



September 30, 2015

Northeast Regional Planning Body  
Ecosystem-Based Management Working Group

Submitted via email to the Northeast Regional Planning Body Executive Secretary

Dear Working Group Members:

On behalf of Conservation Law Foundation (CLF), I am writing to strongly support the Ecosystem-Based Management Working Group and the charge that has been put before it by the Northeast Regional Planning Body (RPB). We are grateful to the RPB for acting upon the comments of many stakeholders who called for the formation of this Working Group to inform and guide the ecosystem-based management (EBM) framework of the Northeast regional ocean plan and the associated identification of important ecological areas (IEAs).

Ecosystem-based management (EBM) is the first of nine priority objective of the National Ocean Policy<sup>1</sup> (as articulated in the Final Recommendations of the Interagency Ocean Policy Task Force) which calls for the adoption of “ecosystem-based management as a foundational principle for the comprehensive management of the ocean, our coasts, and the Great Lakes”.<sup>2</sup> The Final Recommendations, adopted by the National Ocean Policy, state that coastal and marine spatial planning “is intended to improve ecosystem health and services by planning human uses in concert with 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> Further, the Final Recommendations specifically call for assistance from scientific and technical experts to analyze “the ecological condition and relative ecological importance or values of areas within the planning area, including identification of areas of particular ecological importance using regionally-developed evaluation and prioritization schemes.”<sup>4</sup> We are pleased that the RPB recognizes the Northeast regional ocean plan should be built on a foundation of EBM and that it wisely created this expert Working Group to support and inform the development of the EBM framework as well as several key components of the regional ocean, most notably IEAs. Given the short time frame for completing the regional ocean plan, CLF believes that the Working Group should focus its efforts over the next 4-6 months on the following two tasks articulated in the charge:

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<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), p. 6, available at [http://www.whitehouse.gov/files/documents/OPTF\\_FinalRecs.pdf](http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf).

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

<sup>4</sup> *Ibid.* p. 57.

- Support the research, identification, evaluation and application of approaches and methods to define and characterize important ecological areas. CLF strongly recommends that the Working Group focus its efforts over the next several months on providing guidance on the development and application of a methodology for identifying IEAs with a goal of identifying IEAs for inclusion in the final NE regional ocean plan. We believe that the extensive efforts over the past several years to build and populate the ocean data portal and to conduct extensive data analyses to advance our understanding of New England's ocean ecosystem now enables the RPB, with support from the Working Group, to advance this critically important element of the regional ocean plan. We are aware of similar work by the Mid-Atlantic RPB and recommend that the Working Group collaborate with efforts in the neighboring region, as appropriate, without slowing the progress of the Northeast regional ocean plan.
- Review analyses and mapping overlays of human use and ecological data, including compatibility considerations. Compatibility of uses with the natural environment and compatibility among uses is a core goal of the ocean plan and is essential to its effective implementation. The Working Group should provide input and feedback into the design of a compatibility determination framework to be incorporated into the regional ocean plan.

In addition to the above priority tasks we also strong encourage the Working Group to inform and guide the presentation and descriptive framing of the EBM in the regional ocean plan. At the RPB meeting in June of 2015, several members of the RPB stressed the need to better articulate how the regional ocean plan will put into motion an EBM approach for regional ocean management. The Working Group should provide guidance and feedback on how to structure the regional ocean plan and clearly describe the EBM framework and associated elements.

To the extent that enough research has been completed to produce useful benthic and pelagic habitat maps, we encourage the Working Group to review and provide feedback on the development of these maps and corresponding data, along with guidance on incorporating this information into the IEA analysis. Otherwise, we recommend that this task be sequenced after the above three tasks are completed.

Likewise, we would support the Working Group providing guidance on science priorities and options for monitoring ocean health and evaluating the effectiveness of the ocean plan, including reviewing progress towards achieving ocean planning goals and implementing EBM. This too is an essential element of EBM. However, we think this work should come after the initial two tasks are complete.

Thank you all for devoting your time and considerable expertise to the RPB and the development of the nation's first ecosystem-based regional marine spatial.

Sincerely,



Priscilla M. Brooks  
VP and Director of Ocean Conservation