



July 25, 2016

Dear Betsy, Grover, Rick, and the members of the Northeast Regional Planning Body

Thank you for all of your efforts to develop the draft ocean plan. As you may be aware, Island Institute works to sustain Maine's island and remote coastal communities, and exchanges ideas and experiences to further the sustainability of communities here and elsewhere. We have been involved in this process since the RPB was formed and led the first fisheries characterization project.

The Island Institute supports the draft plan because federal decisions about what happens in the waters off our coast have a direct impact the sustainability of island and coastal communities. The draft ocean plan fundamentally changes the relationship between federal agencies and coastal communities, giving us a stronger voice in federal decision making processes.

We are particularly excited about the recognition that there can be improvements to stakeholder outreach about dredging projects and about hydrographic survey work. Both of these ocean uses play an important role in keeping our harbors safe and also have the potential for small but costly interactions with the fishing industry. We also greatly appreciated the recognition of the idea that specific ocean space is important to specific communities and we look forward to continuing to work with the RPB on addressing this important issue.

That said, the plan's goals and objectives could do more acknowledge the economic and social importance of commercial fishing activity. The fishing industry is likely to be an important ocean use that is impacted by both a changing ocean ecosystem and also shifting ocean uses.

Generally, we would suggest that the draft plan be revised to include more of an emphasis on supporting existing uses like fishing. As noted below, the plan provides a significant opportunity to address known data gaps and to improve or clarify the processes federal agencies will follow when reaching out to relevant stakeholders.

The fishing industry is underrepresented in the data portal and there is significant opportunity to identify future work to improve our understanding of how various fishermen are impacted by changing ocean uses.

According to NOAA statistics, the American Lobster is the single most valuable species landed in the United States. Page 89 includes a note about the lack of spatial data for the lobster fishery and the “need to develop additional information characterizing the spatial extent of the lobster fishery across the region.” The lobster fishery is an important data gap that needs to be filled and the bullet point on page 91 recognizes this. How this data gap is filled is extremely important.

The Island Institute, in conjunction with consultants George Lapointe and Sam Belknap, recently completed a characterization of the lobster fishery in Maine. This document is available at - <http://www.islandinstitute.org/resource/lobster-and-ocean-planning>

This characterization is focused on describing the current context for the lobster fishery, significant recent changes in the industry, and general concerns that lobster fishermen have about conflicts between their fishery and other ocean uses. To help fill the data gap about the lobster fishery, we encourage you to:

- Include this characterization in the plan or potentially in the body of informative, grey literature that is associated with the plan and appropriately incorporated by reference;
- Include a mechanism to trigger its use or provide federal agencies and potential developers with the knowledge that the characterization exists. This is particularly important given the absence of a spatial data layer in the data portal that identifies the spatial extent of the lobster fishery.
- Work with stakeholders and state agencies to expand the scope of the report to the rest of the lobster industry. Based on the prior fisheries characterizations and our conversations with industry members from outside of Maine, we believe that other parts of the lobster industry will raise similar concerns as well as identifying some specific issues arising out of different regulatory structures in other parts of the region.

Finally, we would question whether the statement on page 84 that “while the number of boats in the lobster fleet in Northern New England has greatly increased” is accurate. While there have been significant changes in the fishery in the last 20 years, including changes to where and how people fish, the number of lobster licenses in the region has decreased.

We believe that the information contained in the lobster characterization will be valuable and useful for federal agencies or others who are looking at the plan. Because this characterization raises issues about how different ocean uses interact and articulates the kinds of concerns that are commonly heard when projects are proposed, we would suggest that similar work be done for other fisheries in the region. The commitments made in CF-2 should include more than merely looking at the spatial extent of the fishery and also include important contextual information about New England’s fisheries.

Finally, it is worth noting that the commercial fishing section does not mention the tuna fishery. This fishery is not as big as some of the other fisheries in the region, but it is still important and it has different spatial needs and concerns than many other fisheries. If it is not feasible to add on to existing spatial characterizations of the tuna fishery in the Gulf of Maine, then, at the very least, adding tuna to the list of fisheries without VMS found on page 88 would start to flag this data gap for people.

Significant additional work needs to be done on the section in chapter 4 around the best practices for stakeholder engagement to make sure that the plan serves to identify affected stakeholders and to ensure that federal agencies understand the dynamics surrounding particular processes.

There are two forms of engagement considered in the plan: engagement in the planning process itself and engagement in specific projects. It's important to set the expectation for federal agencies that specific permitting processes need to actually engage the impacted communities and that the planning process itself may not engage every possible coastal community. It's also critical to continue to be clear that the engagement around the RPB process and the plan documents is different from the engagement processes that federal agencies will be undertaking.

The commitments to use the best practices in Chapter 4 are extremely important for coastal communities. As the RPB moves into implementation, the RPB should be clearer about what these best practices look like and how they are implemented in specific processes. This would be an appropriate place for a workshop similar to the other stakeholder workshops the RPB has held.

We are glad that the plan acknowledges the importance of identifying potentially affected stakeholders and the data in the data portal will clearly help with this process. That said, we would strongly encourage the RPB to look critically at the commitments about using the data to identify stakeholders and how these commitments align with the information contained in the data layers themselves.

- Is the right data in the data portal to flag that there might be an issue? The MDAT data is being displayed in a number of different ways but, for the human uses, the data is displayed as presence/absence or in a density map showing amount of activity. Areas that appear less important regionally might be critical to a particular community. This information is not contained in the maps and it is all too easy to interpret the maps in ways that minimize potential issues.
- Do the maps have the right data for identifying impacted stakeholders? While they may point to an issue with a particular industry, going further seems difficult. For example, the language in CF-4 on page 92 about viewing the maps in conjunction with state fisheries agencies, the NEFMC, and fishing industry stakeholders is particularly important. Two crucial questions here are whether the plan has sufficient information to allow federal agencies to take the next steps and if the plan has sufficient information to allow

other developers to take the next steps in terms figuring out how to reach impacted stakeholders.

- It is worth noting that the text accompanying the VMS maps on page 93 is probably misleading. There are only a few specific instances where it might be possible to identify a homeport for certain vessels based on the VMS data and, in general, the VMS maps do not support identifying potentially affected stakeholders at a more refined level than that specific fishery.

In addition to identifying stakeholders by industry or sector, the plan should do more to identify communities as important stakeholders. As specific projects move forward, particularly offshore wind, communities should be at the table. Working with communities poses a unique set of challenges for both federal agencies and also for project developers. The report, *Engaging Communities in Offshore Wind*, provides a synthesis of lessons learned from 3 case studies of offshore wind projects in New England and how those projects have worked with nearby island communities. <http://www.islandinstitute.org/resource/engaging-communities-offshore-wind-case-studies-and-lessons-learned-new-england-islands> It is important to note that the focus of this work is on communities themselves and not with a particular sector or ocean use.

We look forward to continuing to work the RPB to address these and other issues.

Handwritten signatures of Nick Battista and Rebecca Clark Uchenna in cursive script.

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