

Adoption of the Northeast Ocean Plan

The Northeast Ocean Plan (Plan) is the result of a historic collaboration among six New England States, six Federally recognized Tribes, nine Federal agencies, and the New England Fishery Management Council, acting collectively as the Northeast Regional Planning Body (NE RPB) and informed by the extensive participation of stakeholders throughout the region and beyond.

The Plan describes the use of data, agency coordination, and stakeholder engagement that will inform and guide Federal, State, Tribal, and New England Fishery Management Council activities under existing authorities. The companion Northeast Ocean Data Portal (Data Portal) presents thousands of publicly available maps that represent components of the marine ecosystem and a wide range of human activities. The Plan and Data Portal promote healthy ocean ecosystems, enable more effective decision making, and pursue compatibility among ocean uses in New England waters.

The Plan was developed pursuant to Executive Order 13547, “Stewardship of the Ocean, Our Coasts, and the Great Lakes” (July 19, 2010). The Executive Order adopted the White House Council on Environmental Quality, “Final Recommendations of the Interagency Ocean Policy Task Force” (July 19, 2010); established the National Ocean Policy; and provided for the development of regional marine plans that build upon and improve existing Federal, State, Tribal, local, and regional decision making and planning processes.

Implementation of the Northeast Ocean Plan

The National Ocean Council certified that the Plan is consistent with the National Ocean Policy on December 1, 2016. The Federal members of the NE RPB administer a wide range of statutes and programs that involve or affect the marine environment. These Federal departments and agencies carry out actions under Federal laws involving a wide range of regulatory responsibilities and non-regulatory missions and management activities throughout the Northeast ocean planning area. The specific manner and mechanism each Federal agency will use to implement the Plan will depend on that agency’s mission, authorities, and activities. Each Federal NE RPB member will use the Plan to inform and guide its planning activities and decision making activities.

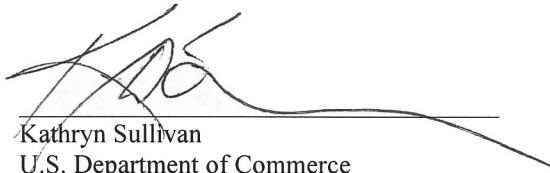
Specifically, consistent and within existing statutory authorities, Executive Order 13547 and the Final Recommendations, the Federal agencies represented on the NE RPB hereby adopt the Plan, and will: (1) identify, develop, and make publicly available implementing instructions, such as internal agency guidance, directives, or similar organizational or administrative documents, that describe the way the agency will use the Plan to inform and guide its actions and decisions in the Northeast ocean planning area; (2) ensure that the agency, through such internal administrative instructions, will consider the data products available from the Data Portal in its decision making and as it carries out its actions in the Northeast ocean planning area; and (3) explain its use of the Plan and Data Portal in its decisions, activities, or planning processes that involve or affect the Northeast ocean planning area.

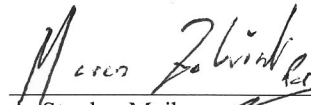
This document does not create any right or benefit, substantive or procedural, enforceable by law or equity against any signatory or agency. This document does not substitute for or supersede any legally binding statutes or regulations. In the event of a conflict between this document and requirements under statute or regulation, the latter controls. All commitments made by agencies herein are subject to the availability of appropriated funds and agency budget priorities.

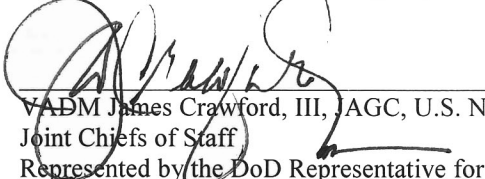
Tribal, State, and New England Fishery Management Council participation in the development and implementation of the Plan is voluntary. These entities strongly value the benefits of regional collaboration and have been equal partners in the development of the Plan. By their signatures below, the State, Tribal, and New England Fishery Management Council members of the Northeast Regional Planning Body hereby agree to adopt and implement the Plan. (See also Addendum 1).


Adoption of Northeast Ocean Plan *Federal signatures*

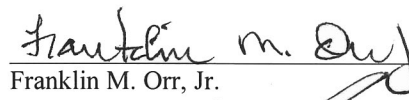
National Ocean Council Principals

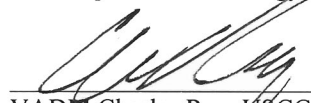

Kathryn Sullivan
U.S. Department of Commerce
Represented by the National Oceanic and Atmospheric Administration



A. Stanley Meiburg
U.S. Environmental Protection Agency



VADM James Crawford, III, JAGC, U.S. Navy
Joint Chiefs of Staff
Represented by the DoD Representative for Ocean Policy Affairs

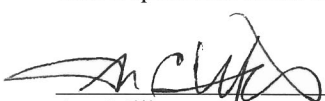

Dennis McGinn
U.S. Department of Defense
Represented by the Department of the Navy


Franklin M. Orr, Jr.
U.S. Department of Energy

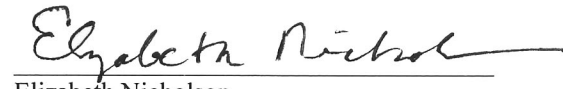

VADM Charles Ray, USCG
U.S. Department of Homeland Security
Represented by the U.S. Coast Guard

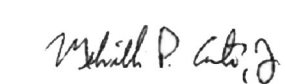

Blair Anderson
U.S. Department of Transportation

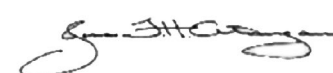

Lori Faeth
U.S. Department of the Interior

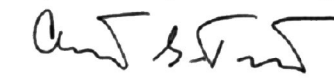

Ann Mills
U.S. Department of Agriculture


NE Regional Planning Body Representatives



Elizabeth Nicholson
U.S. Department of Commerce
Represented by the National Oceanic and Atmospheric Administration



Melville P. Coté Jr.
U.S. Environmental Protection Agency

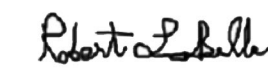

Jose F. H. Atangan
Joint Chiefs of Staff
Represented by the U.S. Navy

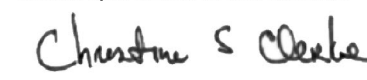

Christopher Tompsett
U.S. Department of Defense
Represented by the Department of the Navy


Hoyt Battey
U.S. Department of Energy

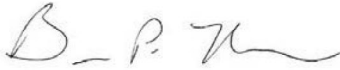

RADM Steven D. Poulin, USCG
U.S. Department of Homeland Security
Represented by the U.S. Coast Guard


Jeffrey Flumignan
U.S. Department of Transportation


Robert LaBelle
U.S. Department of the Interior


Christine Clarke
U.S. Department of Agriculture
Represented by the Natural Resources Conservation Service

State signatures



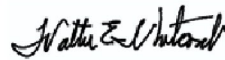
Brian Thompson
Connecticut Department of Energy and Environmental Protection



Susan Whalen
Connecticut Department of Energy and Environmental Protection



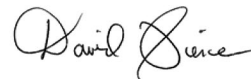
Patrick Keliher
Maine Department of Marine Resources



Walter Whitcomb
Maine Department of Agriculture, Conservation and Forestry



Bruce Carlisle
Massachusetts Executive Office of Energy and Environmental Affairs



David Pierce
Massachusetts Department of Fish and Game



Thomas Burack
New Hampshire Department of Environmental Services



Glenn Normandeau
New Hampshire Department of Fish and Game



Grover Fugate
Rhode Island Coastal Resource Management Council



Janet Coit
Rhode Island Department of Environmental Management



Deborah Markowitz
Vermont Agency of Natural Resources

Tribal signatures



Richard Getchell
Aroostook Band of Micmacs/All Nations Consulting



**Brenda Commander, Tribal Chief for
Sharri Venno**
Houlton Band of Maliseet Indians



**Cedric Cromwell, Chairman for
Chuckie Green**
Mashpee Wampanoag Tribal Council



Jean McInnis
Mohegan Indian Tribe of Connecticut



**John Brown, Tribal Historic Preservation Officer,
Land and Water Resource Commission Chairman for
Doug Harris**
Narragansett Indian Tribe of Rhode Island



**Tobias Vanderhoop, Chairman for
Elizabeth James-Perry**
Wampanoag Tribe of Gay Head (Aquinnah)

New England Fishery Management Council signature



Mark Alexander
Connecticut Department of Energy and Environmental Protection

Addendum 1

New England States Support for Northeast Ocean Plan

I. Background

The States of Connecticut, Maine, New Hampshire, Rhode Island, and Vermont, and the Commonwealth of Massachusetts (referred to herein collectively as the “NE States” and as “NE State”, when referred to individually) have long recognized the importance of coordination and cooperation in the management and stewardship of their coastal and ocean resources. The NE States’ history of regional partnership and related work on the characterization and mapping of marine habitat and ocean-based uses, stakeholder engagement, and the development and dissemination of regionally significant research and information provided a foundation for the formation of the Northeast Regional Planning Body (“Northeast RPB”) and its development of the Northeast Ocean Plan (“Plan”). At the same time, each NE State has reserved and continues to reserve its undiminished autonomy and authority to act individually as it deems in the public interest and to recognize and respect the right and responsibility of each other NE State and other Northeast RPB members to do likewise.

The purpose of this document is to express the NE States’ shared support for the Plan and to delineate the terms of that support. Through extensive interaction with federal agency and tribal government representatives who served as fellow Northeast RPB members and with representatives of non-governmental organizations and ocean-based industries and members of the public who shared their expertise and ideas, the NE States have deepened their understanding of the Northeast region’s ocean management-related issues and challenges and the data and information that exists and is needed to address them in ways that optimize opportunities and avoid conflicts.

II. Statement of Support

Subject to, and to the extent provided by the stipulations, understandings, and conditions outlined in section III, the NE States, acting by and through the state agencies noted below, agree to support and assist in the use and further refinement of the Plan developed by the Northeast RPB pursuant to the National Ocean Policy established by Executive Order 13547, as follows, to the extent practicable and consistent with applicable law:

- A. Consider relevant data and information referenced in the Plan and accessible from the Northeast Ocean Data Portal to inform review and decision-making regarding ocean management activities identified and described in Chapter 3;

- B. Contribute to the implementation of actions identified and described in Chapter 3 that are relevant to the NE State’s individual or shared interests;
- C. Participate in the coordination and consultation processes recommended in Chapter 4 as they pertain to the NE State’s individual or shared interests;
- D. Assist with the Plan performance monitoring actions in Chapter 4; and
- E. Assist with the Plan’s science and research priorities identified in Chapter 5.

III. Terms of Support

The NE States’ support for and continued participation in matters related to use or further refinement of the Plan are subject to, and in accordance with, the following stipulations, understandings, and conditions:

- A. Nothing in the Plan commits a NE State, now or in the future, to expend, allocate, or appropriate state or federal funds or other resources that are or may become available to it for any purpose, including but not limited to use or further refinement of the Plan;
- B. At its sole discretion, a NE State may terminate, revoke, or further qualify its support for the Plan as a whole, or in part, at any time;
- C. At its sole discretion, a NE State will determine the nature and extent of its participation in matters related to use or further refinement of the Plan, which may depend, in part, on federal agencies’ continuing commitment to the Plan and timely update of its data and information resources, and, in any event, such state participation will be dependent on existing and available budgeted resources;
- D. At its sole discretion, a NE State will use the Northeast Ocean Data Portal with the understanding that the utility of such data and information is subject to methodological and other limitations as acknowledged in the Plan; that such data and information are not the exclusive or sole source of relevant information; and that in most instances, finer scale, site-specific information will be required for regulatory review and decision making and other management actions.
- E. The Plan will be interpreted and used in a manner fully consistent with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any federal or state agency, federally-recognized Indian tribe or other governmental entity, the regulated community, or the

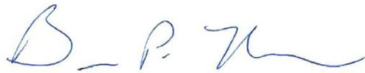
general public under state law or federal law, including, but not limited to, the Clean Water Act, the Clean Air Act, the Coastal Zone Management Act, the Outer Continental Shelf Lands Act, the Magnuson-Stevens Fisheries Conservation and Management Act, the Deepwater Port Act, the Federal Power Act, the National Environmental Policy Act, or the Constitution of the United States;

F. The Plan is purely advisory and nothing in the Plan commits or may be construed to commit a NE State to take or refrain from any action, or act or refrain from acting in any particular manner, on any matter whether or not it is specifically addressed by the Plan; and

G. The Plan is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against a NE State, its departments, agencies, instrumentalities, officers, employees, or agents, or any other person or entity.

Done this 17th day of January, 2017.

For the State of Connecticut



Brian Thompson
Connecticut Department of Energy and
Environmental Protection

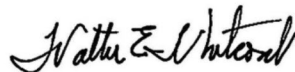


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Connecticut Department of Energy and
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For the State of Maine



Patrick Keliher
Maine Department of Marine Resources

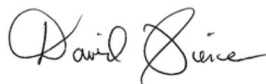


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Maine Department of Agriculture, Conservation and
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For the Commonwealth of Massachusetts



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Massachusetts Executive Office of Energy and
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David Pierce
Massachusetts Department of Fish and Game

For the State of New Hampshire

Thomas Burack
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Glenn Normandeau
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For the State of Rhode Island

Grover Fugate
Rhode Island Coastal Resource Management
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Management

For the State of Vermont

Deborah Markowitz
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