

**Summary of Discussions**

**Northeast Regional Planning Body Meeting**

*January 22-23, 2014*

*Cambridge, Massachusetts*

This document summarizes discussions and presentations at the third meeting of the Northeast Regional Planning Body. The meeting took place on January 22-23, 2014 in Cambridge, Massachusetts. The summary was produced by Meridian Institute, which provides meeting planning and facilitation services for the Northeast Regional Planning Body.



## Contents

<b>Executive Summary .....</b>	<b>i</b>
<b>About This Meeting .....</b>	<b>1</b>
Meeting Objectives.....	1
<b>Wednesday, January 22, 2014 .....</b>	<b>2</b>
Tribal Blessing .....	2
Introduction and Agenda Review .....	2
Opening Remarks and Overview of RPB Progress .....	2
Summary of State-Led Approaches to Stakeholder Engagement and Input Gathered to Date ..	3
Presentation of Draft Northeast Regional Ocean Planning Framework and Workplan .....	5
RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: <i>Effective Decision Making</i> .....	7
Public Comment about Draft Northeast Regional Ocean Planning Framework and Workplan: <i>Effective Decision Making</i> .....	8
RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: <i>Effective Decision Making (continued)</i> .....	9
Summary of Day 1 .....	11
Networking Reception .....	11
<b>Thursday, January 23, 2014.....</b>	<b>11</b>
Welcome to Massachusetts .....	11
Welcome Back, Review of Day One Outcomes and Review of Day Two Agenda.....	11
RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: <i>Healthy Ocean and Coastal Ecosystems</i> .....	12
Public Comment About Draft Northeast Regional Ocean Planning Framework and Workplan: <i>Healthy Ocean and Coastal Ecosystems</i> .....	14
RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: <i>Healthy Ocean and Coastal Ecosystems (continued)</i> .....	15
Update on Activities Related to Offshore Wind Energy Development and Discussion about Relationship with Regional Ocean Planning .....	17
RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: <i>Effective Decision Making (continued)</i> .....	18

RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan:  
*Compatibility Among Past, Current, and Future Ocean Uses* ..... 19

Public Comment About Draft Northeast Regional Ocean Planning Framework and Workplan:  
*Compatibility Among Past, Current, and Future Ocean Uses* ..... 19

RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan:  
*Compatibility Among Past, Current, and Future Ocean Uses (continued)* ..... 20

Summary of Meeting Outcomes and Review of Next Steps..... 21

Closing remarks ..... 21

## Executive Summary

The third meeting of the Northeast Regional Planning Body (NE RPB) took place on January 22-23, 2014 at the Hyatt Regency in Cambridge, Massachusetts. The meeting was attended by state, federal, NE Fishery Management Council (NEFMC), and tribal NE RPB appointed members or their delegates. Approximately 86 members of the public attended as observers, and 32 public comments were provided during three public comment sessions held over the course of the meeting. A list of NE RPB members and delegates and public participants is included in Appendix A. Click [here](#)<sup>1</sup> for a transcript of the meeting.

Objectives of the meeting were to:

- Provide updates on NE RPB activities since the last in-person meeting.
- Review the Draft Northeast Regional Ocean Planning Framework and Workplan (draft framework) and:
  - Reflect on public input provided to date
  - Identify refinements and approve the principles, goals, and objectives
  - Identify refinements and next steps for draft actions that would be implemented to achieve the goals and objectives
- Provide opportunities for public input about the topics being considered by the NE RPB and informal discussion of ideas with NE RPB members.

Member meeting materials can be found by clicking [here](#).<sup>2</sup> Additional information about the NE RPB and ocean planning in general is available [here](#).<sup>3</sup> This includes information on past and upcoming RPB meetings and opportunities for public comment, as well as a transcript of the full meeting.

The first day of the meeting, January 22, was focused on discussion about public and RPB input and resulting refinements to draft goals and objectives for Northeast regional ocean planning, focusing in particular on draft goals, draft objectives, and proposed actions related to *Effective Decision Making*, as reflected in the draft framework. It included one public comment session and a public reception in the evening.

The second day of the meeting, January 23, was focused on discussion about public and RPB input and resulting refinements to draft goals, draft objectives, and proposed actions related to

---

<sup>1</sup> <http://neoceanplanning.org/wp-content/uploads/2014/03/Transcript-NE-RPB-Meeting-January-22-23.2014.pdf>

<sup>2</sup> <http://neoceanplanning.org/wp-content/uploads/2014/02/MeetingMaterialsNERPB01.22-23.2014MeetingRevised.pdf>

<sup>3</sup> <http://neoceanplanning.org/>

*Healthy Ocean and Coastal Ecosystems and Compatibility Among Past, Current, and Future Ocean Uses*, as reflected in the draft framework. It also included a discussion about opportunities to coordinate specifically on the issue of wind power development and two additional public comment sessions.

The major outcome of the meeting was refinement to and approval of the goals and objectives in the draft framework. The NE RPB also made improvements to the actions and tasks associated with the goals and objectives, recognizing that actions and tasks will be refined over time through further discussion and decision making by the NE RPB, in consultation with technical experts and stakeholders in the region. Next steps include planning for workshops to engage stakeholders and technical experts, in conjunction with the next NE RPB meeting in June 2014. An options paper will be developed by staff to support a decision by the NE RPB regarding establishment of regional stakeholder and technical advisory bodies. A next iteration of the framework, which reflects refinements made at the meeting, is posted at the NE RPB website [here](http://neoceanplanning.org/wp-content/uploads/2014/02/NE-Regional-Ocean-Planning-Framework-February-2014.pdf)<sup>4</sup>.

---

<sup>4</sup> <http://neoceanplanning.org/wp-content/uploads/2014/02/NE-Regional-Ocean-Planning-Framework-February-2014.pdf>

## About This Meeting

The third meeting of the Northeast Regional Planning Body (NE RPB) took place on January 22-23, 2014 at the Hyatt Regency in Cambridge, Massachusetts. The meeting was attended by state, federal, NE Fishery Management Council (NEFMC), and tribal NE RPB appointed members or their delegates. Approximately 86 members of the public attended as observers, and 32 public comments were provided during three public comment sessions held over the course of the meeting. A list of NE RPB members and delegates and public participants is included in Appendix A. Click [here](#)<sup>5</sup> for a transcript of the meeting.

The meeting was called by the NE RPB state, federal, and tribal Co-Leads. The state Co-lead is Grover Fugate, Executive Director, Coastal Resource Management Council, State of Rhode Island; the federal Co-lead is Betsy Nicholson of the National Oceanic and Atmospheric Administration (NOAA); the tribal Co-lead is Richard Getchell, Tribal Outreach Coordinator and Former Tribal Chief, Aroostook Band of Micmac Indians. The meeting was organized in collaboration with Katie Lund, Nick Napoli, and John Weber, staff for Northeast ocean planning activities; and Meridian Institute, which provided meeting planning and facilitation services and produced this summary document.

## Meeting Objectives

Objectives of the meeting were to:

- Provide updates on NE RPB activities since the last in-person meeting.
- Review the Draft Northeast Regional Ocean Planning Framework and Workplan (draft framework) and:
  - Reflect on public input provided to date
  - Identify refinements and approve the principles, goals, and objectives
  - Identify refinements and next steps for draft actions that would be implemented to achieve the goals and objectives
- Provide opportunities for public input about the topics being considered by the NE RPB and informal discussion of ideas with NE RPB members.

Member meeting materials can be found by clicking [here](#).<sup>6</sup> Additional information about the NE RPB and ocean planning in general can be found [here](#).<sup>7</sup> This includes information on past and upcoming RPB meetings and opportunities for public comment, as well as a transcript of the full meeting.

---

<sup>5</sup> <http://neoceanplanning.org/wp-content/uploads/2014/03/Transcript-NE-RPB-Meeting-January-22-23.2014.pdf>

<sup>6</sup> <http://neoceanplanning.org/wp-content/uploads/2014/02/MeetingMaterialsNERPB01.22-23.2014MeetingRevised.pdf>

<sup>7</sup> <http://neoceanplanning.org/>

**Wednesday, January 22, 2014**

The first day of the meeting, January 22, was focused on discussion about public and NE RPB input and resulting refinements to draft goals and objectives for Northeast regional ocean planning, focusing in particular on draft goals, draft objectives, and proposed actions related to *Effective Decision Making*, as reflected in the draft framework.

**Tribal Blessing**

Richard Getchell offered a blessing for meeting participants and explained a gift of sacred, ceremonial tobacco that he had placed at the seat of each NE RPB member.

**Introduction and Agenda Review**

Laura Cantral, Meridian Institute, facilitated a round of introductions. A list of NE RPB members and delegates and public participants is included in Appendix A. She explained that the focus of the meeting would be approving goals and objectives, and identifying next steps for associated actions. She then described a sequence for the agenda in which the NE RPB would have initial discussion about each goal, pause to hear public comment on that goal, and continue discussion and refinement, with the aim of closing out each discussion of a goal with NE RPB approval of the goal and its objectives. During discussion, the NE RPB would also make improvements to the actions and tasks associated with each goal. That sequence would repeat three times during the course of the two day meeting, once for each goal.

**Opening Remarks and Overview of RPB Progress**

The NE RPB state, federal, and tribal Co-Leads provided opening remarks and a briefing on progress made by the NE RPB since its last in-person meeting in April 2014. The Co-Leads referred to a series of slides during their remarks, which can be found in Appendix B. Betsy Nicholson began by noting that the NE RPB is now beginning its second phase, focused on refinement and implementation of a work plan intended to allow the NE RPB to achieve Northeast regional ocean planning goals and objectives. Grover Fugate provided a brief summary of operational achievements, including the convening of frequent teleconferences, establishment of several workgroups, and finalization and signature of the NE RPB Charter, including identification of ex-officio members. Mr. Getchell added that the creation of a Tribal Outreach Coordinator position is intended to foster increased engagement with tribal members in NE RPB activities, including participation in workgroups and support for tribal travel.

Mr. Fugate then reviewed the 2013 timeline, noting that the NE RPB had achieved its aims with regard to establishing state advisory groups of stakeholders, gathering public input through those groups and other means, and using that input to further refine the draft goals and objectives and start to craft a series of actions that can be taken to achieve those objectives. Ms. Nicholson then pointed to the strategy for communications and engagement, which can be found in the draft framework on page 5 in Appendix C. She explained that the NE RPB is focused on establishing an open, transparent, and efficient process that respects the time and contributions of members of the public who are engaged in providing input. She noted that



additional mechanisms for engagement will be launched in 2014, in addition to a new website, continued refinement of the [Northeast Ocean Data Portal](http://www.northeastoceandata.org/)<sup>8</sup>(data portal), and convening of technical experts to help the NE RPB identify and further define activities to achieve its goals. She closed by sharing that the NE RPB plans to convene two additional in-person meetings in 2014, probably in June and November, and additional public workshops on specific topics.

### **Summary of State-Led Approaches to Stakeholder Engagement and Input Gathered to Date**

During this session, state NE RPB members described their approaches to state-based stakeholder meetings convened in the fall and winter, sharing reflections about key themes heard in their states, and noting that input gathered during state-based stakeholder meetings is captured in meeting materials, including a summary of stakeholder input in Appendix D.

Kathleen Leyden began by providing a summary of activities in the State of Maine. She explained that Maine had formed an “ocean advisors group” of approximately 30 individuals representing a cross-section of interests to advise Maine’s NE RPB members. The group met in October 2013 and had to reschedule a second meeting in January due to inclement weather. The group was also asked to complete a survey, the results of which indicated a general sense of comfort with the draft goals for Northeast ocean planning, but some continued lack of clarity about the ultimate aims of the effort and potential benefits to particular interest groups. She noted that concrete examples with local significance would be beneficial for enhancing understanding. The group also expressed some concern that existing ocean uses not be displaced to accommodate new uses, a hope that data gaps in Maine could be filled through this process and federal agencies would use the information provided through ocean planning (e.g., through the data portal) to affect decision making, and a desire to ensure that strong environmental reviews continue to be central to regulatory decision making under a more coordinated management system. Key priorities for Maine include bolstering working waterfronts, taking coastal land and riverine data and water quality into account, and strengthening the processes for scientists, stakeholders, and other experts to engage in the process.

Thomas Burack then provided a summary of the State of New Hampshire’s engagement approach, which initially focused on a December 2013 meeting of the New Hampshire Ports and Harbors Advisory Council. At this meeting, key themes emerged in discussion about regional ocean planning: 1) a desire for greater understanding about the regulatory implications of ocean planning, 2) commercial fishing interests wanting greater transparency and input into the products of this effort, and 3) creation of a dedicated advisory group for New Hampshire to ground truth data and guide RPB members in decision making.

---

<sup>8</sup> <http://www.northeastoceandata.org/>

Bruce Carlisle described efforts in the Commonwealth of Massachusetts, which are grounded in advisory bodies that were established to support implementation of that state's Oceans Act and development of its ocean plan. That state's Ocean Planning Commission and Science Advisory Council cover a broad range of geographies and interests in the state, and are knowledgeable and experienced with ocean planning. Since the formation of the NE RPB, every meeting of those groups has included discussion of regional ocean planning. Special meetings were also convened in the fall of 2013 to gather feedback from these groups specifically on the draft regional ocean planning goals and objectives. Key themes included: 1) a desire to foster better decision making at the state level, in addition to the federal level; 2) acknowledgement that while ocean planning can focus on sound siting of new uses, protecting access for existing uses needs to be a priority as well; 3) a need for clarity about the products that will result from the characterization work and what questions those products will answer; 4) linking healthy oceans and coasts with human uses and socio-economics related to the ocean; and 5) the need to coordinate more closely with academic and non-governmental partners.

Mr. Fugate explained that the State of Rhode Island has a number of existing committees that it has engaged in discussions about regional ocean planning through in-person meetings. Key themes of stakeholder input included: 1) a desire for regional ocean planning efforts to engage small craft, inshore fisheries that may not be captured in current data efforts; 2) questions about how projects underway in Rhode Island would interface with the regional planning effort; and 3) questions about how this effort would account for climate change and its impacts on fisheries and shifting baselines.

Brian Thompson shared that the State of Connecticut does not currently have a formal advisory board on ocean planning, but the state has tapped into two existing opportunities to engage stakeholders to date: an informal group of stakeholders with particular interest in spatial planning in Long Island Sound and the Connecticut Maritime Commission, a formal state-established group of maritime interests. Input from these groups included: 1) questions about what the NE RPB will do after its stated two year timeline; 2) recognition that existing data and information about Long Island Sound could be useful to broader ocean planning and vice versa; 3) concern about the resolution and scale of data used for ocean planning; 4) emphasis on the importance of social science data; and 5) interest in conducting a sub-regional spatial planning exercise in Long Island Sound.

Ms. Cantral then turned to the NE RPB for brief discussion. States without existing, robust state-based advisory groups focusing on ocean planning, such as New Hampshire and Connecticut noted that there are discussions underway about how to enhance engagement of key stakeholders in their states.

## Presentation of Draft Northeast Regional Ocean Planning Framework and Workplan

During this session, John Weber and Nick Napoli presented the draft framework, reviewed the process to date for development of key elements of the document, and highlighted how the document has been informed by public and NE RPB input. This was followed by brief clarifying questions from the NE RPB.

Mr. Weber and Mr. Napoli referred to a series of slides, which can be found in Appendix E. Mr. Weber began by reviewing the 2013 NE RPB timeline and public input opportunities that were offered throughout the process of developing the draft framework, including public listening sessions convened in each state and several rounds of public comment, during which refinements were made to the concepts articulated in the framework. He emphasized that the draft framework is still a work in progress and open for improvement, and reiterated that a major objectives of this NE RPB meeting was to approve the draft goals and draft objectives and move forward with those proposed implementing actions with which the NE RPB is comfortable. He then walked through the draft framework, which can be found in Appendix C.

The goals and objectives in the draft framework are as follows:

- Goal: *Effective Decision Making*
  - Objective 1. Enhance Inter-Agency Coordination
  - Object 2. Implement Specific Actions to Enhance Informed Public Input in Decision Making
  - Objective 3. Incorporate Maps and Other Products into Existing Agency Decision Making Processes
  - Objective 4. Improve Respect for the Customs and Traditions of Indigenous Peoples in Decision Making Processes
- Goal: *Healthy Ocean and Coastal Systems*
  - Objective 1. Characterize the Region's Ecosystem, Economy and Cultural Resources
  - Objective 2. Identify and Support Existing Non-regulatory Opportunities to Work Toward Conserving, Restoring, and Maintaining Healthy Ecosystems
  - Objective 3. Produce a Regional Ocean Science Plan that Prioritizes Ocean Science and Data Needs for the Region for the Next Five Years
- Goal: *Compatibility Among Past, Current and Future Ocean Uses*
  - Objective 1. Increase Understanding of Past, Current and Future Ocean Uses
  - Objective 2. Ensure Regional Issues are Incorporated in Ongoing Efforts to Assess New and Existing Human Activities
- Overarching Objective (Applies to All Goals): Periodically Assess Progress Toward Achieving Regional Ocean Planning Goals

He explained that the activities and tasks under each draft objective in the draft framework were added in response to stakeholder requests for clarity on how the draft goals and objectives could be acted upon. He emphasized that a number of key decisions still need to be made, including the ultimate product or suite of products of this planning effort. The draft framework, its associated timelines, and proposed actions focus on gathering the information needed, engaging stakeholders, and otherwise laying the groundwork for future NE RPB decisions. Mr. Weber then pointed to an overall two year schedule for the next series of NE RPB decisions, recognizing that some issues will require more than two years to address.

Mr. Napoli described the draft goal related to *Effective Decision Making*, reviewed associated objectives, and touched on key themes of public comment received. With regard to Objective 1, he emphasized that the types of ocean uses listed in the draft framework are intended to be starting points for those activities, with other types of ocean uses following thereafter. Objective 2 resulted directly from public input, while Objective 4 resulted from discussion Mr. Getchell facilitated among tribal NR RPB members. He then reviewed the timeline for next steps related to this draft goal, noting that activities in the coming months are focused on gathering the information needed for the NE RPB to make future decisions about how to proceed with ocean planning.

Mr. Napoli then described the draft goal, associated objectives, and key themes of public comment related to *Healthy Ocean and Coastal Ecosystems*. With regard to Objective 1, members of the public have posed questions about the purpose of the characterization work and offered suggestions about the kinds of assessments that would be useful. That input has been taken into account in crafting that section of the draft framework. The need to take into account historical conditions and the dynamic nature of the ecosystem and economy was also emphasized. Objective 2 was also added in response to public comments, in particular comments urging the NE RPB to better coordinate the many related programs. He explained that the purpose of Objective 3 is to identify priority data gaps and strategies to fill them. He then described the timeline for this goal, emphasizing the need to continue working with stakeholders, managers, and scientists throughout the region to identify the best options for NE RPB action.

Mr. Napoli then reviewed the draft goal, objectives, and public comment related to *Compatibility Among Past, Present, and Future Uses*. He noted that this goal is the least clearly defined in the series, and that the public has stated a need for additional clarity about the potential outcomes associated with this draft goal. Further work is needed to identify the priorities and what can realistically be achieved. Working with the public and the NE RPB to identify options for meeting this draft goal will be a focus area for the coming months.

Ms. Cantral then turned to the NE RPB for clarifying questions, noting that specific time has been allocated on the meeting agenda to address each draft goal and associated objectives and actions in turn. Ms. Nicholson emphasized that while the draft goals will be covered one by one, the NE RPB should remember the important interconnections among them as well.

In response to a request for additional details about what is intended by each draft goal, Mr. Weber explained that descriptive language to that effect had been included in previous articulations of the draft goals, and suggested that this language be added to the draft framework. A question was also posed about next steps toward establishment of a potential regional advisory and/or science advisory group. Mr. Fugate responded that this has been a topic of great discussion among the NE RPB Co-Leads, and noted a number of legal and practical challenges. For example, while specific scientific advice and support will clearly be needed throughout the process, a more general scientific committee may not prove particularly helpful to support decision making in practice. Identification of individuals to serve on such regional committees, in light of significant geographic and topical diversity, would also be a challenge. A suite of state-specific advisory efforts is intended to provide input at a finer level of detail. Ms. Nicholson added that the NE RPB can convene workshops, panel discussions, and a variety of other processes for ensuring the right expertise and input informs the process in meaningful ways, and that the design of this suite of processes incorporates the regional focus that is so important for the success of this effort.

### **RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: *Effective Decision Making***

During this session, the NE RPB began discussion about the draft goal, objectives, and actions related to *Effective Decision Making*. In response to a question, Mr. Weber explained how NE RPB member and public comments to an earlier draft document had been addressed in the draft framework, noting that some points still needed further exploration and discussion. Mr. Getchell noted that tribes are interested in improving the consultation process.

It was noted that even though the three draft goals are intended to carry equal weight, the NE RPB should consider changing the order of goals in the document so that *Healthy Ocean and Coastal Ecosystems* is listed first, followed by *Effective Decision Making*.

Additional RPB discussion focused on Objective 1 specifically:

- Objective 1 lists a number of ocean uses to explore as starting points for coordination efforts. These were chosen because there are limited resources to allocate for such an effort initially, so a short list of ocean uses needed to be selected for now. The ocean uses identified are suitable, currently active topics of discussion, and would clearly benefit from improved coordination. There is a need to clarify the rationale for selecting those uses as the starting point, as well as the aim to conduct similar exercises for additional ocean uses and processes in the future.
- Improving public participation within the current regulatory construct means that some engagement may need to occur outside the formal, legal requirements for seeking input, and determining exactly how to bring that additional input into the decision making processes will require additional consideration.

- There may be a need to further refine and narrow Objective 1 to specific projects and data sets, rather than core regulatory processes more broadly.
- Ensuring agency commitment to Objective 1 will require additional consideration.
- Perhaps including stakeholders directly in NE RPB working groups would be helpful.

### **Public Comment about Draft Northeast Regional Ocean Planning Framework and Workplan: *Effective Decision Making***

The first of three public comments sessions was held at 3:15 pm. Ms. Cantral opened the session by noting that the NE RPB has been working to further enhance its public engagement process over time, and this includes instituting the sequence of discussion in this agenda: having initial NE RPB discussion about a topic, turning to the public for comment on that topic, then continuing any NE RPB discussion and reaching resolution on that topic as informed by public input. She noted that the NE RPB welcomed members of the public to speak to any topic they wished during the public comment sessions at this meeting, but encouraged commenters to provide input on the draft framework, focusing in this session on the draft goal, objectives and actions related to *Effective Decision Making*.

Eleven people provided comment during this session. Major themes of the comments during this session included:

- General support for the draft goals and objectives articulated in the draft framework.
- Concern that the NE RPB not facilitate the development of industries that are more corporate in structure and where the economic benefits may not support coastal communities and families as do many traditional ocean uses. Inclusion of certain industries as the focus of activities in the draft framework should not be interpreted as endorsement or support of those industries by the NE RPB or the New England region.
- A request that the more detailed descriptions of the draft goals previously included in earlier draft documents be added to the draft framework.
- Emphasis that broad, interagency coordination is important and the NE RPB should not limit its coordination efforts to a small set of ocean uses. Clarification in writing of points, such as this one, discussed by the NE RPB regarding Objective 1 would be helpful. Consider adding habitat protection to those efforts.
- Support for actions to improve public engagement and encouragement to provide easy-to-understand materials in a timely manner, including allowing for more time to review draft documents in advance of NE RPB meetings.
- Encouragement to NE RPB members representing states to include representatives of non-consumptive recreational uses in their state advisory groups.
- Encouragement to establish:
  - a regional stakeholder advisory body
  - a regional science advisory body to ensure appropriate use of data and maps
  - a formal Advisory Committee under the Federal Advisory Committee Act



## (FACA)

- Encouragement to continue a nimble, state-based approach to public engagement that is not hampered by the formalities of FACA.
- Recommendation to distribute information about the NE RPB through trade publications.
- Recommendation that agencies engaged in the NE RPB consider information developed through the regional planning process to be advisory in nature.
- A request to keep a clear focus on increasing the accessibility of decision making processes to the public and incorporation of public input and data submitted by ocean users into decision making. Appropriate sharing of user data is also important to minimize incidents of multiple data requests.
- For Objective 3, include a regional-scale review of cumulative impacts.
- The ultimate product of this effort is still unclear, which may explain modest levels of public engagement and comment. Some members of the public believe that the underlying aim is to accelerate timeframes for new ocean uses.
- Support for using the process to accelerate the pace of offshore wind power development.
- A request to not influence fishery-related regulations.
- Statement that the Northeast and Mid-Atlantic region fishing industries are closely interconnected, but the goals and objectives being developing in the two regions are quite different. It seems that the data portals in the two regions are seamless, but the planning processes are not coordinating sufficiently.

**RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: Effective Decision Making (continued)**

After hearing public comment, the NE RPB resumed its discussion of the draft framework, focusing on refinements needed to the draft goal, objectives, and actions related to *Effective Decision Making*. The objectives of this session were to:

- Reflect on public input provided to date
- Identify refinements and approve the goal and objectives related to *Effective Decision Making*
- Identify refinements and next steps for draft actions that will be implemented to achieve the goal and objectives

Mr. Fugate began the discussion by acknowledging a clear sense from the public and the NE RPB that Objective 1 under this draft goal needs to be clarified. The objective is intended to cover all uses, starting with the four listed in the draft. These uses were chosen as a starting point for a number of reasons, including that wind power is a major point of discussion across the region; sand and gravel mining is a critical issue for the region that a number of states have received grants from Bureau of Ocean Energy Management (BOEM) to help address; and

aquaculture was included based on a recommendation from the NOAA as a topic also requiring enhanced coordination. The intention is not to promote certain uses, but rather to ensure that decisions about those uses are made in a thoughtful manner, consider all important factors, engage the public early, and are coordinated on a regional basis. The agencies charged with managing those uses would be able to take into account the full range of consumptive and non-consumptive ocean uses and natural resources through this improved process. Representatives from BOEM, National Oceanic and Atmospheric Administration (NOAA), and the U.S. Coast Guard (USCG) expressed support for the effort and willingness to contribute and accept any assistance.

In response to a question, it was clarified that the NE RPB will be asked to make a number of decisions in the future that it may not yet be prepared to make. The timeline proposed by staff focuses on gathering information and a series of options for the NE RPB to consider as it makes future decisions, some in November 2014, about implementation of specific objectives. It was also noted that potentially refining the utility of other aspects of ocean planning will need to be addressed as the NE RPB makes future decisions, including ensuring that all efforts are tailored to regional priorities and taking into account changing conditions.

Ms. Nicholson noted that it would be helpful for federal agencies to assign their data managers to provide additional assistance to make necessary data accessible and usable, and regulatory staff appear eager to be able to use the data portal as a tool. Mr. Getchell stated that a tribal priority is ensuring that data collected on tribal lands by agencies is being used to support this effort. Additional NE RPB discussion of this goal included:

- A refinement was suggested, prompted by Objective 4, which would aim to improve respect for cultural values of a broader range of ocean users and communities, in addition to indigenous peoples. There are a variety of places in the draft framework where that point could be accommodated and further discussion would be needed to identify the most appropriate edit. There was a general sense of NE RPB support for identifying processes to better account for traditional ecological knowledge, both tribal and otherwise, in decision making.
- A public comment was flagged for discussion: that habitat restoration should be added to Objective 1. It was noted that under the goal *Healthy Ocean and Coastal Ecosystems* Objective 2 may in part addresses that comment, however, including it as part of *Effective Decision Making* Objective 1 makes sense and could reinforce the point. It would also help illuminate the interconnections among goals.
- A desire to reverse the order of appearance of the goals *Effective Decision Making* and *Healthy Ocean and Coastal Ecosystems* was echoed by a several NE RPB members during discussion, as well as a desire to more explicitly emphasize the concept of sustainability.
- The need to generally improve tribal consultation processes was identified. A next potential action for the NE RPB might be to form a task force to develop a set of recommendations about improved tribal consultation to help guide agency policies. This



working group could include tribal, state, and federal representatives to identify a set of recommendations that reflect the interest of each level of government engaged. It would also need to reflect the full diversity within those levels of government and maintain the core government-to-government foundation.

- There is a need to coordinate with the Mid-Atlantic Regional Planning Body and identify opportunities to leverage knowledge and efforts.

Ms. Cantral noted that staff would make revisions overnight and bring suggested language back to the NE RPB for discussion and approval on Day 2.

### Summary of Day 1

Ms. Cantral then provided a summary of Day 1, major points of which are covered in the text above.

### Networking Reception

The NE RPB convened a cash-bar public networking reception following adjournment that allowed for interaction between members of the public and the NE RPB and opportunities to share ideas and reactions in an informal setting.

## Thursday, January 23, 2014

The second day of the meeting, January 23, was focused on discussion about public and RPB input and resulting refinements to draft goals and objectives for Northeast regional ocean planning, focusing in particular on draft goals, draft objectives, and proposed actions related to *Healthy Ocean and Coastal Ecosystems* and *Compatibility Among Past, Current, and Future Ocean Uses*, as reflected in the draft framework. The agenda also included a discussion about opportunities to coordinate specifically on the issue of wind power development.

### Welcome to Massachusetts

Mr. Carlisle welcomed the NE RPB and members of the public to the Commonwealth of Massachusetts. He read an excerpt from the Massachusetts Ocean Management Plan, which provided inspiration and guidance for this regional effort. Then Dan Hubbard introduced Captain Verne Gifford, Chief of Staff of the First Coast Guard District. Captain Gifford provided remarks, stating that enhanced collaboration and public engagement in support of ocean planning is part of a logical progression in management to ensure our oceans are being used responsibly.

### Welcome Back, Review of Day One Outcomes and Review of Day Two Agenda

Ms. Cantral reviewed the agenda for Day 2 and explained that staff had made refinements to the structure and wording of certain objectives under the goal *Effective Decision Making*, particularly as related to Objective 1. A handout with the refined wording was distributed to the NE RPB and the public for discussion, which can be found in Appendix F.

She then turned to Mr. Weber to describe the changes, which included reordering of the goals, adding certain descriptive language under each goal, adding clarification about a focus on sustainability, and clarifying that Objective 1 under *Effective Decision Making* includes all uses, but lists four as starting points for specific reasons.

Ms. Cantral then turned to the NE RPB for discussion. With regard to Objective 1 under *Effective Decision Making*, it was stated that additional clarification should be provided about exactly why those four uses are the starting point. In addition, some felt it was unclear why the objective only focuses on National Environmental Policy Act when there are additional laws requiring consultation. After some discussion, the group expressed general comfort with broadening the language with regard to such laws. A need to further clarify the importance of habitat restoration was also identified. Staff agreed to provide an additional iteration of Objective 1 after the lunch break. In addition, in response to brief NE RPB discussion and general agreement, staff was asked to develop an additional objective to focus on respect for local knowledge, in addition to that of indigenous people.

### **RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: *Healthy Ocean and Coastal Ecosystems***

During this session, the NE RPB resumed discussion of the draft framework, focusing on the draft goal, objectives, and actions related to *Healthy Ocean and Coastal Ecosystems*. To set up the discussion, Mr. Weber and Mr. Napoli referred to slides, which can be found in Appendix E. Mr. Weber explained that the intention behind Objective 1 is to lay the groundwork for future NE RPB decisions regarding the best use of data collected during the characterization effort. He acknowledged that there are still a number of details to resolve collaboratively and with robust public engagement before determining the exact products and how products would be used. Objective 2 resulted directly from public input. Objective 3 reflects the understanding that there will be important science and data gaps that should be prioritized and addressed through a regional ocean science plan.

Mr. Napoli then reviewed a timeline for upcoming activities from January to October 2014. He identified capacity needs related to carrying out Objective 2 and urged the NE RPB to consider ways to fill those needs. He explained that while baseline information is useful, there are also a number of assessments that could be carried out. Staff plans to explore those opportunities further and present a number of options to the NE RPB for consideration. He noted that concern has been expressed about focusing only on static and historical data, and expressed confidence that the NE RPB will have some ability to look into the future as well. Priorities include considering working waterfronts and linking healthy ecosystems and the economy. The need for a technical committee to assist with marine life and habitat assessments was also identified.

Ms. Cantral then turned to the NE RPB for comments and questions. NE RPB members discussed the following:

- An observation was shared that the NE RPB still needs to decide how it will take into account the connections between freshwater and marine waters, and related to that, how

it will consider estuaries and coastal lands.

- A need for additional mapping of the State of Maine near shore waters was noted.
- Implementation of Objective 2 may require taking iterative steps. The North Atlantic Landscape Conservation Cooperative was identified as a potential partner for that effort.
- It was stated that while the oceans and human society are ever-changing, representation of the past and present can still be extremely helpful. Accurate forecasting is challenging and will always have flaws, but is probably worth the effort nonetheless. The economic assessment that is anticipated as part of Objective 1 will be very important, and should be highlighted in the draft framework as a specific action or task.
- It was noted that the USACE has experience with carrying out activities related to Objective 2 and could be reached out to for assistance.
- With regard to resources needed to carry out the activities, it would be helpful to understand what could be done with additional resources so that NE RPB member can assist in pursuing those resources.
- Many experts have been consulted already, but the transparency of those conversations should be improved.
- Establishment of a technical committee was recommended in the [National Ocean Council's Marine Planning Handbook](#),<sup>9</sup> and the technical and stakeholder workshops that are anticipated will be an important step in the right direction. Ms. Nicholson suggested the Co-Leads develop an options paper for enhancing technical expert and stakeholder engagement for NE RPB consideration. The public could be engaged in crafting the options, potentially through webinars.
- Mr. Fugate noted a need to manage expectations about the outcomes of this process. For example, when discussing the potential designation of ecologically valuable areas, the NE RPB is working with existing regulatory authorities and a paucity of data. Better understanding cumulative impacts is a shared ideal that will be challenging to achieve in any situation, but further complicated by climate change and the shifts it is causing in baselines at this moment. Adaptation may be a concept that the NE RPB should focus on going forward.
- It was suggested that additional language be added throughout the document to link the natural and human aspects of the ecosystem, to ensure any reader is clear that the NE RPB sees those aspects as deeply interconnected and is taking those interconnections into account.

---

<sup>9</sup> [http://www.whitehouse.gov/sites/default/files/final\\_marine\\_planning\\_handbook.pdf](http://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf).

## Public Comment About Draft Northeast Regional Ocean Planning Framework and Workplan: *Healthy Ocean and Coastal Ecosystems*

The second public comment session was held at 10:15 am. Ms. Cantral opened the session by noting that the NE RPB welcomed members of the public to speak to any topic they wished during the public comment sessions at this meeting, but encouraged commenters to provide input on the draft framework, focusing in this session on the draft goal, objectives and actions related to *Healthy Ocean and Coastal Ecosystems*.

Twelve people provided comment during this session. Major themes of the comments during this session included:

- Support for the ocean planning process and a request to allow for imperfections in the draft framework in order to move the process forward quickly.
- Support for the goals and objectives under *Healthy Ocean and Coastal Ecosystems*, and several statements calling for this goal to be identified as the overarching goal of the effort.
- Requests that science be made more accessible. Support for establishment of a science and technical committee. The NE RPB was urged to consider local capacity, such as fishing fleets conducting scientific research.
- A request that actions during all timeframes and public engagement opportunities be further clarified.
- A request that the NE RPB be more explicit about its intent and whether that includes development of a regional ocean plan. Support for stating that an ocean plan will be developed, whether it will be spatially explicit, criteria-based, or otherwise.
- Concern that implementation of ocean uses is not listed among the activities that would be engaged in under Objective 1. A request that the terms “marine life and habitats” be replaced with “natural resources,” and that the economic analysis include all current and potential future ocean uses and benefits they may provide.
- A recommendation to identify important ecological areas as a result of this goal and to deploy systems thinking. A specific suggestion was made to include bays, estuaries, and tidal rivers in the characterization work under Objective 1.
- A reminder about the importance of working waterfronts, and a recommendation to understand the region’s investments and policies regarding working waterfronts and how those could be improved. A suggestion was made to carry out an assessment of community dependence on ocean resources that takes into account economic dependence and other social indicators. Include culture as part of the baseline assessment under this goal, taking into account both tribal and other communities, such as fishing communities.
- A suggestion to use the ocean planning process to foster increased dialogue among user groups, facilitated and observed by the NE RPB, which can help build connections among traditional and new ocean users. An activity should be added to the draft framework that identifies criteria for why specific areas are valuable to different users

and use that information to identify current and future interest areas.

- Appreciation to the NE RPB for hearing and being responsive to a number of public comments.
- Concern that ocean acidification be taken into account soon, starting with identifying the science needed to better understand and address the issue.
- Support for prioritizing sustainable ocean uses, such as low impact recreational uses, over those that are unsustainable. Recreational users can also help disseminate information about ocean planning and provide important data. Regarding data, the data collection timeframe proposed in the draft framework proposes to engage recreational users at the wrong time of year; they are easier to identify and reach in the summer.

### **RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: *Healthy Ocean and Coastal Ecosystems* (continued)**

After hearing public comment, the NE RPB resumed its discussion of the draft framework, focusing on refinements needed to the draft goal, objectives, and actions related to *Healthy Ocean and Coastal Ecosystems*. The objectives of this session were to:

- Reflect on public input provided to date
- Identify refinements and approve the goal and objectives related to *Healthy Ocean and Coastal Ecosystems*
- Identify refinements and next steps for draft actions that will be implemented to achieve the goal and objectives

NE RPB members sought clarity from staff about how specific public comments have been addressed to date. Mr. Weber explained that the original language related to “natural resources” could easily be restored and that for a specific task under Objective 1 the qualifier “where possible” could be included because scientific experts first need to be engaged to identify what is possible. In addition, several members called for more explicit language in the draft framework to capture the intent of the NE RPB to shift toward a more integrated, ecosystem-based approach to ocean management. Support was expressed for the meeting format in which public comment sessions on specific topics occur in the middle of NE RPB discussion of those topics, noting that several points made during public comment were helpful to consider at this time.

A point was made about the need to consider economic trends that are beyond the control of this region or NE RPB member entities. A suggestion was made to assess the current gaps in the management structure and consider using an approach to gathering local input that is modeled after the conservation districts managed by the U.S. Department of Agriculture.

In response to a question, Mr. Napoli explained that members of the public have various mechanisms for informing the NE RPB and data portal teams that they have important data to share, including submitting comments through the website.

A reflection was shared about public comments asking the NE RPB to identify areas of significant ecological value. Ecosystems are entering a period of significant change, which makes identifying those areas even more challenging. It was also noted that drivers of change need to be accounted for, in addition to specific areas of importance. It would be important to understand how the characteristics of specific areas will change as factors such as temperature, currents, acidity, and species migrations change. Perhaps dividing the characterization work into smaller geographic areas would make the task more manageable. Including bays and estuaries seems logical, but at this point the effort needs to be kept manageable. Regardless, understanding the final utility of the exercise will be important, since many decision making systems will drive agencies' own assessments of what is valuable for carrying out their mandates.

A suggestion was made clarify that the various actions and outcomes in the draft framework eventually become the components of a plan. It was also reiterated that creation of a science and technical committee may not be as effective or efficient as simply reaching out to experts from specific disciplines as their expertise is needed. An idea was offered to ask organizations and individuals who wish to offer their expertise to self-organize. The NE RPB could then enter into memoranda of understanding or other mechanisms to clarify that those self-organized groups of stakeholders are serving in some capacity to the NE RPB. Another idea was offered to create a scientific body that specializes in the use of science in policy, decision support, and policy analysis, rather than trying to capture every possible discipline that would be needed.

Staff was called on to develop a set of options for meeting both stakeholder and scientific advisory functions, identify pros and cons to each option, and offer that to the NE RPB for consideration. That should include information about the types of expertise needed by the NE RPB, time commitments for the individuals who would be asked to participate, resources needed to support the groups, how members would be selected, and federal laws that may be applicable. The importance of finding ways to ensure openness to the public and transparency as the NE RPB is weighing the options identified in the paper was emphasized. This prompted acknowledgement that transparency about the work underway between in-person NE RPB meetings should be improved.

Ms. Cantral then asked the NE RPB to confirm its approval for moving forward with the goal and objectives related to *Healthy Ocean and Coastal Ecosystems*, acknowledging that the associated actions and tasks would be refined over time. The group then provided consensus approval.



## **Update on Activities Related to Offshore Wind Energy Development and Discussion about Relationship with Regional Ocean Planning**

During this session, representatives from the U.S. Department of Energy (DOE), BOEM and the NE RPB provided an update on recent and upcoming activity related to development of offshore wind energy in New England. This was followed by discussion of opportunities for the NE RPB to inform and coordinate with these activities and demonstrate how regional ocean planning can lead to improved governance of ocean space and resources.

Megan Massaua provided a presentation on behalf of Patrick Gilman of DOE, referring to slides that can be found in Appendix G. Mr. Gilman participated by telephone. The purpose of the presentation was to describe the role of DOE in offshore wind power development in the United States. During the presentation, Ms. Massaua explained the role of various DOE programs, the policy context for offshore wind development in the Northeast, and the significant offshore wind opportunities available in the region and described DOE's role as being focused on key investments in research and development, rather than as a regulatory agency. She provided specific examples of DOE supported offshore wind demonstration projects that are underway and other focus areas for accelerating the industry, including environmental research, resource assessment, complimentary infrastructure, and market research. DOE has also developed a number of resources for decision makers and planners, including reports, tools, and facilitation of discussions among industry leaders to envision the future of the industry and identify the conditions necessary to achieve that vision.

Bob LaBelle then provided a presentation on behalf of Maureen Bornholdt from BOEM. He was joined by telephone by Jessica Stromberg, also of BOEM. Mr. LaBelle referred to slides which can be found in Appendix H. The purpose of his presentation was to provide an update on BOEM activities with regard to offshore wind power development. He described the BOEM role generally and then explained the four steps of the offshore wind authorization process: planning and analysis, leasing, site assessment, and construction and operations. Five lease auctions have been held in the Northeast and Mid-Atlantic regions to date. A lease gives the developer the right to submit plans to BOEM for review and approval for site assessment and subsequent development. Once a lease is awarded, the lessee conducts surveys to characterize the wind resource. If they intend to install a tower or buoy, a Site Assessment Plan must be submitted. During the commercial development phase, which must begin within five years of the lease, the lessee submits a Construction and Operations Plan with details of the proposed project. BOEM conducts reviews and, if approved, the operations term is typically 25 years.

Ms. Cantral then turned to the NE RPB for discussion. Discussion began with appreciation to BOEM for having reached out to other federal agencies, states, and local officials in a meaningful way, which serves as a helpful model for this broader planning process. A limitation has been the intergovernmental nature of the BOEM task forces, yet BOEM has accommodated the need to engage stakeholders as well, including creation of fisheries and habitat working groups.

In response to questions, Ms. Massaua explained that DOE is not currently assessing the regulatory system and identifying improvements to it, rather is in investing in research that can help regulators make decisions. In addition, DOE is not able to assess cumulative impacts for build out of transmission capability because the United States does not yet have commercial scale facilities. Some information could be gleaned from Europe, but Europe is only beginning to consider this question as well. Mr. Gilman added that DOE has launched processes to transfer knowledge between the United States and Europe. Mr. Fugate added that the United Kingdom in particular offers lessons to be learned: that nation has moved forward with an ocean planning approach because initial efforts to establish wind power, which did not use such an approach, were problematic. A major difference is that the United Kingdom's ocean planning efforts are well funded.

The importance of understanding impacts on the ocean ecosystem from electro-magnetic fields around transmission lines, noise, and other potential impacts was noted. Many of these impacts are currently being studied by BOEM. A need to better coordinate stakeholder outreach by agencies and developers was flagged.

Mr. Fugate urged the NE RPB to consider how it can interface with existing proposed projects in offshore wind lease areas as soon as possible. Two areas in particular could be opportunities for fostering a more robust system for evaluating these large-scale projects: providing expertise related to fisheries and tribes. Mr. Nicholson added that NOAA is very supportive of this idea and noted that the draft framework includes activities to ensure the data portal is used as context for BOEM during its processes and for stakeholder engagement efforts.

### **RPB Discussion of Draft Regional Ocean Planning Framework and Workplan: Effective Decision Making (continued)**

Before turning to the goal *Compatibility Among Past, Current, and Future Ocean Uses*, as noted in the meeting agenda, Ms. Cantral explained that staff was ready to provide a next iteration of certain concepts related to the goal *Effective Decision Making*, based on prior discussion. Those edits were presented and can be found in Appendix I. In response to these edits, a few minor additional refinements were offered: requests to staff to clarify what is meant by "community" and articulate a closer connection to ocean resources. Ms. Cantral then asked the NE RPB to confirm its approval for moving forward with the goal and objectives related to *Effective Decision Making*, acknowledging that the associated actions and task would be refined over time. The group provided consensus approval.



### **RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: *Compatibility Among Past, Current, and Future Ocean Uses***

Mr. Cantral invited staff to introduce discussion about the draft goal, objectives, and actions related to *Compatibility Among Past, Current, and Future Ocean Uses*. Mr. Weber referred to slides, which can be found in Appendix E. He emphasized that project specific information will be needed to answer many of the questions posed in the draft framework about this goal. He acknowledged a widespread desire for more clarity about this goal. Objective 1 was developed in response to public comments that focused on a need to understand future scenarios and trends, and not rely solely on data that looks backward in time. Achieving this objective will be challenging, so the actions focus on developing options for NE RPB consideration. Mr. Napoli noted that federal and state capacity will be needed to achieve Objective 2, in order to ensure appropriate information is taken into account in the process.

### **Public Comment About Draft Northeast Regional Ocean Planning Framework and Workplan: *Compatibility Among Past, Current, and Future Ocean Uses***

The third and final public comment session was held at 2:45 pm. Ms. Cantral noted that the NE RPB welcomed members of the public to speak to any topic they wished during the public comment sessions at this meeting, but encouraged commenters to provide input on the draft framework, focusing in this session on the draft goal, objectives and actions related to *Compatibility Among Past, Current, and Future Ocean Uses*.

Seven people provided comment during this session. Major themes of the comments during this session included:

- Support for the process and acknowledgement of the hard work underway.
- Concern that the objectives and tasks seem to address identification and mapping of human uses and the NE RPB should consider adding actions that would also identify, assess, and promote potential compatibilities among uses, along with compatibilities with conservation of marine resources. A request was made to consider activities in Long Island Sound and adjacent coastal waters.
- A request that the NE RPB remember that some communities whose economies have changed are eager to embrace new opportunities, like wind power, and are willing to work with managers and think creatively.
- A request to establish a more regular and fully developed process for public engagement, including a regular schedule of meetings, consistent timeframes for public comment, and articulation of the outcomes of NE RPB deliberations. A call to establish both a regional stakeholder and science advisory panel was reiterated.
- A recommendation to include all existing and future potential ocean uses in any assessments that are conducted.
- A suggestion to create a workgroup focused on systems thinking.
- A suggestion to work on a sub-regional basis.
- A request to better understand how different users interact, consequences of those

interactions, and how negative consequences can be mitigated and managed so that existing uses are protected while enabling new uses. Also, a request to develop best management practices to promote compatibility among uses, broadly speaking in a manner that would be applicable for a wide range of project review processes.

- A request that, with regard to the overarching objective that appears in the draft framework after this goal, the timeframes for review should be clarified and language in a prior draft emphasizing that such reviews be periodic and routine should be re-inserted.
- Offers were made to assist in disseminating information about ocean planning, serve as a venue for a meeting, and explain ocean planning to the general public. Offers of software and other decision support tools that can be helpful to the process were provided.

### **RPB Discussion of Draft Northeast Regional Ocean Planning Framework and Workplan: *Compatibility Among Past, Current, and Future Ocean Uses* (continued)**

After hearing public comment, the NE RPB resumed its discussion of the draft framework, focusing on refinements needed to the draft goal, objectives, and actions related to *Compatibility Among Past, Current, and Future Ocean Uses*. The objectives of this session were to:

- Reflect on public input provided to date
- Identify refinements and approve the goal and objectives related to *Compatibility Among Past, Current, and Future Ocean Uses*
- Identify refinements and next steps for draft actions that will be implemented to achieve the goal and objectives

Mr. Fugate noted that the actions related to sand and gravel should reflect that a subgroup exists to focus on the issues in New England and New York. Ms. Nicholson noted a need to connect this goal to compatibility with the ecosystem, further clarify the connections between goals, and to prioritize data gaps to carry out this work in the regional science plan. A suggestion was made to identify what exactly characterizes good compatibility, based on experience and other input.

The group acknowledged the technological and other challenges to achieving this goal, and emphasized the importance of accounting for the past and present when looking into the future. A small number of specific wording edits were suggested to staff.

Ms. Cantral then asked the NE RPB to confirm its approval for moving forward with the goal and objectives related to *Compatibility Among Past, Current, and Future Ocean Uses*, acknowledging that the associated actions and task would be refined over time. The group provided consensus approval.

## Summary of Meeting Outcomes and Review of Next Steps

Ms. Cantral summarized the outcomes of the meeting, noting that the NE RPB had met its meeting objectives by offering refinements in a number of areas and then approving the goals and objectives in the draft framework. Next steps include planning for workshops to engage stakeholders and technical experts, in conjunction with a next NE RPB meeting in June 2014. An options paper will be developed by staff to support a decision by the NE RPB regarding establishment of regional stakeholder and technical advisory bodies. A next iteration of the framework, which reflects refinements made at the meeting is posted at the NE RPB website [here](#)<sup>10</sup>.

## Closing remarks

Mr. Fugate, Mr. Getchell, and Ms. Nicholson offered brief closing remarks.

Ms. Cantral adjourned the meeting.

---

<sup>10</sup> <http://neoplan.org/wp-content/uploads/2014/02/NE-Regional-Ocean-Planning-Framework-February-2014.pdf>

# Northeast Regional Planning Body Meeting

## Participant List

*January 22-23, 2014 • Hyatt Regency Cambridge, Cambridge, Massachusetts*

---

### Regional Planning Body Members/Alternates

#### Federal Agencies

**Mel Côté**

Acting Chief, Surface Water Branch  
Region 1, Office of Ecosystem Protection,  
Ocean and Coastal Protection Unit  
U.S. Environmental Protection Agency  
e-mail: Cote.Mel@epamail.epa.gov

**Jeffrey Flumignan**

Director, North Atlantic Gateway  
Maritime Administration  
U.S. Department of Transportation  
e-mail: jeffrey.flumignan@dot.gov

**Dan Hubbard**

Maritime Energy Program Specialist, First  
District  
U.S. Coast Guard  
e-mail: daniel.l.hubbard@uscg.mil

**Bob LaBelle**

Science Advisor  
Bureau of Ocean and Energy Management  
U.S. Department of the Interior  
e-mail: Robert.LaBelle@boem.gov

**Megan Massaua**

Marine Science and Policy Specialist  
U.S. Department of Energy  
e-mail : meghan.massaua@ee.doe.gov

**Barbara Miller**

Assistant State Conservationist for  
Programs, State Resource Conservationist  
Natural Resources Conservation Service  
U.S. Department of Agriculture  
e-mail: barbara.miller@ma.usda.gov

**Betsy Nicholson**

Federal Co-Lead  
National Ocean Service  
National Oceanic and Atmospheric  
Administration  
e-mail: betsy.nicholson@noaa.gov

**Christopher Tompsett**

Environmental Review Board Coordinator  
Naval Undersea Warfare Center Division  
U.S. Navy  
e-mail: christopher.tompsett@navy.mil

#### New England Fishery Management Council

**Douglas Grout**

Chief of Marine Fisheries  
Fish and Game Department, Marine  
Fisheries Division  
State of New Hampshire  
e-mail: Douglas.Grout@wildlife.nh.gov

**States****Robert Ballou (alternate)**

Assistant to the Director  
Department of Environmental Management  
State of Rhode Island  
e-mail: robert.ballou@dem.ri.gov

**Thomas Burack**

Commissioner  
Department of Environmental Services  
State of New Hampshire  
e-mail: thomas.burack@des.nh.gov

**Bruce Carlisle**

Director  
Executive Office of Energy and  
Environmental Affairs/Massachusetts  
Coastal Zone Management  
State of Massachusetts  
e-mail: bruce.carlisle@state.ma.us

**Ames Colt**

Coordination Team Chair, Rhode Island  
Bays, Rivers, and Watersheds Coordination  
Team  
Department of Environmental Management  
State of Rhode Island  
e-mail : ames.colt@dem.ri.gov

**Paul Diodati**

Director, Department of Fish and  
Game/Division of Marine Fisheries  
State of Massachusetts  
e-mail : paul.diodati@state.ma.us

**Grover Fugate**

Executive Director (State Co-Lead)  
Coastal Resources Management Council  
State of Rhode Island  
e-mail: gfugate@crmc.ri.gov

**Kathleen Leyden (alternate)**

Director, Maine Coastal Program  
Department of Agriculture, Conservation  
and Forestry  
State of Maine  
e-mail: kathleen.leyden@maine.gov

**Meredith Mendelson (alternate)**

Deputy Commissioner  
Department of Marine Resources  
State of Maine  
e-mail: meredith.mendelson@maine.gov

**Cheri Patterson (alternate)**

Supervisor, Marine Resources Program  
Fish and Game Commission  
State of New Hampshire  
e-mail: cheri.patterson@wildlife.nh.gov

**Brian Thompson**

Director, Office of Long Island Sound  
Programs  
Department of Environmental Protection  
State of Connecticut  
e-mail: Brian.Thompson@ct.gov;  
brian.thompson@po.state.ct.us

**Susan Whalen**

Deputy Commissioner  
Department of Energy and Environmental  
Protection  
State of Connecticut  
e-mail: Susan.Whalen@ct.gov

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

---

**Tribal****Vera Francis**

Community Planner  
Passamaquoddy Tribe - Pleasant Point  
Reservation  
e-mail: verafrancis13@gmail.com

**Richard Getchell**

Tribal Co-Lead/Former Tribal Chief,  
Aroostook Band of Micmacs  
All Nations Consulting  
e-mail: rgetchell@allnationsconsulting.us

**Chuckie Green**

Natural Resources Assistant Director  
Mashpee Wampanoag Tribal Council  
e-mail: cgreen1@mwtribe.com

**Jonathan Perry (alternate)**

Councilman  
Wampanoag Tribe of Gay Head (Aquinnah)  
e-mail: jonathan@wampanoagtribe.net

**Sharri Venno**

Environmental Planner  
Houlton Band of Maliseet Indians  
e-mail: envplanner@maliseets.com

---

**Public Participants****Kenneth Agabian**

Communications Manager  
Thanks But No Tank  
e-mail: ken.tbnt@gmail.com

**Nick Battista**

Marine Programs Director  
Island Institute  
e-mail: nbattista@islandinstitute.org

**Edward Anthes-Washburn**

Deputy Port Director  
Port of New Bedford  
e-mail: Edward.Anthes-  
Washburn@newbedford-ma.gov

**Christopher Boelke**

Northeast Regional Office  
National Oceanic and Atmospheric  
Administration  
e-mail: christopher.boelke@noaa.gov

**Deerin Babb-Brott**

Senior Partner  
Sea Plan  
e-mail: dbabb-brott@seaplan.org

**Marcia Bowen**

Vice President  
Normandeau Associates  
e-mail: mbowen@normandeau.com

**Maureen Bornholdt**

Program Manager  
Bureau of Ocean Energy Management  
e-mail: maureen.bornholdt@boem.gov

**Catherine Bowes**

National Wildlife Federation  
e-mail: bowes@nwf.org

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

**Priscilla Brooks**

Vice President and Director  
Conservation Law Foundation  
e-mail: pbrooks@clf.org

**Brendan Bushe**

Intern  
MSI  
e-mail: bbushe50@gmail.com

**Emily Chandler**

Program Manager/Research Scientist  
UMass Amherst  
e-mail: echandler@eco.umass.edu

**Don Chapman**

Tribal Liaison  
National Ocean Council/U.S. Institute for  
Environmental Conflict Resolution  
e-mail: don.chapman1@verizon.net

**Changsheng Chen**

University of Massachusetts Dartmouth  
e-mail: c1chen@umassd.edu

**Cheryl Chisholm**

Secretary  
Massachusetts Boating & Yacht Clubs  
Association, Inc.  
e-mail: etchisholm@yahoo.com

**Edward Chisholm**

Secretary  
Massachusetts Boating & Yacht Clubs  
Association, Inc.  
e-mail: etchisholm@yahoo.com

**Keith Cialino**

Northeast Marine Debris Coordinator  
National Oceanic and Atmospheric  
Administration  
e-mail: keith.cialino@noaa.gov

**Giancarlo Cicchetti**

Narragansett Lab  
U.S. Environmental Protection Agency  
e-mail: cicchetti.giancarlo@epa.gov

**Caitlin Cleaver**

Policy Coordinator  
Island Institute  
e-mail: ccleaver@islandinstitute.org

**Chantal Collier**

The Nature Conservancy  
e-mail: ccollier@tnc.org

**Sean Cosgrove**

Ocean Campaign Director  
Conservation Law Foundation  
e-mail: scosgrove@clf.org

**Mike Crowe**

Fishermen's Voice  
e-mail: fishvoice@gwi.net

**Rip Cunningham**

Chair  
New England Fishery Management Council  
e-mail: ripcham@gmail.com

**Stewart Dalzell**

Deputy Director, Environmental Planning  
and Permitting  
Massachusetts Port Authority  
e-mail: sdalzell@massport.com

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

**Michele DesAutels**

Coastal Marine Spatial Planning Specialist  
U.S. Coast Guard  
e-mail: michele.e.desautels@uscg.mil

**Ted Diers**

Watershed Management Bureau  
Administrator  
Department of Environmental Services  
State of New Hampshire  
e-mail: ted.diers@des.nh.gov

**David Dow**

Treasurer  
Sierra Club, Marine Action Team  
e-mail: ddow420@comcast.net

**Margaret Kaigh Doyle**

Vice President, Development  
Maritime Simulation Institute  
e-mail: margaret.doyle@marsim.org

**John Duff**

University of Massachusetts Boston  
e-mail: john.duff@umb.edu

**Michael Ernst**

Director, Regulatory Affairs  
Tetra Tech  
e-mail: michael.ernst@tetrattech.com

**Susan Farady**

Director  
Rhode Island Sea Grant  
Roger Williams University  
e-mail: sfarady@rwu.edu

**Jennifer Felt**

Manager, Ocean Planning Outreach  
Conservation Law Foundation  
e-mail: jfelt@clf.org

**Ona Ferguson**

Senior Associate  
Consensus Building Institute  
e-mail: oferguson@cbuilding.org

**Kathryn Ford**

Habitat Specialist  
Division of Marine Fisheries  
State of Maine  
e-mail: kathryn.ford@state.ma.us

**Nathan Frohling**

Director, Connecticut Coastal and Marine  
Initiatives  
The Nature Conservancy  
e-mail: nfrohling@tnc.org

**Melissa Gates**

Northeast Regional Coordinator  
Surfrider Foundation  
e-mail: mgates@surfrider.org

**Brent Greenfield**

Executive Director  
National Ocean Policy Coalition  
e-mail: brent.greenfield@oceanpolicy.com

**Robert Griffin**

Economist  
Natural Capital Project  
e-mail: rmgriff@stanford.edu

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).



**Carla Guenther**

Fisheries Science & Leadership Advisor  
Penobscot East Resource Center  
e-mail: [carla@penobscoteast.org](mailto:carla@penobscoteast.org)

**Madeline Hall-Arber**

Massachusetts Institute of Technology  
e-mail: [arber@mit.edu](mailto:arber@mit.edu)

**Andrew Hammond**

Executive Director  
Boston Harbor Pilots Association  
e-mail: [andyebmv@icloud.com](mailto:andyebmv@icloud.com)

**Jennifer Helmick**

Vice President  
ERG  
e-mail: [jenny.helmick@erg.com](mailto:jenny.helmick@erg.com)

**Amber Hewett**

Northeast Climate Program Assistant  
National Wildlife Federation  
e-mail: [hewetta@nwf.org](mailto:hewetta@nwf.org)

**Kirsten Howard**

NOAA Coastal Management Fellow  
New Hampshire Department of  
Environmental Services  
e-mail: [kirsten.howard@des.nh.gov](mailto:kirsten.howard@des.nh.gov)

**Tristan Israel**

Commissioner  
Dukes County  
e-mail: [tristan.r@verizon.net](mailto:tristan.r@verizon.net)

**Regen Jamieson**

Conservation Programs Manager  
New England Aquarium  
e-mail: [rjamieson@neaq.org](mailto:rjamieson@neaq.org)

**Meghan Jeans**

Director, Fisheries and Aquaculture  
Programs  
New England Aquarium  
e-mail: [mjeans@neaq.org](mailto:mjeans@neaq.org)

**Robin Just**

Ocean Program Communications  
Conservation Law Foundation  
e-mail: [RJust@clf.org](mailto:RJust@clf.org)

**Aileen Kenney**

Vice President of Permitting and  
Environmental Affairs  
Deepwater Wind, LLC  
e-mail: [akenney@dwwind.com](mailto:akenney@dwwind.com)

**Kevin Kotelly**

Regulatory Branch Representative  
U.S. Army Corps of Engineers  
e-mail: [kevin.r.kotelly@usace.army.mil](mailto:kevin.r.kotelly@usace.army.mil)

**Mary Krueger**

National Park Service  
e-mail: [mary\\_c\\_krueger@nps.gov](mailto:mary_c_krueger@nps.gov)

**George LaPointe**

Principal  
George LaPointe Consulting  
e-mail: [georgelapointe@gmail.com](mailto:georgelapointe@gmail.com)

**Anna-Maria Laura**

Office of Senator Sheldon Whitehouse  
e-mail:  
[annamarie\\_Laura@whitehouse.senate.gov](mailto:annamarie_Laura@whitehouse.senate.gov)

**Andrew Lipsky**

Director of Science and Policy  
SeaPlan  
e-mail: [alipsky@seaplan.org](mailto:alipsky@seaplan.org)

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

**Kate Longley**

Sea Plan

e-mail: [klongley@seaplan.org](mailto:klongley@seaplan.org)**Wendy Lull**

President

Seacoast Science Center

e-mail: [w.lull@seacentr.org](mailto:w.lull@seacentr.org)**Molly Lutcavage**

Director

Large Pelagics Research Center

UMass Amherst

e-mail: [mlutcavage@eco.umass.edu](mailto:mlutcavage@eco.umass.edu)**Regina Lyons**

Biologist, Region 1

U.S. Environmental Protection Agency

e-mail: [lyons.regina@epamail.epa.gov](mailto:lyons.regina@epamail.epa.gov)**Daniel Martin**

Contractor

National Oceanic and Atmospheric  
Administratione-mail: [daniel.martin@noaa.gov](mailto:daniel.martin@noaa.gov)**Meghan Massaua**

Marine Science and Policy Specialist

U.S. Department of Energy

e-mail: [meghan.massaua@ee.doe.gov](mailto:meghan.massaua@ee.doe.gov)**Martin McCabe**

Captain

Boston Pilots

e-mail: [mmccabe@bostonpilots.com](mailto:mmccabe@bostonpilots.com)**Jen McCann**

U.S. Coastal Program

University of Rhode Island

e-mail: [mccann@crc.uri.edu](mailto:mccann@crc.uri.edu)**Will McClintock**

SeaSketch Director

University of California Santa Barbara

e-mail: [will@ucsb.edu](mailto:will@ucsb.edu)**Sally McGee**

Northeast Marine Program Director

The Nature Conservancy

e-mail: [smcgee@tnc.org](mailto:smcgee@tnc.org)**Leslie-Ann McGee**

Director of Programs

World Ocean Council

e-mail: [la.mcgee@oceancouncil.org](mailto:la.mcgee@oceancouncil.org)**Christopher McGuire**

Marine Program Director

The Nature Conservancy

e-mail: [cmcguire@tnc.org](mailto:cmcguire@tnc.org)**Maggie Merrill**

Marine Marketing Services

e-mail: [maggiemerrill@gmail.com](mailto:maggiemerrill@gmail.com)**Rob Moir**

Director

Ocean River Institute

e-mail: [rob@oceanriver.org](mailto:rob@oceanriver.org)**James Monroe**

President

Blue Water Dynamos

e-mail: [jcmonroe@maine.rr.com](mailto:jcmonroe@maine.rr.com)**Ru Morrison**

Executive Director

Northeast Regional Association of Coast  
and Oceans Observing Systemse-mail: [Ru.Morrison@neracoos.org](mailto:Ru.Morrison@neracoos.org)

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

**John Moskal**

U.S. Environmental Protection Agency  
e-mail: Moskal.John@epa.gov  
Stephanie Moura  
Executive Director  
SeaPlan  
e-mail: smoura@seaplan.org

**Thomas Murphy**

Captain  
e-mail: ships3408@gmail.com

**Richard Nelson**

Owner  
Lobster Fisheries  
e-mail: fvpescadero@yahoo.com

**Valerie Nelson**

Water Alliance  
e-mail: valerie.i.nelson@gmail.com

**Eric Nestler**

Senior Scientist  
Normandeau Associates, Inc.  
e-mail: 603-637-1146

**Matthew Nixon**

Assistant Program Manager  
Maine Coastal Program  
e-mail: matthew.e.nixon@maine.gov

**Emily Norton**

Coastal Program  
State of Maine  
e-mail: emily.norton@maine.gov

**Arleen O'Donnell**

Vice President  
ERG  
e-mail: arleen.odonell@erg.com

**Erik Olsen**

Institute for Marine Research  
e-mail: erik.olsen@imr.no

**John Pappalardo**

Chief Executive Officer  
Cape Cod Commercial Hook Fishermen's  
Association  
e-mail: johnp@ccchfa.org

**Doug Pfeister**

Interim President  
Offshore Wind Development Coalition  
e-mail: doug@offshorewinddc.org

**Joyce Rowley**

Contributing Writer  
Commercial Fisheries News  
e-mail: prov52jr@yahoo.com

**Rich Ruais**

ABTA  
e-mail: rruais@aol.com

**Emily Shumchenia**

Contractor  
Northeast Regional Ocean Council  
e-mail: emily.shumchenia@gmail.com

**Pete Stauffer**

Ocean Program Manager  
Surfrider Foundation  
e-mail: pstauffer@surfrider.org

**Jessica Stromberg**

Renewable Energy Program Specialist  
Bureau of Ocean Energy Management  
e-mail: jessica.stromberg@boem.gov

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

**Katarina Svabcikova**

Business Development Specialist  
Siemens  
e-mail: Katarina.svabcikova@siemens.com

**Timothy Timmermann**

Associate Director  
Office of Environmental Review  
U.S. Environmental Protection Agency  
e-mail: timmermann.timothy@epa.gov

**Elissa Tonkin**

Director of Regional Mediation and  
Facilitation Program  
U.S. Environmental Protection Agency  
e-mail: tonkin.elissa@epa.gov

**Danielle Turek**

University of Rhode Island  
e-mail: danielle\_turek@my.uri.edu

**Prassede Vella**

Ocean Management Analyst  
State of Massachusetts, Coastal Zone  
Management  
e-mail: prassede.vella@state.ma.us

**Bettina Washington**

Senior Tribal Cultural Resource Monitor  
Wampanoag Tribe of Gay Head (Aquinnah)  
of Massachusetts  
e-mail: bettina@wampanoagtribe.net

**Katherine Weaver**

Regional GIS Analyst  
The Nature Conservancy  
e-mail: kweaver@tnc.org

**Bradley Wellock**

Captain  
Massachusetts Port Authority  
e-mail: bwellock@massport.com

**Nicholas Welz**

Senior Marine Scientist  
Tetra Tech Inc.  
e-mail: nick.welz@tetrattech.com

**Scott White**

Chief, Waterways Management  
U.S. Coast Guard  
e-mail: scott.c.white@uscg.mil

**Sandra Whitehouse**

Consultant  
Ocean Conservancy  
e-mail: swhitehouse@oceanconservancy.org

**John Williamson**

Sea Keeper LLC  
e-mail: john@seakeeper.org

**Christian Williamson**

Acting Program Manager  
Coastal Program  
State of New Hampshire  
e-mail: christian.williams@des.nh.gov

**Paul Williamson**

Director  
Maine Ocean & Wind Industry Initiative  
e-mail: pw@mainewindindustry.com

**Katie Willis**

Core volunteer  
Massachusetts Chapter  
Surfrider Foundation  
e-mail: Katiekwm@gmail.com

\* If you are not included on the participant list and would like to be included in the published version of the participant list, please send your contact information to Shawn Walker at email [shawnwalker@merid.org](mailto:shawnwalker@merid.org).

---

**Julia Wyman**

Staff Attorney  
Rhode Island Sea Grant  
Roger Williams University  
e-mail: [jwyman@rwu.edu](mailto:jwyman@rwu.edu)

---

**Support Staff**

**Laura Cantral**

Partner  
Meridian Institute  
e-mail: [lcantrel@merid.org](mailto:lcantrel@merid.org)

**Ingrid Irigoyen**

Mediator and Program Manager  
Meridian Institute  
e-mail: [irigoyen@merid.org](mailto:irigoyen@merid.org)

**Katie Lund**

Northeast Ocean Council  
e-mail: [klund@northeastoceancouncil.org](mailto:klund@northeastoceancouncil.org)

**Tim Mullin**

Project Associate  
Meridian Institute  
e-mail: [tmullin@merid.org](mailto:tmullin@merid.org)

**Nick Napoli**

Ocean Planning Project Director  
Northeast Regional Ocean Council  
e-mail: [nnapoli@northeastoceancouncil.org](mailto:nnapoli@northeastoceancouncil.org)

**Shawn Walker**

Senior Project Coordinator  
Meridian Institute  
e-mail: [shawnwalker@merid.org](mailto:shawnwalker@merid.org)

**John Weber**

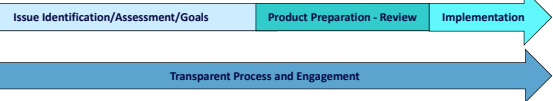
Ocean Planning Director  
Northeast Regional Ocean Council  
e-mail: [jweber@northeastoceancouncil.org](mailto:jweber@northeastoceancouncil.org)

## Appendix B Northeast Regional Planning Body Meeting

January 22-23, 2014  
Cambridge, Massachusetts



## Ocean Planning in the Northeast Timeline 2012-2015



### Phase 1: 2012-2013

- Regional Planning Body convenes
- Industry/NGO/public engagement and workshops
- Data acquisition, work group review, tool development
- Principles, goals, objectives, and scope defined

### Phase 2: 2013-2014

- Technical committee(s) stemming from goals
- Data analysis
- Capacity assessment
- Work plan refined/implemented
- Product development and public review

### Phase 3: 2014-2015

- Products and outcomes submitted to NOC
- Implementation with:
  - ✓ Regulatory efficiencies
  - ✓ Greater predictability
  - ✓ Stakeholders engaged
  - ✓ Integrated data access
  - ✓ Ecosystem based mgt
- Evaluation and monitoring

## Operational Updates

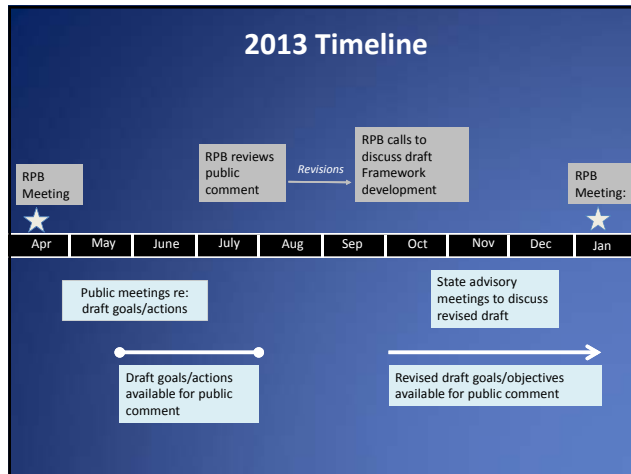
- Continued bi-weekly co-lead calls
- Use of RPB “work session” calls
- Establishment of RPB work groups
- Signed Charter
- Ex-officio members identified



## Operational Updates - Tribes

- Tribal Outreach Coordinator Role
  - Increase engagement with tribal members
  - Participate in work groups/tasks to achieve priorities
  - Support travel/participation at meetings & workshops
- Pre-RPB meeting gathering
- Target existing communication/meetings (e.g. EPA calls and Environmental Summit)





### Communications and Engagement

- Draft Framework outlines strategy
- Upcoming (2014) examples:
  - New regional ocean planning website, fact sheets, social media (*website demo in meeting lobby*)
  - Continued project specific engagement
  - Continued data portal development (*demo in lobby*)
  - Spring workshops for topic specific input
  - Technical expert involvement
  - Fall public meetings and workshops for feedback on progress under each goal

**OCEAN PLANNING**  
IN THE NORTHEAST

## **Appendix C**

# **Northeast Regional Planning Body Framework and Workplan**





## Contents

Section 1: Introduction .....	1
Background .....	1
Development of the Draft Framework for Regional Ocean Planning in the Northeast .....	2
Framework Elements.....	3
NE RPB Milestones .....	4
Section 2: Communications and Public Engagement .....	5
Formal NE RPB input and Participation.....	6
NE RPB Meetings.....	6
Other Public Meetings Held Throughout the Region.....	6
State Advisory Groups .....	7
Online Comment Submission .....	7
Other Communications Tools .....	7
Project Specific Engagement.....	8
General Engagement Opportunities through Existing Meetings and Publications .....	9
Section 3: Goals, Objectives and Actions .....	10
Goal: Effective Decision-making.....	10
Objective 1. Enhance Inter-Agency Coordination.....	10
Objective 2. Implement Specific Actions to Enhance Informed Public Input in Decision-making.....	13
Objective 3. Incorporate Maps and Other Products into Existing Agency Decision-making Processes.....	14
Objective 4. Improve Respect for the Customs and Traditions of Indigenous Peoples in Decision-making Processes.....	17

Goal: Healthy Ocean and Coastal Systems .....	18
Objective 1. Characterize the Region’s Ecosystem, Economy and Cultural Resources .....	18
Objective 2. Identify and Support Existing Non-regulatory Opportunities to Work Toward Conserving, Restoring, and Maintaining Healthy Ecosystems .....	23
Objective 3. Produce a Regional Ocean Science Plan that Prioritizes Ocean Science and Data Needs for the Region for the Next Five Years.....	24
Goal: Compatibility Among Past, Current and Future Ocean Uses.....	25
Objective 1. Increase Understanding of Past, Current and Future Ocean Uses.....	25
Objective 2. Ensure Regional Issues are Incorporated in Ongoing Efforts to Assess New and Existing Human Activities.....	27
Overarching Objective (Applies to All Goals): Periodically Assess Progress Toward Achieving Regional Ocean Planning Goals.....	28

---

## Section 1: Introduction

This document provides the overall framework for ocean planning in the Northeast United States. Its intent is to provide details on the overall approach and work of the Northeast Regional Planning Body (NE RPB), the formal entity charged with developing the regional ocean plan for the Northeast pursuant to the National Ocean Policy as described below.

### Background

The health of the ocean and livelihoods that depend on it are vitally important to New England residents, visitors, and businesses. In 2009, ocean-related economic activity totaled over \$11 billion in GDP for the region, providing over 190,000 jobs. People in New England greatly value this traditional ocean-related heritage and are seeking basic needs from the ocean—food, energy, recreation and others—in new and increasingly complex ways.

Simultaneously, there is much to learn about the ocean ecosystem, its natural resources, and existing uses that depend on those resources such as fishing, shipping and recreation. Better scientific information and a better understanding of current and potential human uses of the ocean will enable New England to achieve its economic goals and ensure healthy oceans. Fortunately, ocean planning activities and partnerships have been underway for years at local, state and regional scales in New England.

A Presidential Executive Order signed in July 2010 establishing a [National Ocean Policy](#) gives further momentum to these regional efforts. As described in the National Ocean Policy, Regional Planning Bodies in 9 regions of the United States are tasked with developing regional ocean products or a plan that builds on existing efforts and is driven by the specific needs of each geography. Additional information regarding the National Ocean Council is available at <http://www.whitehouse.gov/administration/eop/oceans>.

The NE RPB convened its inaugural meeting in November 2012 and met for a second time in April 2013. As directed by the National Ocean Policy, its membership includes federal, tribal, state, and New England Fishery Management Council representatives, and leadership is shared by federal, state and tribal co-leads. The Governors of each New England state nominated two agency representatives to the NE RPB, with two ex-officio members representing Canada and New York state. The composition of the NE RPB in part reflects the geography of the planning area, which includes state and federal marine waters of the New England states (i.e., from Long Island Sound, north around Cape Cod and including the United States and state waters of the Gulf of Maine.)

The NE RPB meetings held to date were open to the public and designed to build a common understanding of the task to develop a regional ocean plan and to begin the public discussion on what such an effort should seek to accomplish. Initial discussions resulted in NE RPB member agreement that this initiative should focus on ocean waters of the region, while

recognizing some interest and potential need to connect this effort to estuarine and coastal issues where appropriate. Initial discussions also resulted in general consensus to implement a phased approach from 2012 through 2015. A first phase of identifying goals, objectives and actions, extending through 2013; a second phase of developing products to achieve these objectives extending through and beyond 2014; and a third phase of implementing initial products and assessing progress toward achieving goals in 2015 and beyond. An additional key result of these initial discussions was the agreement that regional ocean planning in the Northeast needs to be conducted through an open and transparent public process. Finally, the NE RPB began discussing potential goals and objectives, leading to the development of this draft framework following the process described below.

### **Development of the Draft Framework for Regional Ocean Planning in the Northeast**

This draft framework builds on NE RPB discussions and additional public discussions including:

1. NE RPB meetings in November 2012 and April 2013 that were open to the public. An outcome of the April 2013 NE RPB meeting was the identification of draft goals and potential objectives that the NE RPB wished to discuss with the public.
2. Extensive stakeholder engagement between NE RPB meetings.
3. A series of public meetings convened by the NE RPB to discuss draft goals and potential objectives in May and June 2013. Ten meetings were held during this time, with at least one in each New England state, during a May-July 2013 public comment period where public input was sought on draft goals and potential objectives. These draft goals and potential objectives were also posted on-line and input solicited electronically. An additional public discussion was held at the June 2013 New England Fishery Management Council meeting.
4. Following the May-July 2013 public comment period, public input was used to revise draft goals and objectives, which were posted on-line in September 2013, requesting additional public comment in advance of the January 22-23, 2014 NE RPB meeting.
5. Internal NE RPB member and work group discussions, conference calls, and meetings.
6. A series of public meetings in each New England state from October 2013-January 2014 to discuss the revised draft goals and objectives.

The timeframe for work reflected in this draft framework is 2014-2015 and the tasks and products that the NE RPB believes are achievable in this timeframe. The NE RPB anticipates that some aspects of this framework will evolve as new knowledge is gained, including through public input and discussion, and as policy and management issues arise. This document builds on that context and includes:

1. A draft schedule for decisions to be made by the NE RPB, which is provided at the end of Section 1 of this document.

2. An overview of the approach and details for public engagement and participation in the regional ocean planning process, which is provided in Section 2. Robust public participation is fundamental to successful regional ocean planning in the Northeast.. The NE RPB has strongly acknowledged this principle as integral to each step of planning (steps include goal setting, development of objectives and tasks to accomplish these goals, development of specific data products, and other phases) .
3. Draft principles, goals, objectives, actions and specific tasks that are proposed to advance Northeast regional ocean planning in 2014-2015. These draft elements are captured in Section 3.

## Framework Elements

This section defines the elements of the framework: principles, goals, objectives, and actions. The purpose of these definitions is to provide a common terminology, drawing upon previous NE RPB discussions and public input.

*Principles* are defined as high-level elements for New England regional ocean planning that form the foundation of, and thus guide the overall outcomes and planning process for, this effort. These principles were the subject of much of the initial discussion of the NE RPB and include:

1. The ocean and its resources are managed for the benefit of the public, now and in the future.
2. The historic, cultural and spiritual importance of the ocean are important to consider.
3. The present and past connection between communities, watersheds and ocean is important.
4. New ocean uses are emerging and existing ocean uses are changing.
5. There is concern about changing ocean health and ecosystem conditions.
6. Better data and information, including traditional knowledge, will lead to better understanding and decision making.
7. There is a need for improved government efficiencies and transparency.
8. There is a need to adapt as environmental, social and economic conditions change.
9. Regional ocean planning must be implemented through existing authorities and regulations. Neither the National Ocean Policy nor regional ocean planning create or change existing authorities.

Additionally, the NE RPB has committed to an open and transparent process for Northeast regional ocean planning. Details on the approach to meeting this commitment are provided in Section 2 below.

Goals are defined as aspirational statements of purpose that also organize subsequent objectives and actions. The three draft goals that have been discussed to date are:

1. Effective Decision-making
2. Healthy Ocean and Coastal Ecosystems
3. Compatibility Among Past, Current and Future Ocean Uses

Objectives are specific, action-oriented statements of how goals can be achieved, which are intended to be measurable and attainable. Objectives are specific to each goal and were the focus of much public discussion beginning in the spring of 2013. Section 3 of this document provides the draft objectives.

Associated with each objective are potential outcomes. Outcomes are statements of results that identify the intended product of each objective. Collectively, the outcomes form the content of the regional ocean plan for the Northeast.

Some objectives and outcomes will evolve as NE RPB decisions and public input inform the future direction of ocean planning in the Northeast. For that reason, it is important to provide milestones for future NE RPB decisions.

Actions are specific tasks necessary to complete each objective. They are practical and consider available capacity (e.g., agency in-kind, ocean planning staff, funding, partnerships, etc.) and timeline. As stated above, the timelines of actions relate directly to the milestone schedule of future NE RPB decisions. Actions for each objective are provided in Section 3.

## NE RPB Milestones

The schedule below articulates draft milestones for upcoming NE RPB meetings and decision-making targets for the NE RPB aimed at achieving outcomes. Section 3 provides detailed timelines for individual tasks that will lead to these NE RPB decisions, including public input vehicles, events and their timing, in recognition of the need for regional ocean planning to be transparent. Thus, this milestone schedule is a high-level overview of the NE RPB process from 2014 through early 2016. Importantly, this schedule can be flexible and adjusted over time, based in part on the details of Section 3. If elements of Section 3 change, this schedule will be adjusted. Additionally, as future progress and decisions are made, this schedule also may shift accordingly.

### 2014 Schedule

January	NE RPB meets to approve goals and objectives and move forward on related tasks
April/May	Public workshops to discuss progress toward goals related to Effective Decision-Making and Healthy Ocean and Coastal Systems



June	NE RPB meeting to review progress toward each goal, including discussing the goal related to Compatibility Among Past, Current and Future Ocean Uses
September/October	Public meetings and workshops for feedback on progress toward each goal
November	NE RPB meeting to review progress toward each goal and determine appropriate next steps

### 2015 Schedule

Spring	Workshops/public meetings to review baseline assessment and progress on the use of marine life and ocean use data, regulatory coordination and future scenario development
May/June	NE RPB meeting to review draft products for each goal, discuss options for NE RPB future role and the maintenance and advancement of ocean planning products, including the Northeast Ocean Data Portal (data portal)
Fall	NE RPB meeting to review revised products for each goal; determine preferred options for NE RPB's future role and the advancement of ocean planning priorities
Fall/Winter	Public meetings to review revised products

### 2016 Schedule

Winter	NE RPB meeting to approve final products for each goal and determine NE RPB future
--------	--

It is important to note that the draft goals, objectives, actions and related tasks in Section 3 below are draft pending NE RPB approval. The intent of providing accompanying details about tasks in Section 3 is to ensure that ideas about potential, practically-focused tasks inform public and NE RPB discussion of these draft goals and objectives.

---

## Section 2: Communications and Public Engagement

The NE RPB is committed to a transparent, open approach to regional ocean planning and considers such an approach vital for its success. The NE RPB defines success in this context as an open, transparent, efficient process that engages the public and focuses on public involvement at, and participation in, key decision points.

Specific vehicles for engagement are developed according to the issues being discussed and determination of how to best engage interested parties; thus, there is an understanding that

stakeholder engagement needs, and corresponding activities, will evolve to meet specific needs and as improvements are made to existing efforts.

As described below, there are several layers of regional ocean planning communications and engagement. In all of these efforts, three considerations underlie their development and implementation:

1. An open, transparent and efficient process requires multiple activities, and the specific purpose of each activity must be clear to stakeholders (e.g., to review products, to help design and implement projects, to help gather data, to help inform NE RPB decisions, or other purposes).
2. Stakeholder engagement activities must be practically designed to maximize use of limited resources and to minimize impositions on peoples' time to the extent possible.
3. As stakeholder engagement needs evolve over time, the specific activities underway will similarly evolve. Periodic assessment of stakeholder needs and engagement activities is vital to identifying and making any necessary adjustments.

The following communications and stakeholder engagement activities are underway and will be implemented as part of work plan activities described previously and in more detail in Section 3 below.

### **Formal NE RPB input and Participation**

Direct input and participation in NE RPB deliberations has several aspects, as described below.

#### ***NE RPB Meetings***

Since its first meeting in November 2012, the NE RPB has conducted its meetings open to the public with time allotted for public comment as specific topics are discussed. These meetings enable public input in a formal setting and comments are recorded for the record and, where resources allow, videos of the meetings have been recorded and posted on-line. Meetings of the NE RPB are scheduled by considering other, existing meetings to avoid potential conflicts and maximize attendance. In addition, the NE RPB encourages written comment on both specific topics before the RPB and general feedback about the planning process. Such correspondence is made available to the entire NE RPB and posted on-line for public access.

The NE RPB has considered feedback about the manner in which it gathers public input at its formal meetings and has made adjustments based on that feedback. The NE RPB will continue to seek input to ensure its formal meetings are appropriately conducted.

#### ***Other Public Meetings Held Throughout the Region***

In addition to its formal NE RPB meetings, at key decision points in the regional ocean planning process the NE RPB has and will continue to convene public meetings focused on gathering stakeholder input. For example, during the drafting of regional ocean planning goals and objectives, the NE RPB held a series of ten public meetings, at least one in each New England state, to discuss draft/potential goals and objectives. These meetings were less structured than

the formal NE RPB meetings described above, enabling more direct interaction between members of the public and NE RPB members. These meetings were convened specifically to enable public discussion and participation in the critical step of goal-setting.

The NE RPB will continue to conduct such meetings at important decision points in the ocean planning process; for example, to consider options for advancing specific objectives in the Fall of 2014; reviewing baseline characterization information and progress on decided options in spring of 2015; and to review plan products in late 2015. The schedule and specific purposes/points of discussion for these public meetings will evolve as the planning process proceeds.

### **State Advisory Groups**

NE RPB state members are also using existing state advisory entities to provide input into the regional planning process. For example, the Massachusetts Ocean Advisory Commission (formally set up as part of the Massachusetts Ocean Management Plan process, pursuant to the Massachusetts Oceans Act) and the stakeholder advisory panel for the Rhode Island Special Area Management Plan are periodically provided updates and opportunities to discuss regional ocean planning with RPB members and staff. New Hampshire has an existing Port Advisory Committee and Marine Fisheries Advisory Committee which have periodically received regional planning updates and opportunities for discussion. In Maine, NE RPB members have organized an advisory group to discuss regional ocean planning. In Connecticut, existing forums are also being used, such as the state's Maritime Commission. These state-specific forums provide an important, additional vehicle for input into the NE RPB process.

### **Online Comment Submission**

In addition to convening specific in-person meetings, the NE RPB solicits public input through its website. For example, preliminary draft goals and actions (that were discussed during the public meetings in May-June 2013 described above) were posted on-line with an on-line comment form. Such avenues for public input will be used in the future.

### **Other Communications Tools**

From a general communications standpoint, the NE RPB uses its website and email list of interested parties as additional vehicles for informing the public of progress, products, upcoming events and other related news. Contractor support through the consulting firm ERG is used to ensure that website content is up-to-date and timely. Additionally, the NE RPB is developing a series of fact sheets describing specific projects and the ocean planning effort overall as another outreach tool (i.e., for distribution at meetings and events.) These communications efforts are informed by an overall communications strategy that includes specific rationale, intended audience and focus of each communications vehicle. This strategy also enables the NE RPB and ocean planning staff to periodically assess its success and the success of specific communications vehicles in meeting the overall goal for an open, transparent process, as described above.

### **Project Specific Engagement**

In addition to the engagement and communications efforts described above that relate to the formal NE RPB process, there are engagement aspects to many individual projects. These include the following efforts to date:

1. **Commercial fisheries mapping.** This project has included over 50 meetings to date with commercial fishermen, scientists, and fisheries managers throughout New England. The approach has been and will continue to be to use existing meetings wherever possible (e.g., New England Fishery Management Council, state advisory boards, fishing sector meetings, state-specific association meetings, etc.) The purpose of these meetings is to review draft products related to commercial fishing (e.g., approaches to depicting the activity of certain fisheries), identify concerns, and discuss ocean planning issues overall. Future phases of this mapping effort will continue these types of interactions.
2. **Recreational fishing.** There will be a specific focus on identifying and implementing a project (or projects) to appropriately depict recreational fishing activity as well. Some work to date has focused on the charter/for-hire portion of the fishery in New England, but additional work would be needed on that topic and/or to address other aspects of recreational fishing. The approach would be to engage members of the recreational fishery in scoping and implementing any such project, potentially through partnership with the New England states and SeaPlan.
3. **Recreational boating survey.** In partnership with SeaPlan, this project was designed, implemented, and products reviewed to date with the recreational boating industry (e.g., Marine Trades Associations and other such organizations in each state). Thousands of boaters in the region participated in the survey that resulted in important products and key feedback for ocean planning. A series of workshops in New England states to review draft survey results and to discuss regional ocean planning was held in April 2013. Further engagement with the industry will build upon this work.
4. **Engagement of maritime commerce, energy, and aquaculture sectors.** A series of work sessions were held with New England representatives of these three economic sectors in December 2012, following an extensive effort to engage these industries that included 39 individual interviews to help frame engagement. Over 150 people attended these work sessions in total, which were designed to discuss regional ocean planning issues and to help develop information characterizing the industries (i.e., maps and other related data.) Summary documents from this effort are available on-line at <http://northeastoceancouncil.org/committees/ocean-planning/>. This work provides initial input regarding potential issues for regional ocean planning to address from the perspective of these industries and has helped develop new data products as recommended by these industries. Since these work sessions, additional engagement has occurred through presentations and updates at existing industry meetings and forums. This work provides a solid foundation to engage these three industries as appropriate moving forward.

5. **Natural resources characterization.** Through this project, the environmental advocacy community has been engaged through a series of meetings in each New England state with environmental non-governmental organizations to discuss potential issues for regional ocean planning to address. Other opportunities to engage environmental organizations are currently being scoped and will likely occur in May and June 2014. Additionally, on a parallel timeline, marine scientists in the region are being engaged to identify potential data related to natural resources, and to provide guidance on potential map products depicting natural resource distribution and abundance. Next steps for this work are described below in Section 3 and will include regional workshops bringing resource scientists, environmental organizations, and other interested parties together to discuss potential methodologies for product development.
6. **Other recreation interests.** Through a partnership with Surfrider Foundation, other recreational interests beyond boating were engaged throughout the last six months of 2013. This effort had two main purposes: first, to reach out to recreational interests (e.g. dive clubs, wildlife viewing, non-motorized boating clubs and others) to provide information on the regional ocean planning effort in general and opportunities to be engaged; and second, to explore potential project ideas for obtaining potential additional information related to these interests (e.g., mapping areas of importance.) Next steps for this work are described below in Section 3 and include scoping and implementation of specific project(s) to better characterize recreational activity.

In addition to these ongoing and recent efforts, other specific projects, described in Section 3 below, will also have engagement components that will likely include opportunities for additional stakeholders to provide input and information into ocean planning, such as the efforts to characterize recreational fishing activity.

### General Engagement Opportunities through Existing Meetings and Publications

NE RPB members and ocean planning staff provide routine updates at existing meetings and through existing publications. These opportunities reach many interested parties and enhance opportunity for discussion. Examples include:

1. Semi-annual meetings of the North Atlantic Ports Association (i.e, port directors from Maine-Virginia) and individual Harbor/Port Safety Advisory Group meetings.
2. Periodic updates at New England Fishery Management Council (NEFMC) meetings, NEFMC Advisory Panel meetings, state fisheries advisory committee meetings and others.
3. Presentations at American Wind Energy Association events
4. Presentations at Environmental Business Council of New England events
5. Publications in regional fisheries-focused publications and periodicals

---

## Section 3: Goals, Objectives and Actions

This section describes draft goals, draft objectives and potential actions and tasks to advance Northeast regional ocean planning in the 2014-2015 timeframe; see Section 1 for definitions of related terms. These elements are draft pending NE RPB approval. Any revisions to the draft objectives and actions in this document would trigger revisions to tasks to ensure that they are appropriate going forward.

Public involvement is a key component of all potential actions and accompanying tasks captured in this section, reflecting the NE RPB's commitment to stakeholder engagement, which is described in detail in Section 2.

Accompanying each objective and its related actions are additional details describing specific tasks, including an overview of timing and specific capacity available for task completion. These details are offered as draft ideas for public and RPB input and are intended to foster detailed discussion about how objectives can be achieved. These details will be revised as necessary according to public input and RPB decisions about the draft objectives (i.e., changes, additions, deletions, etc.)

Finally, Section 3 concludes with an Overarching Objective that is pertinent to all three draft goals and relates to periodically assessing progress toward completing objectives.

### **Goal: Effective Decision-making**

#### **Objective 1. Enhance Inter-Agency Coordination**

*Note: This objective addresses the timing and scheduling of decisions about sustainable uses of ocean space, sharing of information among agencies, and communication among federal agencies and between state and federal agencies and federally-recognized tribes. It focuses on the National Environmental Policy Act (NEPA) and siting and regulatory programs related to:*

- *Marine energy production (i.e., wind, marine hydrokinetic) and infrastructure (i.e., transmission cables, pipelines)*
- *Offshore aquaculture*
- *Sand extraction for beach nourishment*
- *Potential future uses, such as carbon sequestration*

*For this objective, it is important to remember that the NE RPB must work within existing regulatory authorities and that coordination and sharing of information pursuant to these authorities includes a review of natural resources and existing human uses. Agencies with non-regulatory roles are incorporated in this effort to ensure appropriate consideration of issues such as national security.*

Action 1-1: Review federal statutory requirements for siting energy-related development including electricity generation and transmission, infrastructure such as pipelines, etc., offshore aquaculture, sand extraction for beach nourishment and other potential future



uses of ocean space (e.g., carbon sequestration.) Review analogous programs at the state and tribal levels. In addition to development-specific requirements (e.g., wind energy leasing), include broad requirements such as NEPA. Discuss with agencies, tribes, the regulated community and others how regulations are implemented in practice to identify specific, potential means of achieving this objective, focusing on process-related topics and how information and data related to human activities and natural resources are considered. Identify options for meeting this objective for NE RPB consideration.

Action 1-2: Coordinate with the Bureau of Ocean Energy Management (BOEM) leasing program for offshore wind development. Focus on site assessment and construction-operations plan requirements, use of regional ocean planning data and information, tribal consultation requirements, and other topics.

Action 1-3: Identify opportunities to enhance inter-agency coordination for review of marine energy production, infrastructure, offshore aquaculture and sand extraction for beach nourishment. NEPA and development-specific regulatory programs should be accounted for in this action. Identify concrete steps to overcome obstacles to achieving these opportunities, in part to ensure agency commitments. Convene the regulated community and other interested parties to discuss, and revise opportunities prior to their finalization.

### Outcomes

- Strengthened inter-agency coordination and implemented federal/state regulatory efficiencies

#### Objective 1 Tasks

1. Conduct research on federal and state mandates, and tribal responsibilities, and related agency responsibilities for energy development, offshore aquaculture, sand and gravel mining, and potential future uses (e.g., carbon sequestration).
2. Engage BOEM to determine opportunities for regional ocean planning data or stakeholder engagement to coordinate with offshore wind energy development, including development of Site Assessment Plans and Construction Operation Plans. Opportunities potentially include engaging the fishing community in data requirements associated with site assessment, developing natural resource-based products, and engaging tribes in discussions about consultation efforts and/or identification of cultural resources.



*(Objective 1 continued)*

3. With contractor assistance, engage federal and state agencies and non-governmental organizations, including the regulated community, to understand how agency mandates related to energy development, offshore aquaculture, sand and gravel mining and carbon sequestration are or would be practically be implemented in New England. Determine gaps and areas of overlap and identify opportunities for strengthened coordination and other ways of meeting this objective. At a public workshop, discuss potential options for meeting this objective and prepare written summary of discussion of options.
4. Consider and select options to meet this objective, with input from agencies, the regulated community and other interested parties. Identify specific agency commitments related to implementing options and discussion of NE RPB future role in advancing inter-agency coordination.

**Products/Results**

1. Documented assessment of applicable federal and state regulatory authorities and programs.
2. Workshop report identifying potential options for achieving Objective 1.
3. Determination and documentation of specific actions to achieve Objective 1.
4. Possibly identify best practices related to leasing activity in the Northeast, specifically regarding data collection and stakeholder engagement and consultation practices that may be germane to additional activities, in collaboration with BOEM.

**Capacity**

1. Agency in-kind contribution through participation in relevant internal RPB work group, individual agency meetings, participation in public workshop and review of contractor products.
2. NE RPB state co-chair and tribal capacity for BOEM/offshore wind energy-specific discussions.
3. Staff manages contractor, staffs internal work group and agency meetings and reviews products. Roger Williams University Law Fellow conducts research as an in-kind contribution.
4. Leverage existing legislative reviews developed by agencies and industry consultants.
5. Contractor to support agency and non-governmental engagement, workshop and final report.

*(Objective 1 continued)*

**Timeline**

- January-April: Initial agency and stakeholder meetings
- February 2014: Contractor selected
- May-June 2014: Workshop to review preliminary options
- October 2014: Final report with options for NE RPB consideration
- November 2014: NE RPB decision on options to implement
- December 2014 and beyond: Obtain agency commitments to implement and determine future NE RPB role

**Objective 2. Implement Specific Actions to Enhance Informed Public Input in Decision-making**

*Note: Some aspects of this objective may be longer-term, depending on timing and availability of resources. It may be achieved after 2015 unless specific capacity is secured.*

Action 2-1: Develop and disseminate publically accessible materials describing regulatory programs related to the types of activities listed under objective 1, including opportunities for public comment, steps where data and information can be provided and overall timeline for decisions. Existing resources will provide much of the material for this task.

Action 2-2: Engage interested parties to identify other potential means of meeting this objective. This could include topics such as: enhanced use of on-line/social media; use of existing public meetings, such as those of the NE RPB, to provide updates on ocean development projects; demonstrating how public input is/would be incorporated in decision-making; and other ways to meet this objective.

**Outcomes**

- Enhanced publicly available information and opportunities for public participation regarding ocean development proposals and review processes.
- Greater understanding of and ease of participation in, regulatory processes by the public.

**Objective 2 Tasks**

1. Develop publicly accessible materials that describe regulatory programs for use by potential applicants, decision makers and interested public. Identify opportunities for public comment, specify data and information requirements, and summarize decision making timelines. Efforts under Objective 1 and/or other existing agency materials may inform final products. Potential approach would be to focus on specifics of one type of development review to provide a detailed example.
2. Work with stakeholders to identify other potential ways/products to achieve this objective.

**Products/Results**

1. Road map or other materials/graphics that clearly describe the permitting process, including data and public inputs, for energy, aquaculture, and sand and gravel for use by applicants and the public.

**Capacity**

1. There is a need for an agency staff member to lead the effort to develop these materials as an in-kind contribution.

**Timeline**

- January-September 2014: Work with stakeholders to identify potential products for NE RPB consideration
- November 2014: NE RPB decision on options to implement
- November 2014 – Jun 2015: Develop and distribute products

**Objective 3. Incorporate Maps and Other Products into Existing Agency Decision-making Processes**

*Note: Scientifically-sound, stakeholder-reviewed products should be publicly available through the data portal. When considering this objective, it is important to remember that the NE RPB must work within existing regulatory authorities. Uncertainty and variability in data and other issues must be identified and described for each data product. Caveats associated with data products may limit their utility; some data may be most helpful in generally identifying issues needing further study and/or stakeholders to engage. Certain products may be applicable for preliminary site assessment or consideration of alternatives.*

Action 3-1. Within existing regulatory processes, identify potential uses for/applicability of regional ocean planning products. Convene interested parties (i.e., both government and non-government) to discuss this topic and revise products accordingly. With federal and state agencies, and tribes as appropriate, identify and implement specific measures to ensure commitment to achieve this objective.

Action 3-2. Update the data portal, reflecting the results of Action 3-1. Enhance data portal functionality through better presentation, characterization, and visualization of products.

Action 3-3. Work with appropriate agencies/data owners to increase their responsibility for maintaining/updating data products and the data portal, beginning with illustrations of the utility of products developed for regional ocean planning purposes and recognizing future budget issues.

### Outcomes

- Regional ocean planning products and information enable preliminary site assessments, provide a better understanding of existing conditions, and/or otherwise contribute to regulatory efficiencies.
- Stakeholders continue to be directly engaged in developing products for the data portal.
- The data portal and its products are maintained and updated in the long-term.

#### Objective 3 Tasks

1. Continue to develop and maintain the data portal as a central repository of information to support decision making and to engage stakeholders. This includes the development and maintenance of datasets, the [www.northeastoceandata.org](http://www.northeastoceandata.org) web site and the technology to host and serve this information.
2. Implement functionality enhancements to support evolving needs for decision-making and different user communities. Potential enhancements include simple map viewers; 3-D videos/simulations; custom base maps; and simplified presentations of complex habitat, climate or other ecological models. Potential enhancements for GIS/data managers include: functionality to query maps to understand scientific certainty and access underlying data and data footprints; scripts and tools to improve access or processing of large agency databases (e.g., Automatic Identification Systems, Vessel Monitoring Systems). NE RPB decisions will prioritize these enhancements.
3. Identify opportunities for the data portal to support existing regulatory processes (e.g., NEPA, Clean Water Act Section 404 and Rivers and Harbors Act Section 10, Coastal Zone Management Act federal consistency, BOEM leasing, Federal Energy Regulatory Commission licensing). Engage regulators to identify data and technology needs to enhance utility of the data portal and related products.
4. Engage agencies and non-governmental organizations to determine options for long term maintenance of data portal products and technology.

#### Products/Results

1. Data portal website includes key data products for ocean planning resulting from extensive stakeholder engagement and science integration. Website also serves as a primary tool for engaging stakeholders and making management and regulatory decisions.

*(Objective 3 continued)*

2. Improved visualization and communication of key datasets to support management, regulatory review and stakeholder engagement. Improved access and capabilities to analyze scientific data for GIS/data managers.
3. Data portal is used by NE RPB agencies to support regulatory decisions, by the regulated community to inform project development and by the public to engage in decision making processes.
4. Long-term responsibilities and funding sources for data portal products and technology are implemented.

**Capacity**

1. Staff manages a data portal team, data development, technological enhancements to data portal and stakeholder review of data products. The team includes National Oceanic and Atmospheric Administration (NOAA) Coastal Services Center, SeaPlan, The Nature Conservancy, ASA, Northeast Regional Association of Coastal and Ocean Observing Systems (NERACOOS), and additional contractors.
2. Direct data portal support from BOEM and NOAA Coastal Service Center through Multi-Purpose Marine Cadastre project.
3. Direct data portal support from SeaPlan and The Nature Conservancy.
4. NE RPB agencies review data priorities and draft products and provide input into overall data portal development and discussions of future responsibilities.
5. NE RPB agencies participate in discussions to identify opportunities for data portal to support existing processes.
6. Substantial leveraging of federal and state agency datasets and technology.
7. Increased federal and state agency participation and responsibilities for development of individual data products and for the data portal itself; leverage climatological datasets maintained by NERACOOS.

**Timeline**

- Ongoing: Manage and upgrade data portal
- Ongoing through September 2014: Engage agencies and non-governmental organizations to identify potential applications of the data portal in existing regulatory processes
- Ongoing: Initial discussions about data portal components and their potential long term hosts
- November 2014 – December 2015: Implement enhancements considering other decisions made by the NE RPB

### ***Objective 4. Improve Respect for the Customs and Traditions of Indigenous Peoples in Decision-making Processes***

Action 4-1. Identify specific means by which tribal consultation could be enhanced in existing decision making processes, including the use of information about resources that are of cultural, historic or spiritual significance to the tribes.

Action 4-2. Involve regional tribes in the submerged paleocultural landscape work of the Narragansett tribe to assess project's potential utility in decision-making.

#### ***Outcomes***

- Identification of options for enhancing tribal consultations
- Greater regional tribal community participation in paleocultural project of the Narragansett tribe

#### **Objective 4 Tasks**

1. Involve tribal coordinator in internal work group, research, and discussions, including those with BOEM, that are aimed at improving inter-agency coordination, public participation and the use of data in existing decision making processes
2. Tribal coordinator convenes tribes to develop options for enhancing tribal input into decision making processes
3. Tribal coordinator convenes annual meetings to consult with the Narragansett Tribe about submerged paleocultural landscape project

#### **Products/Results**

1. Options for improving tribal consultation and use of information on areas of tribal importance in existing decision-making processes
2. Identification of goals for upcoming submerged paleocultural landscape research season, including the integration of tribal lore and history in ongoing research

#### **Capacity**

1. Tribal coordinator
2. Tribe in-kind involvement in activities convened by the tribal coordinator

#### **Timeline**

- January-May 2014: Initial discussions with tribes
- Spring 2014: Annual submerged paleocultural landscape research meeting
- June -October 2014: Options developed for improving tribal consultation
- November 2014: NE RPB decides on options to implement
- Spring 2015: Annual submerged paleocultural landscape research meeting

**Goal: Healthy Ocean and Coastal Ecosystems****Objective 1. Characterize the Region's Ecosystem, Economy and Cultural Resources**

Action 1-1. Using existing data, produce spatial characterizations of abundance and distribution of bird, sea turtle, shellfish, marine mammal, fish and bottom (benthic) habitats. Consider incorporating issues such as historic trends, future changes from climate change and other factors, and scientific uncertainty. Consider applicability and utility of related products such as those related to ocean acidification, biodiversity, productivity, non-native/invasive species, ecology and species biology (including migration), and the physical/oceanographic environment.

Action 1-2. Assess regional efforts to identify areas of ecological importance or measure the health of the marine system. The first step in this action will be to define these terms (i.e., ecological importance and health) to provide further specificity and direction. Include a review of studies assessing the vulnerability of marine life/habitats to human activities and climate change, and the current state of the science regarding cumulative impact assessment to help identify science and data needs. The purpose of this action is to better understand scientific and data issues and projects underway or recently completed, to inform future NE RPB decisions on the applicability and appropriateness of such work for regional ocean planning.

Action 1-3. Identify resources/areas that are of cultural, historic, ecological, or spiritual significance to tribes.

Action 1-4. Develop spatial and other related information for shipping, commercial fishing, boating, recreational fishing, energy, marine infrastructure (including submarine cables), aquaculture and recreation. Engage stakeholders in project design, data development and product review.

Action 1-5. Develop an assessment of the regional maritime economy by compiling existing analyses/data; include specific assessment of working waterfronts and link to use of marine waters.

Action 1-6. Develop a regional baseline assessment incorporating results of Actions 1-1 through 1-5 above.

Action 1-7. Pursue incorporating results of Actions 1-1 through 1-6 above into Objective 3 under the goal related to Effective Decision-Making above.

**Outcomes**

- Characterization of human activities, the ocean and coastal economy, cultural resources, and marine life and habitats in a baseline assessment.



- Engagement of scientific community and the shipping, commercial fishing, boating, recreational fishing, energy, environmental and recreation communities, and other stakeholders.
- NE RPB decisions on the incorporation of resulting products into existing decision-making as appropriate, provided that specific caveats associated with each product are clearly articulated.

**Objective 1 Tasks**

1. Informed by discussions with the scientific community, integrate existing data and model output to characterize marine mammal, bird, and fish distribution/abundance. Build on and integrate existing federal, state, and NEFMC projects where possible. Provide periodic opportunities for public input and feedback about methods and draft products.
2. Summarize efforts that utilize marine life and benthic data to classify habitat, characterize areas of ecological importance, assess ecosystem health and/or deterioration, determine vulnerability and model cumulative impacts. Develop options for proceeding with any or none of these assessments, beginning by clearly defining these terms. Convene NE RPB, scientists and stakeholders to discuss options to inform NE RPB decisions on how to proceed/what option(s) to implement.
3. Convene a cultural work group composed of tribes and federal and state agency representatives to:
  - a. Review data portal with tribes
  - b. Develop maps of cultural resources using existing tribal and federal/state data
  - c. Identify and prioritize gaps associated with existing data
  - d. Develop options for using existing data to identify areas of tribal significance
  - e. Determine how to expand Narragansett submerged paleocultural landscape research to other areas
  - f. Secure funding to improve tribal oral history standards, including best practices for utilizing technology combined with traditional skills to gather data
4. Continue to engage fishing community in further refinement of maps characterizing fishing activity. Consider utility of resulting products based on considerations such as changing management, climate change, inherent data limitations and other factors.
5. Map additional recreational uses (beyond recreational boating) and, if possible, determine the economic contribution of these activities to the regional economy.
6. Continue to engage the maritime commerce sector in the development of maps characterizing the use of marine waters for navigation, transportation, and security. Continue discussions about potential/future scenarios building on existing efforts by U.S. Department of Transportation Maritime Administration (MARAD), U.S. Coast Guard and state/regional port authorities.



*(Objective 1 continued)*

7. Continue to engage the energy and marine infrastructure sectors in the development of maps characterizing the use of marine waters for energy and marine infrastructure. Continue discussions about potential future scenarios for each energy sector that build on existing efforts by BOEM, US. Department of Energy, the New England states, and industry projections.
8. Continue to engage the aquaculture sector in the development of maps characterizing their use of marine waters and discuss potential future scenarios, particularly in federal waters.
9. Conduct an assessment of the New England maritime economy that builds on economic characterizations conducted for ocean planning, by NE RPB agencies, and other sources. Include assessment of issues related to working waterfronts (e.g., identification of publically-funded projects.)
10. Integrate information from ocean planning projects to date, the data portal, and other existing sources to develop and periodically update (as products become available) a written regional baseline assessment. Potential chapters include:
  - a. overview of the region's geography
  - b. oceanography and water column
  - c. geology and seabed
  - d. habitat and marine life
  - e. archaeological and cultural resources
  - f. ocean uses and regional economy (integrating the economic assessment)
  - g. climate change and changing conditions

**Products/Results**

Interactive maps depicting marine mammal, bird, and fish distribution/abundance available through the data portal. Each map product clearly explained through an "About this Map" feature.

1. A review of existing efforts to utilize marine life and habitat data and development of potential options for NE RPB consideration; NE RPB decision on which/if any options to implement.
2. Maps depicting areas/resources of cultural importance incorporated into the data portal.
3. Maps of commercial fishing activity incorporated into the data portal.
4. Maps of recreational fishing, diving, kayaking, surfing, and other recreational uses incorporated into the data portal.
5. Maps of maritime commerce, energy, and aquaculture incorporated into the data portal, and methods for assessing industry trends/scenarios identified.
6. Regional economic assessment incorporated into the baseline assessment.
7. Baseline information consolidated into single report for review by public and NE RPB.

*(Objective 1 continued)*

8. For all products developed for this objective, incorporation of measures to enhance their utility in decision-making and include results of NE RPB decisions.

**Capacity**

1. NE RPB agency in-kind through participation in internal work group to scope projects, review preliminary products, etc. NOAA National Centers for Coastal Ocean Science has offered assistance as well.
2. Staff develops requests for proposals, scopes projects, manages contractors and ensures coordination with other projects and review products.
3. Technical committee, comprised of scientific experts in the region, provides input to development of products, reviews methodologies, etc.
4. Data/science contractors for natural resource products and integrate in data portal.
5. Project management contractor for product development.
6. Baseline assessment contractor to compile baseline and economic assessment.
7. Public engagement contractor to assist with public meetings/workshops and other specific meetings to review products and methods with funding as needed from public engagement contract.
8. Additional federal and state in-kind, based on existing/related projects such as:
  - a. The Atlantic Marine Assessment Program for Protected Species (AMAPPS): BOEM, NOAA National Marine Fisheries Service Northeast Fisheries Science Center (NEFSC), U.S. Fish and Wildlife Service (USFWS) and USFWS North Atlantic Landscape Conservation Cooperative
  - b. Products developed by NOAA National Centers for Coastal Ocean Science, including modeling and mapping bird distributions along the Atlantic Coast
  - c. NOAA Cetacean Mapping Working Group (CetMap)
  - d. NOAA NEFSC Ecosystem Assessment Program's Spatial Tools for ecosystem based management and other modeling projects (including collaborations with TNC)
  - e. Rhode Island and Massachusetts marine mammal and avian surveys and other ocean planning –related products
  - f. NERACOOS products
9. Partners in the academic and conservation science community (e.g., Ocean Biogeographic Information System Spatial Ecological Analysis of Megavertebrate Populations (OBIS-SEAMAP), TNC, etc.)

*(Objective 1 continued)*

10. Potentially leverage BOEM offshore wind vulnerability studies, Massachusetts and Rhode Island efforts to assess ecological value, consider development of an Ocean Health Index, assessment of cumulative impacts, ecosystem services models (University of Rhode Island, Boston University/University of California Santa Barbara/SeaPlan, Natural Capital Project), and others.
11. To support commercial and recreational fishing mapping, contractor assistance, agency in-kind through participation in internal work group, and staff to manage projects and coordinate with data portal.
12. To support recreational activity mapping, contractor assistance, agency in-kind through participation in internal work groups, NOAA National Marine Fisheries Service (NMFS) assistance, staff to manage projects and coordinate with data portal, and potential in-kind from Surfrider Foundation and SeaPlan.
13. To support mapping of maritime commerce, energy, and aquaculture, agency in-kind through participation in internal work group, and staff to manage projects and coordinate with data portal.
14. To support identification of culturally important resources, in-kind through participation in internal work group, tribal engagement coordinator to manage projects, staff to coordinate with data portal, and leveraging existing work such as the Narragansett Tribal-University of Rhode Island mapping of potential paleocultural resources.

### **Timeline**

*For tasks related to marine life:-*

- January-February 2014: Issue request for proposal(s) and select contractor(s) for characterizing marine mammals, birds, fish
- March-October 2014: Summarize options for tools/products related to identifying ecologically important areas, assessing vulnerability and/or cumulative impacts, etc.; technical committee input contributes to summary
- March-October 2014: Develop draft marine life products with periodic public and technical committee meetings to review progress
- October 2014: Public workshops to review progress on draft marine life products and discuss options for additional tools/products
- November 2014: NE RPB decision about how to utilize marine life and habitat data and any additional tools/products
- December 2014 – December 2015: Continue to develop marine life-related products, review with public, and NE RPB, and integrate into data portal and baseline assessment

*(Objective 1 continued)*

*For tasks related to characterizing human activities:*

- January 2014-January 2015 (possibly longer): Map commercial and recreational fishing activity
- Timeline for recreational activity dependent on partner funding availability; likely schedule is to scope through Summer 2014, then implement in Fall 2014-Winter 2015; finalize products in Winter-Spring 2015
- January-June 2014: Next phase of characterizing/engaging maritime commerce and aquaculture activity
- To be determined: Timing for engaging energy community will be coordinated with BOEM

*For tasks related to characterizing cultural resources:*

- January-March 2014: Review data portal and identify existing tribal, and federal and state datasets of cultural resources
- March-June 2014: Develop and review maps of cultural resources using existing data
- July-December 2014: Review draft maps with cultural work group and develop options for using maps to identify areas of tribal significance

*For tasks related to baseline assessment:*

- January-March 2014: Issue request for proposal(s) and select contractor(s) for compiling baseline and economic assessment
- March 2014-June 2014: Develop baseline and economic assessment outline for NE RPB and public review

## **Objective 2. Identify and Support Existing Non-regulatory Opportunities to Work Toward Conserving, Restoring, and Maintaining Healthy Ecosystems**

*Notes: This objective is longer-term, to be achieved after 2015 unless specific capacity is identified.*

*Existing non-regulatory programs at the federal, tribal and state level are widespread and address many coastal and ocean health issues. Examples include habitat restoration activities, certain water quality improvement programs, enhancements to existing infrastructure, assessment of invasive species, etc.*

Action 2-1. Identify existing and potential programs that are or would be directly related to conservation, restoration and maintaining healthy ocean and coastal ecosystems at a federal, tribal and state level. Identify opportunities for better coordinating, leveraging and supporting those programs to address priority regional ocean management needs.

### **Outcome**

- Identification of related programs and specific steps taken to leverage these programs to meet regional ocean management needs.

**Objective 2 Tasks**

1. Inventory state, federal, tribal, and other regional partners' restoration and conservation activities, identify areas where programs relate directly to ocean planning goals, and identify opportunities to coordinate and support these programs.

**Products/results**

1. Comprehensive inventory of those restoration and conservation activities that relate closely to ocean planning goals and objectives.
2. Opportunities to strengthen ocean/coastal ecosystem restoration and conservation.

**Capacity**

1. Federal and state agency staff lead effort
2. Lead partner (to be determined)
3. Leverage existing federal and state programs

**Timeline**

- January 2014– June 2015

***Objective 3. Produce a Regional Ocean Science Plan that Prioritizes Ocean Science and Data Needs for the Region for the Next Five Years***

Action 3-1. Engage agencies, tribes, the scientific community and other stakeholders to prioritize scientific/data needs, in particular focused on management needs and information that will be important for future management decisions. Coordinate with existing efforts that are underway or related, and recognize continuing need for basic data development to fill gaps in data, science, and knowledge, and budget challenges that may enhance gaps in the future. For priority topics, describe desired outcomes and identify potential ways of addressing those issues, including consideration of leveraging/partnering with existing efforts.

Action 3-2. Building on results of projects related to the baseline assessment, identify priority data collection and science gaps for the ocean science plan described below. As part of this action and general engagement efforts, identify if there are priorities that could meet other purposes beyond those of regional ocean planning.

***Outcome***

- Regional ocean science plan to address the region's ocean priority science and data needs.

**Objective 3 Tasks**

1. Identify existing science plans and those components that relate most closely to regional ocean planning goals and objectives. Develop a five to ten year regional ocean science plan that identifies gaps and integrates science priorities developed through the ocean planning process with other regional and agency efforts.
2. Consider technical committee review of draft science plan to incorporate scientific input.

**Products/Results**

1. Five to ten year science plan that prioritizes ocean research and data development

**Capacity**

1. Staff develops science plan with state and federal agency staff; potential agency lead.
2. Leverage existing science plans at the federal, regional, and state level
3. NOAA NCCOS offered assistance

**Timeline**

- March 2015-December 2015
- January 2014– June 2015

**Goal: Compatibility Among Past, Current and Future Ocean Uses****Objective 1. Increase Understanding of Past, Current and Future Ocean Uses**

*Note: Addressing project-specific compatibility issues generally is the domain of specific project-review processes and thus is appropriately addressed during permitting. Regional ocean planning can add value by enhancing understanding of trends in human activities, to the extent foreseeable, and by ensuring that specific projects underway incorporate considerations resulting from engagement of stakeholders in the Northeast.*

Action 1-1. Examine technological, management, economic, cultural, environmental, or other factors to enhance understanding of reasonably foreseeable changes in human uses. Engage industry representatives and experts in maritime commerce, recreation, commercial fishing, marine energy development, marine infrastructure (including submarine cables), and offshore aquaculture to determine potential future scenarios or trends, if possible. Gauge potential for relatively new uses such as offshore aquaculture and extraction of sand and gravel for beach nourishment.

Action 1-2. Use the results of Action 1-1 to assess the utility of human activity maps using retrospective data. Identify the need, timing, and other considerations for periodic updates to such maps.

## Outcomes

- Identification of potential future changes to human activity maps
- Information describing potential future uses of ocean space, the viability of existing human activity maps and need for updates.

### Objective 1 Tasks

1. Based on baseline assessment, public engagement, and NE RPB decisions about planning priorities, determine whether and how to develop information (e.g., trends or scenarios related to existing uses) related to future ocean activities. In collaboration with existing efforts, engage the aquaculture community to identify trends and, if possible, develop potential future activities in response to technological, economic, and environmental factors.
2. In collaboration with BOEM-led Northeast Sand Management Working Group and other relevant federal/state efforts, develop potential future scenarios for the use of offshore sand and gravel resources for beach nourishment and coastal protection (including identifying potential sand borrow areas).
3. In collaboration with BOEM, DOE, ISO New England, and other relevant agencies and efforts, develop potential future energy scenarios that integrate BOEM's offshore wind energy siting, DOE funded demonstration projects, and other utility-scale or research projects. Consider regional transmission needs in future scenarios.
4. In collaboration with existing efforts at DOT/MARAD and USCG, engage the maritime commerce community to identify trends and, if possible, develop future spatial scenarios due to technological and economic factors, including Panama Canal expansion, America's Marine Highways, and increased offshore energy development.
5. In collaboration with NMFS, NEFMC, and state fishery management agencies, summarize management and environmental factors that might affect maps of commercial fishing activity.
6. Consider potential future scenarios for other ocean uses, such as recreation, telecommunications, and dredging and disposal in collaboration with relevant agencies and industry partners.
7. NE RPB determines how information from these tasks could be used in regional planning and/or to support existing management activities.

### Products/Results

1. To be determined by the NE RPB as informed by discussions with stakeholders

*(Objective 1 continued)*

### Capacity

1. Staff manages contractors
2. Contractor support via public engagement and baseline assessment contracts.



Potential additional use of existing funds to develop additional products as warranted by future discussion and NE RPB decision.

3. NE RPB agency in-kind
4. Build on existing efforts and studies (Marine Highways-related efforts, Atlantic Coast-Port Access Route Study as appropriate, others)

#### **Timeline**

- January-October 2014: Engagement of stakeholders to determine feasibility and utility of developing future scenarios
- November 2014: RPB decides whether/how to pursue future scenario/trends development
- December 2014-June 2015: Develop future scenarios integrating existing industry-specific plans, as appropriate
- July-December 2015: NE RPB determine how to utilize future scenarios

### **Objective 2. Ensure Regional Issues are Incorporated in Ongoing Efforts to Assess New and Existing Human Activities**

*Note: Several ongoing projects are looking at potential interactions between various human activities. Many of these projects relate to ongoing offshore wind energy development. Aspects of these projects may benefit from a regional perspective, recognizing that it will be important to understand their scope, timing, and intended purpose to help identify opportunities to contribute to such work.*

Action 2-1. Summarize status of projects such as the Atlantic Coast Port Access Route Study, BOEM-led Northeast Sand Management Working Group, regional efforts to assess commercial and recreational fishing and offshore wind energy development, the identification of potential paleocultural resources offshore Rhode Island, and others.

Action 2-2. Using the assessment in Action 2-1, identify considerations for these existing efforts and work with sponsoring entities/agencies to do so. Identify need to facilitate discussions between diverse users and agencies and undertake such discussions where appropriate.

Action 2-3. Convene stakeholders and experts to facilitate information sharing on the status of transmission planning in the Northeast and related activities (e.g., grid connections, geographic needs/desirability, etc.). The purpose of this action will be to enhance understanding of the transmission planning and where transmission activities might interface with the other regional ocean planning goals and objectives.

#### **Outcomes**

- Regional perspectives incorporated in ongoing projects such as those identified above
- Public discussion of regional issues associated with offshore wind siting such as transmission



**Objective 2 tasks**

1. Based on results of public and sector engagement, and NE RPB decisions; agency representatives ensure regional feedback informs existing agency efforts to characterize ocean activities.
2. Convene workshop and/or other suitable public forums to discuss regional electricity transmission-related issues.

**Products/Results**

1. Existing programs ensure consistency with regional needs
2. Written summary of regional transmission-related issues
3. Public and NE RPB discussion of regional issues associated with offshore wind siting such as transmission

**Capacity**

1. Federal and state agency staff coordinate with existing efforts such as those being led by the Massachusetts Clean Energy Center
2. Contractor support via public engagement contract

**Timeline**

- January 2014-December 2015

***Overarching Objective (Applies to All Goals): Periodically Assess Progress Toward Achieving Regional Ocean Planning Goals***

Action 3-1: Develop and implement decision- tracking mechanisms to identify if objectives under three goals are being met. Include input from stakeholders and interested parties. This action will result in longer-term (beyond two years) needs being identified and necessary steps implemented to meet those needs.

***Outcomes***

- Identification of progress toward achieving this goal and implementation of revised measures as necessary.

# Appendix D





40 West 20<sup>th</sup> Street  
New York, NY 10011  
(212) 727-2700  
Fax (212) 727-1773

January 6, 2014

Ms. Betsy Nicholson  
Federal Co-Lead for the Northeast Regional Planning Body  
National Oceanic and Atmospheric Administration  
Northeast Regional Office  
55 Great Republic Drive  
Gloucester, Massachusetts 01930

*Submitted electronically to [klund@northeastoceancouncil.org](mailto:klund@northeastoceancouncil.org)*

Dear Ms. Nicholson,

On behalf of the Natural Resources Defense Council (NRDC) and our more than 1.3 million members and online activists – over 33,000 of whom live in the Northeast – thank you and the other members of the Northeast Regional Planning Body (Northeast RPB or RPB) for your work to develop a collaborative ocean plan that will guide the region's use and enjoyment of our marine resources for this and future generations. We are concerned, however, that the revised goals and objectives<sup>1</sup> which will be addressed and approved at the RPB's upcoming meeting no longer emphasize the need for protection of the ocean's important ecological functions. NRDC strongly urges you to restore language calling for the RPB to safeguard healthy ocean and coastal resources and clarify that only *sustainable* development will be advanced in order to ensure the long-term well-being, prosperity and security of our ocean and coastal resources.

As detailed in NRDC's previous comments,<sup>2</sup> only healthy ocean and coasts<sup>3</sup> can continue to provide the food, jobs and recreation we want and need. Ocean sectors, such as tourism, recreation and fishing, contributed over \$13.5 billion to the region's gross domestic product and tourism and recreation alone support more than 150,000 jobs; these significant economic contributions rely on

---

<sup>1</sup> Available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>2</sup> This letter builds on the letter NRDC submitted to the RPB on July 26, 2013.

<sup>3</sup> A healthy marine ecosystem is one that is able to support and maintain patterns, important processes and productive, sustainable and resilient communities of organisms, having a species composition, diversity and functional organization resulting from the natural habitat of the region, such that it is capable of supporting a variety of activities and providing a complete range of ecological benefits.

clean coastal waters and beaches and healthy and abundant fish and wildlife.<sup>4</sup> These economic indicators only underscore the wealth generated from our ocean – many ecosystem services such as storm surge protection are often unaccounted for. Yet, despite the importance of a healthy ocean to our livelihood and way of life, the region’s marine waters and wildlife are often taken for granted. Ocean and coastal resources currently face a host of threats, from pollution to destruction of productive marine habitats, from climate change to ocean acidification, while simultaneously being busier than ever, with, for example, offshore wind beginning to take off and an anticipated increase in shipping offering new opportunities and challenges. The economic web that our ocean life supports is vulnerable under the weight of these problems and uses; we need to take action to secure our ocean and coasts’ ability to support our many needs.

The RPB is well situated to help ensure the continued functioning of these resources and NRDC’s encouragement and support for the Northeast RPB stems from the understanding that this process will lead to improved ocean health and sustainable ocean use. Executive Order 13547 (Executive Order), from which the regional planning bodies derive their authority, calls for action to help “protect, maintain, and restore the health and biological diversity of ocean, coastal, and Great Lakes ecosystems and resources”; “improve the resiliency of ocean, coastal, and Great Lakes ecosystems, communities, and economies”; and “bolster the conservation and sustainable uses of land in ways that will improve the health of ocean, coastal, and Great Lakes ecosystems”.<sup>5</sup> The *Final Recommendations of the Interagency Ocean Policy Task Force* (Final Recommendations) further states:

*[Coastal and marine spatial planning or CMSP] is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and biological diversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors. Enhanced ecosystem services and benefits can be attained through CMSP because they are centrally incorporated into the CMS Plan as desired outcomes of the process and not just evaluated in the context of individual Federal or State agency action. CMSP allows for a comprehensive look at multiple sector demands which would provide a more complete evaluation of cumulative effects. This ultimately is intended to result in protection of areas that are essential for the resiliency and maintenance of healthy ecosystem services and biological diversity, and to maximize the ability of marine resources to continue to support a wide variety of human uses.*<sup>6</sup>

It is clear that protection and enhancement of ocean health should be identified as desired outcomes of the RPB’s work.

---

<sup>4</sup> National Oceanic and Atmospheric Administration. Economics: National Ocean Watch. Data Wizard. Northeast, 2010. Available at <http://www.csc.noaa.gov/ENOWDataWizard/index.jsp?RegionList=-5&vYears=2010>.

<sup>5</sup> The White House. Office of the Press Secretary. July 19, 2010. Executive Order 13547. Available at <http://www.whitehouse.gov/the-press-office/executive-order-stewardship-ocean-our-coasts-and-great-lakes>.

<sup>6</sup> The White House Council on Environmental Quality. July 19, 2010. *Final Recommendations of The Interagency Ocean Policy Task Force* at 44. Available at [http://www.whitehouse.gov/files/documents/OPTF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf). Emphasis added.

Unfortunately, this latest version of the Northeast RPB's draft goals focuses more heavily on enhancing interagency coordination for the purposes of ocean development; ecological protection is not granted the prioritization that it needs. The effective decision making goal – the first one noted in the revised goals document – is centered on coordination to help advance ocean industry, such as marine energy, infrastructure and sand extraction, with no attention paid to ocean functioning and non-consumptive uses like boating and surfing. Moreover, the current healthy ocean and coastal ecosystems goal which follows only states the need in Action 1-3 to “Assess and summarize efforts in the region that have attempted to identify areas of ecological ‘importance’ or measure the ‘health’ of the marine system” – it does not require the RPB to develop its own analysis and identification of key places in order to guide decision-making or require that ecologically important areas be protected. The related Action 1-6 calls for a baseline assessment of the natural resources, but does not attempt to gauge health or require ecological protection. Action 1-7, which calls for review of the vulnerability of marine life/ habitats to human activities, is not clearly tied back into the assessment and does not call for steps to be taken to address individual or cumulative impacts that put undue pressure on the resources.

The lack of attention paid to ocean health and resilience stands in contrast to the emphasis on fostering ocean industry siting and development. The healthy ocean and coastal ecosystems goal Action 2-1 encourages RPB members only to “*Identify* existing as well as potential programs that are or would be directly related to conservation, restoration, and maintaining healthy ocean and coastal ecosystems at a federal and state level. *Identify opportunities* for better coordinating and supporting those programs to address priority regional ocean planning needs”, but does not ensure that identification and protection of areas key to continued ecological functioning will occur.<sup>7</sup> Compare this to the attention given to marine industry in the first goal related to decision making, specifically in Actions 1-2, “*Pursue* opportunities for coordinating with the BOEM leasing program for offshore wind development ...”, and 1-3, “Identify specific opportunities to enhance inter-agency coordination for marine energy production, infrastructure, offshore aquaculture, and sand extraction ... Include NEPA and development-specific regulatory programs in this action. *Recognizing that there may be obstacles to this action, also identify obstacles to achieving these opportunities and specific, concrete steps toward addressing these obstacles...*”<sup>8</sup>

Critically, nor does the goals document call for *sustainable use*, the capacity of an ecosystem to endure and remain diverse and productive over time without diminished quality of life due to degradation of human or environmental health or adverse effects on social conditions.<sup>9</sup> Executive Order 13547 itself states that “coastal and marine spatial planning provides a public policy process for society to better determine how the ocean, our coasts, and Great Lakes are sustainably used and protected – now and for future generations.”<sup>10</sup> It not enough to simply examine the compatibility of ocean uses with each other as is called for by the document's third goal; proposed uses also must be

---

<sup>7</sup> Emphasis added.

<sup>8</sup> Emphasis added.

<sup>9</sup> The World Commission on Environment and Development in 1987 defined sustainability as the ability to “meet the needs of the present without compromising the ability of future generations to meet their own needs.”

<sup>10</sup> The White House. Office of the Press Secretary. July 19, 2010. Executive Order 13547. Available at <http://www.whitehouse.gov/the-press-office/executive-order-stewardship-ocean-our-coasts-and-great-lakes>.

compatible with the underlying ecosystem. Federal agencies and states and tribes should fulfill the Executive Order and Final Recommendations' intent and revise the document to call for steps that will safeguard the areas and ecosystem processes important for spawning, breeding, feeding and migrating ocean fish and wildlife and ensure that the various impacts of ocean uses – alone and in concert – do not threaten the natural system's health or the variety of uses (*e.g.*, surfing, boating, fishing, paddling, bird watching) that rely on these resources.

NRDC urges the RPB to restore the former healthy ocean and coastal ecosystems goal to:

Develop a planning framework to protect, restore, and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual, and economic benefits. Account for changing environmental conditions and new information as it becomes available. Respect the intrinsic value of the ocean, its biodiversity, and act as its steward/caretaker, recognizing humans as part of the ecosystem.<sup>11</sup>

This description varies from the objectives in the current document, for example, “Characteriz[ing] the region’s ecosystem and economy”, “support[ing] existing non-regulatory opportunities to work toward conserving, restoring and maintaining healthy ecosystems”, and “Periodically assess[ing] process toward achieving this goal and Objectives 1-3.” Instead, the former goal solidifies a commitment on behalf of the RPB to secure the continued functioning of fundamental ecological processes, to protect and preserve resource access for sustainable uses, and to respect the traditional customs of indigenous people – another topic given inexplicably short shrift in the revised document. This restored goal should retain the baseline assessment action noted under the current healthy ocean and coastal ecosystems goal; however, the assessment should evolve beyond what appears to be a static snapshot of the system – a “where to site” guide for industry – and instead be used to advise and serve the members of the public and existing users who wish to enhance the health of our ecological resources and secure their continued access to and enjoyment of them. The assessment should identify and protect important ecological functions, areas and wildlife in order to ensure the system’s resilience, and an action should be added to develop a series of ecological indicators and regularly assess the natural system’s baseline health to better understand changing environmental conditions and the impacts from increased human activities. Further, the RPB should not limit itself to pursuit of non-regulatory opportunities to advance conservation – members should use their existing authorities to protect ocean waters and wildlife.

NRDC also requests that a regional stakeholder advisory panel and a science advisory panel be additional public input methods found under the effective decision making goal. As previously communicated, we recommend that the RPB appoint a regional stakeholder advisory panel made up of representatives from traditional, current and emerging ocean uses in New England to provide regular input and advice to the RPB and solicit feedback from stakeholders. A regional stakeholder panel would help achieve the objectives called for as part of the compatibility among past, current and future ocean uses goal. The RPB’s existing stakeholder system of state-by-state stakeholder outreach may be helpful in determining each state’s views but cannot substitute for the value of

---

<sup>11</sup> “Draft Goals for Northeast Regional Ocean Planning.” May 2013. Available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

having representatives come together from across the region to share their views firsthand and work together toward resolution of conflicts. We also urge you to establish a science advisory panel comprised of academics and subject-matter experts working throughout the region to advise the RPB on technical matters and to provide advice at all stages of the planning process. This panel would be a more formalized way of engaging with the scientific and academic community in developing a baseline ecosystem assessment and for creating the regional ocean science plan called for in objective 3 of the healthy ocean and coastal ecosystems goal.

Thank you for your consideration of these recommendations. The importance of your work cannot be overstated – regional planning bodies offer a revolutionary new engagement mechanism for stakeholders and the public to engage in management decisions that affect their lives and livelihoods. We urge you to ensure that protection of ecosystem health is restored to the document in order to ensure that these resources can be enjoyed far into the future. We appreciate your dedication to this effort and look forward to reviewing the final goals.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ali Chase', with a stylized, flowing script.

Ali Chase  
Policy Analyst  
Natural Resources Defense Council







January 6, 2014

To the Northeast Regional Planning Body:

On behalf of Surfrider Foundation, our more than 250,000 supporters and our vast activist network of Northeast volunteers, thank you for the opportunity to comment on the revised set of draft goals for Northeast Regional Ocean Planning.

Surfrider Foundation believes that Healthy Ocean and Coastal Ecosystems should be the overarching goal of the Northeast Regional Ocean Planning Process. Ecosystem protection is the primary goal of the National Ocean Policy and a core element of marine spatial planning as defined and practiced throughout the U.S. and beyond.<sup>1</sup> The Northeast region depends on a healthy marine ecosystem for economic, social, cultural, ecological, and spiritual values. As such, we suggest you prioritize Healthy Ocean and Coastal Ecosystems above the other draft goals.

Surfrider Foundation supports the four objectives under Healthy Ocean & Coastal Ecosystems. In particular, we support a robust characterization of the region's species, habitats, cultural resources, and existing human activities and economy. However, we believe that stronger actions to protect and restore the environment are needed; with the advent of new and expanding industries that may damage the marine ecosystem, additional protective actions will be necessary to effectively embrace the goal of a healthy ocean & coastal ecosystems. Accordingly, we suggest adding an objective to develop ecological protection areas and standards as part of the regional plan, to address future development proposals and cumulative impacts.

Surfrider Foundation also recommends reinsertion of the descriptive goal language that was included in the original draft document but removed from the revised version. This language is crucial to defining the intent and purpose of the goals.

Surfrider Foundation is concerned that the revised draft goals fail to prioritize the protection of sustainable uses over potential new uses. Existing uses such as recreation, tourism, and cultural heritage provide major economic and social benefits to coastal communities and the region as a whole. Yet, the Effective Decision Making and Compatibility Among Past, Current, and Future Ocean Uses goals suggest that potential new uses may be afforded equal consideration in assessing compatibility. Surfrider

---

<sup>1</sup> Ecosystem protection is the core element of ocean planning goals in other regions, including Washington State ([http://www.msp.wa.gov/wp-content/uploads/2013/07/MSP\\_scoping\\_document.pdf#8](http://www.msp.wa.gov/wp-content/uploads/2013/07/MSP_scoping_document.pdf#8)) and Oregon ([oregonstate.edu/leadership/sites/default/files/provost-documents/Marine-Council/klarin-cmsp-workshop-2011.pdf#5](http://oregonstate.edu/leadership/sites/default/files/provost-documents/Marine-Council/klarin-cmsp-workshop-2011.pdf#5)).



recommends the goals be modified to explicitly prioritize non-consumptive recreation and other sustainable uses. We further recommend that an additional action be added to assess the sustainability of existing uses, so that ocean planning priorities may be set in accordance with the Healthy Ocean and Coastal Ecosystems goal.

Surfrider Foundation appreciates the added attention afforded to recognizing and filling data gaps. The Northeast Ocean Data Portal provides excellent information on a variety of regional ocean uses but does not include data on non-motorized/non-consumptive recreational use. Ocean and coastal recreation encompasses a broad spectrum of human uses such as surfing, beach going, kayaking, diving, wildlife viewing, kite boarding and swimming. These activities are geographically and seasonally ubiquitous along New England's coast and are enjoyed annually by millions of residents and visitors. These uses also provide major economic and social benefits to the Northeast region. Filling the current data gap to include this scientific information regarding non-motorized/non-extractive ocean recreation is critical to the success and legitimacy of the planning process.

With regard to the formation of advisory groups, Surfrider Foundation holds that identifying a formal regional mechanism to solicit regular, proactive input and recommendations, as well as to respond to and solicit feedback from stakeholders is *critical* to the RPB's success. Surfrider is appreciative of the attention that state members have dedicated to this vital component of the body's work within their own states; however, we urge the RPB to follow the Inclusiveness and Accessibility guidelines set forth by the National Ocean Council Marine Planning Handbook, which call for inclusion of **"the full range of interests in national and regional coastal and ocean planning."**<sup>2</sup> Non-consumptive ocean recreation users should be included in all ROP advisory groups. In reviewing the state advisory groups formed to date, the invited parties are heavily stacked toward commercial and fishing uses. Surfrider requests that RPB members actively seek to include a wider swath of representation from across the spectrum of ocean stakeholders.

While state advisory groups are likely to provide valuable stakeholder input to help inform state interests in ROP, they should not serve as a substitute for a regional stakeholder body. Surfrider Foundation again calls for the formation of a regional advisory committee, in line with our previous public comments and the recommendations of the New England Ocean Action Network:

---

<sup>2</sup> National Ocean Council Marine Planning Handbook, available online at [http://www.whitehouse.gov/sites/default/files/final\\_marine\\_planning\\_handbook.pdf](http://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf) (page 9).



*Appoint a Regional Stakeholder Advisory Panel, which consists of diverse representation from the range of traditional, current and nascent ocean user groups in New England. We do not believe that utilizing existing state advisory panels is an appropriate way to encourage a crosscutting regional dialogue about a large, regional planning area. State by state advisory committees can be engaged at the discretion of individual states, but we believe strongly that the RPB should create and engage its own regional advisory panel.*

Surfrider Foundation believes that continuing to improve the public engagement process will aid in the effectiveness of the RPB's decision making. Advanced and well circulated notice for meetings, clear expectations for public input, deadlines for comments, an easily navigable and digestible website, and diversification of communication platforms and formats are needed to facilitate public input. Working to better define the public process for ROP participation and clearly articulating how public input will be considered and potentially integrated into the plan are also essential next steps.

Finally, Surfrider Foundation would like to see specific actions included in the goals for setting the plan in motion. Creating a plan that will matriculate into use is the ultimate goal of the ROP process, and as such, a clearly articulated action plan needs to be established, defining the steps to follow the final plan. Clarifying specific actions for applying data to the decision framework will assist in moving plan outcomes beyond review and assessment.

We have a great opportunity through ROP to protect the ocean ecosystem, ecological hotspots and recreational areas, before they're threatened. Surfrider Foundation appreciates being part of the formative process in the Northeast and we thank RPB and NROC members for the tremendous contributions of time and energy in developing these draft goals, considering and integrating public input, and advancing the ROP process in the Northeast.

Sincerely,

Melissa Gates  
Northeast Regional Coordinator  
Surfrider Foundation

---

SURFRIDER FOUNDATION NORTHEAST REGIONAL OFFICE  
MELISSA GATES, NORTHEAST REGIONAL COORDINATOR | P.O. BOX 313 THOMASTON, ME 04861  
207.706.6378 | [www.surfrider.org](http://www.surfrider.org) | [mgates@surfrider.org](mailto:mgates@surfrider.org)  
SURFRIDER FOUNDATION NATIONAL OFFICE | P.O. BOX 6010 SAN CLEMENTE, CA 92674





January 8, 2014

Ms. Betsy Nicholson, Federal Co-Lead, NE Regional Planning Body  
Northeast Regional Coordinator  
NOAA Coastal Service Center  
35 Colovos Road, Suite 148  
Durham, NH 03824

Mr. Grover Fugate, State Co-Lead, NE Regional Planning Body  
Executive Director  
Coastal Resources Management  
Council  
Oliver H. Stedman Government  
Center 4808 Tower Hill Road  
Wakefield, RI 02879-1900

Chief Richard Getchell, Tribal Co-Lead, NE Regional Planning Body  
All Nations Consulting  
P.O. Box 326  
Mapleton, ME 04757

**Also submitted electronically to [klund@northeastoceancouncil.org](mailto:klund@northeastoceancouncil.org)**

**RE: Comments on the Draft Goals, Objectives and Actions for Regional Ocean Planning in the Northeast**

Dear Ms. Nicholson, Mr. Fugate and Chief Getchell:

On behalf of the Conservation Law Foundation (CLF), I am pleased to provide comments to the Northeast Regional Planning Body (NE RPB) regarding its October 23, 2013 *Draft Goals, Objectives and Actions for Regional Ocean Planning in the Northeast*. CLF supports the development of a comprehensive, ecosystem-based regional ocean plan as the primary mechanism for implementing the goals and priorities of the *National Ocean Policy*<sup>1</sup> and the

---

<sup>1</sup> Executive Order 13547, Stewardship of the Ocean, Our Coasts and the Great Lakes. Fed. Reg. 43023. Thursday, July 22, 2010.

*Final Recommendations of the Interagency Ocean Policy Task Force*<sup>2</sup>. Ultimately, the goal of the *National Ocean Policy* and any consequent regional ocean plan is to ensure that New Englanders, and the nation, can capitalize on all that our ocean has to offer now and in the future. We rely on the ocean for food production, transportation, clean renewable wind, wave and tidal energy, recreation, our cultural heritage and jobs. As the ocean is the source of this tremendous wealth of goods and services upon which we depend, protecting, restoring and maintain the health of the ocean is paramount. We must therefore be committed to striking the right balance between promoting sustainable use of ocean resources and ensuring that New England's ocean ecosystem, including its wildlife and habitats, is healthy and thriving. New England's ocean ecosystem also provides numerous ecosystem services that are not valued in the market place including its role in capturing carbon, producing oxygen and regulating our climate. A comprehensive ocean plan should acknowledge the value of these ecosystem services.

CLF provides these comments in addition to the oral comments that we provided in October at the New England Regional Ocean Planning Maine Advisors Group meeting and in December at both the Rhode Island's public workshop and the meeting of the Massachusetts Ocean Advisory Commission. We note that the goals and objectives document that was discussed at the Maine meeting was a condensed summary of October 23<sup>rd</sup> *Draft Goals, Objectives and Actions* document and did not provide many important details. CLF also attended the December meeting of the New Hampshire Port Advisory Council where, we note that, while there was a discussion of ocean planning in general there was no discussion of the *Draft Goals, Objectives and Action*.

### **Draft Goals, Objectives and Actions**

The Draft Goals, Objectives and Actions lacks the summary descriptions of the goals that were approved at the NE RPB's April 2013 meeting and that CLF strongly supports -- as written in *Draft Goals for Northeast Regional Ocean Planning* (May 2013). The May 2013 narrative for each goal included in italics below provides important context for the objectives and actions that follow and ought to be included in any written or oral presentation of draft goals, objectives and actions. Our comments on the *Draft Goals, Objectives and Actions* are as follows:

---

<sup>2</sup> White House Council on Environmental Quality, Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010), *available at* [http://www.whitehouse.gov/files/documents/OTPF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OTPF_FinalRecs.pdf).



**Goal: Effective Decision Making**

*Improve management effectiveness, intergovernmental decision making, engagement, collaboration, and integration of best available knowledge. Reflect ever changing social, environmental, and technological conditions.*

- **Objective 1 - Enhance inter-agency coordination:** CLF is concerned to see language that significantly narrows the RPB's focus regarding inter-agency coordination. Rather than signaling a comprehensive approach to regional ocean planning, as envisioned by the *National Ocean Policy*, the objective as currently worded would limit the focus of the Northeast regional ocean plan to a narrowly prescribed set of ocean uses; specifically, energy production, infrastructure (transmission cables and pipelines), offshore aquaculture, sand and gravel extraction, and other potential *future* uses (e.g. carbon sequestration). Broad interagency coordination is critical if existing and future ocean uses are to be effectively coordinated, including uses that are widespread across the ocean planning region such as commercial and recreational fishing, recreational boating and scientific research. CLF believes that the language in Objective 1 represents an unnecessary narrowing of the application of the regional ocean plan and results in the exclusion of many other uses from an objective that seeks to enhance inter-agency coordination. We strongly recommend that all ocean uses be included in this objective, recognizing that the RPB in this first generation of the regional ocean plan may need to prioritize specific issues. At the very the least the language should be amended so that it is clear that this objective is not limited to only the listed activities above. Action 1-1 should also be redrafted to include a review of federal and state statutory requirements for regulating the siting of any ocean use in the ocean planning area. Likewise, Action 1-3 should be broader to identify specific opportunities to enhance interagency coordination for all ocean uses. Such a fundamental action should be a foundational element of any ocean plan and again should not be limited to a selective subset of ocean uses. Action 1-2 should include stakeholder engagement, current ocean use, and important ecological areas of ocean wildlife and habitat as focal topics for coordination with the Bureau of Ocean Energy Management (BOEM).
- **Objective 2 -- Implement specific actions to enhance informed public input in decision-making:** Similar to our comments on Objective 1, CLF believes that promoting opportunities for public input is critical to any informed decision-making process. Affected stakeholders should have clearly defined opportunities to engage in policy discussions addressing specific ocean use. Having a plan for providing opportunities for and managing public engagement should be a foundational element of any ocean plan



(see comments on stakeholder engagement below). There is no justification for limiting these important actions to the subset of ocean uses listed under Objective 1.

- Objective 3 – Incorporate maps and other products into existing agency decision-making processes: This is one of the most important objectives of the regional ocean plan. Identifying data gaps and understanding and mapping existing data is essential to the ocean planning process and a fundamental component of any ocean plan. Devising ways for the maps and relevant data to be included in the plan so that it can be incorporated into agency decision-making will be critical to ocean plan implementation and effectiveness. To that end, Action 3-1 is particularly important and should be a focus in the regional planning process. CLF has significant legal and policy expertise that we look forward to sharing as the NE RPB considers mechanisms for incorporating the ocean plan into current state and federal decision-making processes.
- Objective 4 – Improve respect for the customs and traditions of indigenous peoples in decision-making processes. CLF strongly supports this objective and looks forward to commenting on more specific actions under this objective once they are developed.
- Objective 5 – Periodically assess process towards achieving this goal and Objectives 1-4: CLF strongly supports this objective and similar objectives under each goal to ensure that the regional ocean plan includes adaptive management measures to meet its goals and objectives.

### **Goal: Healthy Ocean and Coastal Ecosystems**

*Develop a planning framework to protect, restore, and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual, and economic benefits. Account for changing environmental conditions and new information as it becomes available. Respect the intrinsic value of the ocean, its biodiversity, and act as its steward/caretaker, recognizing humans as part of the ecosystem.*

The above narrative describing the Healthy Ocean and Coastal Ecosystems goal describes what should be the overarching goal and vision of the Northeast regional ocean plan – a framework to protect, restore and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual and economic benefits, taking into account changing environmental conditions and our evolving understanding of our ocean ecosystem while respecting the intrinsic value of the ocean and its biodiversity. We strongly support this goal as worded above, but have serious concerns that the objectives and actions that follow are not sufficient to achieve this goal.

- Objective 1 -- Characterize the region's ecosystem and economy: Characterizing New England's ocean ecosystem and associated human uses is fundamental to the development of an effective ocean plan and we support the actions associated with compiling and mapping scientific and human use data and developing a detailed portrayal of the biological, physical, oceanographic and human use characteristics of the Northeast planning region. We also want to underscore the importance of considering and planning for the potential impacts of climate change to New England's ocean ecosystem as an element of the regional ocean plan. Action 1-3 proposes to study efforts to identify important ecological areas (IEAs) *or* measure the "health" of the ecosystem. Identifying IEAs and measuring the health of the ecosystem are two distinct areas of scientific study, and it is important to the ocean planning process that there be a baseline understanding of what has been done in the Northeast region on both topics. Therefore, the word, "or" should be replaced by the word "and."

In addition, Action 1-3 inexplicably falls short of taking the obvious next step with respect to IEAs, *i.e.*, to actually identify IEAs in the planning region and develop a decision-making framework that provides appropriate protection for them. The identification and protection of IEAs is a fundamental and critical step in any ocean planning process and is essential to achieving the goal of healthy ocean and coastal ecosystems. The Final Recommendations of the Interagency Ocean Policy Task Force on a Framework for Effective Coastal and Marine Spatial Planning (CMSP) specifically calls out IEAs as an essential component of a marine spatial plan:

*CMSP is intended to improve ecosystem health and services by planning human uses in concert with the conservation of important ecological areas, such as areas of high productivity and biological diversity; areas and key species that are critical to ecosystem function and resiliency; areas of spawning, breeding, and feeding; areas of rare or functionally vulnerable marine resources; and migratory corridors.<sup>3</sup>*

***Essential Elements of Ocean Plan -- Regional Assessment:*** *The CMS Plan would include a regional assessment, based on environmental, social, economic, and other necessary data and knowledge, describing the existing and predicted future conditions, uses, and characteristics of the ocean, coastal, or Great Lakes areas covered in the CMS Plan. The regional assessment would include: relevant biological, chemical,*

---

<sup>3</sup> Ibid., p. 44.

*ecological, physical, cultural, and historical characteristics of the planning area; **ecologically important or sensitive species/habitats/ecosystems**; and areas of human activities. The assessment would also include an analysis of ecological condition or health and of cumulative risks as well as forecasts and models of cumulative impacts. The regional assessment would explain the information obtained and analyses conducted during the planning process and how they were used to help determine management decisions and plan alternatives.<sup>4</sup> (Emphasis added.)*

Therefore, the identification and protection of IEAs and measuring marine ecosystem health should be major priorities of the planning process. Action 1-3 should be re-drafted so that the work of measuring marine ecosystem health is an action distinct from the specific actions needed to identify and map important ecological areas in the Northeast ocean planning area. CLF recommends the following language change:

- Action 1-3. Assess and summarize efforts in the region that have attempted to identify areas of ecological importance. Based on this information and with additional input from the regional science community develop and apply an appropriate methodology to identify important ecological areas in the ocean planning area.
- Action 1-4. Assess and summarize efforts in the region that have attempted to measure the health of the marine ecosystem. Based on this information and with additional input from the regional science community develop a set of marine ecosystem health indices for regional ocean ecosystem with which to gauge the current health of the ecosystem and to inform the development and regular updating of the regional ocean plan and in particular its goal of Healthy Ocean and Coastal Ecosystems.

Similarly, Action 1-7 (review studies on vulnerability of marine life and habitats to human activities/cumulative impacts) fails to include the step of applying this information to the decision framework of the ocean plan. Action 1-7 should be re-drafted to include an action that would make recommendations on incorporating marine life and habitat vulnerability and cumulative impacts into decision making.

---

<sup>4</sup> Ibid., p. 59.

### **Goal: Compatibility Among Past, Current and Future Ocean Uses**

*Develop a planning framework to encourage compatibility among past, current and future uses of ocean and coastal waters while minimizing user conflict and impacts to environmental and cultural resources. Recognize local priorities and the connection of ocean uses and the ecosystem to shoreside infrastructure and activities. Facilitate increased understanding and coordination among stakeholders, recognizing the difficulty of resolving certain conflicts.*

The goal of compatibility among uses is an appropriate goal of comprehensive ocean planning, and CLF supports this goal as an important outcome of the Northeast regional ocean plan. However, the objectives and actions that follow this goal focus solely on studying potential future changes in human uses of the ocean environment versus actually assessing and affirmatively addressing and managing current and future *compatibility* among uses. Mapping patterns of human use in and of itself is not sufficient to assess and promote compatibility among uses. Compatibility considers how different activities interact, whether there are positive or negative consequences of those interactions and how those consequences can be mitigated and managed in a way that protect existing uses and plans for and enables new uses. We recommend that the NE RPB include appropriate actions that more directly address the compatibility goal and identify best management practices for promoting compatibility among uses.

The intent of Objective 2 regarding incorporating “regional issues” in ongoing efforts assessing human activities is confusing and appears to be focused on engaging current initiatives in the region. We believe that the regional planning process could benefit from other initiatives and processes now underway. For example, BOEM’s wind energy siting process is generating significant amounts of useful scientific data and other information about the ocean planning area, which could be incorporated into the regional planning process. This objective should be redrafted to focus on engaging current initiatives in a manner that advances the development of a regional ocean plan. In addition, it would be useful to specify what regional issues, other than offshore electricity transmission, are contemplated.

### **Stakeholder Engagement**

CLF respectfully would like to also call your attention to the continued need for a formal and comprehensive public engagement process. More detailed recommendations can be found in the May 31, 2013 letter re: public participation submitted to the executive committee of the RPB by the New England Ocean Action Network of which CLF is a member. CLF would like to reinforce two of the proposals in that letter:

- Appointing a standing *Regional* Stakeholder Advisory Panel that consists of diverse representation from the range of traditional, current and nascent ocean user groups in

New England. We do not believe that relying upon existing state advisory panels is an appropriate, prudent or sufficient way to encourage regional dialogue about a large and diverse regional planning area. Reliance upon state-by-state advisory committees continues a siloed approach to ocean management that regional ocean planning should be designed to overcome. The state committees that have been engaged on regional ocean planning thus far vary significantly in their membership composition depending on the state and some committees such as the New Hampshire State Port Advisory Council are not broadly representative of all the relevant ocean planning stakeholders. Furthermore, the announcement of meetings and notification for public involvement has proven to be uneven among the various state bodies. The standards for notifying the public, accommodating public attendance and receiving and incorporating public and stakeholder comments and statements are not apparent in the RPB's use of separate state committees as advisory bodies. To be clear, we appreciate the opportunity for stakeholder dialogue that state advisory committees can provide, but we do not believe it is an adequate mechanism for ensuring stakeholder input in this regional dialogue. In addition to a Regional Advisory Body we urge the RPB to develop and implement common standards of announcement and notification for comment periods, public meetings and other public and stakeholder events.

- Creating and utilizing a standing Science Advisory Panel consisting of scientists from academic and government institutions across New England, as well as individuals or representatives of certain entities who have particular expertise in experiential, local or traditional knowledge. Such a Science Advisory Panel will ensure that the regional ocean plan is built upon the best available scientific data and understanding of New England's ocean, as well as help to increase credibility among the public and various ocean user groups regarding the ocean planning process.

CLF is pleased that New England has embarked on the nation's first ever regional ocean planning process and looks forward to the completion of the Northeast regional ocean plan. The NE RPB is now at a stage of maturation where a more fully developed and regular timeline for its regular public meetings, work sessions, outreach events and other activities is expected by stakeholders and the public who are accustomed to working in concert with other administrative bodies. Establishing an open and transparent public and stakeholder process along with a more regular and accessible RPB work schedule and timeline of actions will help to create the success that we all want to see in New England.



Thank you for this opportunity to comment on the NE RPB's *Draft Goals, Objectives and Actions*. As always, I and my CLF colleagues stand ready to assist in this important endeavor, and we look forward to the NE RPB's great accomplishments in 2014.

Sincerely,

A handwritten signature in blue ink that reads "Priscilla M. Brooks". The signature is written in a cursive, flowing style.

Priscilla M. Brooks  
VP and Director of Ocean Conservation





January 9, 2014

Submitted Electronically

Ms. Katie Lund  
Executive Secretary  
Northeast Regional Planning Body  
[klund@northeastoceancouncil.org](mailto:klund@northeastoceancouncil.org)

**RE: Comments on Revised Draft Ocean Planning Goals, Objectives, and Actions**

Dear Ms. Lund:

The National Ocean Policy Coalition ("Coalition") is pleased to submit comments on the Northeast Regional Planning Body's ("Northeast RPB") revised draft regional ocean planning goals, objectives, actions, and outcomes. The Coalition is an organization of diverse interests representing sectors and entities that support tens of millions of jobs, contribute trillions of dollars to the U.S. economy, and seek to ensure that actions under the National Ocean Policy are implemented in a manner that best benefits the National interest, including protection of the commercial and recreational value of the oceans, marine-related natural resources, and terrestrial lands of the United States.

**INTRODUCTION**

Ocean and coastal policies play a critical role in our national, regional, and local economies, national security, culture, health, and well-being. The Coalition supports ocean and coastal policies that serve as mechanisms for job creation, infrastructure revitalization, and economic growth, conserve the natural resources and marine habitat of our ocean and coastal regions, and rely on full utilization of existing programs and well-established authorities that are already in place.

The comments herein supplement the Coalition's June 2013 comments (see Appendix) on the Northeast RPB's initial draft goals, actions, and outcomes that were released in May 2013.

A primary driver of the Coalition's concerns regarding regional ocean planning efforts under the National Ocean Policy/RPB construct is the reality that, pursuant to the foundational National Ocean Policy/Northeast RPB documents, RPB plans or products are to be implemented by federal agencies to the maximum extent, including through regulations where necessary.<sup>1</sup> Regardless of whether the RPB

---

<sup>1</sup> See Executive Order for Stewardship of the Ocean, Our Coasts, and the Great Lakes, July 19, 2010, *available at* <http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf>, Section 6 ("All executive departments, agencies, and offices that are members of the [National Ocean] Council and any other executive department, agency, or office whose actions affect the ocean, our coasts, and the Great Lakes shall, to the fullest extent consistent with applicable law...[p]articipate in the process for coastal and marine spatial planning and comply with Council certified coastal and marine spatial plans, as described in the Final Recommendations and subsequent guidance from the Council."); Final Recommendations of the Interagency Ocean Policy Task Force, July 19, 2010, *available at* [http://www.whitehouse.gov/files/documents/OPTF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf), Pages 47, ("Where pre-existing legal constraints, either procedural or substantive, are identified for any Federal agency, the NOC would work with the agency to evaluate necessary and appropriate legislative solutions or changes to regulations to address the constraints. In the interim, agencies would comply with existing legal requirements but



itself is a non-regulatory entity, its actions may thus have far-reaching consequences by serving as precursors to regulatory activity that ultimately impact federal agency discretion and decision-making. The inherent potential for uncertainty, confusion, delay, and adverse impacts to result from this non-statutorily based process underscores the critical need to reduce the likelihood of such an outcome.

The Coalition therefore reiterates the critical importance of establishing a formal role for commercial and recreational user groups (including but not limited to the creation of a formal advisory committee under the Federal Advisory Committee Act) before the Northeast RPB takes any further action. For the reasons stated above, the activities of the RPB should be held to stakeholder processes and standards at least as rigorous as those accorded to statutorily-authorized ocean use planning processes. A clear, transparent, and inclusive process would significantly decrease the likelihood of ill-informed actions that unnecessarily constrain commercial and recreational activity in the Northeast.

In addition, it is vital that any work plan that emanates from the development of Northeast regional ocean planning goals, objectives, actions, and outcomes be subject to a sufficient opportunity for public review and comment and user group engagement before its finalization.

Lastly, many of the nation's existing laws aim to promote economic activity and resource development,<sup>2</sup> and the National Ocean Policy Implementation Plan itself cites the promotion of economic growth as a

---

should endeavor, to the maximum extent possible, to integrate their actions with those of other partners to a CMS Plan.”); 61-62 (“...State and Federal regulatory authorities would adhere to, for example, the processes for improved and more efficient permitting, environmental reviews, and other decision-making identified in the CMS [Coastal and Marine Spatial] Plan to the extent these actions do not conflict with existing legal obligations. State and Federal authorities with programs relevant to the CMS Plan would in a timely manner review and modify programs, as appropriate, to ensure their respective activities, including discretionary spending (e.g., grants and cooperative agreements), adhere to the CMS Plan to the extent possible. State and Federal agencies would also be expected to formally incorporate relevant components of the CMS Plan into their ongoing operations or activities consistent with existing law. This may be implemented in a variety of ways. For example, agencies could enter into memoranda of understanding (MOUs) to coordinate or unify permit reviews and decision-making processes. Where existing regulatory or statutory requirements impose constraints on the ability of an agency to fully implement the CMS Plan, the agency would seek, as appropriate, regulatory or legislative changes to fully implement the CMS Plan.”); 62 (“...CMS Plans...are intended to guide agency decision-making and agencies would adhere to the final CMS Plans to the extent possible, consistent with existing authorities...Once a CMS Plan is approved, Federal, State, and tribal authorities would implement them through their respective legal authorities.”); and 65-66 (“Agencies would incorporate components of the CMS Plan into their respective regulations to the extent possible. Adherence with CMSP would be achieved through Federal and State agencies and tribal authorities incorporating CMS Plans into their pre-planning, planning, and permitting processes, to the extent consistent with existing laws and regulations. The CMS Plan signatories would periodically review these processes, and where legal constraints are identified, would seek to remedy these constraints, including by working with the NOC to evaluate whether a legislative solution or changes to regulations are necessary and appropriate.”); National Ocean Policy Implementation Plan, April 2013, available at [http://www.whitehouse.gov/sites/default/files/national\\_ocean\\_policy\\_implementation\\_plan.pdf](http://www.whitehouse.gov/sites/default/files/national_ocean_policy_implementation_plan.pdf), Page 21 (Marine planning will support regional actions and decision-making...); Marine Planning Handbook, July 2013, available at [http://www.whitehouse.gov/sites/default/files/final\\_marine\\_planning\\_handbook.pdf](http://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf), Page 17 (“By their concurrence, Federal agencies agree that they will use the marine plan to inform and guide their actions in the region consistent with their existing missions and authorities.”); and Northeast Regional Planning Body Charter, available at [http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories\\_FINAL.pdf](http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories_FINAL.pdf), Pages 1 (“...participation on the RPB does not commit any **non-federal** RPB member, or **non-federal government** represented by the member, to adopt resulting products or plans.” (emphasis added)); 2 (“By committing to this process, RPB members agree to participate in regional ocean planning as a framework for improved coordination and decision making.”); and 7 (“While regional ocean planning cannot supersede existing laws and agency authorities, it is intended to provide a better mechanism for application of these existing laws and authorities. If the Northeast RPB decides to create a formal regional ocean plan...the intent would be to guide agency decision-making, and agencies would adhere to the final plan to the extent possible, consistent with their existing authorities.”).

<sup>2</sup> See e.g. 16 U.S.C. § 1452 (Coastal Zone Management Act), available at <http://www.gpo.gov/fdsys/pkg/USCODE-2012-title16/pdf/USCODE-2012-title16-chap33-sec1452.pdf> (“The Congress finds and declares that it is the national policy—(1) to preserve, protect, **develop**, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations; (2) to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and esthetic values **as well as the needs for compatible economic development, which programs should at least provide for... (D) priority consideration**

key driver and goal of the initiative.<sup>3</sup> The Northeast RPB in turn should identify and seek public review and comment on proposed economic goals and related actions and performance indicators.

To ensure that such economic goals and actions are fulfilled, similar to its proposal to develop a regional ocean science plan (Goal 2, Objective 3), the Northeast RPB should also include the development of a regional economic development plan as part of its goals, objectives, and accompanying actions. Aided by the close engagement of existing and future potential commercial and recreational user groups and subject to public review and comment, the plan should identify and prioritize needs and outcomes for economic data and information, clearly specify how such needs will be met, and outline in detail how Northeast RPB activities will achieve its previously identified economic goals, actions, and performance metrics.

---

*being given to coastal-dependent uses and orderly processes for siting major facilities related to national defense, energy, fisheries development, recreation, ports and transportation, and the location, to the maximum extent practicable, of new commercial and industrial developments in or adjacent to areas where such development already exists, (E) public access to the coasts for recreation purposes...*" [emphasis added]; 43 U.S.C. 1332 (Outer Continental Shelf Lands Act), available at <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title43/pdf/USCODE-2011-title43-chap29-subchapIII.pdf> ("It is hereby declared to be the policy of the United States that—...(3) the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs..."); 16 U.S.C. 1801 (Magnuson Stevens Fishery Conservation and Management Act), available at <http://www.gpo.gov/fdsys/pkg/USCODE-2012-title16/pdf/USCODE-2012-title16-chap38-subchapI.pdf> ("The Congress finds and declares the following: ...The fish off the coasts of the United States, the highly migratory species of the high seas, the species which dwell on or in the Continental Shelf appertaining to the United States, and the anadromous species which spawn in United States rivers or estuaries, constitute valuable and renewable natural resources. These fishery resources contribute to the food supply, economy, and health of the Nation and provide recreational opportunities...A national program for the development of fisheries which are underutilized or not utilized by the United States fishing industry, including bottom fish off Alaska, is necessary to assure that our citizens benefit from the employment, food supply, and revenue which could be generated thereby...It is therefore declared to be the purposes of the Congress in this Act—...to promote domestic commercial and recreational fishing under sound conservation and management principles...to encourage the development by the United States fishing industry of fisheries which are currently underutilized or not utilized by United States fishermen, including bottom fish off Alaska..."); 46 U.S.C. 55601 (Energy Independence and Security Act), available at <http://uscode.house.gov/view.xhtml?path=/prelim@title46/subtitle5/partD/chapter556&edition=prelim> ("The Secretary of Transportation shall establish a short sea transportation program and designate short sea transportation projects to be conducted under the program to mitigate landside congestion or to promote short sea transportation. (b) Program Elements.—The program shall encourage the use of short sea transportation through the development and expansion of—(1) documented vessels; (2) shipper utilization; (3) port and landside infrastructure; and (4) marine transportation strategies by State and local governments."); and 46 U.S.C. 50302 (Merchant Marine Act, as amended), available at <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title46-section50302&num=0&edition=prelim> ("With the objective of promoting, encouraging, and developing ports and transportation facilities in connection with water commerce over which the Secretary of Transportation has jurisdiction, the Secretary, in cooperation with the Secretary of the Army, shall —(1) investigate territorial regions and zones tributary to ports, taking into consideration the economies of transportation by rail, water, and highway and the natural direction of the flow of commerce; (2) investigate the causes of congestion of commerce at ports and applicable remedies; (3) investigate the subject of water terminals, including the necessary docks, warehouses, and equipment, to devise and suggest the types most appropriate for different locations and for the most expeditious and economical transfer or interchange of passengers or property between water carriers and rail carriers; (4) consult with communities on the appropriate location and plan of construction of wharves, piers, and water terminals; (5) investigate the practicability and advantages of harbor, river, and port improvements in connection with foreign and coastwise trade; and (6) investigate any other matter that may tend to promote and encourage the use by vessels of ports adequate to care for the freight that naturally would pass through those ports.").

<sup>3</sup> See National Ocean Policy Implementation Plan, April 2013, available at [http://www.whitehouse.gov/sites/default/files/national\\_ocean\\_policy\\_implementation\\_plan.pdf](http://www.whitehouse.gov/sites/default/files/national_ocean_policy_implementation_plan.pdf), Pages 3 ("This Plan describes specific actions that translate the goals of the National Ocean Policy into on-the-ground change to address key challenges, streamline Federal operations, save taxpayer dollars, and promote economic growth.") and 6 ("This Plan responds to such challenges by focusing and coordinating action among Federal agencies under their existing authorizations and budgets, and by providing the tools we need to ensure a robust, sustainable ocean economy. It also promotes better science and information to support economic growth, more efficient permitting and decision-making, and healthier and more resilient marine ecosystems that will continue to support jobs, local economies, and a skilled and diverse ocean workforce.").

Taking such actions will help ensure that the promotion of economic activity and growth of the region's blue economy are adequately addressed in the Northeast RPB's activities.

## GOAL: EFFECTIVE DECISION MAKING

As the Coalition stated in its previous comments, effective decision-making is a laudable goal. At the same time, a number of government entities with vastly different jurisdictions and responsibilities serve on the Northeast RPB, and current federal law provides clear jurisdictional leads for the leasing, permitting, and licensing of offshore activities.

Northeast RPB efforts that seek to streamline decision-making must therefore proceed within the confines of existing statutes and their regulatory regimes and not dilute or blur existing authorities and mandates, and, new proposed language stating that the RPB "must work within existing regulatory authorities" that appears in Objectives 1 and 3 should be maintained and apply to all goals and objectives that are ultimately adopted.<sup>4</sup>

### Objective 1: Enhance inter-agency coordination

*Focus on aspects of governmental decision-making (NEPA and other existing siting/regulatory programs) related to marine energy production (wind, marine hydrokinetic) and infrastructure (transmission cables, pipelines), offshore aquaculture, sand extraction for beach nourishment, and consider other potential future uses (e.g., carbon sequestration). **For this objective, it is important to remember that the RPB must work within existing regulatory authorities and that different authorities exist for such activities.** This objective will focus on timing/scheduling, inter-agency information-sharing, and communication at a federal level and between state and federal agencies.*<sup>5</sup>

In attempting to address the enhancement of interagency coordination, the revised draft proposes to focus on existing siting/regulatory programs related to "marine energy production (wind, marine hydrokinetic) and infrastructure (transmission cables, pipelines), offshore aquaculture, sand extraction for beach nourishment, and consider other potential future uses (e.g., carbon sequestration)."<sup>6</sup> In carrying out this objective, *all* existing and potential future uses that are subject to existing siting and regulatory programs should be addressed, including fishing and boating, conventional energy, ports, shipping, and other forms of waterborne transportation and commercial and recreational activity.

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Review federal statutory requirements for regulating siting of energy-related development (including electricity generation and transmission, infrastructure such as pipelines, etc), offshore aquaculture, sand extraction for beach nourishment, and other potential future uses of ocean space. Review analogous programs at the state level. In addition to development-specific requirements (e.g., wind energy responsibilities that BOEM has related to the 2005 Energy Policy Act), include more broad considerations such as the National Environmental Policy Act

<sup>4</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Pages 1 and 2, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>5</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 1, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>6</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 1, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

(NEPA). In addition to this “on-paper” review, discuss practical implementation with agencies and the regulated community.

- Pursue opportunities to coordinate with the U.S. Bureau of Ocean Energy Management’s leasing program for offshore wind development. Focus on site assessment and construction-operations plan requirements, the utility of regional ocean planning data and information, tribal coordination, and other topics.
- Identify specific opportunities to enhance interagency coordination for marine energy production, infrastructure, offshore aquaculture, and sand extraction for beach nourishment. Include National Environmental Policy Act and development-specific regulatory programs in this action. Recognizing that there may be obstacles to this action, also identify specific obstacles to achieving those opportunities, and specific, concrete steps toward addressing these obstacles. Convene non-governmental entities (regulated community and other interested parties) to discuss, and revised prior to finalizing details.<sup>7</sup>

According to the revised draft, outcomes would include strengthened interagency coordination, federal and state regulatory efficiencies, and “agency commitments to implement,” as well as public information outlining existing review processes and how regulated entities and the public can participate.<sup>8</sup>

Better coordination across governmental agencies could yield positive results. As the Coalition stated in its previous comments, addressing existing inefficiencies by identifying and cataloguing flaws in the current system in terms of regulatory agencies and their ability to work with one another could help promote effective decision-making. The development of any such review and recommendations should include close engagement with the regulated community and relevant agencies and the utilization of adequate public comment periods.

In sharing the findings of any report and recommendations with agencies and officials that have the statutory responsibilities for managing ocean and coastal resources, such information should be provided for their use and consideration as they see fit. Agency implementation of any recommended actions that are included in the Northeast RPB’s report should be strictly voluntary, based on the agency’s careful, independent, and transparent consideration and best judgment, and consistent with existing applicable laws and regulations.

## **Objective 2: Implement specific actions to enhance informed public input in decision-making**

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Develop and disseminate publicly-accessible materials describing regulatory programs related to the type of activities reviewed under Objective 1, including opportunities for public comment, steps where data and information can be provided, and overall timeline for decisions. Existing resources will provide much of the material for this task.

---

<sup>7</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 1, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>8</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 1, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

- Engage interested parties to identify other potential means of meeting this objective. This could include topics such as: enhanced use of on-line/social media, use of existing public meetings (such as those of the RPB) to provide updates on ocean development projects, demonstrating how public input is/would be incorporated in decision-making, and other ways to meet this objective.<sup>9</sup>

According to the revised draft, outcomes would include enhanced opportunities for public participation in ocean development proposals and review processes and greater public understanding of and ease of participation in regulatory processes.<sup>10</sup>

Consistent with the Coalition's previous comments, the Northeast RPB should provide assurances that any such activities would be carried out in an effective manner, as utilizing a new entity to inform and engage the public and others could create confusion, contribute to regulatory fatigue, and lead to the dissemination of conflicting information.

To the degree that the Northeast RPB itself nevertheless seeks to inform the public about existing regulatory processes and opportunities for engagement within the confines of those regimes, it should thus first coordinate with the agencies and officials of jurisdiction in order to ensure the veracity of any information that is shared with the public.

### **Objective 3: Incorporate maps and other products into existing agency decision-making processes**

*Scientifically-sound, stakeholder-reviewed products should be publicly available through the Northeast Ocean Data Portal. **For this objective, it is important to remember that the RPB must work within existing regulatory authorities.** Uncertainty and variability in data and other issues must be identified and described for each data product. Caveats associated with data products may limit their utility; some data may be most helpful in generally identifying issues needing further study and/or stakeholders to engage. Certain products may be applicable for preliminary site assessment or consideration of alternatives.*<sup>11</sup>

In calling for the incorporation of maps and other products into existing decision-making processes, the revised draft calls for the use of "scientifically sound, stakeholder-reviewed products" made publicly available through the Northeast Ocean Data Portal, noting that data uncertainties and variations must be identified and described in each data product and that caveats may limit the utility of certain data products.<sup>12</sup>

In furtherance of this objective, the Northeast RPB specifically proposes to:

---

<sup>9</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Pages 1-2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>10</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>11</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>12</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

- Within existing regulatory processes, identify potential uses for/applicability of regional ocean planning products. Convene interested parties (government and non-government) to discuss this topic and revise products accordingly.
- Update the Northeast Ocean Data Portal reflecting the results of the above action. Enhance Northeast Ocean Data Portal functionality through better presentation, characterization, and visualization of products.
- Work with appropriate agencies/data owners to increase responsibility for maintaining/updating data products and the Northeast Ocean Data Portal, beginning with illustrations of the utility of products developed for regional ocean planning purposes and recognizing future budget issues.<sup>13</sup>

According to the revised draft, outcomes of this objective would include regional ocean planning products and information that enable preliminary site assessments, provide a better understanding of existing conditions, contribute to regulatory efficiencies, direct stakeholder engagement on the development of Northeast Ocean Data Portal products, and the long-term maintenance and updating of the Northeast Ocean Data Portal and its products.<sup>14</sup>

As the Coalition previously conveyed, data and maps that are properly collected, developed, and used can be of great utility to government, scientists, ocean and coastal user groups, and the public.

At the same time, the Northeast RPB's proposal to further the incorporation of regional data and maps into existing decision-making or regulatory processes could lead to unintended consequences.<sup>15</sup> If not conducted with great caution and sound scientific methodology and custom-designed based on a particular need, the use of data and maps could promote unnecessary or unjustified time and space restrictions. In addition, static data and maps that omit new information on the region's coastal and marine resources could preclude investments in new economic activity in the region or otherwise constrain informed decision-making on evolving national priorities.

While important and existing efforts to improve data collection and database creation should continue, absent express legislative authorization and appropriation, available resources and methodologies are insufficient to incorporate new regional maps and other products into decision-making processes by arbitrary deadlines. Furthermore, such efforts could divert scarce agency resources and personnel away from existing governmental activities that are necessary to support existing and potential future ocean and coastal activities in the Northeast.

To the degree that the Northeast RPB nonetheless pursues this objective, the use of "scientifically-sound" data products proposed in the revised draft should be maintained in favor of the original proposal to integrate "best available knowledge," and the revised draft's acknowledgement of the need to account for uncertainties, variations, and potential limitations in data should similarly be preserved.

---

<sup>13</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>14</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>15</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.



Any such data products must account for all of the region's offshore resources and existing and future potential uses, including fishing and boating, conventional energy, ports, shipping, and other forms of waterborne transportation and commercial and recreational activity.

In addition, the Northeast RPB should provide clear guidance and protocols that apply to its collection and use of data (including minimum requirements with relevant federal and state data quality laws, standards, and protocols).

Any decision to develop a regional ocean planning product must also be: (1) subject to an opportunity for extensive public review and comment; (2) informed by active and comprehensive engagement with all existing and future potential user groups, and (3) followed by continuous opportunities to update such products and the prompt incorporation of any updated data.

**Objective 4: Improve respect for the customs and traditions of indigenous peoples in decision-making processes**

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Identify areas and species important for sustenance activities.
- Develop means of incorporating information developed under the above action into decision-making.<sup>16</sup>

The Northeast RPB Charter notes that it “is not a regulatory body” and “has no independent legal authority to regulate or otherwise direct federal, state, or tribal entities.”<sup>17</sup> Proposing to develop a mechanism for the incorporation of areas and species deemed “important for sustenance activities” into existing decision-making raises significant concerns that the Northeast RPB could take actions that exceed its non-regulatory function, and create new regulatory uncertainties for existing and potential future user groups who are governed by long-established ocean and coastal management statutory authorities.

The development of any mechanisms to incorporate areas and species deemed important for sustenance into decision-making must therefore be undertaken by those entities that are statutorily authorized to do so rather than the Northeast RPB, and any identification of such areas must be subject to public review and comment.

**Objective 5: Periodically assess process toward achieving this goal and Objectives 1-4**

The revised draft proposes that the Northeast RPB develop and implement mechanisms to track progress toward the achievement of effective decision-making and the goal's underlying objectives.

The Northeast RPB specifically proposes to:

---

<sup>16</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>17</sup> See Northeast Regional Planning Charter, Page 1, available at [http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories\\_FINAL.pdf](http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories_FINAL.pdf).

- Develop and implement tracking mechanisms to identify if objectives toward this goal are being met. Include periodic/routine input from the regulated community and the public. This Action is intended to identify longer-term (beyond two years) needs and to implement necessary steps to meet those needs.<sup>18</sup>

Any periodic assessments should be subject to formal public comment periods, and the Northeast RPB should specify how frequently such periodic assessments would take place.

## **GOAL: HEALTHY OCEAN AND COASTAL ECOSYSTEMS**

Commercial and recreational interests have a direct stake in healthy ocean and coastal ecosystems and support sound, informed, and science-based policies that support them. As the Coalition previously stated, a number of federal laws are already in place that directly and indirectly address the protection of ocean and coastal ecosystems, and healthy ocean and coastal ecosystems should be supported through existing entities, mechanisms, and processes.

### **Objective 1: Characterize the region's ecosystem and economy**

*Characterize the region's species, habitats, cultural resources, and existing human activities and economy is a component of understanding the "health" of New England's ocean and coastal ecosystems. Environmental conditions in parts of the region appear to be changing and, where possible, such phenomena should be described and ways to portray the dynamic nature of the system explored. Some issues require additional scientific focus, data development, or longer-term consideration.<sup>19</sup>*

The revised draft proposes to characterize the region's species, habitats, cultural resources, existing human activities, and economy, noting that some issues demand more scientific focus, data development, and longer-term consideration.<sup>20</sup>

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Work with the scientific community and other interested parties to integrate natural resource data and model-derived products to characterize marine life and habitats. This includes producing maps for bird, sea turtle, shellfish, marine mammal, fish, and bottom (benthic) habitats. Consider the potential for developing products related to other issues such as historic and future trends, ocean acidification, biodiversity, productivity, species biology (including migration), and the physical/oceanographic environment. Assess the potential for climate change impacts to alter existing conditions. In these considerations, consider scientific understanding and data availability. Convene scientists and other stakeholders to discuss preliminary assessments and potential next steps.
- Identify areas and resources that are of tribal importance.

---

<sup>18</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>19</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 4, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>20</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 4, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.



- Assess and summarize efforts in the region that have attempted to identify areas of ecological “importance” or measure the “health” of the marine system. The first step in this action will be to define these terms to provide further specificity and direction.
- Work with the shipping, commercial fishing, boating, recreational fishing, energy, aquaculture, and recreation communities to develop information describing those human activities. Engage those stakeholders in specific project design, data development where appropriate, implementation, and review of draft products prior to finalizing.
- Develop an assessment of the regional maritime economy, beginning with compilation of existing analysis/data to determine ability to produce comprehensive economic assessment.
- Incorporating information from the above actions, develop and periodically update a regional baseline assessment of the coastal and ocean ecosystem and data compilation related to the coastal and marine economy.
- Review ongoing and past studies looking at the vulnerability of marine life/habitats to human activities. As part of this summary, assess the current state of the science regarding cumulative impact assessment.
- Incorporate results of above actions into maps and other products that the RPB would seek to incorporate into existing decision-making processes under Goal 1.
- For the above actions: (1) identify priority gaps for the regional ocean science plan described in Objective 3, identifying whether there are priority gaps that could meet other purposes beyond those of regional ocean planning; and (2) pursue incorporating the results of the above actions into existing decision-making processes under Objective 3 of Goal 1.<sup>21</sup>

According to the revised draft, outcomes would include a regional characterization of human activities, cultural resources, natural resources, and the ocean and coastal economy, scientific and stakeholder community engagement, and the incorporation of products into decision-making “as appropriate and only if specific caveats associated with each product are clearly articulated.”<sup>22</sup>

If a regional economic and environmental assessment is not developed through a transparent public process, held to the highest data quality standards, and updated and adapted to suit evolving information and public policy needs, it could ultimately introduce new uncertainties for commercial and recreational interests that lead to unnecessary regulatory hurdles or obstacles to access. For example, agency use of data and maps that are incomplete, untimely, or not applied as intended could lead to adverse regulatory impacts.

For the reasons provided above in the Goal 1, Objective 3 discussion, and to limit the potential of harmful impacts, the Northeast RPB should therefore not adopt its proposal to pursue the incorporation of the results of the proposed actions in furtherance of a regional economic and environmental assessment into existing agency decision-making processes.

Consistent with its proposal to compile existing data and analysis to determine its capacity to produce a comprehensive economic assessment before one is developed, the Northeast RPB should similarly

---

<sup>21</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 4, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>22</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

assemble relevant existing scientific data and analysis to ascertain its ability to conduct the proposed environmental characterization before one is commenced. In addition, as with the Northeast RPB's proposal (Goal 3, Objective 1) to assess the future viability of human activity maps -- including the identification of the need, timing, and other considerations for updates to such maps -- the future viability of environmental maps and the identification of considerations for potential updates to them should also be assessed.

The economic component of the proposed assessment should include a complete analysis of all existing and future potential uses, as identified by commercial and recreational stakeholders, and the economic and societal benefits that they could provide for the region.

In addition, the Northeast RPB should maintain new language which recognizes that "[s]ome issues require additional scientific focus, data development, or longer-term consideration," that scientific understanding and data availability should be considered in the potential development of certain products, and that caveats associated with products developed under this objective must be "clearly articulated."<sup>23</sup>

As stated above and for any assessment, the Northeast RPB should provide clear guidance and protocols that apply to the data that is collected and used (including minimum requirements with relevant federal and state data quality laws, standards, and protocols). The development of any assessment, including any identification of areas of ecological importance and areas and resources of tribal importance, must also be: (1) subject to an opportunity for extensive public review and comment; (2) informed by active and comprehensive engagement with all existing and future potential user groups; and (3) followed by continuous opportunities to update any assessment and the prompt incorporation of any updated data.

**Objective 2: Identify and support existing non-regulatory opportunities to work toward conserving, restoring, and maintaining healthy ecosystems**

*Existing non-regulatory programs at the federal and state level are widespread and address many coastal and ocean health issues. Examples include habitat restoration activities, certain water quality improvement programs, enhancements to existing infrastructure, assessment of invasive species, etc.*<sup>24</sup>

In seeking to identify and support existing non-regulatory opportunities to conserve, restore, and maintain healthy ecosystems, the revised draft references existing federal and state-level non-regulatory programs related to habitat restoration, water quality improvement, existing infrastructure enhancements, and invasive species.<sup>25</sup>

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Identify existing as well as potential programs that are or would be directly related to conservation, restoration, and maintaining healthy ocean and coastal ecosystems at a federal

<sup>23</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Pages 4 and 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>24</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>25</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

and state level. Identify opportunities for better coordinating and supporting those programs to address priority regional ocean planning needs.<sup>26</sup>

Utilizing existing non-regulatory mechanisms to support the conservation, restoration, and maintenance of healthy ecosystems would be consistent with the Northeast RPB's non-regulatory status and help ensure that the regulatory landscape for the region's ocean and coastal user community is not further clouded.

In seeking to support any such programs, however, the Northeast RPB must be cognizant of limited agency staff and financial resources and ensure that such resources are not diverted away from statutorily-authorized purposes, and any Northeast RPB proposals to identify and support non-regulatory programs should include projected costs and funding sources and be subject to a sufficient opportunity for public review and comment.

**Objective 3: Produce a regional ocean science plan that prioritizes ocean science and data needs for the region for the next five years**

*There will be gaps in data and information that will directly affect attempts to fully achieve goals set out by the RPB. The regional ocean science plan will help fill those gaps, but importantly will also recognize that these science needs will be directly framed by the regional ocean planning effort recognizing the continuing role and capacity of existing efforts to address certain topics.*<sup>27</sup>

In calling for the development of a regional ocean science plan, the revised draft notes that data and information gaps “will directly affect attempts to fully achieve goals set out by the RPB,” adding that the science plan will help fill the gaps while also “recogniz[ing] that these science needs will be directly framed by the regional ocean planning effort...”

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Engage agencies, the scientific community, and other stakeholders to prioritize scientific/data needs. Coordinate with existing efforts that are underway or related, and recognize continuing need for basic data development to fill gaps (and budget challenges that may enhance gaps in the future). For priority topics, describe priority outcomes and identify potential ways of addressing those issues (including consideration of leveraging/partnering with existing efforts).<sup>28</sup>

Recognizing the existence of gaps is critical to ensuring that decisions are not made based on insufficient data and information. At the same time, efforts to develop a regional ocean science plan could divert scarce agency resources and personnel away from existing governmental activities that are necessary to support existing and potential future ocean and coastal activities in the Northeast.

---

<sup>26</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>27</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>28</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

Given resource constraints and the importance of ensuring that any regional ocean science plan addresses the issues of most importance to the region, a draft proposal for any such plan, including projected costs, funding sources, and goals and objectives, should be made available for public review and comment.

As the revised draft acknowledges, “[t]here will be gaps in data and information that will directly affect attempts to fully achieve goals set out by the RPB.”<sup>29</sup> In order to ensure the identification and implementation of well-informed and coordinated activities, the development and finalization of the regional ocean science plan should precede actions taken in furtherance of Northeast RPB goals and objectives that involve the use of scientific data or information.

#### **Objective 4: Periodically assess process toward achieving this goal and Objectives 1-3**

The revised draft proposes that the Northeast RPB develop and implement mechanisms to track progress toward the achievement of healthy ocean and coastal ecosystems and the goal’s underlying objectives.

The Northeast RPB specifically proposes to:

- Develop and implement tracking mechanisms to identify if objectives toward this goal are being met. Include periodic/routine input from the regulated community and the public. This Action is intended to identify longer-term (beyond two years) needs and to implement necessary steps to meet those needs.<sup>30</sup>

Any periodic assessments should be subject to formal public comment periods, and the Northeast RPB should specify how frequently such periodic assessments would take place.

### **GOAL: COMPATIBILITY AMONG PAST, CURRENT, AND FUTURE OCEAN USES**

A number of entities, mechanisms, and processes created by federal and state statutes to address ocean and coastal resource management are in effect. Northeast RPB efforts that seek to promote compatibility among uses must do so in a non-regulatory manner that is consistent with the mandates of existing statutes and related regulations.

#### **Objective 1: Increase understanding of past, current, and future ocean uses**

*Addressing project-specific compatibility issues generally is the domain of specific project-review processes and thus is appropriately addressed during permitting. Regional ocean planning can add value by enhancing understanding of trends in human activities, to the extent foreseeable, and by ensuring that specific projects underway consider regional considerations resulting from engagement of stakeholders in the Northeast.*<sup>31</sup>

---

<sup>29</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>30</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 5, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>31</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

In attempting to increase understanding of past, current, and future ocean uses, the revised draft proposes to “enhanc[e] understanding of trends in human activities, to the extent foreseeable” and “ensur[e] that specific projects underway consider regional considerations resulting from engagement of stakeholders in the Northeast.”<sup>32</sup>

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Examine technological, management, economic, environmental, or other factors to enhance understanding of reasonably foreseeable changes in human uses. Engage industry representatives and experts in maritime commerce, recreation, commercial fishing, marine energy development, and offshore aquaculture to help determine future possible scenarios or trends if possible. Gauge the potential for relatively new offshore uses such as offshore aquaculture and sand and gravel for beach nourishment.
- Use the results from the above action to assess the future viability of human activity maps. Identify the need, timing, and other considerations for periodic updates to such maps.<sup>33</sup>

If used to address economic activity without injecting additional uncertainty, risk, and delays, the assessment of trends in offshore economic activities could be beneficial. Therefore, the Northeast RPB should remove the “if possible” caveat currently included in the proposal to engage industry representatives and other experts to ascertain future possible scenarios or trends.

In addition, closely engaging commercial and recreational sectors is necessary to develop an informed understanding of current and future potential trends in offshore economic activity. Any such assessments should include all ocean and coastal resources and existing and future potential uses, and be subject to public review and comment and properly scoped and defined to meet regional goals and priorities developed through broad stakeholder consensus.

In the event that potential future changes to human activity maps are identified, such identified potential changes should be released for public review and comment before they are incorporated into any maps, with the Northeast RPB specifying how the potential changes to human activity maps could be implemented and what impact the incorporation of those changes into human activity maps could have on existing and future ocean and coastal users.

## **Objective 2: Ensure regional issues are incorporated in ongoing efforts assessing new/existing human activities**

*Several ongoing projects are looking at potential interactions between various human activities through assessing existing information and data. Many of these projects relate to ongoing offshore wind energy development and aspects of these projects may benefit from a regional perspective, recognizing that it will be important to understand their scope, timing, and intended purpose to help identify opportunities to contribute to such work.*<sup>34</sup>

---

<sup>32</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>33</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>34</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

In seeking to ensure the incorporation of regional issues in ongoing efforts to assess new and existing human activities, the revised draft notes that several projects examining potential interactions between human activities through existing information and data assessments are ongoing. It further notes that many of the projects relate to offshore wind development, and that aspects of the projects “may benefit from a regional perspective.”<sup>35</sup>

In furtherance of this objective, the Northeast RPB specifically proposes to:

- Summarize the status of projects such as the Atlantic Coast Port Access Route Study, Bureau of Ocean Energy Management-led Northeast Sand Management Working Group, regional efforts to assess commercial and recreational fishing and offshore wind energy development, and the identification of potential paleocultural resources offshore Rhode Island, and others.
- Using the above assessment, identify considerations for these existing efforts and work with sponsoring agencies/entities to do so. Identify need to facilitate discussions between diverse users and agencies and undertake such discussions where appropriate.
- Convene regional stakeholders and experts to discuss issues related to electricity transmission from grid-scale wind energy projects. The purpose of this action will be to enhance understanding of issues related to siting and/or connections to existing transmission network.<sup>36</sup>

According to the revised draft, outcomes would include the incorporation of regional perspectives in ongoing projects, information describing potential future uses of the ocean, the viability of existing human activity maps and the need for updates, and public dialogue on regional issues related to offshore wind siting.<sup>37</sup>

The provision of informed comments on this proposal is constrained absent a clearer explanation of how it would be carried out. For example, the Northeast RPB proposes to ensure the incorporation of “regional issues” in ongoing efforts in part by summarizing the status of (1) two particular projects; (2) regional commercial/recreational fishing and offshore wind regional assessments; (3) the identification of possible paleocultural resources offshore Rhode Island; and (4) “and others.” In addition, it proposes to use the assessment to identify “considerations” for these existing efforts.

To provide an opportunity for informed comments, the Northeast RPB should remove references to “regional issues,” “and others,” and “considerations” and clearly specify: (1) the specific regional issues to be addressed; (2) the criteria for determining which projects/activities will be addressed; and (3) how the information included in such an assessment would specifically be used and acted upon.

Any assessment summarizing the status of ongoing projects, and all data underlying such assessments, should first be made available for public review and comment. In doing so, the Northeast RPB should clearly explain how the information included in the assessment might be used. In addition, the

---

<sup>35</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>36</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

<sup>37</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 6, *available at* <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.

Northeast RPB should publicly announce any “considerations” for existing efforts that are identified, any related work that it engages in with sponsoring agencies/entities, and any sectors/entities that are identified as candidates for user group-agency discussions. Any such discussions should be announced by public notice and open to the public.

**Objective 3: Periodically assess process toward achieving this goal and Objectives 1-2**

The revised draft proposes that the Northeast RPB develop and implement mechanisms to track progress toward the achievement of compatibility among past, current, and future ocean uses and the goal’s underlying objectives.

The Northeast RPB specifically proposes to:

- Develop and implement tracking mechanisms to identify if objectives toward this goal are being met. Include periodic/routine input from the regulated community and the public. This Action is intended to identify longer-term (beyond two years) needs and to implement necessary steps to meet those needs.<sup>38</sup>

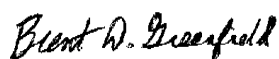
Any periodic assessments should be subject to formal public comment periods, and the Northeast RPB should specify how frequently such periodic assessments would take place.

**CONCLUSION**

The Coalition appreciates the opportunity to provide comments on the revised draft goals, objectives, actions, and outcomes. At the same time, the Coalition strongly maintains that mechanisms that provide a formal means for commercial and recreational interests to adequately interact with and advise the Northeast RPB on its activities (including but not limited to the creation of a formal advisory committee under the Federal Advisory Committee Act) should be in place before the Northeast RPB moves any further ahead.

The Coalition looks forward to continued engagement with the Northeast RPB to help ensure that this process does not adversely impact the region’s existing and future potential commercial and recreational interests, and the jobs and communities that they seek to support.

Sincerely,



Brent Greenfield  
Executive Director  
National Ocean Policy Coalition

---

<sup>38</sup> See Northeast Regional Planning Body Revised Goals, Objectives, Actions, and Outcomes, Page 7, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/11/NortheastRPBgoals-objectives-actions.pdf>.





June 28, 2013

Submitted Electronically

Betsy Nicholson  
Federal Co-Lead for Northeast Regional Ocean Planning  
NOAA Ocean Service  
Northeast Regional Office  
55 Great Republic Drive  
Gloucester, Massachusetts 01930-2276

**RE: Comments on the Draft Ocean Planning Goals**

Dear Ms. Nicholson:

The National Ocean Policy Coalition ("Coalition") is pleased to submit comments on the Northeast Regional Planning Body's ("Northeast RPB") draft regional ocean planning goals, potential actions, and outcomes. The Coalition is an organization of diverse interests representing sectors and entities that support tens of millions of jobs, contribute trillions of dollars to the U.S. economy, and seek to ensure that actions under the National Ocean Policy are implemented in a manner that best benefits the National interest, including protection of the commercial and recreational value of the oceans, marine-related natural resources, and terrestrial lands of the United States.

**Introduction**

Ocean and coastal policies play a critical role in our national, regional, and local economies, national security, culture, health, and well-being. The Coalition supports ocean and coastal policies that serve as mechanisms for job creation, infrastructure revitalization, and economic growth, conserve the natural resources and marine habitat of our ocean and coastal regions, and rely on full utilization of existing programs and well-established authorities that are already in place.

As currently written, the draft Northeast Regional Ocean Planning goal document includes items that could adversely impact existing and future commercial and recreational activities in the Northeast. The Coalition's comments below address those of the most significance. With this in mind, the Coalition strongly encourages the Northeast RPB to consider the following in all activities it undertakes:

- As a newly-established, non-regulatory body, the Northeast RPB must conduct its affairs in a manner that reflects its non-regulatory function. Decision-making that falls under an existing statutory or regulatory authority of a federal, state, or local agency or planning body should not be preempted by the outcome of the work of this RPB. Such action would blur or dilute existing authorities and mandates. The Northeast RPB should strive to serve as a forum to improve the quality and accessibility of information, thus better informing and expediting effective decision-making under existing statutes and the regulatory regimes they established.



- The Coalition does not support the furtherance of any Northeast RPB efforts that extend beyond this non-regulatory scope—including the development of a new regional ocean plan or planning framework—as ocean planning denotes making decisions on resource values and use. However, to the extent that the RPB develops information to inform regulatory processes, the Northeast RPB must ensure that all its activities are well-informed by a multi-stakeholder process, thoughtfully developed to avoid biased outcomes, and grounded in sound science and quality data. The RPB must conduct its activities in a manner that is consistent with existing legal authorities, and establish clear protocols and standards so as to not be subject to arbitrary processes and decisions which would further complicate regulatory processes or inject regulatory uncertainty. Such outcomes would potentially restrict or preclude commercial and recreational use of ocean, coastal, and other “connected” areas without due process afforded in law.
- To be successful, the Northeast RPB must establish a formal role for commercial and recreational user groups to interact with and provide advice to the RPB (including but not limited to the creation of a formal advisory committee under the Federal Advisory Committee Act) before moving forward. The activities of the RPB should be held to the same stakeholder processes and standards as those accorded to normal ocean use planning processes under regulatory authorities. A clear, transparent, and inclusive process would significantly decrease the likelihood of poorly-informed actions that unnecessarily constrain commercial and recreational activity in the Northeast.

## Timeline

Efforts to increase regulatory efficiencies and develop a greater understanding of ocean and coastal resources and existing and potential future uses can be of great benefit. However, the Coalition is concerned that the Northeast RPB is moving forward in a manner that lessens the likelihood for a thoughtful and well-informed outcome. According to the planning timeline that was recently approved, Northeast RPB products and outcomes are to be submitted to the National Ocean Council by 2015.<sup>39</sup> To that end, in seeking public comments on the draft goals, the Northeast RPB also asks for feedback on priority outcomes and actions over the next two years.

Rather than establishing pre-determined deadlines for the completion of unknown RPB activities, timelines should be developed based on the time that is needed to identify, consider, and implement goals and any related actions that are ultimately agreed upon following significant user group and public engagement efforts. Practical and achievable timelines cannot be ascertained before such engagement has taken place and such goals and related actions have been identified.

Newly-established non-regulatory entities such as the Northeast RPB must ensure that their activities are well-informed, thoughtfully developed, grounded in sound science and quality data, conducted in a manner that is consistent with existing legal authorities, and not used to arbitrarily and further complicate regulatory processes or inject regulatory uncertainty that would restrict or preclude commercial and recreational use of ocean, coastal, and other “connected” areas.

The Coalition’s comments below address those concerns of the most significance.

---

<sup>39</sup> See Northeast Regional Ocean Planning Timeline: 2012-2015, available at <http://www.northeastoceancouncil.org/comment-on-the-draft-ocean-planning-goals/>.

### **Draft Goal One: Effective Decision-Making**

*“Improve management effectiveness, intergovernmental decision making, engagement, collaboration, and integration of best available knowledge. Reflect ever changing social, environmental, and technological conditions.”<sup>40</sup>*

Effective decision-making is a laudable goal. Better coordination across governmental agencies, user group engagement, collaboration, and a science-based approach could yield positive benefits, particularly for sectors in the Northeast such as the fishing industry that are already facing federal regulations that are said to be flawed and adding to continued economic headwinds and uncertainty.<sup>41</sup> However, Northeast RPB efforts intended to improve the effectiveness of ocean and coastal decision-making could foster regulatory inefficiencies rather than reduce them. Current federal law provides clear jurisdictional leads for leasing, permitting, and licensing of offshore activities. Environmental impact assessment and mitigation is also clearly provided for in the National Environmental Policy Act, the Marine Mammal Protection Act, and the Endangered Species Act. The Northeast RPB should serve as a forum to expedite decision-making under these statutes and the regulatory regimes they established and not dilute or blur existing authorities and mandates.

Similarly, the number of various governmental entities with vastly divergent jurisdictions and responsibilities that currently serve on the Northeast RPB underscores the need for this body to avoid the introduction of new regulatory hurdles, ambiguities, or uncertainties that would frustrate or delay government decision-making within or between Northeast RPB agencies and unnecessarily restrict existing and potential future commercial and recreational activities in the Northeast.<sup>42</sup>

*Draft Goal One Potential Action: “Incorporate regional data and maps into regulatory processes”<sup>43</sup>*

Data and maps that are collected, developed, and used properly can be of great utility to government, scientists, ocean and coastal user groups, and the public. However, the draft potential action to apply regional data and maps in the regulatory context raises concerns. While the Northeast RPB notes in its Charter that it “is not a regulatory body” and “has no independent legal authority to regulate or otherwise direct federal, state, or tribal entities,”<sup>44</sup> the incorporation of regional data and maps into regulatory processes could result in impacts similar to the issuance of new regulations. The integration of regional data and maps into the regulatory process is aspirational at this point. If not conducted with great caution and sound scientific methodology, it could lead to unrelated data being combined in a manner that wrongly implies correlation and could promote unjustified precautionary principle protections.

---

<sup>40</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>41</sup> See Office of the Attorney General of Massachusetts Press Release, “AG Coakley Sues NOAA To Block New Regulations That Threaten Fishing Industry,” May 30, 2013, available at <http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-05-30-noaa-lawsuit.html>; and Gloucester Times, “Lawmakers Tie NOAA Funds To Catch Hikes,” December 15, 2010, available at <http://www.gloucestertimes.com/fishing/x1666505078/Lawmakers-tie-NOAA-funds-to-catch-hikes>.

<sup>42</sup> In addition to state and tribal representatives representing Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, Northeast RPB members include federal officials from agencies as varied as the Departments of Agriculture, Commerce, Defense, Energy, Homeland Security, Interior, and Transportation to the Environmental Protection Agency and Federal Energy Regulatory Commission. See Northeast Regional Planning Body Membership Roster, available at <http://northeastoceancouncil.org/wp-content/uploads/2013/04/Membership-Roster-NE-RPB1.pdf>.

<sup>43</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>44</sup> See Northeast Regional Planning Charter, Page 1, available at [http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories\\_FINAL.pdf](http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories_FINAL.pdf)

Moreover, data and maps cannot be universally applied to any regulatory process regardless of context. Rather, data and maps must be custom-designed based on the particular need. Generated for one particular purpose, data and maps could be misused and misapplied in other contexts as a basis for enacting new time and space restrictions for existing uses, and static data and maps could preclude new information on and investments in potential future uses that might otherwise be allowed to occur, causing economic and societal harm for the Northeast region.

Concerns about the impacts of the incorporation of regional data and maps into regulatory processes are compounded by the absence of clear guidance and protocols for the collection and use of such data and maps, as well as the draft goal's call for integrating "best available knowledge" as opposed to relying on sound science. Recent trends in "sue and settle" litigation in areas such as Endangered Species Act listings demonstrate that "best available knowledge" can be used as a proxy to block multiple uses of public lands without an adequate scientific basis.

There are many important and existing efforts in state and federal government agencies to improve data collection and database creation. Such efforts should continue. However, it should also be recognized that, absent express legislative authorization and appropriation, there will not be sufficient resources or methodologies to incorporate regional data and maps into regulatory processes by arbitrary deadlines. Furthermore, efforts to accelerate this activity in the current economy could siphon scarce resources and personnel away from existing governmental activities that are necessary to support existing and potential future ocean and coastal commercial and recreational activities in the Northeast.

*Draft Goal One Potential Action: "Conduct regional cumulative impacts analysis utilizing improved environmental and ocean use information and data"*<sup>45</sup>

This potential action is also problematic. Among other things, it is unclear how such analysis would be conducted and funded, what it would be intended to measure, and how the analysis would be used and applied. In addition, it appears to closely correspond with the "Regional Assessment" required to be included in a Coastal and Marine Spatial Plan as set forth in the National Ocean Policy.<sup>46</sup>

Therefore, without further clarity on these points, the draft potential action is too vague to provide informed comment on. To the extent that the Northeast RPB nonetheless conducts such an analysis, it must be done in a way that is grounded in real-world data and accurately assesses mitigation measures and the impact of new technology on environmental footprints.

*Draft Goal One Potential Action: "Inform and engage the public for better decision making"*<sup>47</sup>

This potential action implies that existing mechanisms are insufficient to inform and engage the public on ocean and coastal management issues in the region. Federal laws such as the National Environmental Policy Act, Coastal Zone Management Act, and Administrative Procedure Act already require opportunities for public participation in decision-making pertaining to ocean and coastal

---

<sup>45</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>46</sup> See Page 59, Final Recommendations of the Interagency Ocean Policy Task Force, July 19, 2010 ("The regional assessment...would also include an analysis...of cumulative risks as well as forecasts and models of cumulative impacts.").

<sup>47</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

activities. To the degree that public engagement on ocean and coastal management can be improved, long-established mechanisms and entities are the appropriate vehicles for doing so.

Given that the Northeast RPB has been established and is contemplating actions, however, the Northeast RPB itself must conduct robust, transparent, and continuous public engagement activities to provide opportunities for citizens and those with interests in the Northeast to weigh in. This is an unfortunate circumstance, as utilizing a new entity to inform and engage the public and others could introduce additional confusion and contribute to regulatory fatigue.

*Draft Goal One Potential Action: “Coordinate and leverage science, traditional knowledge, and data development to address regional priorities”<sup>48</sup>*

The utility and success of an effort to use sound science, traditional knowledge, and quality data to address regional priorities depends in part on whether such an initiative truly addresses regional priorities. Regional priorities should be developed and furthered on a collaborative basis with the backing of those who live and work in the Northeast, including the commercial and recreational interests that support jobs and economic activity in the region.

Such an effort must also be informed by sound science and quality data that complies with strict integrity safeguards, protocols, and requirements, as well as socioeconomic data that accounts for the benefits associated with both existing and future potential commercial and recreational uses.

Finally, it is unclear how the Northeast RPB would “address” such regional priorities. The Northeast RPB Charter notes that its products “could include a formal regional ocean plan or a set of deliverables such as improved data, maps and spatial planning tools, or regulatory efficiencies.”<sup>49</sup> In addition to the comments above regarding data and maps, the Coalition urges the Northeast RPB to address regional or other priorities through actions that do not involve the development of a formal regional ocean plan.

In addition to potential impacts on human uses, the development of a regional ocean plan could generate significant questions and confusion about its alignment with existing and functioning regulatory structures—including but not limited to those under the Magnuson-Stevens Fishery Conservation and Management Act and National Environmental Policy Act—that already manage use of the coastal and marine environment. If plans would require new interagency actions, reviews, or consultations, it could also lead to real and consequential delays in agency actions for carrying out their responsibilities. In turn, economic activity (and related jobs and revenues) associated with commercial and recreational use of the region’s ocean and coasts could suffer.

Furthermore, as the National Ocean Council has previously noted, development of a coastal and marine spatial plan would require “significant initial investment of both human and financial resources.”<sup>50</sup> At the Northeast RPB’s April 2013 meeting, funding constraints were cited as an obstacle to creating a formal Stakeholder Advisory Committee. If funding and other circumstances are such that the RPB lacks

---

<sup>48</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>49</sup> See Northeast Regional Planning Charter, Page 1, available at [http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories\\_FINAL.pdf](http://northeastoceancouncil.org/wp-content/uploads/2012/11/Charter-without-signatories_FINAL.pdf)

<sup>50</sup> See Final Recommendations of the Interagency Ocean Policy Task Force, Page 43, released July 19, 2010, available at [http://www.whitehouse.gov/files/documents/OPTF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf).

the capacity to establish a formal Stakeholder Advisory Committee, then it seemingly lacks the ability and should not endeavor to undertake the development of a formal regional ocean plan.

The Northeast RPB should conduct its affairs in a manner that reflects its non-regulatory function. Doing so will allow existing agencies and processes through which ocean and coastal management responsibilities have been assigned by statute and regulation to address effective decision-making, reduce new potential barriers to permitting and project reviews, and ensure that new actions are not taken that could unnecessarily reduce or remove the benefits associated with commercial and recreational activities.

For example, a Northeast RPB priority action in furtherance of effective decision-making should be to address existing inefficiencies by identifying and cataloging flaws in the current system in terms of regulatory agencies and their ability to work with one another. Information on such inefficiencies would be obtained through robust public and user group engagement, including through public comment periods and close collaboration with existing and future potential ocean and coastal resource users, and shared with those agencies and officials who have the statutory responsibilities for managing ocean and coastal resources.

In addition, the Northeast RPB should create formal mechanisms for formal user group input in the process, including through the creation of a Stakeholder Advisory Committee.

The ultimate outcome should include streamlined permitting and project review, based on comprehensive analyses of agency barriers that currently prevent such streamlining, and not empower new entities with regulatory responsibilities.

#### **Draft Goal Two: Healthy Ocean and Coastal Ecosystems**

*“Develop a planning framework to protect, restore, and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual, and economic benefits. Account for changing environmental conditions and new information as it becomes available. Respect the intrinsic value of the ocean, its biodiversity, and act as its steward/caretaker, recognizing humans as part of the ecosystem.”<sup>51</sup>*

Commercial and recreational interests have a direct stake in healthy ocean and coastal ecosystems and support sound, informed, and science-based policies that support them. Indeed, a number of federal laws are already in effect that directly and indirectly address the protection of ocean and coastal ecosystems.

Such laws include the Coastal Zone Management Act, Clean Water Act, Clean Air Act, National Environmental Policy Act, Magnuson-Stevens Fishery Conservation and Management Act, Oil Pollution Act, Endangered Species Act, Marine Mammal Protection Act, Outer Continental Shelf Lands Act, Coral Reef Conservation Act, National Marine Sanctuaries Act, Antiquities Act, and National Historic Preservation Act, among others.

Application of a new “planning framework” to “protect, restore, and maintain” the region’s ocean and coastal ecosystems by the Northeast RPB would be inconsistent with the entity’s acknowledged non-regulatory status and further cloud the regulatory landscape for the Northeast’s existing and future

---

<sup>51</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 2, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

ocean and coastal user community. In addition, the contours of and need for the planning framework have not been defined, and since a new planning framework could consist of new processes, structures, and responsibilities among various agencies, without further clarification it is also unclear how it would be established consistent with existing authorities.

Concerns about the regulatory impacts of instituting the “planning framework” are underscored by potential actions to “[i]dentify opportunities within existing regulations and authorities for restoration and protection” and “[w]orking within existing regulations and authorities, use publically-accessible maps and trends to define and characterize important, significant, or valuable areas.”<sup>52</sup> In addition, the Northeast RPB notes that a potential outcome of this goal is the incorporation of maps of species, habitats, and areas of regional importance “in existing decision making processes.”<sup>53</sup> Therefore, new regulatory impacts from instituting the planning framework seem likely to occur.

As another potential outcome, the Northeast RPB refers to “[g]reater recognition and understanding of the connection between riverine quality and healthy ocean and coastal ecosystems.”<sup>54</sup> The Coalition encourages the Northeast RPB to leave management of inland resources to existing state and federal bodies and processes. To the extent that the Northeast RPB nevertheless seeks to address upland activities, it is imperative that those who live, work, and employ individuals in such areas be informed and engaged at the earliest possible moment regarding the Northeast RPB’s existence and intention to explore potential supposed links between their areas and ocean and coastal waters.

If the Northeast RPB moves ahead with the development of a planning framework, it must account for changing economic as well as environmental conditions if the region’s ocean and coastal ecosystems are to provide “social, cultural, spiritual, and economic benefits.”

In sum, it is unclear how a new planning framework would support healthy ocean and coastal ecosystems in a different and better way than existing mechanisms, how it would be developed in tandem with existing laws, regulations, and processes, and how it would not hinder existing and future commercial and recreational users of Northeast ocean and coastal areas. Therefore, the Coalition urges the Northeast RPB to allow existing entities, mechanisms, and processes to support healthy ocean and coastal ecosystems.

### **Draft Goal Three: Compatibility Among Past, Current and Future Ocean Uses**

*“Develop a planning framework to encourage compatibility among past, current and future uses of ocean and coastal waters while minimizing user conflict and impacts to environmental and cultural resources. Recognize local priorities and the connection of ocean uses and the ecosystem to shoreside infrastructure and activities. Facilitate increased understanding and coordination among stakeholders, recognizing the difficulty of resolving certain conflicts.”<sup>55</sup>*

For the reasons stated above, the Coalition opposes development of a “planning framework” to address “compatibility among past, present, and future uses of ocean and coastal waters while minimizing user

---

<sup>52</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>53</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>54</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>55</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.



conflict and impacts to environmental and cultural resources.” A number of entities, mechanisms, and processes created by state and federal statutes to address ocean and coastal resource management are already in effect. Establishment of an additional “planning framework” must not become a mechanism that circumvents or obviates the deliberative statutory constructs that currently exist. Furthermore, a new planning framework could have adverse effects on existing and potential future ocean and coastal commercial and recreational uses in the Northeast without providing added value for environmental or cultural resources.

As with Draft Goal Two, the potential for such a planning framework to result in adverse and perhaps unintended consequences for commercial and recreational ocean and coastal uses in the region is highlighted by several potential actions that are included in the draft goal document.

For example, the Northeast RPB states that potential actions to “[i]dentify and where possible map existing uses...and related infrastructure,” “[i]dentify and map cultural and historic sites,” and “[e]nhance the viability of and compatibility among new and existing ocean uses” could help further outcomes including “minimiz[ing] conflicts and informing siting of new uses” and “information for preserving important cultural and historic sites and traditions.”<sup>56</sup> It is unclear how such actions and outcomes would not result in new commercial and recreational access limitations or conditions.

As another potential outcome, the Northeast RPB refers to “[g]reater recognition and understanding of the connection between inland resource use and associated impacts on ocean resources.”<sup>57</sup> To the degree that the Northeast RPB intends to address inland activities, those who live or operate in the region’s inland areas should be informed of such intentions and provided with adequate engagement opportunities.

To be sure, certain potential actions under this draft goal may yield positive results. For example, assessing trends in maritime commerce, commercial fishing, and ocean-based renewable energy, as well as assessing the potential for offshore aquaculture, current and foreseeable uses of seafloor material, and existing shore-side infrastructure and related improvement needs could be beneficial. Any such assessments should be expanded to include all ocean and coastal resources and potential future uses, and they should be properly scoped and defined to meet regional goals and priorities developed through broad stakeholder consensus.

If not used as a building-block to construct a new regulatory layer, these assessments could improve the region’s ocean and coastal economy and environment by helping to further potential outcomes such as a more complete and thorough “[a]ssessment of the regional coastal and ocean economy,” “[c]onsideration of regional infrastructure needs,” and “[i]dentification of priority needs for shoreside infrastructure upgrades.”<sup>58</sup>

However, if the information is used in a way that has the ultimate effect of introducing new uncertainties for existing and potential future commercial and recreational interests in the Northeast by

---

<sup>56</sup> See Draft Goals for Northeast Regional Ocean Planning, Pages 3 and 4, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>57</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

<sup>58</sup> See Draft Goals for Northeast Regional Ocean Planning, Page 3, available at <http://northeastoceancouncil.org/wp-content/uploads/2012/11/Draft-Goals-for-Public-Review.pdf>.

introducing new and unnecessary regulatory hurdles or obstacles to access, the outcome for the region could be far different.

As with Draft Goal Two, the Coalition urges the Northeast RPB to allow existing entities, mechanisms, and processes to govern the multiple ocean and coastal uses that exist rather than develop a new “planning framework.”

In the event that the RPB pursues development of a planning framework, it is essential that the whole host of all existing and potential future commercial and recreational uses is fully accounted for, addressing the needs of, among others, the commercial fishing industry, needs for current and future maritime transportation routes, the concentration of and potential for recreational fishing and boating, the opportunity and need for offshore renewable energy, the possibility of the existence of offshore conventional energy and strategic mineral resources, the need for future energy infrastructure such as pipelines, transmission corridors, power plants, and refineries, and the needs of the aquaculture industry.

Furthermore, any Northeast RPB effort to develop and implement an ecosystem-based plan or planning framework will require adjustments to its anticipated schedule for completion. While the RPB activity timeline notes that by 2015 it will have achieved implementation with ecosystem-based management,<sup>59</sup> this timeline must be altered if the RPB’s actions are to be grounded in sound science and data.

At the present state of knowledge, practical experience with the design and implementation of monitoring programs that enable ecosystem-based management is limited, especially on the broad spatial and temporal scales that are required to support informed ocean and coastal planning decisions.

Therefore, significant thought and time must be invested in developing data collection, monitoring, and analysis methodologies that can deliver reliable and sound information. In addition, effective data gathering and monitoring require that the goals of any ecosystem-based management effort first be collectively defined through public processes. Until stakeholders understand what the planning framework or plan will look like and what associated efforts for ecosystem-based management are supposed to achieve, it will be difficult to determine how to efficiently and effectively approach and fund critical data collection and management efforts.

To that end, a concrete proposal specific to the Northeast must be developed which outlines the envisioned goals of ecosystem-based management and efforts associated with data collection, quality control, analysis, and interpretation. Furthermore, since “scientific” information could be used in attempts to influence public perception, the plan must also provide mechanisms to ensure the scientifically sound use of the obtained information.

At a minimum, the proposal should include the following:

- A statement outlining the goals and objectives envisioned for ecosystem-based management, as determined by the stakeholder community through public processes;
- Data collection and measurement programs outlining which parameters (variables) should be monitored, for what purpose, how, where, and how often;

---

<sup>59</sup> See Northeast Regional Ocean Planning Timeline: 2012-2015, available at <http://www.northeastoceancouncil.org/comment-on-the-draft-ocean-planning-goals/>.



- Protocols for data quality control to ensure measurements are technically defensible and bound by acceptable uncertainty limits before they are released for analysis, model input, and interpretation; and
- Protocols outlining the anticipated use of the information to ensure the application of scientifically proven analysis methods and the dissemination of peer-reviewed, statistically sound information

An initial proposal that addresses these points should be finalized before a detailed assessment is made of the resources needed for its implementation, including, for example, sampling equipment, laboratories, and marine vessel requirements.

In addition, the Northeast RPB must ensure that all impacted stakeholders, including the Northeast commercial and recreational user community, buy in to the initiative and are involved and committed at *every* stage of the process: the identification of goals, the development and design of effective monitoring programs, the implementation of such programs on cross-sectoral scales, the continuous analysis of data outflow, and the alignment of adaptive management techniques with the observations.

In addition, defining and realizing realistic and achievable monitoring efforts, and identifying actual versus perceived problems, will require that qualified local scientists and scientific experts from industry stakeholders are brought in to work together with Northeast RPB representatives.

Therefore, a regional ocean planning framework, plan, or other actions dependent on ecosystem-based management must not be implemented before the pertinent data is appropriately collected, analyzed, and made publicly available. Such activities will take time, and their completion would be constrained by the imposition of arbitrary deadlines.

Lastly, any observing, mapping, and other data collection activities carried out must recognize limits in the ability of maps and forecasting/modeling tools to account for variations in conditions across geographic areas and reflect differences in operations among specific activities and users. Such activities should also have the ability to adapt to new information about ecosystems, alternative uses of ecosystem resources and services, and economic activities that drive quality of life in the region.

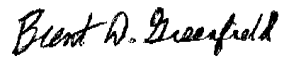
## **CONCLUSION**

While the Coalition appreciates the opportunity to provide comments on the draft goals for Northeast regional ocean planning, additional information is needed to allow all those with interests in the region to provide the Northeast RPB with informed comments.

In addition, structural mechanisms that provide a formal means for commercial and recreational interests and local officials to adequately interact with and advise the Northeast RPB on its potential future activities should be in place before the Northeast RPB moves any further ahead.

Especially during these difficult economic times, it is essential that the output of the Northeast RPB reflects the needs and desires of those who live and employ citizens of this region, be developed in a thoughtful, transparent, and deliberate manner that is based on realities on the ground rather than artificial timelines, and not lead to the creation of new and unnecessary obstacles to access for existing and future commercial and recreational activities that provide economic and societal benefits for the region. The Coalition looks forward to working with the Northeast RPB to help ensure such an outcome.

Sincerely,

A handwritten signature in black ink, reading "Brent W. Greenfield". The signature is written in a cursive, slightly slanted style.

Brent Greenfield  
Executive Director  
National Ocean Policy Coalition



---

**From:** David Dow [ddow420@COMCAST.NET]  
**Sent:** Friday, January 10, 2014 6:34 PM  
**To:** Katie Lund  
**Cc:** David Dow; Murphydalzell Murphy  
**Subject:** Comments on Draft October 23, 2013 NE RPB SAP

The following comments are submitted on behalf of the Cape Cod & the islands Group- Sierra Club. The New England Chapters of the Sierra Club may submit comments through NEOAN (New England Ocean Action Network), while the national Marine Action Team and Beyond Coal Ocean Wind Energy Campaign may submit additional comments. Dr. David Dow will attend the January 22-23 RPB meeting in Cambridge, Ma. and may offer some verbal comments from these other grassroots/national Sierra Club entities.

**\* Goal 1: Effective Decision Making**

Since the state/federal jurisdictional waters adjacent to Cape Cod will include the Cape Wind Project in Nantucket Sound and the 1350 square mile BOEM (Bureau of Ocean Energy Management) wind farm off of Marthas Vineyard, we have concerns about where this power will be brought onshore and connected to the Regional Electric Grid, since Cape Cod has limited excess transmission capacity. Since BOEM rarely has public information meetings on Cape Cod and the Cape Wind Project has been quite controversial amongst local ENGOs/Animal Rights Groups, we have had limited opportunity to comment on the power line transmission challenges that we face from offshore wind farms and the permitting nightmare that we would face on Cape Cod to construct new power transmission lines. The offshore wind farms have faced opposition from commercial fishermen/women and other traditional users (aquaculture; recreation; transportation; etc.). The RPB SAP public hearing in Barnstable Village was poorly advertised by the Cape Cod Commission and there was no media coverage of the hearing. The New England Fishery Management Council is developing an Omnibus Habitat Amendment (OHA) that may include some Habitat Areas of Particular Concern in waters adjacent to Cape Cod. The Cape Cod Commission has organized a Clean Water Act section project to address our wastewater challenges at the watershed level. The CC&I Group has participated in the Waquoit/Popponesset Bay Working Group. We are organizing a public meeting in early March to address wastewater costs/benefits and environmental justice challenges.

Barnstable and Falmouth are considering ocean outfalls for treated sewage effluent from upgraded, existing wastewater management plants. Ma. DEP has indicated to Falmouth that sewerage of 6 additional watersheds of nitrogen impacted coastal embayments may be required if the pilot projects (ecotoilets; inlet widening; oyster aquaculture; permeable reactive barriers; fertilizer bylaws; green infrastructure for storm water; etc) in the Falmouth Comprehensive Wastewater Management Plan can't meet the TMDL targets for Total Nitrogen within the impacted embayments. Cape Cod waters are already being impacted by climate change which has caused a regime shift in the marine biota and their habitats. In coastal areas on land relative sea level rise and flooding from extreme weather events has disrupted coastal geology and infrastructure and pose challenges for climate adaptation; community resilience and emergency response planning. Our wastewater mitigation challenges arise from population growth and increased development in coastal watersheds which has lead to eutrophication of coastal embayments by nitrogen and freshwater ponds by phosphorus. Septic systems are a source of contaminants of emerging concern in our private and public water supplies and some of the cecs can bioaccumulate in the marine food chain if the treated sewage effluent is released at ocean outfalls. The Cape Cod & the Islands Group has been doing public outreach on the Sierra Club's recently released cec fact sheet (Dr. Dow was on the drafting team). Our Group has also developed a webinar on climate change, extreme weather events and emergency responses (based upon the lessons learned from Blizzard Nemo). This webinar has been presented to EJ and community of faith groups.

Thus there are interconnections between marine waters and coastal watersheds that require planning and regulatory integration between local/state/federal officials with involvement of public stakeholders. Having the RPB SAP meetings and hearings during the day when many people work limits much of the public engagement to policy wonks and groups with paid staff/retired volunteers. By contrast the CC&I Group has done outreach on the cec fact sheet at Town Public Health and Safety Fairs on Saturdays and with communities of faith organizations to spread the word on ways to reduce homeowners exposure to these largely unregulated toxic chemicals. NROC and the RPB contractors and staff should do the same !!! The five objectives under this goal are very broad and generic, so

that the revised SAP should add some more specifics to address Sierra Club concerns and those from other stakeholders impacted by the "Effective Decision Making" goal.

\* Goal 2: Healthy Ocean and Coastal Ecosystems

We agree with the general philosophy outlined under Objective 1 (Characterize the Region's Ecosystem and Economy), but since our socioeconomic/environmental system is in a state of flux from a variety of factors (climate change; eutrophication; overfishing; invasive species; development and population growth in coastal watersheds; etc.) there is a need to integrate the science and technological advances with public policy changes that improve sustainability, while allowing compatible uses (goal of NOP). The SAP might want to consider an ecosystems-based, adaptive management framework for connecting the science/technology phases with changes in planning and public policy. EPA's Waquoit Bay Watershed Ecological Risk Assessment project might provide a good site for a pilot test of this concept, since many scientific studies have occurred here and it is one of the section 208 WG watersheds. Another practical problem is that monitoring data, scientific studies and maps need to be integrated into products accessible to the public and stakeholders. It is not apparent from the RPB meetings that we have participated in that this is the case.

Even though the federal/state agencies are responsible for carrying out permitting and regulatory authority in their areas of oversight/legislative authority, a major constraint is that these regulations are based upon science from the 1980's-1990's. We need to develop more nimble ways to incorporate that data and information from the actions 1-1 to 1-8 into the policy and regulatory pathway. NOAA Fisheries and the New England Fishery Management Council face this challenge in incorporating climate change into the population dynamic models that establish the TACs (Total Allowable Catches) that set the quotas for groundfish sectors. The NEFMC ecosystem indices won't be developed until 2015 which is when the RPB SAP is supposed to be submitted. Since the Northeast Fisheries Science Center's Ecosystems Assessment Group has already seeing climate-change induced effects in the Gulf of Maine, we shouldn't have to wait until 2015 to make policy or regulatory changes. There is a lot of inertia in the Magnuson-Stevens Sustainable Fisheries Act implementation process, so that changes on the water may require an additional 3-4 years. The NEFMC Omnibus Habitat Amendment has been under development for 7-8 years and is still not completed. Other federal/state agencies face similar problems as their resources (dollars and people) are reduced in an era of financial austerity. It is not clear how actions 1-1 through 1-8 will be accomplished in this fiscal situation.

Objectives 2 through 4 seem like good ideas, but the description is so generic it is impossible to make comments. The devil will obviously be in the details.

Goal 4: Compatibility Among Past, Current and Future Uses

Since grassroots entities (Sierra Club Chapters and Groups) have to take positions compatible with national Club policies/positions, the Marine Action Team and Beyond Coal Ocean Wind Energy Campaign should comment on Objectives #1 through 3. This requires balancing the needs to conserve wild places, wild things (using marine reserves as one tool) with generation of green electricity from ocean wind farms for transmission to the regional electric grid to reduce greenhouse gases. The Sierra Club has a Sustainable Fisheries Policy (SFP) which helps guide its conservation of marine biota and their habitats. This national policy used the Massachusetts Chapter Policy as a template and the Cape Cod Group helped the Chapter develop its SFP. Climate change is the Sierra Club's top conservation endeavor and includes numerous sub-campaigns. The national activists can address these concerns better than the CC&I group can. Many of the public comments at the RPB meetings are focused on this goal (how to balance past, current and future uses amongst diverse stakeholders).

Thanks for the opportunity to comment on the October 23, 2013 Strategic Action Plan draft.

Dr. David Dow  
Treasurer, Cape Cod & the Islands Group- Sierra Club  
18 Treetop Lane East Falmouth, Ma. 02536

**From:** Jim Reardon [<mailto:jimreardon@earthlink.net>]

**Sent:** Thursday, January 16, 2014 3:33 PM

**To:** John Weber

**Subject:** RE: Reminder: Regional Planning Body Meeting January 22-23

This NOC process is moving very rapidly and hoping/trusting the fisheries has legitimate representation. Who are the panelists representing fisheries on the NERPB? We hope these appointees are well aware of the dire situation in the fisheries trenches. The plumes from Hurricane Sandy have done insurmountable damage quite subtly. The entire ecosystem is in distress as we now have 7 billion people using the limnology entirety and waste infrastructures are deficient. We are light years behind many nations in fostering and proliferating Marine Recirculating Aquaculture Systems (MRAS). It is becoming clearly more evident of the need to energize an MRAS catapult as we become more dependent on imports from unsustainable aquaculture and foreign fisheries with inept or non-existent policies. The US fishing fleet suffers from cash flow restriction unbearable at dock prices nearing those paid in 1985. Universally beneficial processing on a grand scale forged by fisheries units is long overdue without which is particularly threatening at this time as imports displace Northeast Fisheries landed fresh. A price support policy and a distinct interpretation of the Kennedy-Saltonstall Act would be a refreshing beginning. In case you have not been in the trenches lately, we are losing our New England Fishing Fleet and its generative infrastructure.

Sincerely,

Jim Reardon

Fishery Section Manager, Massachusetts





January 17, 2014

Submitted electronically to [klund@northeastoceancouncil.org](mailto:klund@northeastoceancouncil.org)

**Re: Revised Draft Goals for Northeast Regional Ocean Planning**

Dear Northeast Regional Planning Body:

The New England Ocean Action Network (NEOAN) is pleased to provide comments to the Northeast Regional Planning Body (RPB) regarding its revised October 23, 2013, Draft Goals, Objectives and Actions for Regional Ocean Planning in New England. NEOAN is a diverse group of ocean users and stakeholders that was created in 2011 to ensure that all ocean user groups have the opportunity to be fully involved in the development of a regional ocean plan in New England, a component we believe is essential to the successful implementation of the goals and priorities envisioned by the *National Ocean Policy*<sup>1</sup> and the *Final Recommendations of the Interagency Ocean Policy Task Force*<sup>2</sup>. NEOAN continues to strongly support the development of a comprehensive, ecosystem-based regional ocean plan as an essential tool for ensuring that New Englanders have the knowledge and tools they need to make informed decisions to keep our ocean, coasts, and economies healthy and strong. NEOAN is concerned that in its revision of the three draft goals, the RPB has omitted some of the important guiding principles present in the *National Ocean Policy*.

We provide the following brief comments regarding the three goals:

**Goal: Effective Decision Making**

Objective One- Enhance inter-agency coordination

Objective One under this goal focuses on improving aspects of governmental decision making while appearing to prioritize certain ocean uses by singling out marine energy production and infrastructure, offshore aquaculture, and sand extraction for beach nourishment. NEOAN

---

<sup>1</sup> Executive Order 13547, Stewardship of the Ocean, Our Coasts and the Great Lakes. Fed. Reg. 43023. Thursday, July 22, 2010.

<sup>2</sup> White House Council on Environmental Quality, Final Recommendations of the Interagency Ocean Policy Task Force (July 19, 2010), available at: <http://www.whitehouse.gov/files/documents/OPTE/FinalRecs.pdf>.



recommends that the RPB amend this unnecessary narrowing of scope by altering this language to reflect a broader approach to improve decision making across all ocean uses. NEOAN supports a regional ocean planning process that acknowledges and considers the economic and cultural importance of current and historic ocean users. The language should be clear in that this objective is not only limited to the three stated issues above.

#### Objective Two- Implement specific actions to enhance informed public input in decision-making

Objective Two under this goal should also be amended to reflect that public input will be sought on a comprehensive set of ocean uses - not just the activities listed under the first objective. One of NEOAN's top priorities is to ensure that a meaningful stakeholder engagement process is an essential component of Regional Ocean Planning in New England. We refer the RPB to the detailed recommendations submitted to the executive committee of the RPB by NEOAN on Friday, June 13, 2013. We would like to reinforce one of the proposals in that letter:

- Appoint a **Regional Stakeholder Advisory Panel** which consists of diverse representation from the range of traditional, current and nascent ocean user groups in New England. We do not believe that utilizing existing state advisory panels is an appropriate way to encourage a crosscutting regional dialogue about a large, regional planning area. State by state advisory committees can be engaged at the discretion of individual states, but we believe strongly that the RPB should create and engage its own regional advisory panel.

NEOAN encourages the RPB to more fully develop its outreach strategies with stakeholder groups to ensure an open and transparent process and comprehensive involvement from the public and diverse ocean user groups. The RPB should develop regional standards for notifying the public about meetings, accommodating public attendance, and receiving and incorporating public and stakeholder comments.

#### **Goal: Healthy Ocean and Coastal Ecosystems**

NEOAN supports the actions under this goal and would once again like to draw the RPB's attention to Section 1 of Executive Order 13547.<sup>3</sup> NEOAN reinforces its prior recommendation submitted to the executive committee of the RPB on Friday, June 13, 2013, that:

- The RPB make explicit in the actions for this goal the principles of Ecosystem Based Management; a place-based approach to natural resource use that aims to restore and protect the health, function and resilience of entire ecosystems for the benefit of all **organisms**, including humans. The principle of Ecosystem-Based Management is fully expressed in the *Final Recommendations of the Ocean Policy Task Force*<sup>4</sup> and the RPB's use of that language as a guide is fully appropriate.

---

<sup>3</sup> Executive Order 13547, Stewardship of the Ocean, Our Coasts and the Great Lakes. Fed. Reg. 43023. Thursday, July 22, 2010.

<sup>4</sup> United States. White House Council on Environmental Quality. *Final Recommendations of the Interagency Ocean Policy Task Force*. 2010. Web. <[http://www.whitehouse.gov/files/documents/OPTF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf)>.

### Action 1-7

Specifically, we are concerned that merely reviewing ecological information as described in Action 1-7 (review studies on vulnerability of marine life and habitats to human activities/cumulative impacts) fails to include the step of applying this information to the decision framework of the ocean plan. Action 1-7 should be re-drafted to include an action that would make recommendations on incorporating marine life and habitat vulnerability and cumulative impacts into the decision making process.

### **Goal: Compatibility Among Past, Current and Future Ocean Uses**

The objectives and actions that follow the goal of Ocean Use Compatibility focus on a study of potential future changes in human uses of the ocean environment versus an assessment and strategies to better manage current and future *compatibility* among uses. Mapping patterns of human use in and of itself is not sufficient to assess and promote compatibility among uses. Compatibility considers how different activities interact, whether there are positive or negative consequences of those interactions, and how those consequences can be mitigated and managed in a way that protects existing uses and plans for enabling new sustainable uses. NEOAN recommends that the RPB include appropriate actions that more directly address the compatibility goal and identify best management practices for promoting compatibility among uses.

Thank you for your consideration of these recommendations. We encourage you to visit our website at <http://newenglandoceanaction.org/> to learn more about the New England Ocean Action Network and we look forward to working with you to advance a Regional Ocean Plan for New England that benefits all ocean users.

Sincerely,  
NEOAN

Melissa Gates  
Northeast Regional Coordinator  
Surfrider Foundation  
Rockland, Maine

Marci Wilkens  
Sierra Club  
Connecticut Chapter  
Hartford, Connecticut

Wendy Lull  
President  
Seacoast Science Center  
Rye, New Hampshire

Meghan Jeans  
Director, Fisheries and Aquaculture Programs  
New England Aquarium  
Boston, Massachusetts

Jack Clarke  
Director of Public Policy & Government Relations  
Mass Audubon  
Boston, Massachusetts

Nick Battista  
Marine Programs Director  
Island Institute  
Rockland, Maine

Rachel Calabro  
Community Advocate  
Save the Bay  
Providence, Rhode Island

Ben Martens  
Executive Director  
Maine Coast Fishermen's Association  
Brunswick, Maine

Jamie Rhodes  
Director  
Clean Water Action Rhode Island  
Providence, Rhode Island

Megan Amsler  
Executive Director  
Cape & Islands Self Reliance  
Cataumet, Massachusetts

Richard Nelson  
Lobsterman and Captain  
F/V Pescadeo  
Friendship, Maine

Jen Kennedy  
Executive Director  
Blue Ocean Society  
Portsmouth, New Hampshire

Sean Cosgrove  
Oceans Campaign Director  
Conservation Law Foundation  
Boston, Massachusetts

**From:** Mark Ring [<mailto:mark.ring3@verizon.net>]  
**Sent:** Sunday, January 19, 2014 10:25 AM  
**To:** Katie Lund  
**Subject:** Northeast Regional Planning Body

January 19, 2014

Dear Ms. Lund,

I am submitting his letter as a public comment in regards to the ongoing Northeast Regional Planning Body meetings. As the process moves forward, there is much work to be done by all the concerned entities.

The Northeast is a very dynamic area with a hugely diverse group of fisheries and user groups. It is important that all groups are brought to the table, remain informed and the process is transparent.

As new projects arrive on the horizon, it is imperative that no project take precedence over the traditional stake holders and user groups that have derived their livelihood and income from these areas for well over three hundred years.

Many communities socioeconomic environments rely a great deal on these ocean areas, this should way heavily on any future decisions. The user groups and different fisheries are numerous, each with totally different methods. It is important that all are included and each treated individually.

If this commission can be of any assistance, please feel free to contact me at [mark.ring3@verizon.net](mailto:mark.ring3@verizon.net).

Sincerely,

Mark Ring

Chairman, Gloucester Fisheries Commission





The Nature Conservancy  
Worldwide Office  
4245 N. Fairfax Drive  
Arlington, VA 22203

tel 703-841-5300  
web nature.org

January 21, 2014

Ms. Betsy Nicholson  
Federal Co-Lead, NE Regional Planning Body  
NOAA Coastal Service Center  
35 Colovos Road, Suite 148  
Durham, NH 03824

Mr. Grover Fugate  
State Co-Lead, NE Regional Planning Body  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road Wakefield, RI 02879-1900

Chief Richard Getchell  
Tribal Co-Lead, NE Regional Planning Body  
All Nations Consulting  
P.O. Box 326  
Mapleton, ME 04757

Submitted via regular mail and email (Katie Lund, RPB Executive Secretary,  
[katie.lund@northeastoceancouncil.org](mailto:katie.lund@northeastoceancouncil.org))

RE: Comments on the Draft Goals, Objectives and Actions for Regional Ocean Planning in the Northeast

Dear Ms. Nicholson, Mr. Fugate and Chief Getchell:

On behalf of The Nature Conservancy (the Conservancy), please accept the following comments on the new version of the Northeast Regional Planning Body (RPB) draft regional ocean planning goals, objectives and actions. The Conservancy supports the RPB in its efforts to establish clear goals for ocean planning in the Northeast and appreciates the opportunity to provide further input.

The Conservancy's mission is to conserve the lands and waters on which all life depends. With the support of more than one million members, the Conservancy has protected over 120 million acres and 5,000 river miles around the world and currently has more than 150 marine conservation projects in 32 countries and in every coastal state in the U.S. The Conservancy has been working to conserve, protect, and restore coastal and marine habitats and species along the U.S. Atlantic Coast for over four decades. Based on this experience, we ask that you consider the following comments in addition to our original letter submitted August 2, 2013.

First and foremost, the Conservancy appreciates your further work to develop goals, objectives and short term actions. Your continued focus on effective decision making, supporting healthy ocean and coastal ecosystems and compatibility among past, current and future ocean uses, are all important to promote conservation of coastal and ocean natural resources. In order to advance these goals, we would encourage the RPB to consider including the original descriptions of the goals that were discussed by the RPB last spring. As more stakeholders become engaged in regional ocean planning, this additional text will provide much needed context for newcomers, and remind others of the meaning behind the more goals, objectives and activities.

One of the things the Conservancy is doing with respect to ocean planning is working to bring stakeholders into the process. Stakeholders need an explanation as to why they should be engaged with the RPB. Therefore, as you consider restoring the original explanatory text. Further, the Conservancy strongly encourages the RPB to clarify the nature of its ocean planning framework. As we have previously suggested, this would include a mission and vision statement, as well as an explanation of the structure of a regional ocean plan in the northeast, proposed application of decision tools, and maps, and how all of these pieces will fit together. As it stands, these important aspects of the RPB's work remain unclear and create a challenge to explaining the purpose of regional ocean planning, particularly those new to the process.

With respect to the goals as currently drafted, we offer the following suggestions:

### **Goal 1: Effective Decision Making**

*Improve management effectiveness, intergovernmental decision making, engagement, collaboration, and integration of best available knowledge. Reflect ever changing social, environmental, and technological conditions.*

Objective 1 - Enhance inter-agency coordination. Improving inter-agency capacity to protect habitats is an important goal of ocean planning. However, habitat protection and restoration is missing from the suite of actions included in this objective. The Conservancy strongly recommends adding habitat protection and restoration to the actions that would benefit from enhanced inter-agency coordination and improved decision making under this objective.

The Conservancy supports the RPB's efforts to specify user groups and associated regulators that need to be considered to fully understand the overlap and interactions among them. This will help engage stakeholders in the planning process. However, we also believe this list is not necessarily comprehensive and that other new uses may need to be considered as well. Therefore we ask the RPB to consider adding more expansive language to that effect.

Objective 2 - Implement specific actions to enhance informed public input in decision-making. As we articulated in our August 2, 2013 letter, the Conservancy believes that more can be done to include the public in RPB decision making. Therefore, we ask that the RPB continue to consider those suggestions. Specifically, the Conservancy encourages the RPB to consider appointing science and stakeholder advisory groups to inform your planning process. We also suggest adopting an open and inclusive public process as you proceed. This may include:

- Keeping meeting minutes and accessible public records.
- Providing access to work and decision documents well in advance of meetings.
- Providing generous notice of RPB, advisory body and other public meetings.

- Encouraging interaction between RPB members and members of the public offering comments.
- Using *ad hoc* working groups which could include regional experts to inform discussion around certain issue areas.

Objective 3 – Incorporate maps and other products into existing agency decision-making processes. The Conservancy supports the RPBs goal for “regional ocean planning products and information enable preliminary site assessments, (to) provide a better understanding of existing conditions, and otherwise contribute to regulatory efficiencies.” Further, the Conservancy suggests that conducting regional cumulative impacts review *and* further analysis should be of RPB priority actions. Over the last several years many partners in the Northeast region have created a solid foundation for better understanding of the combined effects of multiple human uses on natural resources. Building on this work will provide ocean planners and stakeholders with essential information and tools for informed decision making.

## **Goal 2: Healthy Ocean and Coastal Ecosystems**

*Develop a planning framework to protect, restore, and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual, and economic benefits. Account for changing environmental conditions and new information as it becomes available. Respect the intrinsic value of the ocean, its biodiversity, and act as its steward/caretaker, recognizing humans as part of the ecosystem.*

The Conservancy strongly supports this goal. We also support the RPB in further developing objectives and actions to achieve it, including, objective 3, development of a regional science plan. Additionally we offer the following comments.

Objective 1 – Characterize the region’s ecosystem and economy. The Conservancy reiterates our support for characterizing ocean ecosystems and associated human uses. This process of characterization should explicitly include bays, estuaries, and tidal rivers, as these form essential components of coastal ecosystems. A comprehensive approach to characterizing these systems is critical to advance ocean planning. We also feel that it is particularly important for the RPB to consider climate change in your research agenda. We are fortunate in the Northeast to have experts who can support efforts to understand climate change and begin to forecast what may lie ahead.

## **Goal 3: Compatibility Among Past, Current and Future Ocean Uses**

*Develop a planning framework to encourage compatibility among past, current and future uses of ocean and coastal waters while minimizing user conflict and impacts to environmental and cultural resources. Recognize local priorities and the connection of ocean uses and the ecosystem to shoreside infrastructure and activities. Facilitate increased understanding and coordination among stakeholders, recognizing the difficulty of resolving certain conflicts.*

This excerpt from our August 2, 2013 letter best articulates our views on this goal:

The Conservancy supports this goal and the RPB’s efforts to maximize compatibility among past, current and future uses of ocean and coastal waters while minimizing user conflict and impacts to environmental and cultural resources as a priority action. Better assessments and maps showing both compatibility between different human use types

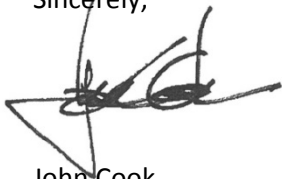


and between human uses and marine ecosystems will help planners and stakeholders to work together to craft plans that balance multiple interests. As you advance assessment and mapping of compatibility and cumulative impacts, we encourage you to incorporate information on climate change impacts and trends so the region can effectively develop adaptive responses. This will be essential to sustaining the region's ecosystem dependent human uses and cultural values into the future.

The Conservancy also urges the RPB to consider the value of integrating existing sub-regional and state-based ocean planning work into your own broader regional work. Specifically, we recommend that the RPB adopt a similar approach (as you have taken with Massachusetts and Rhode Island) to emerging planning efforts for Long Island Sound and adjacent coastal waters off Connecticut and New York to provide for consistent integration throughout the Northeast region and with the Mid-Atlantic.

Thank you for this additional opportunity to comment on the RPB draft goals and for your important work to advance ocean planning in the Northeast. Please contact Sally McGee, Northeast Marine Program Director ([smcgee@tnc.org](mailto:smcgee@tnc.org); 860-271-3922) with any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Cook', with a stylized flourish extending from the bottom left.

John Cook  
Managing Director, Eastern U.S. Division

## **Statement of Support for Offshore Wind in the National Ocean Policy Implementation Plan**

It is my pleasure to provide these comments, on behalf of the Sierra Club – the nation's largest and oldest grassroots environmental organization, with over 2.1 million members and supporters nationwide.

The Sierra Club believes that our oceans are one of our country's, and our planet's, most precious resources. As we devise plans to ensure the wise stewardship of this critical resource, we must take into account the threat of ocean acidification and other likely hazards posed by global climate disruption.

The Sierra Club views climate disruption as the most significant crisis facing the world today. The science is now clear and the consequences of failure to slow and reverse the rate of greenhouse gas emissions into the atmosphere are dire. That's why we have made pursuit of clean and renewable energy sources one of our highest priorities.

We strongly support wind energy projects, including those located offshore, as a critical step in moving away from energy production based on fossil fuels – and toward the long-term health of our oceans. At the same time, we are committed to the protection and restoration of marine and coastal ecosystems. It is not enough for us to simply endorse wind energy projects as such. We seek to be involved in decisions on when, where and how such projects are implemented. We urge the use of a rigorous and transparent process for decision making in the siting of such projects so as to avoid or minimize adverse environmental impacts.

It is particularly important that the development of offshore wind facilities give special attention to the highly endangered North Atlantic Right Whale, which is known to occupy or transit through coastal waters within which a number of regions where Wind Energy Areas are located.

We support the wise and responsible development of offshore wind. Doing so will help displace dirty, dangerous fossil fuels that have placed our oceans in peril, will spur economic development, particularly for coastal communities, all while protecting our air, water and public health.

Thank you for your time.

David Dow  
Treasurer, Cape Cod & the Islands Group-Sierra Club





January 22, 2014

Dear Northeast Regional Planning Body,

The National Working Waterfront Network believes that working waterfronts play a critical role in our coastal communities and provide an important connection between ocean uses and land-based markets. Working waterfronts connect ocean uses to land-based markets and provide a critical access point to ocean space for fishermen, ocean energy, and a multitude of other uses but most importantly, working waterfronts provide a gateway to the ocean for our nation's coastal communities. Many communities were built around vibrant working waterfronts and over time have come to define themselves by the connection to their working waterfront, bordering ocean space, and ocean uses. The culture and economies of coastal communities are inextricably linked to secure access to the ocean and the resources it provides. Working waterfronts are the lens through which the public views and accesses ocean space. The goals, objectives, and actions the Northeast Regional Planning Body is currently developing should reflect the important role working waterfronts play in the success of our ocean and coastal economy.

The National Working Waterfront Network is a nationwide network of businesses, industry associations, nonprofits, local governments and communities, state and federal agencies, universities, Sea Grant programs, and individuals dedicated to supporting, preserving, and enhancing our nation's working waterfronts and waterways. The NWWN recently completed project for the Economic Development Administration, [<http://www.wateraccessus.com/toolkit.html>] that developed a sustainable working waterfront toolkit and characterized the nation's working waterfronts by looking at numerous case studies, the historical and economic trends driving change on the waterfront as well as the policy, legal, regulatory, and financial tools available to help protect our working waterfronts.

As noted in the Sustainable Working Waterfront Toolkit and accompanying report on the state of the Nation's Working Waterfronts, there are a number of policy and financial tools that have or could be used to protect working waterfront infrastructure. At the same time, there are very few programs or policies focused solely on working waterfront infrastructure. Working waterfronts are impacted by a wide range of government policies ranging from local zoning to federal fisheries management to FEMA floodplain management to international trade patterns. At the same time, there are a wide variety of federal programs that have invested in working waterfront related infrastructure. These investments are not well coordinated or even understood in a regional context. Additionally, participants at the third National Working Waterfront and Waterways Symposium held in Tacoma, WA in March 2013 identified the need for additional socio-economic data to be collected and requested the NWWN pursue further research in this area.

To help the determine concrete next steps that the RPB could take in regards to working waterfronts, the NWWN created an ad-hoc working group, drawn predominately from its steering committee's New England to develop a framework for how working waterfronts fit within ocean planning. The framework is attached as a separate document. We expect this will be a living document as the connection between working waterfronts and ocean planning has not yet been a topic of significant conversation.

We would like to offer our Network as a resource and to assist this process in any way that we can. Please do not hesitate to contact us with questions concerning working waterfronts.

Thank you for your consideration and attention to this matter.

Sincerely,



Natalie Springuel and Stephanie Showalter Otts

Co-Chairs, National Working Waterfronts Network



## **National Working Waterfront Ocean Planning Framework Document**

Prepared by NWWN Ad hoc NE MSP Committee (Natalie Springuel, Maine Sea Grant, Nick Battista Island Institute, Jack Wiggin Urban Harbors Institute, Hugh Cowperwaite Coastal Enterprise Inc.) for NE Regional Planning Body

January 22, 2014

Based on our experience working on working waterfront issues at the local, state, and national level, we believe that the following course of action would address the issues raised in our companion letter to the NERPB. We hope that this document can serve as a guide to help NERPB members determine the best course of action.

The NERPB should adopt a course of action in the near term that is focused on substantially increasing our knowledge and understanding of the characteristics and economic value of working waterfronts in the region and the activities that depend on them. The human activities that now occur or will occur on the ocean emanate from or are destined for and are supported by these waterfronts. An understanding of the types of existing water-dependent activities and the capacities and capabilities of the shore-based facilities of each of the region's working waterfronts seems an essential input for marine spatial planning and decision making. This approach would provide transferable models to other regions for integrating working waterfront goals into the marine spatial planning process. For the purposes of ocean planning, we believe that the first step is prioritizing the variety of direct, federal monetary investments in working waterfront infrastructure.

We suggest the following:

- Compile information on public investment in the region's working waterfront infrastructure. Federal, state and municipal government expenditures on dredging channels, building breakwaters, bulkheads, wharves and piers, etc., are investments of public resources that enable and support commercial and recreational use of coastal and ocean waters. Cataloging these investments in the region's working waterfront infrastructure fills in one of the data gaps in terms of what is known about working waterfront infrastructure.
- Identify and summarize each state's policies and programs for working waterfronts and any data and information that has been compiled. For example, Maine has a number of government and other resources and information already identified about some kinds of state investment in working waterfronts and has mapped working waterfront infrastructure along its coast. Rhode Island has done a similar statewide inventory and Massachusetts has numerous sources including municipal harbor management plans. This review would help inform subsequent tasks.

- Using existing sources, supplemented as necessary by outreach to regional stakeholders, document the public and private facilities that support water-dependent commercial and recreational uses of each working waterfront. Characterize the marine-related activities of each working waterfront and develop a typology of these waterfronts based on nature of their principal activities (commercial fishing, maritime shipping, energy, passenger transportation, recreational boating, etc.) and the economic value of these activities. This will provide a clearer and comparative picture of the region's working waterfronts. This region-wide information could help provide the rationale and justification for needed additional public investment in dredging.
- Determine how to incorporate municipal or local public investment in working waterfront infrastructure into the decision-making framework.

We recommend staying away from issues related to zoning, flood plain management, fisheries management, and other perspective policies that substantially impact the region's working waterfront infrastructure but are not direct federal monetary investments.

Additionally, it is worth noting that these recommendations are consistent with the recommendation made to NROC in the Spatial Characterization of New England Fisheries Report available at <http://northeastoceancouncil.org/2013/09/23/report-describing-first-phase-of-the-commercial-fishing-mapping-project-is-now-available/> and excerpted below.

#### **D. Role and Value of Working Waterfronts**

Working waterfronts provide a critical link between commercial fishing industries, land-based infrastructure, and markets where fishermen obtain bait and fuel, as well as land their catch. The presence or absence of working waterfronts can significantly influence distribution of commercial fishing activities. As communities across New England have seen, a decline in the fishing industry can have large and often negative consequences for the adjacent communities.

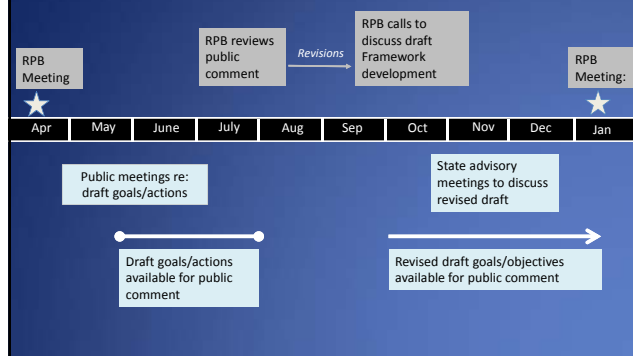
NROC should consider working waterfronts to be an integral piece of the marine spatial planning process. It should create a regional inventory of working waterfront infrastructure, particularly that which is public or has received public funding. For the purposes of this report, that should be focused on public investment in the continued viability of the commercial fishing fleet.

Beyond mapping physical infrastructure, NROC should also map the use of ocean space emanating from the region's working waterfront communities, this is similar to the mapping by community recommendation below and could be combined with those data collection efforts.

To help address issues related to working waterfronts, NROC should consider partnering with the National Working Waterfront Network (NWWN) to host a meeting with leaders of the region's working waterfront communities. Further information about working waterfronts, including their economic value to the New England region, can be found at the National Working Waterfront Network's website. The "Sustainable Working Waterfront Toolkit," may also be downloaded at:

<http://www.wateraccessus.com/toolkit.html>.

## Appendix E 2013 Timeline



## The Framework

- Includes:
  - Introduction, including principles and a general schedule
  - Overview of communication and engagement efforts
  - Goals—aspirational high level statements
  - Objectives— “how to meet goals”
  - Actions
  - Outcomes—results
  - Specific tasks, products and capacity that could achieve objectives
- Ultimately, collective outcomes/products will be integrated and form the plan for the Northeast

## The Framework

- Presents overall schedule of future RPB decisions
  - Jan-May: Advance work under goals
  - May-Jun: Workshops and RPB meeting to review progress
  - Sep-Oct: Public meetings to review draft products/progress
  - Nov: RPB meeting to review progress and decide on next steps for each goal
  - 2015 schedule lays out potential RPB decisions/timing and process
  - 2-year timeframe as initial focus; some issues may need longer
- Reflects public input to date
- Will evolve based on decisions today, public input and future decisions

## Goal: Effective Decision-making

- Objectives include:**
- Enhance inter-agency coordination
  - Implement specific measures to enhance public participation
    - Enhanced understanding, involvement of public in project review
  - Incorporate products into existing decision-making
    - Data, maps, data portal
  - Improve respect for tribal customs and traditions in decision-making



## Goal: Effective Decision-making

### Jan-Oct:

- Develop options for improved data, public input, inter-agency coordination, and tribal consultation
- Engage agencies, tribes, public (including industry and NGOs)

**Nov:** RPB decides on options

**Capacity:** Staff, internal work group, contractor, tribal coordinator, public



## Goal: Healthy Ocean and Coastal Ecosystems

### Objectives include:

- Characterize the ecosystem, economy and cultural resources
  - Baseline data/maps, report, other info
  - Maximize utility of tools/info for management applications (example of important ecological areas)
- Support existing restoration and conservation programs
  - Enhanced coordination of such programs to achieve regional goals
- Develop regional ocean science plan
  - Priority data and science needs identified and measures taken to meet those needs



## Goal: Healthy Ocean and Coastal Ecosystems

### Jan-Oct:

- Develop draft baseline products, including marine life, cultural resources, and economic analysis
- Develop options for using these data in management decisions
- Engage agencies, tribes, and public (including industry and NGOs)

**Nov:** RPB reviews options

**Capacity:** Internal work groups, staff, tribal engagement coordinator, public, contractors, technical committee



## Goal: Healthy Ocean and Coastal Ecosystems

- Capacity: Limited capacity for achieving second objective
- Comment: Maximize utility of baseline data and information
  - Potential assessments: identify important ecological areas, cumulative impacts, vulnerability assessments
  - Baseline data: account for historic and potential future changes
  - Economic assessment: account for working waterfronts, communities, "blue economy", and linking the ecosystem and the economy
- Technical committee



## Goal: Compatibility Among Past, Present and Future Uses

### Objectives:

- Develop future scenarios/trends for use in decision-making
  - Action 1-2: Considers limitations of retrospective data and information
- Incorporate regional issues/feedback into existing projects looking at interactions between new and existing uses
  - Action 2-3: Regional transmission



## Goal: Compatibility among past, present, future uses

### Jan-Oct:

- Engage public to determine feasibility and utility of developing future scenarios
- Develop options for future scenario development

**Nov:** RPB reviews options

**Capacity:** Internal work groups, staff, public



## Goal: Compatibility Among Past, Present and Future Uses

- Capacity: Some of objective 2 relies on RPB to bring regional issues back
- Comment: Focused on the clarity of outcome, options potentially include:
  - Building on existing work: ACPARS (USCG); Panama Canal (MARAD)
  - Consider changing conditions: commercial and recreational fishing
  - Consider emerging issues: sand (BOEM/states)
  - Consider existing issue specific (shellfish/aquaculture) and sub-regional planning efforts
  - Regional transmission
  - Compatibility analysis





## Appendix F: Revised Objective Language

### **Goal: Healthy Ocean and Coastal Ecosystems**

*Develop a planning framework to protect, restore, and maintain healthy ocean and coastal ecosystems that provide social, cultural, spiritual, and economic benefits that are sustainable in the future. Account for changing environmental conditions and new information as it becomes available. Respect the intrinsic value of the ocean, its biodiversity, and act as its steward/caretaker, recognizing humans as part of the ecosystem.*

### **Goal: Effective Decision Making**

*Improve management effectiveness, intergovernmental decision making, engagement, collaboration, and integration of best available knowledge. Reflect ever changing social, environmental, and technological conditions.*

#### **Objective 1. Enhance inter-agency coordination**

*Note:* This objective addresses the timing and scheduling of decisions about sustainable uses of ocean space, sharing of information among agencies, and communication among federal agencies and between state and federal agencies and federally-recognized tribes. The intention is to focus on all human uses (consumptive and non-consumptive) and natural resources. It focuses on the National Environmental Policy Act (NEPA) and siting and regulatory programs initially related to:

- Marine energy production (wind, marine hydrokinetic) and infrastructure (transmission cables, pipelines).
- Offshore aquaculture.
- Sand extraction for beach nourishment.
- Potential future uses, such as carbon sequestration.

Identification of these focus areas results from their ripe nature (given experience with certain of these projects in recent years), the potential for difficulty in decision-making given this experience, and the opportunity to address some of these difficulties.

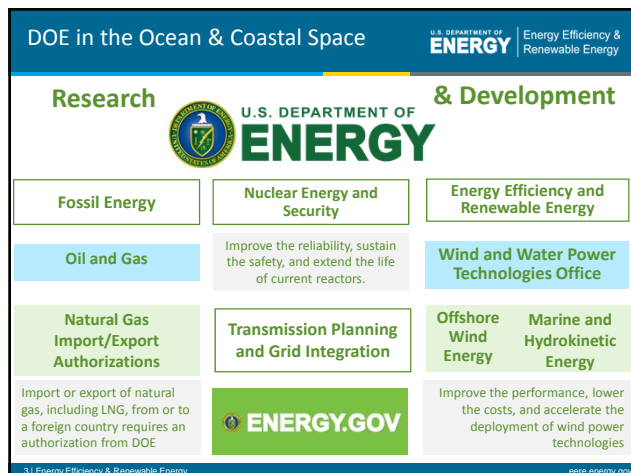
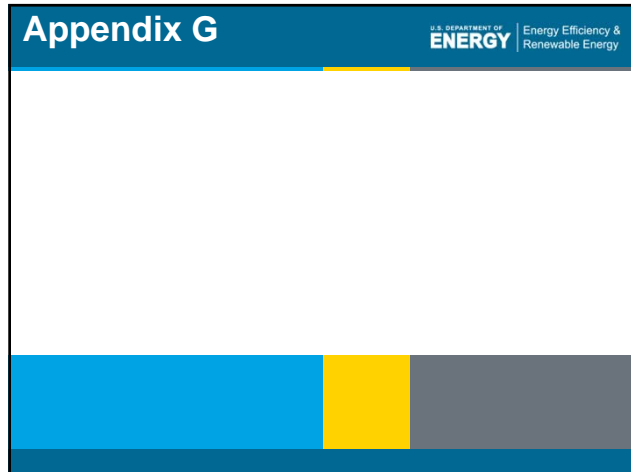
For this objective, it is important to remember that the RPB must work within existing regulatory authorities, and that coordination and sharing of information pursuant to these authorities includes a review of natural resources and existing human uses.

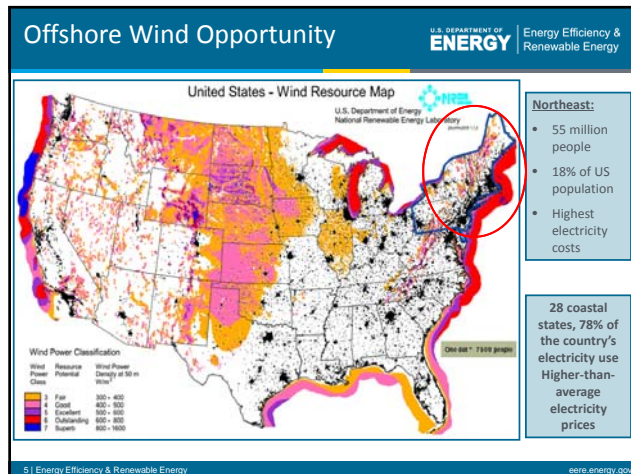
Agencies with non-regulatory roles are incorporated in this effort to consider issues such as national security.

### **Goal: Compatibility Among Past, Current and Future Ocean Uses**

*Develop a planning framework to encourage compatibility among past, current and future uses of ocean and coastal waters while minimizing user conflict and impacts to environmental and cultural resources. Recognize local priorities and the connection of ocean uses and the ecosystem to shoreside infrastructure and activities. Facilitate increased understanding and coordination among stakeholders, recognizing the difficulty of resolving certain conflicts.*







## Offshore Wind – The Role of DOE

U.S. DEPARTMENT OF ENERGY | Energy Efficiency & Renewable Energy

### A National Offshore Wind Strategy

**Goal: Reduce Cost of Energy**

**Goal: Promote Responsible Deployment**

- **Inform** citizens and decision makers
- **Convene** leaders and **facilitate** national and international information exchange
- **Support** innovative partnerships to research, develop, and demonstrate unique technology solutions to challenging problems
- **Enable** responsible deployment by addressing environmental concerns, market risks and permitting delays

“DOE, as a non-regulatory agency, is in a unique position to provide **national leadership** through collaborative partnerships with other federal agencies, the states, academia, and industry.”  
- *National Offshore Wind Strategy*, February 2011

6 | Energy Efficiency & Renewable Energy | eere.energy.gov

## DOE Activities Aligned with National Strategy

U.S. DEPARTMENT OF ENERGY | Energy Efficiency & Renewable Energy

World Class Test Facilities	Removing Market Barriers	Next Generation Drivetrain R&D	Developing Innovative Technology	Demonstrate Next-Generation Designs
<u>ARRA Projects</u>	<u>Offshore FOA #1</u>	<u>Tech. Viability FOA</u>	<u>Offshore FOA #2</u>	<u>Offshore FOA #3</u>
Clemson 15 MW Dynamometer	Siting and Permitting Infrastructure	Aggressively Targets Key Cost Components	Computational Tools Turbine Design	Demonstration Projects
Massachusetts Large Blade Test Facility (to 90m)	Resource Planning		Marine Systems Engineering	Full Scale Demonstration of Advanced Technologies
<b>\$70M</b>	<b>\$16.5M</b>	<b>\$7.5M</b>	<b>\$26.5M</b>	<b>\$168M</b>

7 | Energy Efficiency & Renewable Energy | eere.energy.gov

## Offshore Wind Market Acceleration

U.S. DEPARTMENT OF ENERGY | Energy Efficiency & Renewable Energy

Environmental Research	Resource Assessment	Complimentary Infrastructure	Market Research
Addressing uncertainties and informing regulators	Developing information base for developers and researchers	Developing the conditions necessary for the industry to advance	Providing a comprehensive annual assessment of US OSW Market
EXAMPLE: Stantec offshore bat activity study	EXAMPLE: Reference facility for offshore renewable energy	EXAMPLE: US Offshore Wind Port Readiness	EXAMPLE: Navigant 2013 Offshore Wind Market and Economic Analysis

**Reduce Cost of Energy and Promote Responsible Deployment**

8 | Energy Efficiency & Renewable Energy | eere.energy.gov

## Environmental Research - Stantec Offshore Bat Activity

U.S. DEPARTMENT OF  
**ENERGY** | Energy Efficiency & Renewable Energy



### Objectives

- Observing patterns in offshore bat activity and species composition in the Gulf of Maine, Great Lakes, and Mid-Atlantic coastal states, and whether a difference exists in use between mainland and offshore islands
- Test the effectiveness of detecting echolocation signals using specialized monitoring equipment

### Preliminary Results

- Bats have been detected from April through November, with activity indices highest in mid-August through early September.
- Data from 44 survey periods collected between 2009 through 2012 revealed that 72% of sites recorded bat activity on more than half the nights in which detectors were deployed for the July 15 to October 15 time period



9 | Energy Efficiency & Renewable Energy

eeere.energy.gov

## Planning for OSW Development

U.S. DEPARTMENT OF  
**ENERGY** | Energy Efficiency & Renewable Energy

### Offshore Wind Resources for U.S. Decision-Makers and Planners

- US OSW Manufacturing & Supply Chain Report – Navigant 2013
- Assessment of Vessel Requirements - Douglass-Westwood 2013
- Installation, Operations & Maintenance Strategies
  - Optimization Modeling – NREL
  - Reducing cost of I,O&M Overview Report & Analysis Tool – GL GH
- US OSW Port Readiness Report & Web-based Assessment Tool - GL GH 2013



### Example: Analysis of New Bedford Port Use for Turbine Manufacturing



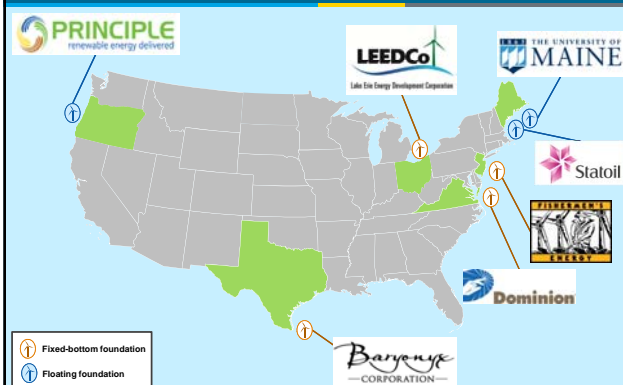
Turbine fabrication, storage & load-out	Units	Gap	Cost (\$k)
Quayside area for load-out	sqm		
Quayside bearing pressure capacity for load-out	t/sqm		
Quayside length for vessel	m	-	-
Quayside water depth for vessel	m	-	-
Seabed quayside suitable for jack-up vessel	-	-	-
Haul route width	m		
Haul route bearing pressure capacity for load-out	t/sqm		

10 | Energy Efficiency & Renewable Energy

eeere.energy.gov

## DOE Demonstration Projects

U.S. DEPARTMENT OF  
**ENERGY** | Energy Efficiency & Renewable Energy



11 | Energy Efficiency & Renewable Energy

eeere.energy.gov

## Demonstrating Advanced Technologies – University of Maine

U.S. DEPARTMENT OF  
**ENERGY** | Energy Efficiency & Renewable Energy

### 1/8 Scale VoltturnUS - Deployed off Castine, ME



First Grid  
Connected  
OSW project  
in the US



### Full Scale Aqua Ventus - Planned Deployment off Monhegan Island, ME

Number of Turbines: 2  
Foundation Type: Floating, Semi-Submersible  
Depth: ~ 90-120 m  
Distance from Shore: ~12 NM, 2.5 NM from Monhegan Island  
Expected Deployment: 2017

#### Innovations

- Concrete foundation could present potential for mass production
- Composite tower
- Floating technology opens up deep water resource

12 | Energy Efficiency & Renewable Energy

eeere.energy.gov



## Wind Vision – Modeling the Future

U.S. DEPARTMENT OF  
**ENERGY** | Energy Efficiency & Renewable Energy

### Objectives:

- Document and analyze the current status of wind technologies and the wind industry
- Provide leadership in development of a cohesive long term vision for the benefit of the US
- Provide best available information to address stakeholder concerns;
- Provide objective and relevant information for use by policy and decision makers.

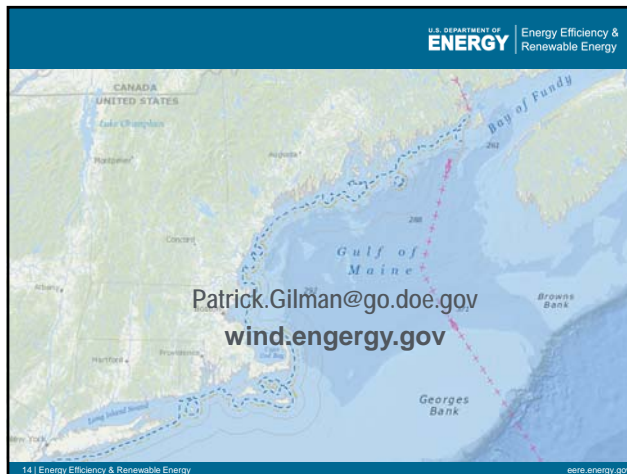
### Project Time Horizons:


- 2020 – 10% Wind
- 2030 – 20% Wind
- 2050 – 35% Wind



### Primary Themes:


- Changes since 2008, technology, integration & markets; including updated model runs (multiple scenarios) for projected deployment;
- Current best science of costs and benefits, including policy scenario analysis; Roadmap of actions, including timing, participants and resources required.





Appendix H  
Update on BOEM's  
Offshore Renewable  
Energy Program

Maureen A. Bornholdt  
January 22, 2014  
Northeast Regional Planning Body  
Meeting  
Program Manager  
Office of Renewable Energy Programs  
Bureau of Ocean Energy Management



## Bureau of Ocean Energy Management

- Bureau within the Department of the Interior
- Sister bureau to the Bureau of Safety and Environmental Enforcement (BSEE)
- Oversees development of the nation's oil and gas, renewable energy, and other mineral and energy resources on the Outer Continental Shelf



## BOEM's Staged Offshore Wind Authorization Process

Planning and Analysis  
Leasing  
Site Assessment  
Construction and Operations

3

## Stage 1: Planning and Analysis

- Establish Intergovernmental Task Force, engage stakeholders
- Publish a Request for Information (RFI)/Call for Information and Nominations (Call)
- Announce Area Identification
- Conduct environmental compliance reviews

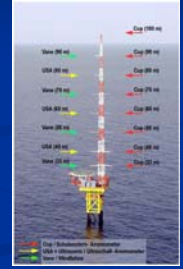
4

## Stage 2: Leasing

- Publish leasing notices
  - Determination of No Competitive Interest (Noncompetitive)
  - Proposed and Final Sale Notices (Competitive)
- Issue Lease(s)
  - After environmental reviews are complete
  - Conveys right to submit plans for BOEM's approval
  - Negotiate with single developer (Noncompetitive)
  - Hold lease sale (Competitive)

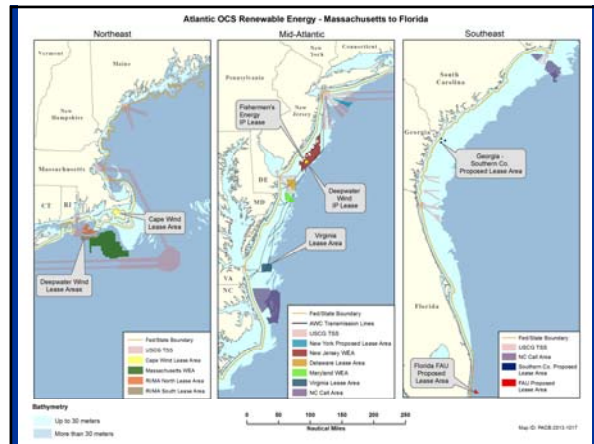
## Stage 3: Site Characterization and Assessment

- Lessee conducts surveys in the lease area (**site characterization**)
- If lessee intends to install a meteorological tower or buoy, it must submit a Site Assessment Plan (SAP) to BOEM (**site assessment**)
- BOEM conducts environmental and technical reviews of the lessee's SAP and approves, disapproves, or approves with modifications
- Lessee has up to 5 years to conduct these activities



## Stage 4: Commercial Development

- Lessee must submit a Construction and Operations Plan (COP) in the first five years of the lease
- COP provides details of the proposed project (turbine layout, size, etc.)
- BOEM conducts environmental and technical reviews of the lessee's COP and approves, disapproves, or approves with modifications
- Operations term is typically 25 years





## Appendix I: Redlined Objective Language

### Objective 5. Improve coordination with local communities in decision-making processes

Formatted: Font: 12 pt

Action 5-1. Identify best practices for early community engagement in existing decision making processes.

Outcomes:

- Identification of options for incorporating local/community knowledge in existing decision-making processes.
- Increased understanding of cultural and community values.

Revised objective 1

### Objective 1. Enhance inter-agency coordination

*Note: This objective addresses the timing and scheduling of decisions about sustainable uses of ocean space, sharing of information among agencies, and communication among federal agencies and between state and federal agencies and federally-recognized tribes. The intention is to focus on all human uses (consumptive and non-consumptive) and ~~natural resource~~ habitat management, protection, and restoration of natural resources. It focuses on existing broad programs (e.g., the National Environmental Policy Act and the Coastal Zone Management Act) and other ~~the existing~~ Federal and state ~~National Environmental Policy Act (NEPA)~~ ~~siting~~ and regulatory programs initially related to:*

- Marine energy production (wind, marine hydrokinetic) and infrastructure (transmission cables, pipelines).
- Offshore aquaculture.
- Sand extraction for beach nourishment.
- Potential future uses, such as carbon sequestration.

*Identification of these focus areas results from their ripe nature (given experience with certain of these projects in recent years), the potential for difficulty in decision-making given this experience, and the opportunity to address some of these difficulties.*

*For this objective, it is important to remember that the RPB must work within existing regulatory authorities, and that coordination and sharing of information pursuant to these authorities includes a review of natural resources and existing human uses. Agencies with non-regulatory roles are incorporated in this effort to consider issues such as national security.*

Action 1-1: Review federal statutory requirements for siting energy-related development (including electricity generation and transmission, infrastructure such as pipelines, etc.), offshore aquaculture, sand extraction for beach nourishment, and other potential future uses of ocean space (e.g., carbon sequestration). Review analogous programs at the state and tribal levels. In addition to development-specific requirements (e.g., BOEM wind energy leasing), include broad requirements such as NEPA and CZMA. Discuss with agencies, tribes, the regulated community, and others how regulations are implemented in practice to identify potential, specific means of achieving this objective, focusing on process-related topics and how information and data related to human activities and natural resources are considered. Identify options for meeting this objective for RPB consideration.