>David Keeley</i>  Presentation of activities – <i>Elizabeth Hertz, Juston Huston, Marianne Janowicz, Peter Wells</i>  Concurrence on high priority tasks – <i>Byron James</i>  Allocation of Council financial resources presently available (cash, Council contractors, etc.); review of statements of jurisdictional support to activities; and review of tasks for which funds or in-kind assistance is available (vs. those tasks presently with no support) – <i>Cindy Krum</i>  Securing resources to implement the five-year Plan (e.g., dues, contributions (restricted and unrestricted), grant writing, federal legislation to create GOM Program Office and appropriation) – <i>David Keeley</i>  <u>Expected Outcome:</u> Approval of the Work Plan, allocation of funding and approval of fundraising strategy  <u>Decision:</u></p> <p><u>Persons responsible:</u> Elizabeth Hertz, Justin Huston, Marianne Janowicz, David Keeley, Cindy Krum and Peter Wells</p>
12:30 PM	<b>Lunch</b> (served outside Grand Ballroom D)
1:15 PM	<p><b>Local presentation</b> (during lunch)  <b>City of Fredericton’s approach to being a sustainable community</b>  <u>Action Requested/Purpose:</u> The Mayor of Fredericton, Brad Woodside, will welcome the Council and describe the city’s approach to being a sustainable community.  <u>Person responsible:</u> Jane Tims</p>
1:45 PM	<b>Implementation of the 18-month Work Plan</b> (continued)
2:15 PM	<p><b>Council’s support for Ecosystem-based Approaches in the Action Plan</b>  <u>Meeting Packet Materials:</u>  Overview of selected EBM Initiatives and Terms of Reference for Ocean Network (p. 18)  <u>Past Council Decisions:</u> In June 2005 the Council accepted the EBM recommendations from the ad-hoc Oceans Task Force and requested they be included in the 2007-2012 Action Plan. In June 2006 the Council agreed to host an EBM workshop and requested several partners to join in this effort.  <u>Action Requested/Purpose:</u> Councilors to discuss and provide further guidance on EBM approaches  <u>Elements:</u>  Goals and objectives -- DFO/NOAA EBFM - <i>Peter Colosi</i>  CA/US Ecosystem Overview and Assessment Report - <i>Joe Arbour</i>  Goals and objectives -- GOMC/COMPASS/MOPF workshop, late March – <i>Kate Killerlain Morrison and Betsy Nicholson</i>  NROC and SIMOR – NROC work plan, including proposed Governor’s action agenda (release in January) and GOMC benefit of federal participation through SIMOR – <i>Kate Killerlain Morrison and Marvin Moriarty</i>  OWC -- update on activities – <i>Russ Henry and Justin Huston</i>  <u>Expected Outcome:</u> Provide input to the workshop steering committee on workshop goals, agenda, geography and Framework; act on Terms of Reference for ad-hoc Oceans Network  <u>Decision:</u></p>
3:15 PM	<b>Break</b>
3:30 PM	<b>Instituting Internal Policy Amendments</b>



	<p><u>Meeting Packet Materials:</u>          Working Group Terms of Reference (p.21)          Gulf of Maine Council on the Marine Environment Terms of Reference (p. 22)          Secretariat Terms of Reference (p. 24)          New Gulf of Maine Councilor Representatives (re. CA/US Science Reps; role of FNT) (p. 25)  <u>Past Council Decisions:</u> Approval of amendments to Terms of Reference; Approval of Terms of Reference  <u>Purpose/Action Requested:</u>          Amend Working Group Terms of Reference (Committee co-chairs)          Amend GOMC Terms of Reference (First Nations reference)          Approve Secretariat Terms of Reference          New Gulf of Maine Councilor Representatives (CA/US Science Representatives: discussion and decide on role of First Nations/Tribes (FNT) Councilor and provide nominations, as appropriate, for Science and FNT Councilor positions).  <u>Expected Outcome:</u> Approve amendments to TOR and approval of TOR  <u>Decision:</u></p> <p><u>Person responsible:</u> Michele L. Tremblay</p>
4:00 PM	<p><b>Gulf of Maine Council-Bay of Fundy Ecosystem Partnership Agreement</b>  <u>Meeting packet materials:</u> Draft GOMC-BoFEP Agreement (p. 27)  <u>Past Working Group and Council Actions:</u> In December, 2003, the Council agreed to establish a collaborative agreement in which the GOMC would provide \$10,000 per year for three years to the Bay of Fundy Ecosystem Partnership (BOFEP) to support projects and programs of mutual interest that link to the GOMC Action Plan. Between 2003-06, BoFEP conducted 6 projects supporting the goals of the 2001-06 Action Plan of Council. In addition, BOFEP augmented the GOM Action Plan by:</p> <ol style="list-style-type: none"> <li>1) Contributing to the scientific understanding of the Bay of Fundy ecosystem through focussed research and studies/programs on contaminants, habitat restoration, and acting as the key information source for the Bay of Fundy and other northern parts of the GOM;</li> <li>2) Promoting effective communication and information exchange between GOMC and BOFEP members, and cross-linking information sources - GOM and BOFEP web sites, displays, joint fact sheets with both BOF and GOM information;</li> <li>3) Contributing to the conduct of the 2007-2012 GOMC Action Plan by bringing forward a consensus on priorities from Bay of Fundy stakeholders, starting the discussion at the 7<sup>th</sup> BOFEP Fundy Workshop, October 2006;</li> <li>4) Providing consultation and scientific advice on issues of importance to Council;</li> <li>5) Implementing new research projects supporting Goals 1, 2 and/or 3 of the Action Plan; and</li> <li>6) Inclusion of more US representatives in BoFEP or its activities.</li> </ol> <p>The continued formal linkage of GOMC and BOFEP has value for both organizations. For the GOMC, this partnership agreement engages a credible group that has been working for many years on issues in the north-east GOM i.e. the Bay of Fundy, hence offering tangible contributions from a multi-partner, community based group in partnership with government. For BOFEP this agreement ensures that its specific projects are linked with, reflect and benefit from work being conducted on/in the greater GOM, from research to communications and practical work in the field. The commonality of the programs of the two organizations has been illustrated numerous times at GOMC Working Group meetings and workshops since 1998. The GOMC and BOFEP share compatible visions, principles and core program elements.</p> <p>The attached request is for a renewal of the GOMC-BoFEP Agreement and for the development of further projects to support Action Plan 2007-2012.</p>



	<p><u>Action requested:</u></p> <ol style="list-style-type: none"><li>1) General approval in principle for the renewal of the GOMC-BoFEP Agreement.</li><li>2) Approval to proceed with the request for project proposals from BoFEP.</li><li>3) Approval of specific projects provided that they meet Action Plan goals.</li></ol> <p><u>Expected Outcome:</u> Approval of the attached agreement.</p> <p><u>Decision:</u></p> <p><u>Persons responsible:</u> Dr. Barry Jones, Chair, BoFEP and Dr. Peter Wells, Vice-Chair BoFEP</p>
4:15 PM	<b>Wrap up and Next Steps</b> - <i>Byron James</i>
4:30 PM	<b>Adjourn</b>

## **June 2006 meeting summary and decision and action items**

### **Gulf of Maine Council Meeting DRAFT Summary June 8, 2006 • University of Southern Maine, Portland, ME**

#### **Councilor members in attendance**

Priscilla Brooks, Conservation Law Foundation; Ed Christoffers for Marvin Moriarty, US Fish and Wildlife Service; Peter Colosi for Patricia Kurkul, NOAA/NMFS; Mel Coté for Linda Murphy, US Environmental Protection Agency; Larry Hildebrand for Jackie Olsen, Environment Canada; Patricia Hinch for Carolyn Bolivar-Getson, NS Department of Environment and Labour; W. Donald Hudson, The Chewonki Foundation; Byron James for David Nathan Alward, NB Department of Agriculture, Fisheries & Aquaculture; Kathleen Leyden for Martha Freeman, ME State Planning Office; Linda Mercer for George Lapointe, ME Department of Marine Resources; Michael Nolin, NH Department of Environmental Services; Carol Ann Rose, Department of Fisheries and Oceans; Susan Snow-Cotter, MA Office of Coastal Zone Management; Lee Sochasky, St. Croix International Waterway Commission; Hermel Vienneau for Trevor Holder, NB Department of Environment and Local Government.

#### **Others in attendance**

Andrew Breau, NB DAFA; John Coon, University of NH; Susan Farady, Ecosystem Protection Project Manager, The Ocean Conservancy; Russ Henry, NB Dept. of Agriculture, Fisheries & Aquaculture; Liz Hertz, ME State Planning Office; Kim Hughes, NB Department of Environment; Justin Huston, NS Agriculture and Fisheries; Sue Inches, MESPO; Jon Kachmar, ME State Planning Office; David Keeley, GOMC Policy and Development Coordinator; Ray Konisky, GOMC ESIP Program Manager; Cindy Krum, US Gulf of Maine Association Executive Director; Gary Matlock, NOAA; Betsy Nicholson, NOAA; Ann Rodney, Oceans and Coastal Protection Unit, US EPA; Kate Smukler, NOAA National Marine Protected Areas Center; Jack Schwartz, MA Division of Marine Fisheries; Tyler Sterling, MESPO Intern; Charlie Strobel, EPA; Jane Tims, NB Department of Environment and Local Government; Peter Taylor, GOMC Science Translation Project; Michele L. Tremblay, GOMC Council Coordinator; Peter Wells, Environmental Conservation Branch Environment Canada; Maxine Westhead, Fisheries & Oceans Canada; Eric Williams, NH Department of Environmental Services; Tracy Wilson, GOMC Administrative Assistant.

#### **Decision Items**

1. The Council approved the consent agenda with the exception of items 2, 3, and the first bullet in 5. These items were removed to the action agenda.
2. Council accepted the ESIP Terms of Reference (TOR) and ESIP is now a Council Committee.
3. Council accepted the ESIP strategy document as the guiding document for indicators and reporting.
4. The Council directed ESIP to address the indicators and reporting tasks in the draft 5-year Plan.
5. Council accepted the three *Action Plan* goal statements as included in the briefing materials with the recommended modification to Goal 2.
6. Council accepted the presented terms of reference for the GOM Council with the recommended modifications to the membership component and those for the Working Group, Management & Finance, Councilor Advisory Group, and the description of standing committees, advisory boards and collaboration.
7. The Council approved the items removed from the consent agenda as discussed.

#### **Action Items**

1. The *ad hoc* diadromous workshop group will follow up and expand on the work they've already done, with more research from both countries and a status report from both nations.
2. A letter will be signed by Byron James will sent to the NEGC/ECP Oceans Working Committee requesting collaboration on a 2007 regional ecosystem-based management workshop.
3. The *Action Plan* will be shared with the ten US federal agencies that have come together to work on oceans and perhaps have a meeting with them regarding our joint efforts.
4. The ESIP organizational chart will be revised to add a box with "Working Group" between the boxes containing "Gulf of Maine Council on the Marine Environment" and "Ecosystem Indicator Partnership Steering Committee."
5. The ESIP request for the Council to allocate a portion of Policy and Development position time to assist with fundraising was tabled for further discussion.
6. Council delegates final approval of the Action Plan to the Council Advisory Group. Council will see the final draft for review.



7. The Council approved the updated organizational chart and it will be sent out to Council.
8. The updated organizational chart will be sent out to Council.
9. The plan for inclusion of a representative from the First Nations in the GOM Council TOR under membership will be added to the agenda for the December Council meeting.
10. The GOMC will give a special award at the NB meeting to Andi Reirden for her long-term service as editor of the *GOM Times*.

### **Supporting Notes**

#### **Linking our Rivers with the Gulf: Large Scale Diadromous Fish Habitat Restoration**

Don Hudson presented a proposed AP activity: "Advocate for public and private resources required to support diadromous fish habitat restoration throughout the Gulf of Maine." The refinement done at the WG ties this into the AP, especially Goal 2. This fits into the Habitat Restoration strategy and this new proposed activity is an attempt to be more specific on how we would implement issues around river restoration.

The Council discussed the underlying question of the relationship of diadromous and groundfish and thought that more data would be good to have. Also discussed what kind of research is underway and the question was raised as to what capacity the GOMC has to apply to this project? This is a very important problem around the Gulf and is a great issue to engage a broad section of interest—whale watch, fishermen, etc. This conversation should be expanded to more user groups because there is a lot of interest to protect the food base.

Perhaps we should change it from "advocate" to "hold a workshop," or something more specific. There is a major diadromous workshop planned in Canada for June of next year. A more definitive workshop would be a good way to start—figure out what is known and where to go from there.

The issues raised here were also discussed at the WG meeting earlier this week. Is it requested by the Council or sponsored by the Council? This is a Council activity. The Council discussed that this workshop might be included in the agenda for the BoFEP workshop in October in St. Andrews.

The Council requested that the audience be identified and that information be reviewed and that enough lead-time be provided for disseminating information about this workshop.

*Action: The ad hoc diadromous workshop group will follow up and expand on the work they've already done, with more research from both countries and a status report from both nations.*

#### **Update on US and Canada federal ocean activities**

A bi-lateral joint work plan has been developed at the national and regional levels. Has a new ocean scheme been considered in the proposed activities? That initiative has been considered and incorporated in the US's terms of reference. Canada is evaluating the programs to see how the models fit. The workshop will be expanded beyond the fisheries agencies. Joe will bring up this issue with the planning committee. Habitat issues and the observing systems will be included in the process. The window is short in which the Council can provide comments and recommendations.

#### **Proposed Council Response to the New England Governors & Eastern Canadian Premiers - Oceans Working Committee**

Presented was a draft of a letter written as a way to propose a coordination of efforts (such as pulling together a workshop) between the US and Canada and jurisdictions. This is the continuation of discussions we've had. At their annual meeting, the governors and premiers receive resolutions from their standing committees. There is an oceans committee and some membership overlap occurs. We may be having a different situation in Canada and US in terms of geographic overlap. In Canada it is just a fraction. Both resolutions that have been signed mention the GOMC and mention our track record. We need to organize and give some good critical thinking. *Resolution 30* states that US and Canada will work together on items that are near and dear, and familiar to the GOMC. The US federal agencies are waiting and assembled. The GOMC should take advantage of the opportunity to re-engage the federal agencies. The current US administration ends in two years. We need to make sure that whatever we come up with for NROC is truly value added and not step on what the Council has accomplished.

*Action: A letter will be signed by Byron James will sent to the NEGC/ECP Oceans Working Committee requesting collaboration on a 2007 regional ecosystem-based management workshop.*

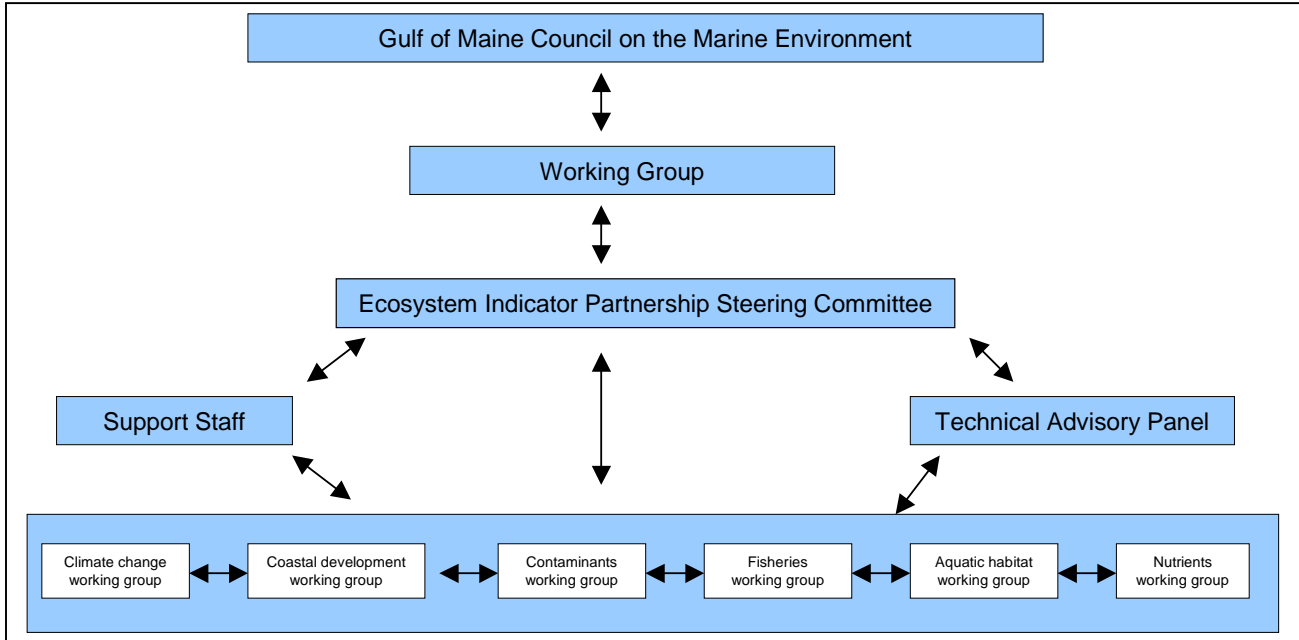
*Action: The Action Plan will be shared with the ten federal agencies that have come together to work on oceans and perhaps have a meeting with them regarding our joint efforts.*

#### **Gulf of Maine Indicators and Environmental Reporting: A Strategy for Gulf of Maine Ecosystem Indicators and State of the Environment Reporting - Ecosystem Indicator Partnership (ESIP) Recommendations**

The presentation talked about the Council directive, origins, major elements, and recommendations. This was given to the Council in Wiscasset and it hasn't changed significantly since then. Budget information indicates ESIP has



raised \$455K and needs an additional \$112k for harmonizing, partner support, and outreach elements. ESIP is



asking Council to: accept the strategy as a guiding document, accept TOR, direct ESIP to address the indicators and reporting tasks in the Action Plan, and allocate a portion of the policy & development position time to assist with fundraising. Ray Konisky was introduced as the new ESIP program manager.

Gary Matlock presented the ESIP organizational chart, revised at the Working Group meeting, with a "Working Group" box added between the "Gulf of Maine Council on the Marine Environment" box and the "Ecosystem Indicator Partnership Steering Committee" box.

What kind of timeline are we talking about? When will this set of indicators be up and running? Projected one-year deliverables are: indicators data management, data discovery and data documentation system; web-based geospatial tools (e.g., display, mapping, analysis, etc.) that users need related to contaminants and nutrients; 1-2 indicators for nutrients, contaminants, climate change, and aquatic habitats; year-two work plan for second *Tides of Change*; active/vital indicator partnerships. Are we talking like 5 years for the full suite of indicators up and running? Web based geospatial tools will be up on the web site next year.

This is an incredible effort. One thing that is only touched on briefly in the presentation is the monitoring, the collection of data that is already being done. There are tons of data being collected, but what is not happening is providing the data in an over-arching context. This is a goal of ESIP.

ESIP is concentrating on Goal 1 and 2 and we should develop some good indicators for Goal 3.

ESIP will work to develop a scope of services with all of its contractors and thus is uncomfortable with making a decision on devoting resources other than the coordinator. Council priorities should be identified in the break out sessions this afternoon.

*Action: Council accepted the ESIP Terms of Reference (TOR) and ESIP is now a Council Committee.*

*Action: Council accepted the ESIP strategy document as the guiding document for indicators and reporting.*

*Action: The Council directed ESIP to address the indicators and reporting tasks in the draft 5-year Plan.*

*Action: The ESIP organizational chart will be revised to add a box with "Working Group" between the boxes containing "Gulf of Maine Council on the Marine Environment" and "Ecosystem Indicator Partnership Steering Committee."*

*Action: The ESIP request for the Council to allocate a portion of Policy and Development position time to assist with fundraising was tabled for further discussion.*

#### **Draft Action Plan: presentation and next steps**

Liz reviewed the results of a survey and presented the *Action Plan* completion schedule. As a result of the Forum, we are thinking of approaching Goal 3 in a whole new way. The Council *Action Plan* Advisory Group (CAPAG) is open and Councilors can still join if they want.

The Council discussed the three goals. It was recommended that in Goal 2, an action verb be included to read, "improve" environmental human health. A concern was expressed about the marine sector in aquaculture and there



should be room for both. Eco-tourism and energy, which are economic activities, are not within our purview. Council should make sure the activity takes into account things that are important to us.

While the WG has been working through this process, there has been a lot of discussion on how best to produce the final Plan. The plan is to publish the document, with an insert of year 1-2 activities. Mentioned in the plan itself will be a notice to check the website for more up-to-date information. Future inserts would cover following year activities.

*Action: Council accepted the three Action Plan goal statements as included in the briefing materials with the recommended modification to Goal 2.*

*Action: Council delegates final approval of the Action Plan to the Council Advisory Group. Council will see the final draft for review.*

### **Organizing for the Future: revisions to our organizational structure: CAPAG recommendations**

Liz reviewed the proposed organizational chart and described how it addresses the issues raised in the Council's self-assessment (pages 17-19 in briefing book). Each committee will be made up of the co-chairs of the sub-committees. There are committees that span all of the activities/committees such as PEP. There are also some over-arching issues that are found in all of the goals of the AP. There are many partnerships of which GOM Ocean Data Partnership and NEANS Panel are examples. (See description of "collaborations" on page 24 in briefing book.) Management and Finance will essentially take over the duties of what is currently the Management committee. The organizational chart will be sent out again to Councilors, once we add comments from this meeting.

*Action: The Council approved the updated organizational chart and it will be sent out to Council.*

### **Councilor break-out groups: setting priorities for years one and two**

The Council participated in breakout groups, looking at the activities and setting priorities for year one and two. The exercise was useful, but it was difficult to judge the activities because more information was needed. In the future, for this kind of activity, perhaps an "expert" could be included in the breakout to answer questions. This was considered, but the planners wanted to avoid any unwanted influence.

### **Discussion of Terms of Reference (TOR)**

The TOR were developed from the self-assessment and the documents responded to the desire for more representation and participation. Under Council TOR, membership: when CAPAG discussed this, there would be one scientist on each side of the border. Quite possibly there would be nominations put forward to the Secretariat team and it could be that the Council would look at these and approve them and then invite these people to participate. This would be good for the scientific community. As for the Tribes, this is a great idea, but more thought needs to take place on the process of filling that position. The thought is that one person would come to the Council table with a Tribal perspective and not that one person would speak for the whole constituency. We can adopt these TOR and then work on how we can fill those positions. Also, under membership, remove the words Governors and Premiers to be as follows: "Council will work collaboratively to make two-year, renewable appointments for a senior representative of the scientific community from each country that resides in the watershed."

*Action: Council accepted the presented terms of reference for the GOM Council with the recommended modifications to the membership component and those for the Working Group, Management & Finance, Councilor Advisory Group, and the description of standing committees, advisory boards and collaboration.*

*Action: The plan for inclusion of a representative from the First Nations in the GOM Council TOR under membership will be added to the agenda for the December Council meeting.*

### **Items removed from consent agenda**

- **2006-2007 budget and financial reports:** There was a joint US Association and Canadian representative meeting and the budget was explained there. The indirect rate should be about 17% next year. Cindy explained the revenue sources and expense categories in the pie chart she provided to Councilors ahead of time. The large area for FY06 and is federal funding (about 80%) and will go down to about 73%. The other sources are spread out. The other pie chart is how much we're spending by each program.
- **Bay of Fundy Ecosystem Partnership – Council project update:** The GOMC BoFEP agreement is in its 3<sup>rd</sup> and final year of funding and the BoFEP group has expressed an interest in extending this agreement and will be submitting a proposal for funding over a couple of years. This has been of value to the Canadian perspective and the GOMC. Projects that BoFEP has worked on were reviewed. The budget for BoFEP in '07 is \$5000, but nothing in '06 last year because the entire amount came from the Canadian side. This year close to \$6000 is going to be dues and the other amount will be from the Canadian association.
- **Gary Lines, Environment Canada and Bill Burtis, Clean Air – Cool Planet and Climate Change Network Task Force co-chairs:** Based on discussion at the WG meeting we made changes to the future recommendations section. The changes were to make the actions more specific.

*Action: The Council approved the items removed from the consent agenda as discussed.*



**Wrap-up and next steps**

Andi Reirden will be stepping down as editor of the *GOM Times* and will be staying through the September issue. The Council commends her and is grateful for the high quality of her work.

Don Hudson passed the “gavel” to Byron James for the NB year. Don is the first private sector chair. Byron thanked Don for his good work, during an *Action Plan* year, and appreciated his hard work. Byron asked the Council to perhaps re-consider the June meeting because their legislature is still in session.

*Action: The GOMC will give a special award at the NB meeting to Andi Reirden for her long-term service as editor of the GOM Times.*

*Prepared by Tracy Wilson, Administrative Assistant*



## **Habitat Monitoring Sub-committee**

The Habitat Monitoring Subcommittee is nearing completion of a pilot web- and spatially-enabled data system for regional habitat monitoring data. This project is funded by a GOMC internal grant to the HMSC and DIMC, with additional contributions from NOAA and GOMC web development funds. Project partners beyond HMSC and DIMC include the Gulf of Maine Ocean Observing System, Wells National Estuarine Research Reserve, Massachusetts Office of Coastal Zone Management, University of New Hampshire, GOMC Science Translation, and USGS. The Regional Habitat Monitoring Data System will include online, standardized data entry, centralized data storage, and synthesis and dynamic visual display of coastal and estuarine habitat monitoring results. The project's technical team has completed data entry and storage components of the system. Project collaborators met in Portland, ME, on November 1 to plan the displays, and the technical team is currently developing the system's output components. A beta version is expected by the IGP deadline of December 14, 2006. Additional time will likely be needed for testing, and the technical team is committed to performing work needed to ensure functionality. This "proof-of-concept" will provide regional synthesis and display of salt marsh and seagrass vegetation monitoring data and will be flexible in design to accommodate future expansion. The system is intended to serve as a springboard to establishment of a regional habitat monitoring network, analogous to Gulfwatch. The next steps are to 1) Populate the habitat monitoring web tool with existing data on salt marsh and seagrass vegetation indicators; 2) Expand the system to include additional indicators of habitat integrity within selected index sites; and 3) Expand the system to indicators at different scales (remote sensing/mapping scale and rapid assessments). These steps are included as tasks in the new Action Plan.

The HMSC and EQMC have selected Dr. Greg Klassen (NB) to fill the position of Environmental Monitoring Coordinator. The contract is currently being developed and will begin in mid-December. Greg brings exceptional and diverse experience to this position and we welcome him on board.

*Respectfully submitted,*

*Al Hanson, CA co-chair  
Hilary Neckles, US co-chair*

## **ESIP (Ecosystem Indicator Partnership) Progress and Transition**

### *ISSUE:*

The ESIP program has established significant momentum in the 2006 as a focal point for ecosystem-based approaches to marine management in the Gulf of Maine. Program activities through June 2008, identified in the work plan and action plan, require approval of the Council for funding. Transitions in program management personnel also require attention, and new team members will need support of the Council to ensure continued progress of the program.

### *BACKGROUND:*

ESIP has delivered the following products and services in 2006:

1. The ESIP listening session report and strategy report were published.
2. An ESIP web page was launched on [www.gulfofmaine.org/esip/](http://www.gulfofmaine.org/esip/) as a clearinghouse of indicator-based activities in the region, including ESIP reports for download.
3. A synthesis of GoM marine monitoring programs was conducted and resulted in a clickable web-based map of monitoring locations, organized by the six ESIP focus areas (climate change, contaminants, nutrients, coastal development, fisheries/aquaculture, aquatic habitats). This pilot system is accessible from the ESIP web site and serves as a spatial framework for indicator reporting.
4. A regional marine indicator workshop was jointly organized by ESIP and RARGOM (Regional Association for Research in the Gulf of Maine). On November 15, twelve speakers presented indicator results across all six ESIP focus areas to eighty regional participants. The workshop results are expected to advance the prioritization of indicator selection for regional reporting.
5. A technical project funded by GeoConnections for initial reporting of contaminants and nutrient data was launched in October at a kick-off meeting attended by more than twenty partners. The one-year project has now moved into data discovery and requirements development.

A transition of key personnel is also underway. Susan Russell-Robinson (USGS) has assumed the role of co-chair. Co-chair Maxine Westhead (DFO) has accepted a new position in Ottawa, and Jason Naug (DFO) has stepped in to replace Maxine. Contract program manager Ray Konisky is leaving on January 1 and a replacement search is now in progress.

### *ACTION REQUESTED:*

The Working Group is asked to comment on the direction of the program, provide advice for maintaining and building momentum, and offer support for continued progress toward regional indicator reporting.

*Submitted by Ray Konisky, ESIP Committee*

## **Sewage Management Task Force**

The GOM Sewage Task Force and Environmental Quality monitoring Committee continue to work on tasks specified in its GOM Internal Grants application in 2005. The application was approved by the Internal Grants Review Team to receive 7K in November 2005. The Passamaquoddy Tribe and USEPA provided an additional \$12K US to match the contribution received from the GOMC. The Sewage Task Force subsequently hired Dr. Donald Waller to conduct the contract work.

The contract requirements are as follows:

- 1) Design and implement a jurisdictional survey and conduct interviews of Sewage Task Force members and regulatory agency representatives in each GOM jurisdiction, to collect information on jurisdictional status, activities and progress on on-site wastewater management (including regulations, policies, achievements, best management practices, emerging issues, challenges, issues of concern, challenges, information gaps, questions for future investigation, and resource materials on-site wastewater management);
- 2) Work with the GOM Public Education and Participation Committee to develop the framework of a public communications/outreach plan to disseminate documents, reports, key message and notices of the sewage task Force, adopting, adapting or building on current GOMC outreach and communications procedures and practices;
- 3) Work with the GOM EQM Committee to select known sewage indicators by which to evaluate the environmental and human health quality of receiving waters, for consideration in GOM/Bay of Fundy monitoring programs, including Gulfwatch, and prepare a report to discuss the rationale behind the selection of the chosen sewage indicators;
- 4) Produce a reference/resource document from information gathered from the jurisdictional survey and from interview responses, for internal Sewage Task Force use only;
- 5) Prepare a detailed draft outline of a workshop program for a proposed GOMC hosted workshop in 2007, or forum or technical session during the Annual Aquatic Toxicity Workshop (Oct 2007) in Halifax, based on input from Sewage Task Force members to reflect their interests;
- 6) Prepare a technical report on current best management practices and proven wastewater management technologies of on-site systems in the Gulf region and provide examples of other innovative technologies applied, under consideration, or development throughout the world, that could be applied in the Gulf region;
- 7) Prepare a dissemination plan for the distribution of the Best Management Practices and Innovative Technologies report to selected industries, municipal, state, and provincial agencies in the Gulf of Maine;
- 8) Set aside relevant information materials collected for the best management practices report, for the future development of a factsheet for public distribution, on best management practices.

Status: Dr. Waller has completed the communications survey (item 2), the design and implementation of the survey (item 1), the draft indicators report (item 3), has set aside collected reference materials and resource information (items 4, 6 and 8), and has completed the dissemination plan (item 7). He is currently finalizing the best management practices report and the workshop outline (item 5) based on input received from Task Force members.

Recommended Action: None. This is an information item only. Copies of the final materials will be placed on the GOMC website in January 2007.

*Submitted by: Patricia Hinch, NS Dept of Environment and Labour, Co-Chair Sewage Mgmt. Task Force*

## GOMC Action Plan Marketing Strategy

### Objective

In December 2006, the Gulf of Maine Council will release their 2007-2012 Action Plan. The Council will use this Plan as a framework for its activities over the next five-years and to encourage its partners to accelerate their work in three focal areas.

The objectives of a 6-month marketing strategy (e.g., January to June 2007) are to:

- Communicate within and among the Council member agencies about what the Action Plan priorities are and how they will be addressed through succeeding biennial work plans.
- Communicate with other government agencies that have applicable coastal and ocean mandates about the Plan's priorities, how they align with their programs and policies, and how they can participate in Council initiatives that advance their interests/requirements.
- Communicate with non-government organizations and other partners (e.g., regional organizations, marine dependent industries, etc.) about the Plan's priorities and how they can participate in Council initiatives that advance their interests/requirements (via the Work Plan).

### Action Plan products

The Council will produce five products – a 25-page printed Action Plan, a web-based Action Plan, a PowerPoint presentation & supporting materials, features in the Gulf of Maine Times, and an oversized postcard that can be used in other mailings by the jurisdictions and distributed at events. (These contents of the postcard can be provided to others that have newsletters.)

### Marketing Activities

1. **December 14, 2006 Council media event** – Outreach and the Secretariat will arrange a media event at the December Council meeting to publicly release the Plan and provide a high profile setting for Provincial and Canadian federal agencies to describe what the Council is, the importance of the Plan, and how it augments current efforts to conserve the environment and support sustainable communities (e.g., relation to Canada's Oceans Action Plan, provincial coastal management efforts, etc.).
2. **December 14th Governors (and Premiers) release** – Outreach will coordinate with pertinent WG and GOMC members to prepare press releases to state media outlets and assist Governor's Offices with issuing the releases with copies of the Plan. (A comparable effort may be needed with the two Premiers.) Use regional mainstream media through Outreach member lists as well as the distribution services of the New England Press Association (over 900 outlets)
3. **Post 12-14 Activities**
  - Outreach prepares graphic press release and a news article that offers Action Plan highlights, links directly to the website and the document, and challenges the Council's partners to get involved/accelerate their efforts. The press release and/or article will distribute to targeted outlets including but not limited to the following:
    - The Council's NGO database (670 members), NOAA listservs, ACZISC e-newsletter (4700 members), Summit listserv, NH DES Riptide (325 members), MA CZM e-news, etc.
  - Outreach works with Secretariat Team to produce PowerPoint and supporting materials (e.g., talking points, etc.). Between January and June WG and GOMC members will use these materials to communicate the Plan's objectives to agencies and organizations in their jurisdiction with a focus on recruiting people to get more involved.
  - Outreach works with GOM Times staff on major article in GOM Times spring edition
  - Secretariat Team and Outreach develops a focused marketing strategy for Council designated tasks in the Work Plan to garner support from our partners for specific activities. Jurisdictions would then be asked to move forward in working with non-profits and other agencies.

## Securing Resources to implement the 18-month Work Plan

OPINION AND RECOMMENDATION  
“Advice to Working Group and Council”  
Date: 2/12/2006

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**TITLE:** Securing Resources to implement the 18-month Work Plan

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**ISSUE:** There are not sufficient resources to fully implement the January 2007 to July 2008 work plan and the Council needs to adopt a strategy to raise the remaining funds.

**BACKGROUND:** The Council will approve a 2007-2012 Action Plan and a work plan (1-07 to 7-08). A significant portion of the resources required to implement the work plan is yet to be secured. This funding shortfall is exacerbated by the lack of a US Congressional earmark that would have normally supported work during the 2007-2008 period.

**CURRENT STATUS:** Councilors and Work Group representatives are presently pursuing jurisdictional resources and will report on their progress at the December meeting. However it is anticipated that additional resources will be needed.

The draft Work Plan does contain 40+ narratives for activities the Council will pursue. Some of these may be partially or completely supported with funding from the existing NOAA earmark or from \$42,000 recently provided by Environment Canada.

**CAPACITY:** The GOMC currently funds the equivalent of 4 days/month for fundraising. In addition, Working Group and Committee members play a fundamental fundraising role in the articulation of project goals and identifying partners.

**OPTIONS:** The Council has several viable options to secure the needed resources. These are described below in possible order of priority. They include:

- Provide agency/senior management discretionary funding to support specific activities in the work plan;
- Make commitments of in-kind staff support to perform specific activities in the work plan (e.g., organize a workshop, conduct research, etc.) or to contribute technical services (e.g., organize a workshop, provide lab analyses, layout, etc.);
- Increase dues and annual contributions (e.g., determine appropriate activities to be supported with annual funding and costs, establish annual fee assessment, etc.);
- Secure ongoing federal and state/provincial funding through authorization and appropriations legislation (e.g., create Gulf of Maine Program Office in US federal law similar to the Great Lakes);
- Access existing government funding programs that are supportive of Action Plan priorities (e.g., understand sources, priorities, timing, access points, linkages to regional priorities, etc.);
- Engage other federal, state and provincial agencies that the Council could partner with on activities in the 5-year Action Plan and seek their support (e.g., cash and in-kind);
- Build partnerships that attract non-government funding to address regional issues (e.g., work with NGOs, the business community, academia, etc.)

**RECOMMENDATIONS:** Between January and June 2007 work to secure resources to implement the work plan should focus on the first five bullets above.



## Jurisdictional buy-in examples

### Background

The Council's 2006-2011 Action Plan is focused and ambitious. To implement the Plan's activities, produce the outcomes, and achieve the Council's three goals, The Council will need the broad base of support from its jurisdictional and federal agencies in the form of kind- and financial contributions as well as programmatic support.

Working Group members may recall that an early step in this planning process was to ask each jurisdiction to list their priorities at the October 2005 Action Plan retreat. That list along with the results and recommendations from many symposia, workshops, surveys, studies, reports, and other processes were correlated and used to drive Action Plan content discussions and assist the Council in prioritizing the goals and outcomes.

In the past, this approach has been fruitful. Agencies would "see themselves" reflected in the Council's Action Plan activities and would leverage their own resources to further that work. Those agencies saw that they could combine their resources with those of others and focus and multiply the results by providing their funding and support to the Council. To date, the Council has achieved many successes in garnering support and contributions for its work. In addition to the significant Councilor, Working Group member, Management and Finance member, Secretariat Team member, and Committee and Subcommittee member time that each jurisdiction contributes. The following is a partial list from member submissions and from historical records with examples of tangible results of jurisdictional buy-in.

- The NB Department of Environment (MBDE) provided assistance with developing a set of indicators for Goal 3, specifically Sustainable Coastal Communities
- For goal 1-3, for any actions involving improving the understanding of lawmakers and policy makers, the NBDE held appropriate briefings for a selected audience as a local kick-off to a specific project
- For Short Term Outcome Goal 1-2-1, the NBDE Outreach and Partnering Program will inform watershed and other NGOs about need for restoration and monitoring of regionally significant habitat, in particular, wetlands
- Each year, the Environmental Trust Fund provides funding to NGOs for a wide range of environmental topics, including coastal and marine projects; when NGOs are looking for project ideas, the NBDE will direct them to the Action Plan to see if there are projects they would be interested in undertaking
- Environment Canada has directed funding to the Council to further its Action Plan goals. Part of these funds provided substantial support for the Action Plan Grants Program
- NOAA/NOS assigned a senior career scientist to live in Maine for three months and to develop an implementation strategy for the Council's environmental monitoring plan
- MA Office of Coastal Zone Management conceived of the need for a regional initiative to support Gulf-wide sea floor mapping and worked to create the GOM Mapping Initiative (GOMMI)
- EPA understood the importance and need to forge a regional collaboration in support of state of the coast indicators. They provided leadership and funding to support two regional workshops that resulted in the formation of the Ecosystem Indicator Partnership Committee
- NOAA/CICEET provided the seed funds to organize a workshop on the effects of excess nitrogen in the marine environment that lead to a Gulf-wide pilot project that assembled and analyzed nutrient data—this was then leveraged into a \$300,000 indicators effort to create web-based nutrient tools
- The NH Department of Environmental Services makes annual investments that augment the density of Gulfwatch sites in NH to better understand contaminants in the Great Bay estuary and along the NH coast
- The ME State Planning Office forged a coalition of interests to create the Undersea Landscape map as the "wet-side compliment" to the Gulf of Maine watershed poster

It is important to note that many respondents to the email inquiry on how their jurisdictions have "bought in" to the Council's Action Plan and contributed resources indicated they would say that their activities mirror the goals of the Council. Some indicated that the Action Plan does not always create a situation where agencies budget for Council initiatives. However, the Action Plan often provides the focus and



clout for activities and programs and results in that agency budgeting support and funding for those initiatives.

**Action Requested**

The Councilors are requested to describe how and when their agencies will provide funding and other support.

*Compiled and submitted by Michele L. Tremblay, Council Coordinator*

## **Ecosystem-based Approaches – implementing the Action Plan**

### **Council Ocean Network *Terms of Reference • V.1***

#### **Purpose**

The Council Ocean Network (CON) is an interconnected, electronic system of people working in the Gulf of Maine/Bay of Fundy on ecosystem-based approaches to coastal and ocean management. It serves the Gulf of Maine Council on the Marine Environment (GOMC) and is responsible for:

- a. Facilitating the collaboration, interaction and exchange of information and creative ideas (e.g., institutional mechanisms, stewardship, etc.) among government agencies, non-profits and marine-dependent businesses that are actively engaged in coastal/ocean management; and
- b. Assisting the Council in implementing its five-year Action Plan and biennial work plans through partnerships that advance regional ocean initiatives.

#### **Organization**

- a. **Participation:** Participation is open to anyone interested in coastal/ocean management in the Gulf of Maine/Bay of Fundy. A Steering Committee, designated by the Council, ensures the network is effective.
- b. **Methods:** CON performs its work electronically and telephonically. Examples of ways it conducts its business include:
  - Web services -- a web page on the Council's web site serves as a dynamic repository for ecosystem-based approaches to coastal/ocean management in the Gulf of Maine/Bay of Fundy and elsewhere.
  - Ocean management list-serve & digest – a place to post questions and contribute ideas (e.g., archive by key word of previous messages/materials, digest of entries sent automatically (e.g., daily, weekly, or monthly) modeled after other efforts (e.g., Tools of Change on [www.cbsm.com](http://www.cbsm.com)).
  - Professional development -- facilitate dialogue, stimulate learning and foster innovation among Gulf of Maine/Bay of Fundy ecosystem-based management practitioners.
  - Non-binding Agreements – pursue agreements to share data, personnel, and materials.
  - Capacity building – enable existing EBM practitioners to be more effective by providing support, workshops, and training.
- c. **Qualifications:** It is anticipated participants will have professional and/or personal interests in coastal/ocean management.
- d. **Duration:** CON is a temporary entity of the Council and will dissolve by June 2012 unless extended by the Council.



### **Overview of selected EBM Initiatives**

#### **GOMC – March 2007 workshop**

In the summer of 2006 the Council invited several partners to join it in hosting a workshop on ecosystem-based approaches in the Gulf of Maine/Bay of Fundy. (They include the Northeast Regional Ocean Council/Oceans Working Committee (NROC/OWC), the US eleven federal agencies involved with the Subcommittee on Integrated Management of Ocean Resources (SIMOR), the Communication Partnership for Science and the Sea (COMPASS) and the Massachusetts Ocean Partnership Fund.) The workshop will identify the priority science needs for advancing ecosystem-based approaches and the tools needed by managers that link science, policy and management. Invitations will be extended to scientists, managers, marine-dependent industries, policy and legislative staff from Labrador to New York.

#### **Northeast Regional Ocean Council -- Proposed Work Plan**

Two years ago the NEGC-ECP formed the US Northeast Regional Ocean Council and the US/Canadian Ocean Working Committee to accelerate work on ocean issues extending from Labrador to Connecticut. OWC is still in its formative stages.

The primary intent of NROC is to link together and cultivate regional ocean management and science institutions and programs for the Gulf of Maine, Long Island Sound, and southeastern New England. Recently NROC produced a draft 1-year work plan that proposes it will focus on ocean energy resource planning and management; ocean and coastal ecosystem health; maritime security; and coastal hazard response and resiliency. The work plan contains the following actions.

- *Submit an appropriations request from the New England governors to support the Gulf of Maine Council on the Marine Environment and the proposed Northeastern Sounds Ecosystem Alliance;*
- *Create a regional entity for southeastern New England's sounds parallel in purpose and scope to the Gulf of Maine Council on the Marine Environment;*
- Convene a Northeast Regional Ocean Congress to establish short-term regional ocean management priorities;
- Seek an additional resolution from the NEGC/ECP annual meeting for the Oceans Working Committee to issue an annual ocean management priorities statement; and
- Create Action Plans around the priority issue areas

#### **DFO-NOAA Ecosystem Assessment**

DFO and NOAA have developed a joint work plan with two main initiatives: a spring 2007 ecosystem indicators workshop to share experiences to date, and work towards a Bay of Fundy/Gulf of Maine ecosystem overview and assessment report. Representatives of the agencies have met several times. At their March 2006 meeting they concluded:

- There is potential to develop a joint US/CA integrated assessment/ecosystem overview for the Bay of Fundy/Gulf of Maine area, initially focusing on offshore waters and living marine resources. The effort will be led by DFO Science and supported by an Oceans Working Group.
- A Canadian Table of Contents for the overview was generally agreeable.
- DFO and NMFS have the capacity to undertake some portions of the document (in terms of knowledge, expertise and desire) but additional expertise from others will be required to complete the overview as currently outlined. Completing the document will also depend on the level of resources available.
- The group will aim to have an annotated outline with some content development by March 31, 2007.



### **Canada – US Initiatives**

There are several ongoing Canada-U.S. initiatives are also producing materials that will be beneficial to the region's work on ecosystem-based approaches. These include:

1. GoMaGOOS -- a fisheries-oriented observing system for the Gulf of Maine. This project began in May 2004 and is led by DFO. It will develop indicators and undertake research for ecosystem management.
2. GLOBEC -- the Global Ocean Ecosystem Dynamics program on Georges Bank is assessing how global climate change may affect the abundance and production of animals in the sea.
3. The US and CA are working together on better access and visualizing of resource survey and environmental data as well – the next generation of ECNASAP.
4. ODP – the Ocean Data Partnership is facilitating the exchange and use of GOM data.
5. GoMOOS – the Gulf of Maine Ocean Observing System provides hourly oceanographic data from the Gulf of Maine to all those who need it.



## Working Group Terms of Reference – Proposed Changes

### Working Group

Terms of Reference • ~~December~~ *June 7*, 2006

#### Purpose

The Working Group serves the Gulf of Maine Council on the Marine Environment (GOMC) and is responsible for the:

- c. Development, implementation and evaluation of the Council's five-year Action Plan; and
- d. Strategic planning and preparation of policy options.

#### Organization

- e. **Membership:** Department / agency Council members shall appoint one representative to the Working Group. The Council may appoint additional members by consensus of its members. In addition, each Council committee's **co-chairs shall serve** ~~designate a committee Co-chair that will serve~~ as a member of the Working Group.
- f. **Qualifications:** Representatives of the Working Group shall:
  - Have the authority to represent the position of their agency and make decisions (e.g. recommendations for the Council on policies, work plans, and other elements of the Council's work, etc.); and
  - Work directly with his/her Councilor to brief him/her.
- g. **Chair:** The Working Group Chair will be a member of the Working Group and from the jurisdiction in which the Council Chair is located. The Chair, in consultation with the Secretariat and Management and Finance, will set meeting agendas, and conduct other business as appropriate.
- h. **Meetings:** The Working Group will meet at least three times annually. These meetings may be coincidental with the Council's semi-annual meetings. Locations of the meetings will be rotated among the member jurisdictions.

#### Decisions

Decisions will be made by consensus.

## **Gulf of Maine Council on the Marine Environment Terms of Reference – Proposed Changes**

**Gulf of Maine Council on the Marine Environment**  
*Terms of Reference • Proposed edit December 14, June 7, 2006*

### **Scope**

The Governments of Maine, Massachusetts, New Brunswick, New Hampshire, and Nova Scotia established the Gulf of Maine Council on the Marine Environment through "*An Agreement on Conservation of the Marine Environment of the Gulf of Maine*" (1989 and amended in June, 1992). The Council discusses and acts on issues that require or significantly benefit from a coordinated regional response. The *Agreement* directs the Council to:

- Coordinate conservation of the Gulf's ecosystem - establish long-term, cooperative environmental management strategies for the states, provinces and federal agencies;
- Promote sustainable development - promote the sustainable development and management of the Gulf's marine and coastal resources,
- Promote public awareness - improve stewardship of the Gulf by engaging decision-makers and the public in the development of progressive responses to leading management issues
- Expand our knowledge base - improve management of the Gulf by promoting mapping, monitoring, data/information management, and research on the structure of the Gulf ecosystem as well as the effects of pollution, habitat loss, and other stresses.

### **Role**

The Council has three primary roles:

- a. Facilitators of integrated watershed, coastal and ocean management – The Council fosters an ecosystem-based management approach. It works to ensure decision-makers possess the necessary information to manage human effects on the ecosystem, to preserve ecological integrity and to sustain economically and socially healthy human communities.
- b. Enable the region's governments be more effective stewards – By working together in a regional forum the states, provinces and federal agencies learn from each other, try new approaches and as a result are better stewards of the resources they are legally responsible for.
- c. Sustain strong partnerships – The Council works to be an effective partner and build the capacity of local and regional organizations that are addressing issues of regional concern.

### **Membership**

Each Governor and Premier appoints two cabinet level or senior level representatives and two non-government representatives from the non-profit and/or business sectors. Canadian and US federal agencies with a statutory mandate pertinent to the *Agreement* may designate a senior representative to serve as a member of the Council.

In addition, the Governors, Premiers, and the Council work collaboratively to make two-year, renewable appointments for representatives of the following interests:

- a. A senior representative of the scientific community from each country that resides in the watershed; and
- b. A member of the tribal community ~~that is nominated by the region's First Nations~~ selected from names solicited by the Council.

### **Responsibilities**

Each Councilor is expected to actively participate in the development and execution of Council meeting agendas including follow-up actions. In addition, Councilors are proponents of regional responses and actively pursue methods to advance the Council's 5-year Action Plan and annual work plan tasks while in their home jurisdiction.



### **Leadership**

Responsibility to chair the Council rotates on an annual basis among the states and provinces. During that year the host jurisdiction serves as the Secretariat.

### **Meetings**

The Council meets at least semi-annually to conduct business at a location and at a time to be determined by the Council. The Chair of the Council, or his/her designee, will moderate the meeting.

### **Committees**

The Council may establish committees as it deems necessary to fulfill its mandate.

### **Communication**

The Council routinely apprises the Premiers, Governors, and others about Council activities and prepares an annual report that documents its accomplishments and remaining challenges.

### **Support**

The Council Coordinator, Policy and Development Coordinator, and the Executive Director of the US Gulf of Maine Association provide the necessary staff support. In addition, other Council contractors, agency representatives, and committee co-chairs assist as needed.

### **Decisions**

The Council will develop, as necessary, a unified consensus on policies and programs affecting its mandate. The Council may decide to vote on specific issues but the results are non-binding on those that oppose or abstain from the decision.





## Secretariat Team Terms of Reference

### Secretariat Team *Terms of Reference • V.3*

#### **Purpose**

The Secretariat Team serves the Gulf of Maine Council on the Marine Environment (GOMC), Working Group, and Management and Finance. Its purpose is to advise the Secretariat on matters related to routine policy, budgetary, logistical, and contract issues. The Secretariat Team develops options to facilitate the smooth operation of the organization for implementation by other GOMC groups.

#### **Organization**

- i. **Membership:** The Secretariat Team consists of a representative from the immediate past, current, and future jurisdictions to serve as the Secretariat. The Council may appoint additional members by consensus of its members.
- j. **Chair:** The Working Group Chair facilitates the Secretariat Team's calls, meetings, and processes.
- k. **Meetings:** The Secretariat Team is expected to conduct the majority of its business through telecommunications and email. It may meet as needed and agreed upon by its membership.
- l. **Decisions:** The Team has limited decision-making abilities. It may take action on matters directed to its attention. Decisions will be made by consensus. The Secretariat Team will forward its decisions as recommendations to the body that requested that its involvement.
- m. **Support:** The Council Coordinator, US Gulf of Maine Association Executive Director, and the Policy and Development Coordinator provide support to the Secretariat Team and participate in its discussions.



## **New Gulf of Maine Councilor representatives**

### **Background**

The Gulf of Maine Council on the Marine Environment approved new Terms of Reference at its June 2006 meeting. In addition to adding a second non-government / private sector Councilor from each jurisdiction (previously, each State and Province had one private sector member), the new Terms of Reference provide for two new important memberships: scientific community and First Nations/Tribes (FNT).

*Excerpted from the current/newly accepted Terms of Reference:*

#### **“Membership**

Each Governor and Premier appoints **two cabinet level or senior level representatives and two non-government representatives from the nonprofit and/or business sectors**. Canadian and US federal agencies with a statutory mandate pertinent to the *Agreement* may designate a senior representative to serve as a member of the Council. In addition, the Governors, Premiers, and the Council work collaboratively to make two-year, renewable appointments for representatives of the following interests:

- a. A **senior representative of the scientific community from each country that resides in the watershed**; and
- b. A **member of the tribal community** selected from names solicited by the Council.”

### **Non-governmental Councilors**

The new Council Terms of Reference call for two non-governmental representatives from each jurisdiction. Working Group members are working with their agencies and Governors’ and Premiers’ offices to identify two non-governmental representatives from each jurisdiction. The Council Coordinator remains ready to assist jurisdictions in this process.

### **Science Councilors**

Working Group members have submitted several names for consideration. The Working Group and Council should submit before December 31, 2006 any further lists of names so that candidates can be contacted and two Council representatives selected from them.

### **Candidates for First Nations / Tribes Gulf of Maine Councilor**

The Council has reached out to FNT and agencies that work with them to learn from their experiences and collect names of candidates for this important Council representative position. As the Council has discussed, this individual would not come to the table representing all or any FNT but would instead bring a perspective that could better and more fully inform the Council’s discussions and decisions. The Council should codify this important distinction before recruitment and a nomination are made.

The following details the candidates suggested to date, their affiliations and contact information, and brief background on their experience. The first four referrals from Steve Crawford are in listed in order of their likelihood of availability to provide the Council with the FNT perspective.

#### ***Hugh Akagi***

Retiring Tribal Chief  
Passamaquoddy Tribe  
506.529.4657

passamaquoddyrecognition@nb.aibn.com  
[akagih@nb.aibn.com](mailto:akagih@nb.aibn.com) (home email)

Background and comments: Hugh works from St. Andrews Biological Station or Huntsman Marine Science Center and is active with LNG issues.

*Referred by Steve Crawford, Environmental Department, Passamaquoddy Tribe at Sipayik and GOMC Working Group member*

#### ***Jim Sappier***

Retiring Penobscot Tribal Governor  
207.827.7776



[jsappier@penobscotnation.org](mailto:jsappier@penobscotnation.org)

Background: has worked nationwide on committees with a broad approach and with an interest in the Gulf of Maine watershed.

Referred by Steve Crawford, Environmental Department, Passamaquoddy Tribe at Sipayik and GOMC Working Group member

***Donald Soctomah***

Passamaquoddy Tribal Historic Preservation Officer (THPO)

207.214.7727 (mobile) or at the

Passamaquoddy Tribal Museum, Princeton

207.796.5533

Background and comments: Donald has worked with historical preservation, the legislature, and has a strong background in tribal land issues, and has authored books on these topics.

Referred by Steve Crawford, Environmental Department, Passamaquoddy Tribe at Sipayik and GOMC Working Group member

***Dale Mitchell***

Passamaquoddy Tribal Council member (possibly next Lt. Governor)

Water Resource Technician

207.853.2600 x 245

207.214.5747 mobile

[dalem@wabanaki.com](mailto:dalem@wabanaki.com)

Background and comments: Dale serves on the tribal council, has worked on the red tide issues, and has worked with ME Department of Marine Resources

Referred by Steve Crawford, Environmental Department, Passamaquoddy Tribe at Sipayik and GOMC Working Group member

***Diana C. Scully***

Executive Director, Maine Indian Tribal State Commission

207.622.4815

[vantage@mint.net](mailto:vantage@mint.net)

Background and comments: This organization's staff may be able to provide the needed perspective or it may provide a referral to contacts from Maine's two First Nations / Tribes: the Penobscot Nation and Passamaquoddy Tribe.

*Referred by David Keeley from the ME State Planning Office database*

***Bernd Christmas***

Membertou First Nation, Cape Breton Island

(902) 564-6466

No email listed

Background and comments: The Christmas family is prominent on the Membertou Council. An attorney, Bernd has a strong business and industry background and was appointed to the Bennett Environmental Inc. Board of Directors.

*Referred by Susan Howe, GOMC Administrative Assistant*

**Discussion, decisions, and recommended actions and timelines**

- Jurisdictional representatives should begin or continue recruiting the non-government Council positions.
- Working Group members and Councilors should forward to the Council Coordinator by the end of December their suggestions for the Canada and US Science representatives to the Council
- The Council should discuss and agree on the role of the First Nations / Tribe representative.
- The Council should agree to the First Nations / Tribe recommendation that the representative will bring a perspective to the table but will not speak or be expected to speak for those nations and tribes.
- The Councilor positions will be finalized with the goal of having these new members at the June 2006 meeting.



# Gulf of Maine Council-Bay of Fundy Ecosystem Partnership Agreement

Contribution Agreement  
between

*The Gulf of Maine Council on the Marine Environment*  
(as represented by the Council Chair)

and

*The Bay of Fundy Ecosystem Partnership*  
(as represented by the BOFEP Management Committee)

The Parties to this Agreement are:

a) The Bay of Fundy Ecosystem Partnership, (hereinafter called The Recipient), is dedicated to fostering the well-being of the Bay of Fundy Ecosystem within the Gulf of Maine. BOFEP is representative of the coastal, marine, watershed scientific, government, academic, and non-government communities which have interests in integrated ecological management, conservation, and sustainable resource management of Bay of Fundy natural resources (Appendix A).

b) The Gulf of Maine Council on the Marine Environment (hereinafter called The GOM Council), is a US-Canadian partnership established by Governors and Premiers of States and Provinces bordering the Gulf of Maine, to coordinate transboundary resource management concerns and to promote activities that sustain the ecosystem of the Gulf of Maine (Appendix B).

## Whereas:

Each party to this Agreement has its own distinct mission and operates independently, together they share similar purposes, goals and objectives and a common interest in the Gulf of Maine/Bay of Fundy (Appendix A, B, and D)

The wise environmental management of the Gulf is of concern to both parties;

The Gulf of Maine Council and The Recipient wish to continue the formal linkage between the two organizations.

This Agreement will allow The Recipient to implement aspects of its workplan that directly relate to and reflect the goals and objectives of the 2007-2012 Gulf of Maine Council Action Plan: Protect and Restore Coastal and Marine Habitats; Protect Human Health and Ecosystem Integrity; and Encourage Sustainable Maritime Activities.

The Recipient's projects contain planned outcomes and clear deliverables that relate to The GOM Council priorities. GOM Council support will be subject to mutual agreement between The Recipient and The GOM Council regarding progress in satisfying the terms and conditions of this Agreement.

The GOM Council has approved the provision of financial assistance to The Recipient to enable it to carry out the activities described in Clause 2.

## 1. Purpose and Expected Results:

The purpose of the Agreement is for The GOM Council to provide support to The Recipient to undertake project initiatives of mutual interest that relate to activities outlined in the Gulf of Maine Council 2007-2012 Action Plan.



## **2. Activities to be Undertaken:**

- a) The Recipient will be the party responsible for coordinating the projects of mutual interest as outlined in their agreed upon annual workplan.
- b) The Recipient agrees to perform activities and deliver products outlined in the agreed upon annual workplan (Appendix C).
- c) The GOM Council will be responsible for authorizing the provision of resources to The Recipient for implementation of the agreed upon annual workplan..
- d) The Gulf of Maine Management Team and The Recipient will annually hold a joint meeting (in person or by teleconference) to review the contract and develop the contract workplan for the subsequent year. (Participants at this meeting will include the Management Committee of The GOM Council, the Chair of the Bay of Fundy Ecosystem Partnership and representatives of the BoFEP Management Committee; more frequent meetings at the working group level would support and derive from this annual meeting).

## **3. Contribution Amount:**

The GOM Council agrees, subject to the terms and conditions of this Agreement, to contribute towards the costs incurred by The Recipient for the activities described herein, to a maximum of \$10,000 US per year for a 3-year period beginning in June, 2007, for a total not exceeding \$30,000 US.

## **4. Method of Payment:**

Within the limits of Clause 3 and in accordance with the laws of the United States and Canada relating to financial administration, as amended from time to time, the GOM Council agrees to pay The Recipient in pre-agreed instalments upon receipt of invoices for the duration of this Agreement set out in Section 11.

## **5. Invoices or Requests for Payment:**

- a) All invoices or requests for payment should be sent to:

Cindy Krum, Executive Director  
US Association of Delegates to the Gulf of Maine Council  
33 Myrtle Avenue  
South Portland, ME 04106  
USA  
Contact information:  
ph: 207-799-9964  
e-mail: [ckrum@maine.rr.com](mailto:ckrum@maine.rr.com)

- b) All payments should be made to The Recipient, BOFEP Inc. and mailed to the following address:

Dr. Barry Jones, Chair, Bay of Fundy Ecosystem Partnership, *Inc.*  
626 Churchill Row  
Fredericton, New Brunswick  
Canada, E3B 1P6

Contact information:  
ph: 506-454-6108  
cell: 506-449-3413  
e-mail: [barryj@nbnet.nb.ca](mailto:barryj@nbnet.nb.ca)

## **6. Accounts and Financial Statements:**



The Recipient agrees to keep proper accounts and records of the revenues and expenditures for the subject matter of the Agreement, including all invoices, receipts and vouchers relating thereto for a period of at least three years after the expiry of the Agreement.

**7. Intellectual Property:**

Any intellectual property rights arising from the project will be vested in The Recipient provided that The Recipient hereby grants to The GOM Council the licensed rights to produce, *re*-publish, translate, reproduce, adapt, broadcast or use at no cost, any work subject to such intellectual property rights.

**8. Access to Information:**

Data and information arising from projects outlined in this Agreement shall be deemed to be in the public realm and therefore freely available upon reasonable notice.

**9. Audit**

The GOM Council reserves the right to audit or cause to have audited the accounts and records of The Recipient to ensure compliance with the terms and obligations of this Agreement and The Recipient shall make available to such auditors any records, documents, and information that the auditors may require. The scope, coverage and timing of such audit shall be as determined by The GOM Council, at its own cost and by those of its own choosing.

**10. Public Acknowledgement:**

Any information released or announced to the public concerning the subject matter of this Agreement shall adequately acknowledge the contribution made by The GOM Council. The logo of The GOM Council shall be placed in a prominent place within all published materials.



**11. Duration:**

This Agreement shall bind the Parties for the period beginning on the effective date and extending for a period of three years.

**12. Amendments:**

This Agreement may be amended by the mutual consent of both parties in writing.

**13. Termination:**

The GOM Council Chair may terminate this Agreement and withdraw from the project if, in the opinion of The GOM Council Chair, The Recipient fails to meet the objectives, as set out in Clause 1.

Additionally, either The Recipient or The GOM Council Chair may terminate this Agreement by giving one (1) month written notice to the other Party. Payment for incurred costs and non-reversible commitments by The Recipient for the purposes set out in Clause 2, will be covered by The GOM Council.

This Agreement and the obligations of The GOM Council under this Agreement shall terminate upon receipt of notification to The GOM Council of a notice of either The Recipient =s dissolution or insolvency.

**14. Renewal of Agreement:**

This Agreement may be extended by mutual consent of the parties and such consent should be in writing.

**IN WITNESS WHEREOF** the Parties have executed this Agreement on the 30th day of April, 2007. Herein after deemed to be the effective date of this Agreement.

**FOR THE RECIPIENT**

**FOR THE GULF OF MAINE COUNCIL ON THE MARINE  
ENVIRONMENT**

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Dr. Barry Jones  
Chair, Bay of Fundy Ecosystem  
Partnership

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Hon. Rick Doucet  
Chair, Gulf of Maine Council

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Date

-----  
Date



## Bay of Fundy Ecosystem Partnership

Description. In December, 2003, the Council agreed to establish a collaborative agreement in which the GOMC would provide \$10,000 per year for three years to the Bay of Fundy Ecosystem Partnership (BOFEP) to support projects and programs of mutual interest that link to the GOMC Action Plan. Between 2003-06, BoFEP conducted 6 projects supporting the goals of the 2001-06 Action Plan of Council. The plan now is to develop further projects supporting Action Plan 2007-2012.

The continued formal linkage of GOMC and BOFEP has value for both organizations. For the GOMC, this partnership agreement engages a credible group, that has been working for many years on issues in the north-east GOM i.e. the Bay of Fundy, hence offering tangible contributions from a multi-partner, community based group in partnership with government. For BOFEP this agreement ensures that its specific projects are linked with, reflect and benefit from work being conducted on/in the greater GOM, from research to communications and practical work in the field. The commonality of the programs of the two organizations has been illustrated numerous times at GOMC Working Group meetings and workshops since 1998. The GOMC and BOFEP share compatible visions, principles and core program elements.

Outputs/Outcomes. In addition, BOFEP will augment the GOM Action Plan by:

- 1) Contributing to the scientific understanding of the Bay of Fundy ecosystem through focussed research and studies/programs on contaminants, habitat restoration, and acting as the key information source for the Bay of Fundy and other northern parts of the GOM;
- 2) Promoting effective communication and information exchange between GOMC and BOFEP members, and cross-linking information sources - GOM and BOFEP web sites, displays, joint fact sheets with both BOF and GOM information;
- 3) Contributing to the conduct of the 2007-2012 GOMC Action Plan by bringing forward a consensus on priorities from Bay of Fundy stakeholders, starting the discussion at the 7<sup>th</sup> BOFEP Fundy Workshop, October 2006;
- 4) Providing consultation and scientific advice on issues of importance to Council;
- 5) Implementing new research projects supporting Goals 1, 2 and/or 3 of the Action Plan; and
- 6) Inclusion of more US representatives in BoFEP or its activities.

Budget (\$U.S.)

Contract with BOFEP	\$10,000
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Source of Funds:

GOMC or its affiliates	\$10,000
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Budget (\$U.S.):

Contract with BOFEP	\$10,000
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## **Appendix A:**

*(Adapted from the Bay of Fundy Ecosystem Partnership Strategic Plan)*

The purpose of BoFEP is to foster the well-being of the Bay of Fundy Ecosystem. to promote integrated ecological management and coastal management based on a holistic understanding tot the Bay of Fundy ecosystem and to facilitate co-operation among individuals and groups seeking to ensure sustainable development of Bay of Fundy resources. encourage communication and cooperation among all those who share an interest in the well being of the Bay of Fundy Ecosystem.

The mission of BOFEP is to: promote the ecological integrity, vitality, biodiversity and productivity of the Bay of Fundy ecosystem, in support of the social well-being and economic sustainability of its coastal communities and facilitate and enhance communication and co-operation among all citizens interested in understanding, sustainably using and conserving the resources, habitats and ecological processes of the Bay of Fundy.

The operating principles of BoFEP are:

**Conservation, protection and management of Bay of Fundy resources and their habitats should be ecosystem-based** and reflect an **holistic understanding** of ecosystem structure, processes and interactions.

Resource development and other coastal zone activities should be based on **ecologically sound integrated coastal planning and management.**

**Coastal planning and management should be transparent and open** to participation by resource users, coastal communities, industries, scientists, governments, managers and all other individuals and groups with interests in the Bay of Fundy ecosystem.

**Effective communication and active co-operation** among all citizens with an interest in the Bay of Fundy, and linkages with groups and programs that share similar objectives are vital to this enterprise.

The goal of BoFEP is to foster wise conservation and management of the Bay's natural resources and habitats, by encouraging cooperative activities on issues facing the Bay, monitoring the state of the ecosystem and disseminating information.

## **Appendix B**

*(Summarized from the Operating Guidelines of the Council on the Marine Environment)*

The purpose of the Gulf of Maine Council on the Marine Environment is to sustain and improve the Gulf's ecosystem through cooperative efforts.

The mission of the Council is to maintain and enhance marine environmental quality in the Gulf of Maine and to allow for sustainable resource use by existing and future generations.

The following principles help guide the Council and participating agencies in their decisions involving the Gulf of Maine ecosystem. Each principle is congruent with international protocols, as well as state, provincial, and national legislation in Canada and the United States.

### **Ecologically sustainable development**

The Council seeks to meet the region's current social, cultural, and environmental needs without compromising the needs of future generations. Working in partnership with others, it strives to sustain ecological processes and enhance the region's quality of life.

### **Ecosystem-based planning and management**

The Council supports collaborative management that integrates economics and ecological values and objectives, emphasizing natural rather than political boundaries.

### **Environmental protection through precaution**

The Council supports conservation of the coastal and marine environment, and urges its members to proceed with caution when scientific information is incomplete to avoid environmental degradation.

### **Public information and participation-based planning and management**

The Council is committed to a participatory process that informs and engages the public in setting priorities, forming policies, and pursuing efforts to conserve the Gulf's environment.

The goals of the Council are:

- Coordinate conservation of the Gulf's ecosystem: establish a long-term, cooperative environmental management strategy and promote a framework to unite the protection efforts and responsibilities of the bordering states and provinces.
- Promote sustainable development: promote the sustainable development and management of the Gulf's marine and coastal resources;
- -Promote public awareness: Improve stewardship of the Gulf by increasing awareness about its resources, management issues, and ways the public can become involved; and
- Foster marine research: Improve management of the Gulf by promoting research on the structure and function of the Gulf ecosystem as well as the effects of pollution, habitat loss, and other stresses.

Recommendation: Approval of the BoFEP-GOMC Agreement to commence in June 2007.

*Submitted by: Dr. Peter Wells, Vice Chair BoFEP on behalf of Dr. Barry Jones, Chair, BoFEP*