

# Summary of Discussions: Northeast Regional Planning Body Inaugural Meeting

*November 19-20, 2012*

*Portland, Maine*

This document summarizes discussions and presentations at the inaugural meeting of the Northeast Regional Planning Body. The meeting took place on November 19-20, 2012 in Portland, Maine. The summary was produced by Meridian Institute, which provides meeting planning and facilitation services for the Northeast Regional Planning Body.



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## Executive Summary

The inaugural meeting of the Northeast Regional Planning Body (NE RPB) took place on November 19-20, 2012 at the Clarion Hotel in Portland, Maine. The meeting was attended by state, federal, tribal, and New England Fishery Management Council NE RPB appointed Members or their alternates, as well as agency staff. A complete roster of NE RPB Members, as well as participants in this inaugural meeting can be found in Appendix A. In addition, approximately 60 members of the public attended as observers, and seventeen provided input during a public comment session on November 20.

The meeting was called by the designated Federal NE RPB Co-Lead, Betsy Nicholson of the National Oceanic and Atmospheric Administration (NOAA). It was organized in collaboration with Katie Lund of NOAA, the NE RPB Executive Secretary, and Meridian Institute, which provided meeting planning and facilitation services and produced this summary document.

Objectives of the inaugural NE RPB meeting were to:

- Develop common understanding about NE RPB assignment and characteristics, basic operational considerations, and initial products.
- Provide context regarding current activities in the Northeast that lay a foundation for regional ocean planning.
- Engage stakeholders and the public about regional ocean planning for the Northeast.
- Discuss initial focus for the regional ocean planning effort in the Northeast and identify next steps for the NE RPB.

On November 19, NE RPB Members introduced themselves to each other and listened to presentations that described the national context for regional ocean planning. They reflected on the flexibility afforded the group by the National Ocean Policy and a need to decide how it wishes to carry out ocean planning in this region.

The NE RPB also discussed operational details for conducting its work, including development of a charter and initial tools to better understand Member priorities and capacities. It acknowledged the importance of meaningful stakeholder engagement throughout the process and the need to build on existing networks and engagement efforts. It discussed options for local government representation on the group. The NE RPB identified Mr. Grover Fugate, Executive Director, Rhode Island Coastal Resource Management Council as a state Co-Lead and Chief Richard Getchell, Tribal Chief, Aroostook Band of Micmac Indians as an interim tribal Co-Lead.

On November 20, four NE RPB Members presented examples of progress and lessons learned about conducting ocean planning from the perspectives of states, tribes, the New England Fishery Management Council (NE FMC), and the federal agencies. The NE RPB

also heard about projects of the Northeast Regional Ocean Council (NROC), a regional partnership of states and federal agencies that has developed the Northeast Data Portal and engaged a number of stakeholder interests to date. These NROC efforts are intended to be a resource for the NE RPB as it conducts its planning work going forward. During discussion, there was acknowledgement of the need to closely coordinate with NROC going forward.

The NE RPB discussed existing stakeholder engagement efforts and shared ideas about how to build on that work. It emphasized the need for multiple mechanisms and many opportunities for stakeholders to provide input, and the importance of providing clear information about when and how to engage.

It also discussed early ideas about issues to address through regional ocean planning. The group acknowledged a need to further discuss and clarify its scope, as well as the need to establish a timeline for a robust goal-setting process that includes stakeholder engagement and consideration of existing input that has been provided.

A public comment session was held during which seventeen members of the public shared their input. Some comments expressed support for the effort, while others expressed concern. At the close of the meeting, the NE RPB identified immediate next steps for the group and discussed timing and topics for a next in-person meeting in early 2013.

### **About Regional Ocean Planning in the Northeast**

In the Northeast, regional ocean planning is a process whereby states, federal agencies, tribes, stakeholders, and the public work together to assemble information related to ocean resources and uses, establish goals for the use and conservation of these regional resources, and identify efficient and coordinated strategies and mechanisms for achieving those goals in order to guide state, agency, and tribal decision making under existing authorities going forward. As part of this effort, a NE RPB has been established that includes high-level representation from states, federal agencies, tribes, and the New England Fishery Management Council. The NE RPB will meet regularly, establish a work plan, and ultimately develop products that help Member states, agencies, and tribes make more efficient, effective and coordinated decisions about the management of ocean resources and space.

The NE RPB is committed to carrying out robust stakeholder engagement and ensuring transparency throughout the regional ocean planning process. This will include a range of opportunities and mechanisms for stakeholders in the Northeast region to provide input and feedback. Interested parties are welcomed to visit the webpage at [www.northeastoceanouncil.org/regional-planning-body](http://www.northeastoceanouncil.org/regional-planning-body) for additional information and opportunities to provide comments electronically.

## About this Meeting

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The meeting was called by the designated NE RPB Federal Co-Lead, Betsy Nicholson of the National Oceanic and Atmospheric Administration (NOAA) and organized in collaboration with Katie Lund of NOAA, the NE RPB Executive Secretary, and Meridian Institute, which provided meeting planning and facilitation services and produced this summary document.

### Inaugural NE RPB Meeting Objectives

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- Develop common understanding about NE RPB assignment and characteristics, basic operational considerations, and initial products.
- Provide context regarding current activities in the Northeast that lay a foundation for regional ocean planning.
- Engage stakeholders and the public about regional ocean planning for the Northeast.
- Discuss initial focus for the regional ocean planning effort in the Northeast and identify next steps for the NE RPB.

### Regional Ocean Planning in the Northeast

In the Northeast, regional ocean planning is a process whereby states, federal agencies, tribes, stakeholders, and the public work together to assemble information related to ocean resources and uses, establish goals for the use and conservation of ocean resources and space in the Northeast region, and identify efficient and coordinated strategies and mechanisms for achieving those goals in order to guide state, agency, and tribal decisions under existing authorities going forward. This effort involves data and information gathering, policy and planning, and robust stakeholder engagement.

To address the policy and planning component of ocean planning, a NE RPB has been established that includes high-level representation from states, federal agencies, tribes, and the New England Fishery Management Council (NE FMC). The NE RPB will meet regularly, establish a work plan, and ultimately develop a regional ocean plan or products that provides information to help Member states, agencies, and tribes make more efficient, effective and coordinated decisions about the management of ocean resources and space.

The ocean planning process carried out by the NE RPB will not change existing authorities or create new mandates. Rather, states, agencies, tribes, and the NE FMC will use the information, science and tools developed through the planning effort as a guide when

making decisions within existing authorities to manage ocean resources. The process of developing and sharing data, developing a regional ocean plan, and then working together to manage programs and make decisions in the context of that ocean plan should result in enhanced state, federal, tribal, and the NE FMC coordination and more efficient and effective decision-making.

Massachusetts and Rhode Island are already implementing ocean planning at a state level with success and have important lessons learned that can be built upon for this regional effort. There are also a large number of smaller-scale and issues-specific planning and resource management efforts in the region that can be built upon to ensure ocean planning at a regional scale is conducted efficiently and effectively. In addition, the Northeast Regional Ocean Council (NROC), which includes state and federal membership, has been working to lay the groundwork for regional ocean planning by gathering important existing information, collecting new information, and engaging stakeholders to identify the key issues that could be addressed through regional ocean planning. A key milestone in NROC's support of the regional ocean planning process was the convening of the *Northeast Workshop on Regional Ocean Planning* on March 12-13, 2012 at the Roger Williams School of Law in Bristol, Rhode Island. The input provided by stakeholders during that workshop is an important launching point for NE RPB discussions. A summary of workshop proceedings can be found on the NROC website. Beginning in late December 2012, the NROC website can be found at [www.northeastregionalcouncil.org](http://www.northeastregionalcouncil.org).

The NE RPB is committed to carrying out robust stakeholder engagement and ensuring transparency throughout the regional ocean planning process. This will include a range of opportunities and mechanisms for stakeholders in the Northeast region to provide input and feedback. Interested parties are welcomed to visit the webpage at [www.northeastoceancouncil.org/regional-planning-body](http://www.northeastoceancouncil.org/regional-planning-body) for additional information and opportunities to provide comments electronically.

### **Monday, November 19, 2012**

The first day of the meeting, November 19, was focused on introduction, understanding the national and regional context for the work of the NE RPB, and discussing initial operational details.

#### **Opening Prayer**

*Richard Getchell, Tribal Chief, Aroostook Band of Micmac Indians*

Chief Getchell provided an opening prayer asking for knowledge, wisdom, strength, and unity for the NE RPB as it embarks on its work.



## Welcome Remarks

*Michael Brennan, Mayor, City of Portland, Maine*

Mayor Brennan welcomed the NE RPB and meeting observers to Portland, Maine. He noted the many amenities that can be enjoyed while visiting the city. He also shared his perspectives about the importance of ocean resources to Portland, including for fishermen and for working waterfronts that are essential to the local economy and culture. He looks forward to working with the NE RPB as it carries out its important work.

## Opening remarks and Agenda Review

*Betsy Nicholson, NOAA, NE RPB Federal Co-Lead*

Ms. Nicholson provided opening remarks, noting that this is the inaugural meeting of the NE RPB and the first of several anticipated Regional Planning Bodies in the United States to convene. She reminded the NE RPB that momentum towards regional ocean planning has been building within the Northeast region for some time, prompted by tension between traditional and new uses of the ocean and general dissatisfaction with the existing ocean management regime, which is characterized by insufficient coordination across management authorities. Formation of Regional Planning Bodies in the United States was catalyzed by a Presidential Executive Order intended to encourage management authorities to maximize compatibilities among ocean uses, base decisions on shared information, and operate in a transparent, efficient, and effective manner.

Ms. Nicholson noted that the Northeast is considered a leader in ocean planning because of existing efforts already underway in the region that have been successful and because of nongovernmental capacity that management authorities should engage. She urged the group to be thoughtful and creative in its deliberations, focus on the task at hand, and take meaningful action. By identifying and focusing on needs that are shared among Members of the NE RPB, rather than areas of disagreement, the group can be successful in improving ocean management in the region.

*Laura Cantral, Meridian Institute*

Ms. Cantral served as facilitator of the meeting. She offered an introduction to the agenda and reviewed the objectives of the meeting.

## Regional Planning Body Member Introductions

During this session, NE RPB Members or their substitutes introduced themselves and offered brief overviews of why they believe this initiative is important and what their top desired outcome is for this ocean planning process. Some themes included desires to:

- Work together to address:
  - Economic development, including protection of access to traditional fisheries, promotion of aquaculture, and strengthening of maritime transportation system.

- Protection of ecosystems, including restoration of upland streams and rivers, restoration of a wild salmon fishery and sustainable management of existing commercial fisheries, reduction of pollutants from vessels and land-based sources, protection of endangered species, consideration of climate change impacts on ocean resources.
- Protection of traditional economy and cultural heritage and fostering respect for the spiritual values that connect people to the ocean.
- Ensuring adequate ocean space for military testing and training to meet our nation's national security needs.
- Use the best information for decision making, which requires effective sharing of data across agencies and with tribes.
- Look for permitting efficiencies, including making improvements to the way that the National Environmental Policy Act (NEPA) is carried out and ensuring that national security and other overriding concerns are taken into account at the start of decision making about major ocean uses.
- Reduce conflicts among ocean uses and among uses and conservation interests in the regions' ocean areas. Also, foster greater collaboration, integration, and consensus among the region's management entities about ocean science, monitoring, and management. Improve working relationships among entities that are affected by one another's work. Make management decisions more predictable for existing and potential users of the ocean.
- Leverage resources and capacities. Build on existing initiatives in the region, including the work of NROC and other specific planning efforts. Share lessons learned across jurisdictions.
- Foster meaningful engagement of all interested parties in the region, a greater voice for the public, and transparency. Use this as a mechanism for better listening and being responsive.
- Plan for the long-term health of ocean resources and the communities that depend on them, rather than the short-term approach currently fostered by electoral and budgetary cycles.

### **National Ocean Policy: Overview and Current Status**

*Deerin Babb-Brott, Director, National Ocean Council*

Mr. Babb-Brott provided an overview of the national context for regional ocean planning in the Northeast. He began by congratulating the NE RPB for launching this important endeavor and for its leadership and commitment to improved management of ocean resources. He emphasized that regional ocean planning in the Northeast could result in a variety of outcomes, and that these would be determined by what the region identifies as important issues and how it wishes to address them.

He provided background about the establishment of the National Ocean Policy by Presidential Executive Order in 2010. The purpose of the effort is to encourage science-based decision making, focus on regional needs and goals, and work together across jurisdictional boundaries, while also being practical. The National Ocean Policy requires federal agencies to coordinate with one another and with local, state, and tribal governments more effectively. It is intended to ensure that the expertise and resources of the federal government are used in service of regional goals. Development of ocean renewable energy and a need to respond to the impacts of climate change make this work more urgent than ever.

The National Ocean Policy emerged from a belief that regardless of which ocean issues a region prioritizes, those issues will be addressed more effectively if management authorities work together, listen to others, work from the perspective of interests instead of positions, and engage stakeholders from the start. The NE RPB has opportunities to do all of that through this process. He urged the group to focus initially on key priorities on which it can make meaningful progress, and not try to address every issue at once. Additional comments by Mr. Babb-Brott are summarized as follows:

- *Regionally Determined Outcomes:* The region will decide for itself what is most important to address through this process, including the scope, scale, and content of the regional ocean planning effort. Priorities should be driven by the needs, interests, and capacities of the region. There is no new federal funding to support this work, so the region will need to be practical with existing resources. This includes building on and supporting the work of existing initiatives, not supplanting them.
- *Options for Regional Action:* There are a number of potential outcomes, ranging from improvement and sharing of information to support specific management interests to development of a plan that informs and guides action on regional priorities. Whatever level of action the region chooses, it will meet the national interests to improve ocean management.
- *Examples of Potential Outcomes:* Potential outcomes could include development of better information, data, maps, and a focus on specific areas that require multi-government solutions, and other activities and products to inform management decisions.
- *Outcomes will Advance National Objectives:* Two key national objectives are supported by this process: (1) Preserve and enhance opportunity for sustainable ocean use through regulatory efficiency, consistency, and transparency (2) Reduce cumulative impacts on environmentally sensitive resources and habitats. The role of the National Ocean Council is to serve as a resource and ensure federal agencies are participating effectively, providing the support and information the region needs.
- *Schedule for Regional Action:* The schedule for regional action will depend on what exactly the region wants to do. Essentially, the idea is to have the initial suite of data

and tools ready in three years, with a comprehensive management plan developed in five years, if the region chooses to follow that route.

- *Steps for Regional Action:* Steps include identifying regional objectives/outcomes, assessing regional capacity to meet those objectives, identifying existing efforts to build on synergistically, engage stakeholders and the public as a top priority, develop a work plan that directs and organizes action, analyze data about uses, resources and impacts, and develop and evaluate alternative spatial management options.
- *Common Components of a Plan:* A regional plan, if the region decided to develop one, could include description of the scope of the planning area, regulatory context, regional assessment, objectives and strategies used, and a description of mechanisms that enhance coordination among decision-makers.
- *Regional Planning Body:* The RPB is a working forum to identify and address priority regional issues; ensure state, federal, tribal, and NE FMC collaboration; and engage stakeholders and experts. It can be considered as a very engaged board of directors that brings the collaborative work back to their organizations. It does not have regulatory authority. The state, federal, and tribal Co-Leads provide administrative leadership, but the group operates by consensus. Consensus in this case means that if Members have voiced no strong opposition to a decision, then the group can move forward.

Following his presentation, Mr. Babb-Brott responded to questions posed by NE RPB Members. He explained that the National Ocean Council encourages participation of international ex-officio membership because cross-border issues can be important to the region. In this case, that would mean participation from a representative of Canada. He also explained that involvement of the Administrative Procedure Act and NEPA will depend on what actions the NE RPB decides to take. The NE RPB itself is not a body subject to the Federal Advisory Committee Act (FACA), but its committees could be depending on how the RPB chooses to follow that path.

### **Regional Planning Body: Getting Started with our Work**

This session focused on operational decisions that are foundational for the NE RPB to function effectively and conduct its substantive work. Topics discussed included co-leadership, creation of a charter, development of a capacity assessment, and the importance of stakeholder engagement.

To introduce the session, Ms. Nicholson reminded the group to focus on pragmatism and remember the flexibility afforded by the National Ocean Policy. She encouraged the group to make progress on each of the operational topics under discussion and described three basic phases of work as a framework for their thinking:

- *Phase 1:* The NE RPB decides how to work together. It develops a charter, establishes goals, uses goals to frame and conduct a capacity assessment, , mechanisms for working together, determines appropriate representation, etc.
- *Phase 2:* The NE RPB develops a work plan that describes what actions they will take to meet the goals and objectives they have established.
- *Phase 3:* The work is formalized and a suite of products or a plan is developed and states, federal agencies, tribes, and Fishery Management Council begin to operate in the context of those outcomes.

She noted that regional ocean planning can be seen as a paradigm shift, a new and improved way to do business, and therefore incremental change is acceptable. The first step is establishing a shared commitment to operate in a more coordinated manner.

Ms. Nicholson provided slides at the start of discussion about each of the following topics. These slides can be found in Appendix D.

### **Co-Leadership**

Ms. Nicholson noted that the NE RPB is intended to have shared leadership among state, federal, and tribal Co-Leads. Once identified, the three Co-Leads would form the Executive Secretariat. Their role would be to facilitate and guide the process, and lead coordination with other groups in the region. Ideally co-leadership would be rotational, and the National Ocean Council (NOC) recommended two-year terms at which point Co-Leads could be re-elected or replaced. The timeframe would be at the discretion of the NE RPB. The state and tribal Co-Leads would have no financial obligation to support the operations of the RPB. NOAA, as the current Federal Co-Lead is providing basic resources needed to administer the entity, in collaboration with other federal agencies.

Members discussed the terms for the Co-Lead, considering the pros and cons of a two-year term. An eighteen-month term was suggested as an alternative. It was also suggested that the initial Co-Lead designations be revisited at six months, once the responsibilities become clearer. Several Members felt that two years was a reasonable starting point and that the length of terms could always be revisited if the NE RPB decides that a different time frame would be more appropriate once it begins its work in earnest.

It was confirmed that states and tribes could caucus separately about which individual they may wish to nominate as their Co-Lead, because the NE RPB is not subject to FACA. States and tribes determined places and times to convene for those discussions in the hopes of determining Co-Leads before the close of the meeting on November 20.

Members noted that a decision needs to be made about whether Co-Lead positions reside with the individual or the entity they represent. The answer to this question might determine whether the NE FMC would be interested in its representative holding a Co-Lead

position. These questions were flagged for further consideration and resolution at a future meeting.

### **Local Government Participation**

Ms. Nicholson provided introductory remarks about local government participation, noting that the importance of engaging with local governments is clear and not a subject of debate. However, the NE RPB must consider how it wishes to engage them, which may be determined in part by the goals, priorities, and actions the NE RPB identifies for the regional ocean planning effort.

One option for engaging local governments would be creating a FACA-exempt local government consultative committee (LGCC) consisting of one elected local government official or designated employee from each state. One of these LGCC members may then sit on the NE RPB as a full member. During discussion, it was noted that while local government perspectives are very important, there are practical challenges to such a formal structure. The local Member would have difficulty in gathering meaningful input from the vast range of local jurisdictions. This challenge could potentially be overcome if the local Member was not expected to speak for all local governments in the region, but rather to offer some general perspectives. It was noted that state municipal associations exist that may have helpful perspectives to share and that the administration of a LGCC could be challenging from a time and financial standpoint.

An alternative proposed was offered in which each state takes responsibility for reaching out to and representing their local governments, including municipalities, counties, and states legislatures. Several Members agreed with the merits of this approach. It was suggested that perhaps a more formal role could be found if the NE RPB decides to take a sub-regional approach. Under this scenario, local advisory groups focusing on their specific sub-region might be more manageable and more relevant. This would be consistent with the idea of a two-tiered stakeholder engagement approach: one general and regional in nature, another that engages stakeholders on a state-by-state basis. Existing experience has shown that engagement of local officials at the state level is highly meaningful and practical.

At the conclusion of the discussion, it was decided that the NE RPB would request that the Executive Secretariat come back to the full RPB with several options on how to proceed, confirming the importance of local representation in this effort.

### **Ex-Officio Membership**

Ms. Nicholson introduced the session, noting the presence of Tim Hall, a representative of Canada's Department of Fisheries and Oceans, and explained that he was observing pending an official decision by the NE RPB about ex-officio membership. She also noted that New York State is interested in engaging with the NE RPB, but is not able to send a



representative to this meeting because of a need to focus on recent storm impacts on coastal areas of New York.

During discussion, Members wondered whether ex-officio designation is a meaningful distinction given the consensus-based nature of the NE RPB. It was suggested that ex-officio Members from Canada and New York might feel free to offer perspectives and experience throughout discussions, but when the NE RPB reaches decision points, it would be understood that the ex-officio Members would defer to the regular Members. Some concern was expressed about this principle, and a refinement offered: Perhaps there could be an expectation that all Members would weigh in on those issues and those ocean spaces in which they have the greatest interest.

A question was posed about whether the ex-officio Members would be expected to serve as links between the NE RPB and relevant entities across the border. A suggestion was made to invite New York and Canada as ex-officio Members, and ensure there are sub-groups formed, as needed, to address border issues. It was noted that some First Nations governments across the border in Canada should perhaps be engaged, as well tribes from the Mid-Atlantic region, specifically the Shinnecock Indian Nation.

At the conclusion of discussion, there was general consensus among Members that coordination with Canada to the north and the Mid-Atlantic region to the south, specifically with New York, was important. Mr. Babb-Brott committed to gaining further insights with members of the NOC, specifically the Departments of State and Justice. The group agreed that the Executive Secretariat revisit the topic once guidance is received and come back to the RPB with options.

### **Decision Making**

Ms. Nicholson reiterated that the NE RPB is intended to provide a forum for coordination, that it does not have independent legal authority to regulate or direct government activities, and that the intention is for NE RPB Member organizations to make future decisions in the context of ocean planning. She also reiterated that decisions are made by general consensus, not by vote.

During discussion, questions arose about the efficiency of making decisions under a consensus process and whether there would be opportunities to officially register dissenting opinions. A general sense was expressed that the NE RPB needs to operate by general consensus by its very nature. It was noted that the effectiveness and efficiency would be determined by how often the group meets, what work is conducted between in-person meetings, etc. Mr. Babb-Brott reminded the group that it is not a regulatory body but rather focused on information sharing and coordination. He also noted that general concurrence is considered in the absence of express disagreement by a Member with a particular proposed decision.

It was also noted that the early work of the NE RPB (e.g., data gathering) may not be controversial and therefore can move forward smoothly under consensus. If and when the time comes to make more challenging decisions, the NE RPB can revisit its decision making process if it deems necessary.

During this discussion, the need to clarify the meaning of terms such as “stakeholder” was flagged. It was decided that the Executive Secretariat would create a list of terms that have the potential to cause miscommunication and provide definitions for the group’s reference going forward.

### **Initial products**

Ms. Lund provided introductory remarks about initial work products for the NE RPB, including a charter and capacity assessment. She referenced slides, which can be found in Appendix B. Regarding the charter, she explained that it is a basic agreement to work together. It includes details such as the purpose and scope of activities, membership, and goals of the process (i.e., not the substantive goals of ocean planning, which will be developed in collaboration with stakeholders). It also includes description of Member commitments, including noting that participation does not bind individual Member actions and does not involve financial or legal obligations. Regarding operations and procedures, this would involve basic descriptions of roles, forms of communication, and frequency of in-person meetings, etc.

During discussion about a charter outline offered for consideration by Ms. Lund, it was noted that a charter may become a helpful reference tool for stakeholders and partners seeking information about what the NE RPB is and is not. The commitment of time required to carry out the work was identified as, in effect, a financial commitment. Travel to in-person meetings also involves some cost, and while the federal agencies have provided funds for the immediate term, they may not be able to carry that burden indefinitely. Members pointed out that signing the charter may require approval from higher levels within their states, agencies, and tribes. A suggestion was made to explain the consensus process in the charter. At conclusion of the discussion, the group expressed comfort with the basic outline provided by Ms. Lund and agreed that they would consider a draft charter at its next meeting.

In introducing the capacity assessment, Ms. Lund offered a phased approach for consideration. The first phase would involve a summary of federal agency mission, mandates, and priorities as they relate to regional ocean planning. She pointed out that there is already progress being made in gathering this information among the federal agencies, building on a workshop on federal regulatory efficiencies that was convened in September 2012.



The second phase would be a dynamic tool that captures a range of relevant products, studies, data, and other information about the region's ocean resources and spaces that can be used to carry out ocean planning. This is not intended to become a vast inventory of every activity or data point in the region, but rather should be tailored to the goals and objectives of the region. It can also be used as a tool to identify gaps and needs moving forward. Ms. Lund then presented to the group a table that is being used in the Mid-Atlantic region, is based on NOC guidance, and may be a helpful model for the Northeast whenever this region decided it is ready to embark on the second phase of capacity assessment. In particular, using a similar model as the Mid-Atlantic may offer benefits of standardized information across the adjacent regions.

Discussion among Members focused on the rationales and time commitments for conducting a capacity assessment. There was general agreement that such an effort would need to be conducted efficiently and targeted to the specific goals of the region, in order to be useful. Mr. Babb-Brott emphasized that this region is free to develop whatever strategies and mechanisms it finds most effective for ensuring NE RPB Members and other key partners in the region are aware of one another's capacities and are not unnecessarily duplicating effort.

Members representing federal agencies expressed commitment to moving forward with their current effort to better understand the full range of relevant federal capacities and activities. It was noted that NROC manages the Northeast Data Portal [[www.northeastoceandata.org](http://www.northeastoceandata.org)], and the federal government has created a national data portal [[www.data.gov/ocean](http://www.data.gov/ocean)]. Those existing efforts are intended to be a resource for regional ocean planning activities. An idea was offered for establishing a step between the proposed first and second phases, which would involve the states and tribes identifying their key priorities and issues for ocean planning. There was general agreement that the federal agencies would continue their efforts on the first phase, and revisit subsequent phases at an appropriate future time.

### **Stakeholder Engagement**

Ms. Lund began the session with acknowledgement of the vital importance of meaningful stakeholder engagement throughout the planning process. She then provided a brief overview of a RPB Member briefing document, entitled *Northeast Regional Ocean Planning: Ideas for Stakeholder Engagement*, which can be found in Appendix C, that describes past and current stakeholder engagement efforts. She also offered ideas about the kind of roles stakeholders could play as a starting point for discussion. These include contributing knowledge and expertise, reviewing and commenting on projects and planning efforts, and providing communication to colleagues and the broader interested public.

Members focused much discussion on the need for a two-way flow of communication with stakeholders and the need to engage them continuously at every step, including through the

work of this NE RPB and planning-related projects of the individual Member states, agencies, tribes, and the NE FMC. A need to set stakeholder expectations about how and when they would be able to engage, and how their input would be used, was noted. The group then considered and expressed general comfort with the following proposed stakeholder engagement goal for the NE RPB: *Encourage broad stakeholder participation through an open and transparent process to promote a shared vision for Northeast regional ocean planning.*

### Adjournment

At the conclusion of the first day, Ms. Cantral offered summarizing remarks. She noted that the group had made progress on important operational issues that would allow them to successfully engage in the substantive work of this NE RPB.

## Tuesday, November 20, 2012

During the second day of the meeting, November 20, the NE RPB delved further into details of the regional context for its work and had preliminary discussions about key issues and a process for goal setting. It included a public comment session.

### Welcome Back

Ms. Nicholson welcomed the NE RPB Members back for the second day of the meeting. She also thanked agency and public observers for their attendance. Members provided another brief round of introductions.

Ms. Cantral provided a brief summary of progress made on the first day of the meeting, reviewed the agenda and then turned to the Members for updates on outcomes of caucusing that states and tribes had conducted separately on the question of co-leadership.

Mr. Fugate, NE RPB Member and Executive Director of the Rhode Island Coastal Resources Management Council announced that his state colleagues had nominated him to serve as state Co-Lead. Chief Getchell, Aroostook Band of Micmac Indians, then announced that he would be serving as interim tribal Co-Lead, pending further discussions with the tribes about which tribes and which tribal Members would be most appropriate for this body.

Ms. Cantral noted that the first part of the day would be devoted to providing important context and background information. Presenters would include NE RPB Members and representatives of NROC. She also noted that they would reverse the order of two sessions on the agenda and discuss initial focus areas for the NE RPB prior to stakeholder engagement.

Ms. Nicholson then summarized three bins of ideas that the NE RPB would consider going forward. She referred to a slide, which can be found in Appendix E. The bins are:

- *Process goals:* These are key elements and principles for how the NE RPB moves forward (e.g., better coordination), open process, strong relationships, shared understanding of one another's activities.
- *Issues to address through ocean planning:* These are issues that the NE RPB hopes to address through its work, a precursor to thinking more specifically about goals and objectives. These might include issues such as de-conflicting uses, states having a stronger voice in offshore activities, identifying priority mapping needs, and applying federal resources to key regional priorities.
- *Initial focus:* These are initial activities the NE RPB could do to start addressing the issues identified. This might include engagement and mapping, data integration, products, federal coordination, etc.

Ms. Nicholson then introduced the next speaker, Mr. John Bullard.

### **Regional Ocean Planning in the Northeast: Opportunities and Challenges that Regional Ocean Planning Can Address**

*John Bullard, Regional Administrator, Northeast Region, National Marine Fisheries Service*

Mr. Bullard congratulated the group for its formation, emphasizing the importance of having key players at the same table discussing ways to work together more effectively. He noted that ocean planning can be a topic that is hard to grasp, as it can take many forms, and applauded the faith, optimism, and courage of the Members. He acknowledged that the group may feel frustration at times as it begins its work. It is easy for people to agree on the need for progress but agreeing on specific changes can be difficult.

Mr. Bullard noted the important connections between land and sea. He reminded listeners about the great importance of the ocean and coastal areas to the economy and cultural heritage of the region. He drew connections between the health of ocean resources, the health of economies in the region, and the health of human society.

He emphasized the importance of traditional uses of the ocean, including commercial fishing, and noted the new demands being placed on ocean space that are also important for our future, such as renewable energy. He noted that there are many expanding uses, such as aquaculture and sand and gravel mining, which will also need space in an already crowded ocean. Decisions about these new and expanding uses need to be based on facts, science, and thoughtful negotiation. Decision makers will also need to maximize potential compatibilities among uses. They will need to be open and transparent, bringing all viewpoints to the table, and operate at a regional, ecosystem scale. Conducting that work, as set forth by the National Ocean Policy, is the charge of this NE RPB. At times the work will be frustrating and some tasks may take longer than Members would hope, but having all concerns aired at the start of a decision making process, rather than at the end when much effort has already gone into a decision, will ultimately be found to be more efficient.

He then described the great potential in the region to build on existing efforts. Massachusetts and Rhode Island have already conducted ocean planning on a state scale and have achieved success. There are lessons that be learned from the experience of the NE FMC as well, a regional council process that may seem imperfect at times, but is the only appropriate way to manage a shared public resource such as marine fisheries.

In the case of Massachusetts and Rhode Island, Mr. Bullard pointed out that a key factor in their success has been a focus on ocean planning, as opposed to ocean zoning. Ocean planning identifies the underlying information about what makes certain activities in the ocean more appropriate in some places than others. He offered an example of how an offshore wind energy development process could be smoother and more responsive to stakeholder concerns in the context of ocean planning versus the status quo. His sense is that decision making will be more thorough and yet faster under ocean planning.

In conclusion, Mr. Bullard shared his belief that this is the right process for the region, the right time to be doing it, and the right group of Members to do this successfully. Ms. Cantral thanked Mr. Bullard for his inspirational words.

### **Context and Background: Examples from Different Geographic Scales and Regional Planning Body Member Jurisdictions**

Ms. Cantral introduced the session, stating that the intention of this series of speakers is to provide illustrative examples of work that is being conducted by four NE RPB Members that offer the NE RPB an understanding of the kind of progress in the region they can build on going forward. She noted that there will be opportunities at each NE RPB meeting to hear about existing projects from various Member organizations to inform the work of the group, and the Executive Secretariat welcomes Member input about topics that should be covered during those meetings.

#### **Ocean Planning at the State Level**

*Grover Fugate, Executive Director of the Rhode Island Coastal Resources Management Council*

Mr. Fugate used slides during his presentation, which can be found in Appendix F. He began by noting the vast array of legal authorities relating to ocean resource management. He stated that this complexity interferes with decision making and was a key driver of for initiating ocean planning in Rhode Island. Climate change and the stark choice to either adapt, mitigate, or suffer prompted action and a desire to promote renewable energy as part of the state's mitigation efforts.

The federal consistency provisions of the Coastal Zone Management Act (CZMA), which provide mechanisms for states to influence federal activities in federal waters, was another impetus. Ocean planning gave Rhode Island a way to understand what is in the ocean, who is using the resources, how and when and with what intensity. It allowed the state a way to

understand the limitation of their policies and permitting process and how they could be improved to address new and important challenges, including the development of large-scale projects in the ocean.

In Rhode Island, ocean planners brought together federal partners, tribes, local governments, and stakeholders. They gathered together the relevant data on how the ocean was being used and about natural and cultural ocean resources. They put this information on maps and identified areas important for cultural heritage, critical habitats, good places to develop renewable energy, etc. While the focus of the effort was on identifying areas for renewable energy, this required better understanding of all ocean uses and resources. The work in Rhode Island involved convening a very robust stakeholder process, which continues currently. The plan then also went through the usual regulatory adoption processes.

The mechanism Rhode Island decided to use to institute its plan is a Special Area Management Plan (SAMP), which can be developed under the CZMA. The result was a map that reflects areas of particular concern that should be avoided by large ocean projects. It is a policy map that helps decision makers understand the implications to proposed activities in different places in the ocean. Ocean planners also identified renewable energy zones, which did not preclude energy projects from other areas, but did identify where the state wanted developers to focus their siting efforts. Rhode Island also worked with Massachusetts to identify areas of regional interests for offshore renewable energy.

Mr. Fugate noted another advantage of ocean planning is that that NEPA can be nested within the process, and thereby lead to faster and better decision making and make the system more predictable. Regulators can be more confident in their decisions because they are based on better information. Mr. Fugate closed by thanking the group and welcoming any follow-up requests for information.

### **New England Fishery Management Council Ocean Planning Related Activities**

*Doug Grout, Chief of Marine Fisheries, New Hampshire Department of Fish and Game*

Mr. Grout referred to slides throughout his presentation, which can be found in Appendix G. He began by expressing gratitude to the agencies and individuals that worked hard to ensure the NE FMC has official membership status in the NE RPB.

The NE FMC manages a number of activities that are important to many priority ocean users. Mr. Grout described the basic composition and functioning of the NE FMC including the many species it manages and the many technical and advisory committees it employs in the development of management plans for those species. He noted that the NE FMC tries to minimize impacts on essential fish habitat (EFH), and that good data are needed to identify those habitats.

He pointed to slides with maps of existing fishery management areas and ways in which the NE FMC is currently carrying out spatial planning for fisheries resources. In the management areas, he described the many different management tools that are used. He also noted that EFH designations are required by law. These areas do not come with regulatory obligation, but they provide an opportunity for federal consultation on projects in those areas.

Upcoming activities for the NE FMC that may be of interest include the Omnibus EFH Amendment 2, which would create new and modify existing habitat areas, among other changes. The timeline includes implementation of new measures by mid-2014. Mr. Grout closed by welcoming any questions or requests for information as the process moves forward.

### **Tribal Ocean Planning Related Activities and Efforts**

*Doug Harris, Deputy Historic Preservation Officer/Preservationist for Ceremonial Landscapes, Narragansett Tribe of Rhode Island*

Mr. Harris began by expressing appreciation for being asked to provide remarks. He provided historical context for the group, noting that in the experience of his people the word “stakeholder” has meant that they had a stake that others wished to hold for themselves. And yet at times positive opportunities arise. He told of an experience recently in which he was directed by tribal leadership to attend a stakeholder meeting about the Rhode Island SAMP. His initial reaction was skeptical, as the main path for justice for the tribe to date had been through the formal consultation process with federal agencies.

When Mr. Harris attended the stakeholder meeting, he provided the oral history of his tribe, noting that more than 15,000 years ago his ancestors had villages in places that are now covered by the ocean. He asked the state whether it might be possible for some ancient settlements to be submerged under the sediment and whether it would be possible to determine this before disturbing the continental shelf in a significant way. Through persistent attendance at meetings and reiteration of this question, the state agreed to investigate. Geologists confirmed that as many as 24,000 years ago the continental shelf was indeed an open plain, and the oral history of the tribe may be accurate. This prompted a research dialogue with the University of Rhode Island and the Bureau of Ocean Energy Management (BOEM) and others to determine appropriate protocols for conducting industrial work off of Rhode Island to determine the presence or absence of those ancient sites. He explained that his people believe strongly in the importance of respecting their ancestors and that in doing so people today will receive help in carrying out their responsibilities. Therefore, the tribal stake in this question is significant.

He closed by noting the connection between ocean health and human health, and the importance of working together. He clarified that each tribe’s experience in addressing the issues important to them is unique and he cannot claim to speak for other tribes at the table.



However, he asked his tribal colleagues to consider that there may be successful avenues for having their voices heard, aside from federal consultation, and that working to build mutual understanding might lead to better results for all and better protect the Earth for current and future generations.

### **Federal Ocean Planning Related Activities and Efforts**

*Ron Beck, Energy and Facilities Branch, First Coast Guard District, U.S. Coast Guard*

Mr. Beck referred to slides during his presentation that can be found in Appendix H. He opened by sharing his perspective that progress has been made at the federal level that is encouraging for this NE RPB process. He described a group called the New England Federal Partners that serves as a venue for candid discussions about two key focus areas: climate change and ocean planning. The group has a true sense of community, strong participation, and a desire to collaborate effectively into the future. They are conducting an inventory of all federal activities underway in the region's ocean areas. Mr. Beck applauded work by the states and expressed the sense that the region is ready for action on a regional scale. The Northeast ocean data portal is a key asset for this work, and he encourages listeners to visit the website [[www.northeastoceandata.org](http://www.northeastoceandata.org)] and explore the tool.

He then described important ways the agencies have been preparing for regional ocean planning. Activities include BOEM task forces and studies, the U.S. Coast Guard Atlantic Ports Access Route Study and even more focused transportation studies in Rhode Island, various NOAA and U.S. Environmental Protection Agency studies underway, as well as the Federal Regulatory Efficiency workshop that was held in September 2012. This workshop focused on finding regulatory efficiencies, communicating more effectively, and identifying data needs and ways to incorporate ocean planning into information and products. The agencies have identified a series of follow-up tasks from that workshop and will continue to make progress. There has also been progress underway in assessing cumulative impacts of human activities on the marine environment, which reveal places in the ocean where any new activity would be nonsensical. In closing, he expressed optimism about the potential for this process to lead to positive results for the region and enthusiasm among the federal agencies for collaboration.

Ms. Nicholson thanked the presenters and provided brief reflections about aspects of those examples of existing work that may be transferable to the regional ocean planning process. She asked Members to keep these presentations in mind as the group begins its substantive work.

## Northeast Regional Ocean Council Ocean Planning Activities

*John Weber, Ocean Planning Director, Northeast Regional Ocean Council*

*Nick Napoli, Ocean Planning Project Manager, Northeast Regional Ocean Council*

In their capacities as the current Co-Chairs of NROC, Mr. Bruce Carlisle, Director, Massachusetts Coastal Zone Management Program, and Mr. Bob LaBelle, Science Advisor to the Director, Bureau of Ocean and Energy Management, offered introductory remarks. Mr. Carlisle provided a brief history of how NROC was formed, the decision by the states to include the federal agencies as full partners in NROC, and the recognition by NROC some time ago that supporting ocean planning was an important role they could play. NROC provides a forum for sharing information among states and for accessing federal support. NROC has convened a number of ocean planning workshops with stakeholders, including in 2009, 2010, and March of 2012. These workshops provided NROC a way to hear stakeholder feedback about its ideas and plans. NROC has been successful in acquiring resources from NOAA and the Gordon and Betty Moore Foundation to support its work plan. He closed by noting significant overlap in membership between NROC and the NE RPB and a hope that the NE RPB will consider NROC as a resource in its important work. Mr. LaBelle added that he believes this NE RPB is a logical next step for the region and an important way to bring science into management and policy decisions, achieve increased efficiency, and engage stakeholders and other constituents.

Mr. Weber and Mr. Napoli referred to slides, which can be found in Appendix I. Mr. Weber began by stating the following three elements are necessary for making better decisions about ocean uses: (1) more and better data and science to support decision making, (2) better engagement of stakeholders in the region, and (3) government decision making that is more efficient and better uses the data and stakeholder input. NROC is focusing on the first two: improving data and talking to people. He emphasized that NROC efforts are just a start in what will be an ongoing process and NE RPB input will be welcomed going forward.

Mr. Weber explained that NROC developed its work plan in 2011 and early 2012, and before implementation of the work plan began, NROC convened the *Northeast Workshop on Regional Ocean Planning* in March 2012 to receive stakeholder feedback. Since that time, NROC has moved forward with developing products that provide the foundational information for ocean planning. Identifying regional issues and goals is a key next step that will be addressed in 2013.

Before providing detail about the NROC projects, Mr. Weber noted that the NROC staff is small, contractor teams help implement the projects, and NROC members provide significant oversight and involvement.

Mr. Weber described the following projects underway:



- *Commercial fisheries mapping*: This work is led by George LaPointe, Island Institute, and the Rhode Island Coastal Resources Center. Outcomes include maps of commercial fishing activity based on existing data, with engagement from industry. In recent months, NROC has received advice from fishery managers, industry, and scientists. Preliminary steps have been taken, but more work needs to be done. Next steps include developing draft maps and giving industry a chance to vet the data and identify data gaps. Mr. Weber showed an example of what those maps may look like and emphasized that the existing data would be enhanced by information provided by users themselves. Conversations with fishermen about the maps also offer opportunities for NROC to discuss with them issues that should be taken account in ocean planning.
- *Marine industry engagement projects*: These projects are focused on engaging marine shipping, ports, commerce, energy and related infrastructure, and aquaculture. These uses are either already operating heavily in our region or have a strong interest in expanding. Discussions focused on the status of those industries in the region, future trends, and what issues those industries would like to see addressed. The outcome of those discussions is a series of white papers. This builds on similar work that was done in Rhode Island and Massachusetts. The major issues industries emphasize to date include improved agency coordination and decision making, greater understanding of technological trends and siting implications, and identified data priorities for additional analysis and collection. There are also important discussions underway about how to represent the information about these industries accurately on maps.

Mr. Napoli described additional projects:

- *Recreational boating survey*: Information about boating activity is currently very limited. In partnership with SeaPlan and the recreational boating industry, NROC conducted a survey of recreational boaters from New York to Maine. Outcomes include maps of boat trips indicating activities undergone while boating and economic data associated with those trips. In developing the survey, NROC received input from a number of marine trades associations, the National Marine Manufacturers Association, large marinas, and others. Next steps include careful review of the data, identifying the best ways to display the data, and talking with recreational boaters about their priority issues. Mr. Napoli showed a number of maps of areas of the region with recreational boating tracks identified.
- *Natural resource community engagement*: NROC is working with Sea Grant and The Nature Conservancy to reach out to the science and conservation communities. They will be seeking those communities' input on how to best represent data on natural resources, identify gaps, and discuss how those gaps might be filled. Currently, NROC is developing outreach plans. In spring 2013, NROC will convene two workshops to engage these communities in discussions. NROC has developed some

preliminary bins for organization of data about natural resources and for identifying key people to talk to about those resources.

- *Habitat classification methodology*: The purpose of NROC's habitat classification work is to review and compare methodologies in the region and develop an action plan to coordinate methods and data requirements. This is being led by states through separate funding. It has obvious implications for ocean planning.
- *Northeast Ocean Data Portal*: Development of the portal has been a priority for some time. It is the foundation for ocean planning efforts. A working group that includes NROC and others has been developing and reviewing the data, and building on existing efforts in the region. The portal is publicly accessible on a website [www.northeastoceanandata.org](http://www.northeastoceanandata.org), has an easy-to-use data viewer tool, and is intended to be both a planning tool for decision maker and a tool for engagement with stakeholders about data and information. Users may also download the data. Mr. Napoli showed slides capturing the data priorities for the portal and displaying a newly redesigned version of the website. He emphasized that while this work has been underway for some time, NROC is very open to reassessing its strategy, if needed, to ensure this tool is as useful as possible for ocean planning. He also noted that the tool is still a work in progress, and new data prioritized for acquisition (e.g., about cultural resources, other recreational activities, etc.) will added in the future and the functionality will continue to be improved over time.

Mr. Weber then described NROC's future plans for enhanced communication and stakeholder engagement. He noted that the work that is underway now is just the beginning, that NROC can be a resource for addressing future needs identified for the region, and that future work can be tailored to address NE RPB discussions and issues that may arise. He emphasized the need to be practical, efficient, and creative. He also observed that people in the region are eager for clarity about goals and to contribute to goal-setting discussions. While it is positive that people generally agree on the need for better data and information, there is a real need to talk about how to develop and then use those data for better decision making. Everyone also agrees with the need for more efficiency and coordination, but there is a need to define specifically what that means in practice.

Mr. Weber closed by providing a summary and timeline of actions, and welcoming questions.

Ms. Nicholson thanked Mr. Weber and pointed out to the NE RPB that the region has been fortunate to have been able to tap into resources to do this foundational work. She expressed hope that the NE RPB is comfortable considering NROC as a resource and to build on existing efforts underway. She urged Members to provide input about NROC activities and products through the NE RPB forum. She then noted that, aside from NROC, there are many additional organizations in the region doing important work that can support regional ocean planning.

During discussion, it was emphasized that many NE RPB Member organizations are closely involved with NROC while others are not. It will be important to ensure all Members have opportunities to learn about NROC's work and ask questions and provide their input. In response to a question, it was explained that NROC identified its priority initial projects based on successful experiences in Rhode Island and Massachusetts in which the first data collected were the easiest to acquire. Then focus shifted to talking with current users of the ocean and then moved on talking with new users. A key characteristic in all these efforts has been willingness to change course and be adaptive as circumstances change and obstacles arise. Flexibility has been important.

The group acknowledged that ideally they would first identify priority regional issues and goals, and then collect the data needed to answer those questions. However, NROC also knew intuitively that certain data would need to be gathered and certain conversations held, regardless of which issues and goals end up being identified. NROC also recognized that a NE RPB would be established, and that it would be the responsibility of this body to identify those issues and goals. Until recently, NROC was also working in the context of an upcoming Presidential election that may have altered the course of the National Ocean Policy. For all of these reasons, NROC decided to focus on collecting data and engaging stakeholders in ways that would be useful to the region, regardless of the issues and goals identified and the outcomes of the election.

A question was posed about whether the NE RPB would focus on water quality issues and drawing connections with land-based impacts. It was noted that many existing processes and programs are focused on those issues, and some of the key federal agencies involved are also represented on the NE RPB and can provide technical assistance on these topics. While data and coordinated management structures are not perfect on land, they are significantly more robust than data and coordination structures for the ocean. Some Members noted that while land based connections are important, a more proactive look at data for ocean resources is needed. There was broad recognition by the group that the NE RPB needs to define its scope, and needs to keep in mind the land-sea connection throughout its work. Some Members expressed a strong preference that this group limit its focus to ocean areas. At the same time, a key priority for other Members is revitalizing anadromous fisheries, an issue that has both ocean-based and land-based components. A question was posed about the possibility of discussing priority areas for watershed restoration through the NE RPB, and it was concluded that, at this time, all issues are open for discussion. It was also noted that traditional knowledge should be part of the baseline assessment of the region. A recommendation was made that NROC reach out to the tribes in the region more robustly.

A point was made that data collection can be an infinite exercise and at some point decision makers need to take action. A major reason for success in Massachusetts was that the legislature set forth a strict deadline for developing an ocean plan. They recognized that the

data was not perfect, and never would be, but that it was sufficient to develop a useful plan. They also recognized that any initial ocean plan would be a platform and need to be iterative and adaptive to new information over time. It was recommended that the NE RPB give itself a deadline.

### **Regional Ocean Planning in the Northeast: Initial Focus for the Northeast Regional Planning Body**

Ms. Cantral opened the session by explaining that the NE RPB would not be setting regional goals during this discussion, but rather this was a preliminary discussion to identify some initial ideas and discuss a timeline for a robust goal-setting discussion. She reminded the group that this should have a regional focus and issues should be regional in nature and that the work of the NE RPB is ultimately intended to be spatial in nature. A Member offered that the lens through which all issues should be considered is whether they are appropriate for this body, practical to address, and high priority for the region.

Issues mentioned by NE RPB Members during this discussion included the following:

- Ocean energy
- Climate change
- Fishery interactions with other users
- Habitat mapping and evaluation systems
- Ecosystem-based management
- Water quality and restoration of anadromous fisheries
- Shore side infrastructure for maritime industries, including fisheries
- Using reference sites to understand ecosystem change
- Protecting ecosystem function
- Acknowledging the intrinsic value of resources
- Finding regulatory efficiencies for siting ocean uses

Regarding a potential timeline for discussions about setting regional ocean planning goals, it was emphasized that there need to be robust conversations with stakeholders, consideration of the existing work that has been done on this topic, etc. It was noted that NROC would be able to provide summaries of the outcomes of its engagement efforts by mid-March for consideration by the NE RPB. Members also recommended that everyone refresh their memories about the outcomes of the March 2012 *Northeast Workshop on Regional Ocean Planning* by reviewing the meeting summary or hearing a presentation at the next RPB meeting this spring. It was also noted that individual Member organizations would need to deliberate internally, caucus with their fellow states/federal agencies/tribes/NE FMC on the NE RPB, and then discuss the issues as a group. At that point, the preliminary issues and goals should be shared with the public for reaction.

It was suggested that in the coming months the NE RPB consider a draft timeline of activities, potential options for what it ultimately hopes to achieve (e.g., maps, guidance, etc.), and a deadline for achieving whatever it decides.

### **Stakeholder Engagement: Identifying Needs and Building on Existing Capacity and Mechanisms**

Ms. Cantral opened the session by asking Ms. Kathleen Leyden, Director, Maine Coastal Program, to share opening thoughts about stakeholder engagement. Ms. Leyden began by emphasizing the importance of good engagement, the wealth of experience around the table, and some of the time and resource constraints that exist. She then provided a summary of feedback she has heard from stakeholders so far:

- Stakeholders are concerned that this process seems very top-down. They give NROC credit for getting started with engagement but the timing is awkward. It appears to some as though this is a solution looking for a problem. It is confusing for stakeholders to begin engagement with a discussion about regional goals. Some people have little appetite for discussions about process.
- The messaging has been insufficient to date. “Northeast Regional Planning Body” is not a good name for this entity. The group should come up with a new name for itself.
- The identification of benefits for each constituency will be very important. The NE RPB needs to demonstrate why people should care about this. Stakeholders want to know if this is going to benefit or harm them. There is a desire for state-by-state engagement, as well as engagement focused on specific issues.
- People want to know who is going to make which decisions. They need clarity about the roles and decision making responsibilities of the NOC, the NE RPB, etc.
- Stakeholders also need a clear timeline and an understanding of how and when they can engage, what materials they should be reviewing, and assurance that their engagement is a good use of their time. They also need assurances that the data they provide this body will not be used against their interests in the future.
- People want to understand how decisions about tradeoffs will be made in the planning process.
- Stakeholders want the NE RPB to tap into existing efforts and networks. This will make it more possible for people to engage. They also want to be kept informed, with feedback loops. Ms. Leyden reiterated the recommendation to review the March 2012 workshop summary, specifically for ideas about stakeholder engagement.

Ms. Lund then referred to slides, which can be found in Appendix J. She summarized what the group had discussed so far during the meeting about stakeholder engagement, asked them to consider what may be missing from the current suite of engagement efforts, and determine which additional efforts the group has the capacity to implement. Ms. Cantral

identified stronger tribal outreach as an example of a missing component that had already been called out during this meeting. She asked for additional feedback along those lines.

During discussion, it was recommended that the group familiarize itself with other engagement efforts underway in the region, including by the NE FMC, the Long Island Sound Study, efforts by National Estuary Programs, etc. A suggestion was made to create advisory groups and technical committees and ensure there is a two-way dialogue with stakeholders. There may also be a need to create subcommittees to tackle specific issues. In order to build on existing networks effectively, it will be important to do an assessment of existing key communication nodes and mechanisms.

### Public Comment

The NE RPB welcomes public comment through various means, including comments provided at in-person meetings and electronically. The NE RPB also plans to develop a number of additional mechanisms for the public to provide input going forward, including an online comment mechanism. During this session, seventeen members of the public provided comments for consideration by the NE RPB. All public comments, including those provided at this meeting are detailed in a transcript available on the RPB website [www.northeastoceancouncil.org/regional-planning-body/](http://www.northeastoceancouncil.org/regional-planning-body/).

Major themes of the comments provided during this session included:

- Support for ocean planning by stakeholders who believe there is a need to minimize user conflicts in a crowded ocean, protect access to fisheries in the face of new uses, and restore ocean and coastal ecosystems. They expressed hope that the process will truly reflect the priorities of the region, take advantage of all possible compatibilities between uses that might otherwise be in conflict over ocean space, and lead to consideration of better information in decision making. A sense was expressed that if the only result of this process is enhanced coordination among management entities, then it will be worthwhile.
- Skepticism about the process and concern that commercial and recreational fishing access will be restricted. Concern that stakeholder engagement will not be meaningful, that low quality science and information will find its way into the process, and that the process will lead to additional layers of bureaucracy. There is a sense that the NE RPB needs to establish stakeholder trust in this process as many fishermen do not currently have that trust.
- Recommendations provided to the NE RPB include that the group take into account climate change, tap into existing capacity in the region, set clear planning objectives, protect ecosystem health, create technical and stakeholder advisory committees, coordinate closely with the Mid-Atlantic region, coordinate the scheduling of meeting with NROC to facilitate participation by stakeholders, be clear about decision points where the NE RPB is seeking stakeholder input, keep in mind small and rural communities that depend largely on the ocean for their survival, be aware



of what is happening in fisheries management at all times, and create a glossary of key terms.

- A number of speakers made offers of assistance as they represent organizations conducting work or gathering data that may be helpful to the NE RPB.

Following the public comment session, Ms. Cantral acknowledged an opinion that was shared about the format of the public comment process during this first meeting being too formal, and stated that the NE RPB welcomed ideas about making the comment session more comfortable for members of the public going forward.

### **Regional Planning Body: Process Going Forward and Next Steps**

During this session, Ms. Nicholson provided a summary of decisions that the NE RPB had made during its first meeting. These included:

- Establishment of a full Executive Secretariat with a new state and interim tribal Co-Leads.
- Recognition of a need to adopt a common vocabulary about key terms and better message the effort to the public.
- Acknowledgement of a need to build on existing efforts, and to closely coordinate with NROC.
- Identification of next steps on key operational elements.

She summarized key next steps, including:

- Develop a charter for the group.
- Expand electronic options for receiving input from stakeholders.
- Continue the first phase of the capacity assessment process, focused on federal agencies. States and tribes are encouraged to develop a similar set of information about their basic ocean-related priorities and missions for consideration by the NE RPB. The Executive Secretariat will develop a template to facilitate that work.
- The NOC will provide answers to key questions about ex officio membership.
- The Executive Secretariat will develop a set of options regarding local government representation for the group to consider.
- All Members are asked to consider high level themes they believe are important to include during a discussion about goal setting, and to caucus with their fellow states/federal agencies/tribes prior to the next meeting. NROC will provide information from their industry workshops to help guide these discussions. RPB members should remember that this is an iterative approach, and consider the key topics to address during this first phase of ocean planning.

The group then discussed plans for the next in-person meeting. Some Members recommended meeting in March 2013. Topics for discussion at future meetings included

preliminary ideas about a work plan for the group, a more in depth look at the Northeast Data Portal, a thoughtful discussion about goals and objectives, review of lessons learned from the NROC regional workshop in March 2012, a session on regulatory efficiency that includes states and tribes, a session focused specifically on ocean energy, more detailed consideration of how other places have done ocean planning and stakeholder engagement related to it, discussion of a communications and engagement strategy for this group, and discussion of technical and advisory committee and any FACA related requirement that would need be addressed.

### Wrap Up

Ms. Nicholson provided concluding thoughts. She congratulated the group on its formation, reminded Members about the importance of this work, and shared her observation that the membership seems to have positive chemistry and respect for one another's different perspectives. She addressed the observers in the room, expressing enthusiasm for working closely with them going forward, thanking them for their interest, and appreciating in particular the willingness of those who provided public comment to share their ideas.

Mr. Fugate added his observation that discussion at the meeting had been frank and open, which he believes is a positive sign for the group's ability to make progress. He cautioned the group that the process would at times be challenging, and expressed confidence that they would overcome those challenges and develop products and outcomes of which they could be proud.

Chief Getchell shared the tribal perspective that this is a unique opportunity. He noted that there will be a need to explore issues in great depth, and he expressed enthusiasm for working together in this process.

Ms. Cantral thanked everyone for their attendance, noting that this is an important opportunity to tap into a diverse wealth of experience within the group. Then she adjourned the meeting.



# Appendix A: Northeast Regional Planning Body Membership Roster and Participant List

*November 19-20, 2012 Meeting*

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## States

### Connecticut

- Macky McCleary, Deputy Commissioner, Department of Energy and Environmental Protection
- Susan Whalen, Deputy Commissioner, Department of Energy and Environmental Protection

### Maine

- Patrick Keliher, Commissioner, Department of Marine Resources\*
  - Substitute: Meredith Mendelsohn, Deputy Commissioner, Department of Marine Resources
- Walt Whitcomb, Commissioner, Department of Agriculture, Conservation and Forestry\*
  - Kathleen Leyden, Director, Maine Coastal Program, Department of Agriculture, Conservation and Forestry

### Massachusetts

- Bruce Carlisle, Director, Executive Office of Energy and Environmental Affairs/Coastal Zone Management
- Paul Diodati, Director, Department of Fish and Game/Division of Marine Fisheries

### New Hampshire

- Thomas Burack, Commissioner, Department of Environmental Services
- Glenn Normandeau, Executive Director, Department of Fish and Game

### Rhode Island

- Grover Fugate, Executive Director, Coastal Resource Management Council
- Janet Coit, Commissioner, Department of Environmental Management\*
  - Substitute: Ames Colt, Coordination Team Chair, Rhode Island Bays, Rivers, and Watersheds Coordination Team, Department of Environmental Management

## Vermont

- Joseph Roman, University of Vermont

## Federal Agencies

### Joint Chiefs of Staff

- Joseph Atangan, U.S. Navy

### U.S. Department of Agriculture

- Christine Clark, Natural Resource Conservation Service

### U.S. Department of Commerce (Federal Co-lead Agency)

- Betsy Nicholson, National Oceanic and Atmospheric Administration, National Ocean Service

### U.S. Department of Defense

- Christopher Tompsett, U.S. Navy

### U.S. Department of Energy

- Patrick Gilman, Office of Energy Efficiency and Renewable Energy\*
  - Substitute: Meghan Massau, Sea Grant Knauss Fellow

### U.S. Department of Homeland Security

- Ron Beck, U.S. Coast Guard, First Coast Guard District

### U.S. Department of the Interior

- Robert LaBelle, Bureau of Ocean Energy Management

### U.S. Department of Transportation

- Jeff Flumignan, Maritime Administration

### U.S. Environmental Protection Agency

- Mel Coté, Region 1, Office of Ecosystem Protection, Ocean and Coastal Protection Unit

### Federal Energy Regulatory Commission (Point of Contact)

- Tim Konnert, Office of Energy Projects
- David Swearingen, Division of Gas - Environment and Engineering

\* *did not attend meeting*

## **Northeast Fishery Management Council**

- Doug Grout, Chief of Marine Fisheries, New Hampshire Fish and Game

## **Tribes**

### **Aroostook Band of Micmac Indians**

- Richard Getchell, Tribal Chief

### **Houlton Band of Maliseet Indians**

- Sharri Venno, Environmental Planner

### **Mashantucket Pequot Tribe of Connecticut**

- (To be determined)

### **Mashpee Wampanoag Tribal Council**

- Chuckie Green\*

### **Mohegan Indian Tribe of Connecticut**

- Jean McInnis, Environmental Protection Administrator\*

### **Narragansett Indian Tribe of Rhode Island**

- Doug Harris, Deputy Tribal Historic Preservation Officer/Preservationist for Ceremonial Landscapes

### **Passamaquoddy Tribe - Indian Township Reservation**

- Donald Soctomah, Tribal Historic Preservation Officer

### **Passamaquoddy Tribe - Pleasant Point Reservation**

- Vera Francis, Tribal Community Planner

### **Penobscot Tribe of Maine**

- Angie Reed, Water Resources Planner

### **Wampanoag Tribe of Gay Head (Aquinnah) of Massachusetts**

Elizabeth James-Perry, Tribal Cultural Resource Monitor

### **Local Government Official**

- (To be determined)

\* *did not attend meeting*

## Ex Officio Members

### New York State

- (To be determined)

### Canada

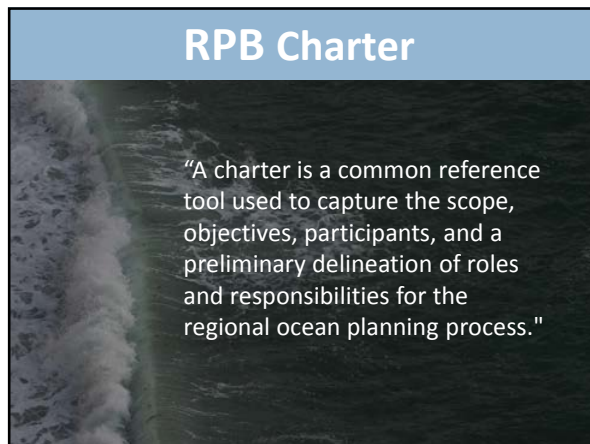
- (To be determined)
  - Representative: Tim Hall, Fisheries and Oceans Canada

*\* did not attend meeting*



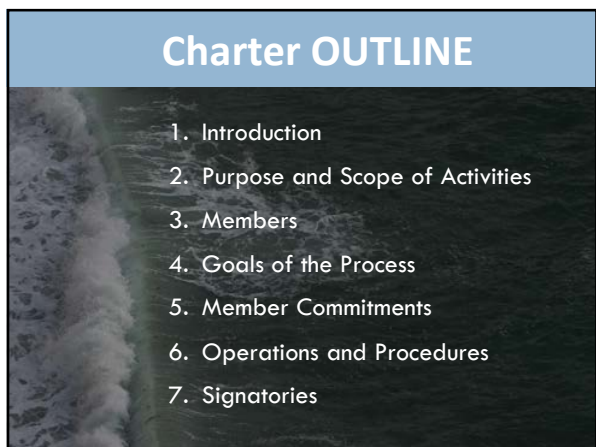
Appendix B:  
Initial RPB  
PRODUCTS:

- ✓ Charter
- ✓ Capacity Assessment



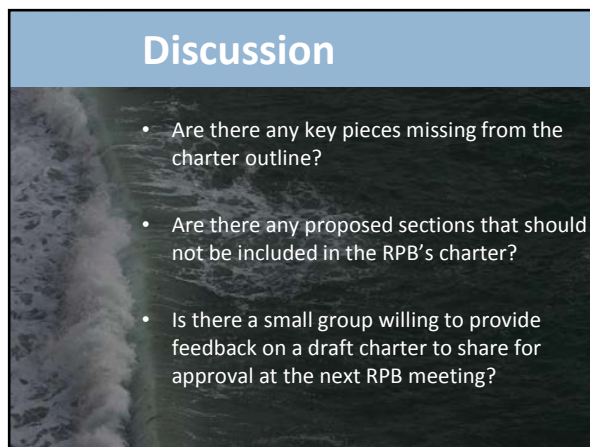
### RPB Charter

“A charter is a common reference tool used to capture the scope, objectives, participants, and a preliminary delineation of roles and responsibilities for the regional ocean planning process.”



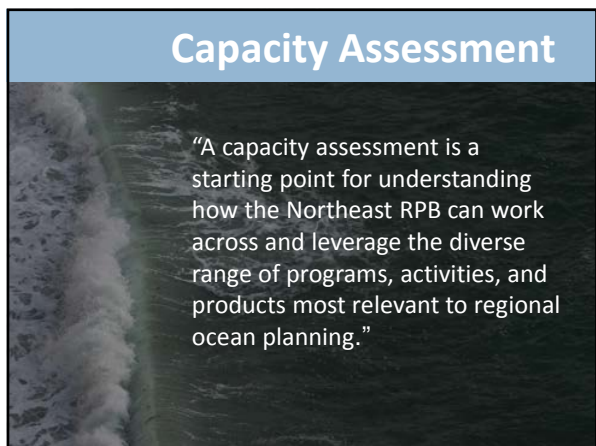
### Charter OUTLINE

1. Introduction
2. Purpose and Scope of Activities
3. Members
4. Goals of the Process
5. Member Commitments
6. Operations and Procedures
7. Signatories



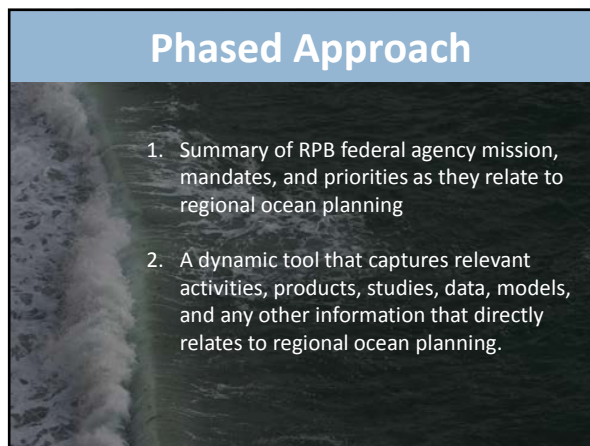
### Discussion

- Are there any key pieces missing from the charter outline?
- Are there any proposed sections that should not be included in the RPB’s charter?
- Is there a small group willing to provide feedback on a draft charter to share for approval at the next RPB meeting?



### Capacity Assessment

“A capacity assessment is a starting point for understanding how the Northeast RPB can work across and leverage the diverse range of programs, activities, and products most relevant to regional ocean planning.”



### Phased Approach

1. Summary of RPB federal agency mission, mandates, and priorities as they relate to regional ocean planning
2. A dynamic tool that captures relevant activities, products, studies, data, models, and any other information that directly relates to regional ocean planning.

Activity Name	Federal Agencies Involved (specify leads, co-leads, etc.)	Key Points of Contact	Authorities	Websites	Description
Digital Coast	NOAA National Ocean Service (NOS), CDC and Partners (Partners <a href="http://www.csc.noaa.gov/digitalcoast/continuing-partners">http://www.csc.noaa.gov/digitalcoast/continuing-partners</a> )	Hamilton Smithe, Operations Manager, Geospatial Services NOAA/NOS/CSC, hamilton.smithe@noaa.gov 843.740.1192		<a href="http://www.csc.noaa.gov/digitalcoast/">http://www.csc.noaa.gov/digitalcoast/</a>	The Digital Coast hazards, marine s... wants to unify group building not only a addressing coast

	G2	H	I	J	K	L	M	N	O
	Management Activities & Plans	External Engagement	Expertise (processes, skillsets, and expertise relevant to CMSP)	Research, Monitoring, and Data Collection Efforts	Available Data (raw datasets and data products)	Tools and Services	Upload	Coastal State Waters (state-defined shoreline - 3 mi. offshore, includes estuaries)	OCS (0 - 200 mi. offshore)
1					X	X		X	X
2		X	X		X	X	X	X	X
3									
4									

## Discussion

- How are these two products useful in our deliberations and planning efforts?
- How do we build off what info exists vs. see this as a new effort?
- Does the Mid-Atlantic inventory provide a useful framework for a capacity assessment?
- How can we envision this effort as capturing key capacities/activities of other partners and stakeholder groups in the region?



## Stakeholder Engagement

**Briefing Document:**

- Background - past and current activities that contribute to a broader stakeholder engagement strategy
- Ideas for moving forward - **potential goals for engagement, types of input needed, and ideas for additional involvement**

## Types of Stakeholder INPUT

*Stakeholder roles will vary based on different project needs and tasks. Important roles to consider in the planning process include:*

- Contribute knowledge and expertise
- Review and comment on projects/planning
- Provide communication to colleagues and the broader interested public



**Proposed Engagement GOAL:**

*Encourage broad stakeholder participation through an open and transparent process to promote a shared vision for NE regional ocean planning.*



# Appendix C:

## Northeast Regional Ocean Planning: Ideas for Stakeholder Engagement

---

The purpose of this document is to offer ideas for the Northeast Regional Planning Body (RPB) to consider during discussions about stakeholder engagement in regional ocean planning during its inaugural meeting on November 19 and 20, 2012. During the meeting, the RPB will touch on stakeholder engagement on November 19, focusing on acknowledging its importance, discussing a proposed stakeholder engagement goal for the region, and noting the types of critical input needed. On November 20, the RPB will discuss specifics of stakeholder engagement needs, ongoing activities, future opportunities, and capacities.

This document addresses:

1. Background, including past and current activities that may contribute to a broader stakeholder engagement strategy
2. Ideas for moving forward, including potential goals for engagement, types of input needed from stakeholders, and ideas for additional stakeholder involvement

The regional ocean planning process can offer multiple opportunities for stakeholders to participate and engage in essential elements of the RPB's work, including goal setting, capacity assessment, plan development and implementation. Beginning with this inaugural meeting, RPB members will discuss mechanisms and expectations for stakeholder input into these products as well as broader needs for engagement.

### **Proposed Principles and Strategies for Stakeholder Engagement**

Robust and meaningful stakeholder engagement is an essential element in regional ocean planning. In the Northeast, we recognize that our region's ocean planning efforts need to operate with an open and transparent approach that encourages broad participation. This work should be informed by sound science and the best available information along with relevant local and traditional knowledge. Input and feedback from stakeholders throughout the planning process will be critical to moving forward in a way that addresses opportunities and challenges that our region faces. Meaningful engagement takes time and resources, and it is worth the investments. Broad engagement is critical to building trust and ownership in the process and ultimately in ensuring the quality of ocean planning products.

In addition to these principles, the following ideas may also help guide consideration of stakeholder engagement strategies for regional ocean planning in the Northeast:



- A desire to demonstrate early, tangible successes/products of the planning process: to help stakeholders and others see that progress is being made and keep them motivated to stay involved
- A need to help different stakeholder groups understand the potential benefits of being engaged in the process and how ocean planning can address their interests/perspectives
- Acknowledgement that the RPB does not have all of the answers and that input and feedback from diverse perspectives is necessary to ensure the ocean planning process meets regional needs

### Types of Stakeholder Input

Stakeholder roles will vary based on different project needs and tasks. Important roles to consider in the planning process include:

- Contributing important knowledge and expertise
- Reviewing and commenting on projects and planning activities
- Helping with communication about regional ocean planning messaging/products to colleagues and the broader interested public

### Proposed Stakeholder Engagement Goal

Before discussing stakeholder engagement needs and strategies, it is important to define and agree on an overall goal for engaging stakeholders in regional ocean planning. During discussions on November 19, the RPB might consider the following stakeholder engagement goal as a starting point:

*Encourage broad stakeholder participation through an open and transparent process to promote a shared vision for Northeast regional ocean planning.*

### Recommendations from Previous Workshops and Discussions

In the Northeast, regional ocean planning activities and partnerships have been underway for several years and stakeholder engagement has been the focus of many discussions. The *Northeast Workshop on Regional Ocean Planning*, convened in Bristol, Rhode Island in March 2012, brought people together to discuss stakeholder engagement strategies, among other important topics. Approximately 170 individuals participated in the workshop and included a diverse representation of Northeast industries, government, academia, tribes and non-governmental organizations, as well as Northeast Regional Ocean Council (NROC) federal and state members. As part of this meeting, a set of engagement strategies were identified including:

- Develop a communications plan that clarifies audience, messages, and the messenger
- Allow stakeholders to have an opportunity to comment early and often in the planning process. Find a mechanism that demonstrates to stakeholders how their input is taken into account – even if comments are responded to in a general way, people will see they have been heard and their perspective considered
- Provide a variety of engagement mechanisms and forums to keep people informed and provide them with ways to provide input

- Take advantage of existing networks and meetings. Build on existing communication “nodes” in government, industry, academia, among nonprofits, and other established networks and consider coordinating to avoid stakeholder fatigue. Build on engagement efforts conducted by Massachusetts and Rhode Island in those states’ respective ocean planning processes
- Engage people in data collection, analysis and mapping. Use maps and spatial tools to help visualize the ocean planning process and to show how input and data is being incorporated

### Current NROC Stakeholder Engagement Activities

NROC is working with a variety of stakeholders and providing a solid foundation for future engagement efforts of the NE Regional Planning Body (RPB). Current NROC work includes a focus on industry sectors, such as commercial fishing, energy, maritime commerce, and aquaculture. An outreach effort to conservation groups is also underway. RPB members are encouraged to consider these ongoing activities as they discuss needs, capacity, and strategies for additional engagement:

- **NE Ocean Data Portal:** A decision support and information system for managers, planners, scientists and project proponents involved in ocean planning in the region from the Gulf of Maine to Long Island Sound. The Portal provides access to data, interactive maps, tools, and other information needed for decision making.
- **NROC Website:** A new website that provides information about NROC activities, committees, projects, background documents, and news. Initially, this site will also host the webpage for RPB announcements and meeting materials. NROC has funding to support continued updates of the website for projects and other activities such as: 1) Online blog, comment docket, or similar mechanism to provide stakeholders the opportunity to offer comments and 2) Online calendar to provide details about regional ocean planning events.
- **NROC’s Ocean Planning Projects:** Each of NROC’s projects (for example, those related to commercial fishing, marine industry, recreational boating, conservation and habitat classification) involve an engagement component.
- **NROC State Listening Sessions and Public Workshops:** These forums (planned for spring 2013) will synthesize information gathered through current ocean planning projects and be an opportunity for decision makers and the public to provide review and comment.

### Additional Stakeholder Engagement Opportunities

The following ideas are preliminary and are offered to the RPB for consideration:

- **RPB Meetings:** The public would be invited to attend and observe RPB meetings with time for public comment. These meetings would also be video-taped and made available for those that cannot attend.

- **RPB Web Page:** The NROC website can provide RPB updates, products, and meeting materials, including videos and summaries of meeting discussions.
- **RPB Planning Products:** During its initial work, the RPB will produce a charter, capacity assessment, goals for regional ocean planning, and a work plan. Each of these tasks will require discussion about engagement needs and mechanisms.
- **RPB Technical Committee:** The RPB will likely establish a standing committee comprised of scientific and technical experts from the region. The purpose of this committee would be to ensure that information relevant to regional ocean planning is available for consideration by the RPB. Committee membership could be drawn from and expand on NROC's project advisors, Northeast Fishery Management Council advisors, and include social scientists to help inform the ocean planning process.
- **Inventory Existing Communication Mechanisms:** To be efficient and effective in messaging, it will be important for the RPB to identify existing mailing lists, networks, organizations' websites, etc. to tap into for regional ocean planning updates and messaging. Making use of existing communication mechanisms will help target a wider constituency and provide important pathways for information dissemination.
- **NROC Communications Strategy Request for Proposals (RFP):** NROC has developed a communications strategy and will release an RFP in fall 2012 to add capacity to its communications related work. The RFP will focus on continued development of the ocean planning website, development of an online and two-way communication tool to enable more robust input and communication efforts, development of NROC project summaries available online and in hard copy, and general meeting support. NROC is continually revising its communication strategy as it hears more from stakeholders and RPB discussions on this topic.
- **Future Engagement Elements:** Through NROC's existing grants, there are additional engagement elements yet to be scoped. These elements include funding to support additional public meetings, issue-specific engagement (i.e., continuing work with specific constituencies), refinement of the Northeast Ocean Data Portal, etc.

**Other opportunities:** Based on existing strategies, the RPB should discuss other needs, opportunities, and mechanisms for non-governmental stakeholder participation.



**Appendix D:  
RPB Leadership:**


- ✓ Executive Secretariat/co-leads
- ✓ Local government representatives
- ✓ Ex officio
- ✓ Decision making



### CO-LEADS

**Responsibilities:**

- Facilitate and guide regional planning process.
- Do not have decision-making authority over regional work.
- Perform Exec Secretariat duties: (regular calls, product input, establish work groups, lead coordination/communication/ collaboration)
- NOC recommended 2-yr terms, which can then be re-elected or replaced. Up to RPB.




### Discussion

**Consider:**

- What kind of experience would be helpful this first round (ocean planning at different scales, street cred, consensus building skills)?
- What kind of support would these other co-leads bring with them?
- Time commitment: assume part of Exec Sec to meet regularly (1x month?)


**Decide:**

- Strive to elect state and tribal co-leads during meeting or soon thereafter



### LOCAL Government Officials

- RPB must consult with local govt
- Create FACA-exempt local govt Consultative Commte (LGCC) consisting of one elected local govt official or designated employee from each state
- One of these LGCC members sits on RPB as full member
- Assumes 2 yr position with no limit on consecutive terms



## Discussion

### Consider:

- Relevance to local officials
- Pragmatic way to convene, not burden
- Process for selection of local officials
- Issue of representation on RPB (don't represent each other)
- LGCC good model? Other ideas?

### Decide:

- How to approach local government sector to discuss way forward. Need champion.



## EX OFFICIO MEMBERSHIP

- Each inland state, adjacent coastal state, and bordering country may be afforded observer ex officio status as determined appropriate by RPB
- NY and Canada qualify
  - Canada Department of Fisheries and Oceans present to give perspective
  - NY Dept of State contacted



## Discussion

### Consider:

- Role of ex officios: contribute experience and perspectives on applicability of work beyond planning area, opportunities to leverage work

### Decide:

- Process to extend invitation and confirm



## DECISION-MAKING


- RPB not regulatory body, no independent legal authority to regulate/direct govt entities
- Membership does not constitute delegation of decision-making or legal authority to RPB, co-leads, NOC, or any other entity
- RPB provides a forum for coordination
- RPB members will make decisions or agreements in the context of planning process - objectives, products, plan
- Decisions are not made by vote, but by consensus
  - General consensus is concurrence, but unanimous not required.
  - General concurrence is the absence of express disagreement by a member on a particular issue



## Appendix E: 3 Bins of Ideas


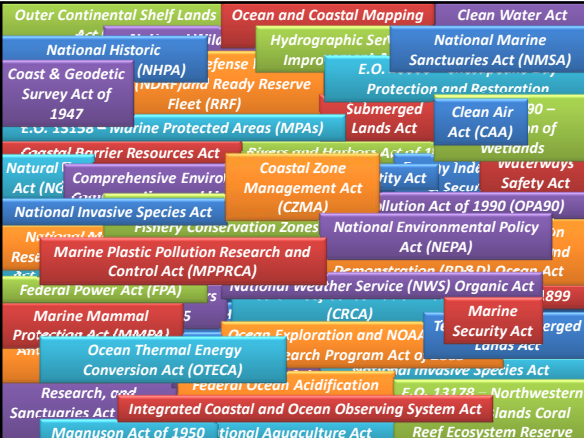
- Progress Goals
  - Better coordination, Open process, Relationships, Understanding of what we do
- Issues to Address through Ocean Planning
  - De-conflicting uses, Stronger voice in offshore activities (states), Identify priority mapping needs and apply federal resources
- Initial Focus: how do we start?
  - Engagement and mapping, Data integration, products, Federal coordination (e.g., regulatory)






Rhode Island  
**OCEAN  
samp**

- Appendix F: Marine Spatial Planning –The State View And Federal Consistency

**Climate Change**  
**Three Choices**  
**Adapt, Mitigate, Suffer**




### Federal Consistency

- A. Federal actions: There are four types of federal actions: Federal agency activities, federal license or permit activities, outer continental shelf (OCS) plans, and federal assistance to state and local governments.
  1. Federal agency activities B activities and development projects performed by a Federal agency, or a contractor for the benefit of a Federal agency. 15 C.F.R. part 930, subpart C.
  2. Federal license or permit activities B activities performed by a non-Federal entity requiring federal permits, licenses or other form of federal authorization. 15 C.F.R. part 930, subpart D.
  3. OCS plans B MMS approvals for OCS plans, pursuant to the Outer Continental Shelf Lands Act. The CZMA process is similar to federal license or permit activities. 15 C.F.R. part 930, subpart E.
  4. Federal assistance to state and local governments. 15 C.F.R. part 930, subpart F.


### Why Do MSP And How Does It Help With Federal Consistency?

- What do you know about your current offshore uses? This is key to using consistency.
- Who does what, when, where and how?
- What do you know about your resources offshore?
- Do you have policies that address offshore uses and resources?

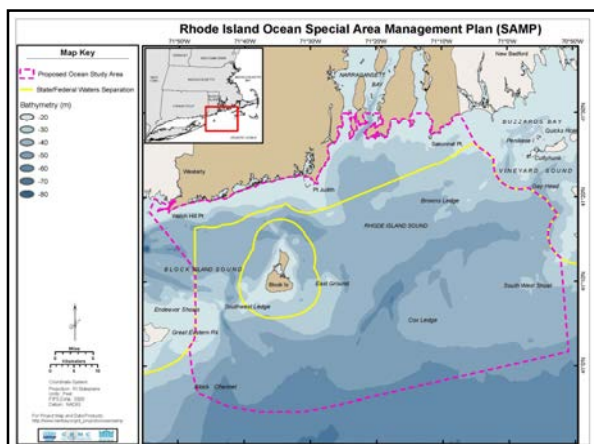


### Why Do MSP And How Does It Help With Federal Consistency?

- Is your permitting process adequate to handle major offshore developments and the issues they generate?
- How does your permitting process dovetail with NEPA?
- Who do you want to control your states destiny?
- Can you afford not to do MSP?







**Ocean Plan**

- Draft Plan issued June 2009
- Final Plan promulgated December 2009
- Volume I
  - Management
  - Administration
- Volume II
  - Baseline Assessment
  - Science Framework

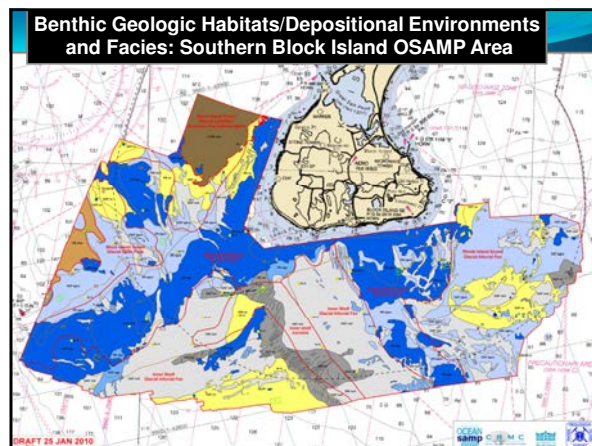
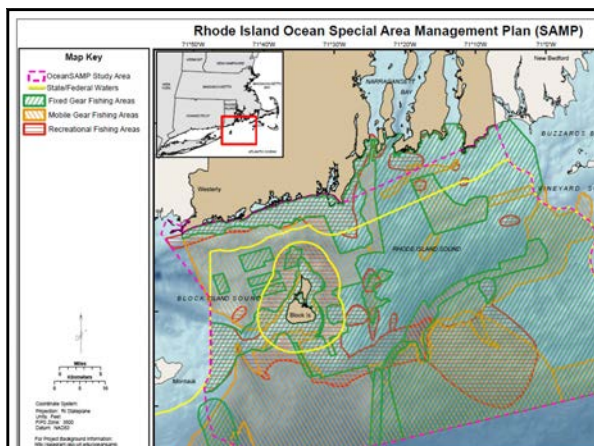
**Massachusetts Ocean Management Plan**  
Volume 1  
**Management and Administration**  
December 2009

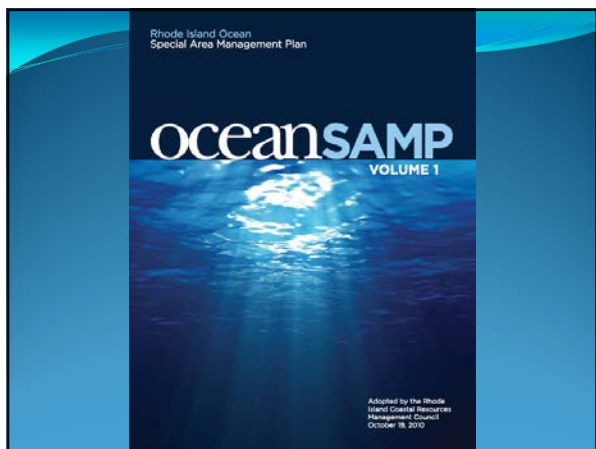
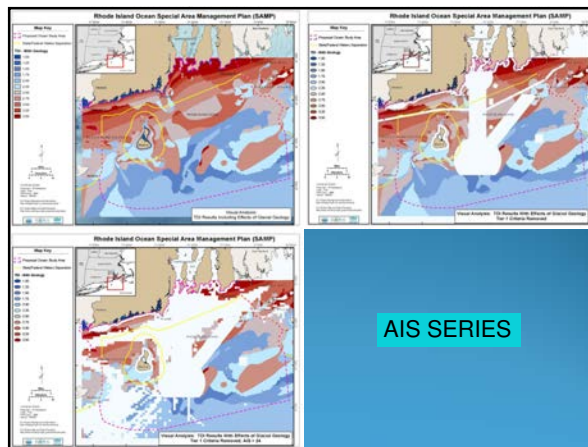
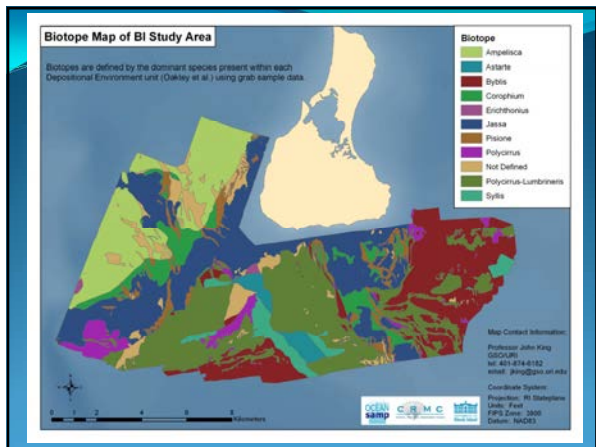
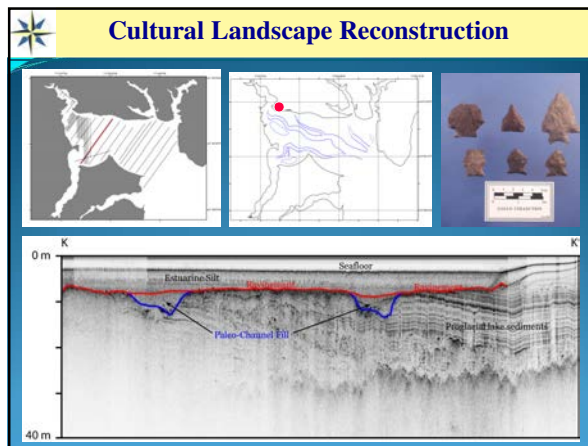
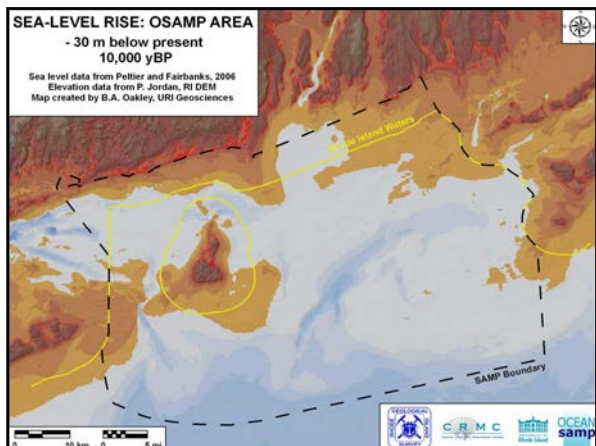
## Marine User Data

- Commercial and recreational fishing
- Recreational boating
- Existing licenses (leases)
- Aggregate extraction
- Conservation
- Aquaculture

## Natural Resource Data

- Birds
- Fish and fish habitat
- Marine mammals and turtles
- Water and air quality
- Historical and cultural resources



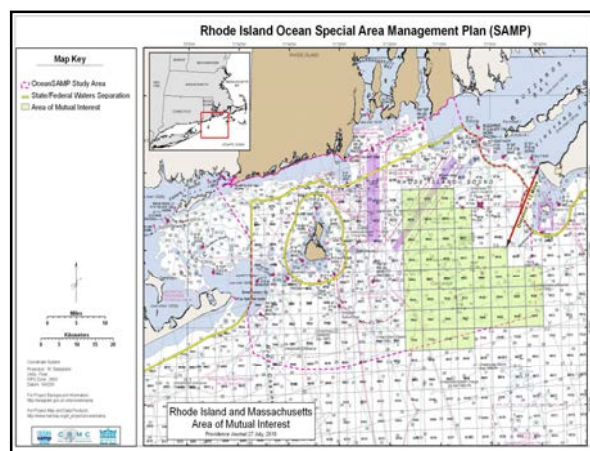
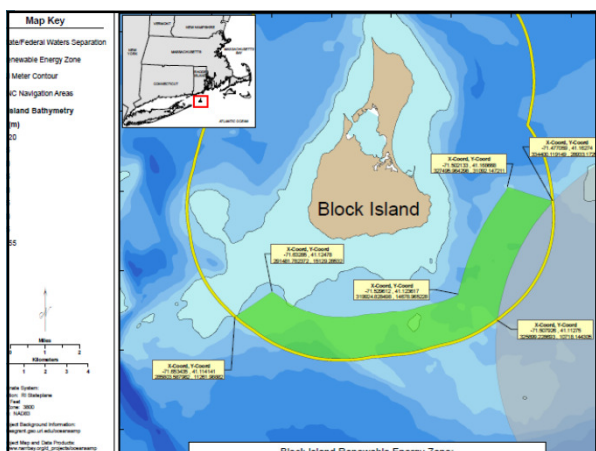
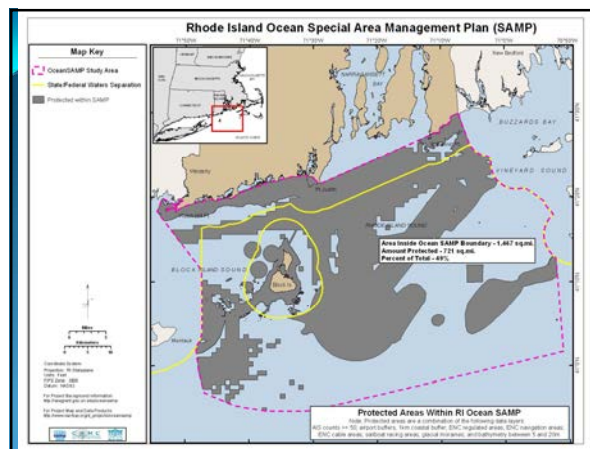
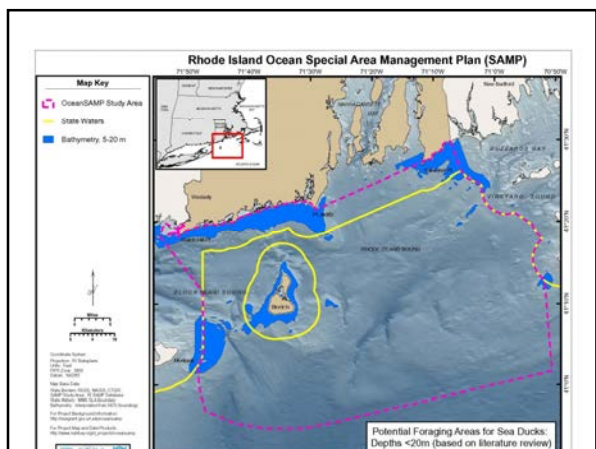
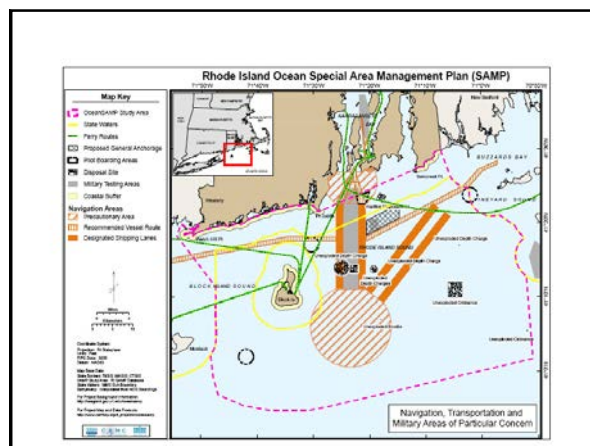
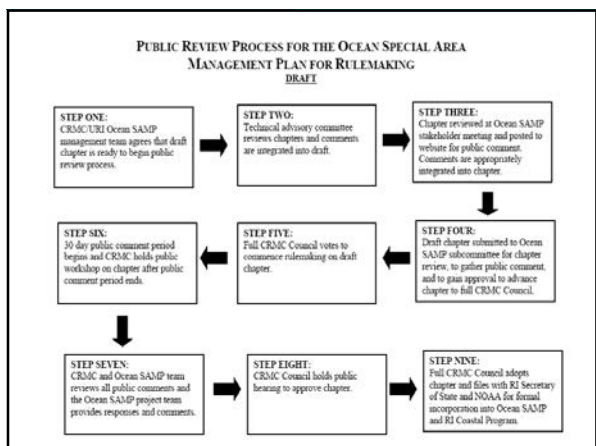


## Ocean SAMP Document

- Ecology of the Area
- Cultural and Historical Resources
- Fisheries Resources
- Recreation and Tourism
- Marine Transportation
- Marine Infrastructure
- Offshore Development Renewable Energy
- Future Uses
- Climate Change







## Elements The Plan.

- A Set Of Policies For Each Area Of The Plan
- Protection Of Existing Uses And Sensitive Resources Or Unsuitable Areas
- Informational Requirements For Major Ocean Developments And Development Standards For Those Uses
- Continued Stakeholder Representation Through FAB and HAB
- Expansion Of Federal Consistency Blanket Coverage Through GLD

Nesting NEPA inside of MSP can speed decision making, enhance decisions, and make the system more predictable.



## The Consistency Game

- Make Sure You Have Mapped The Important Uses
- Know What An Enforceable Policy Is And How To Write One
- Coordinated With NOAA Early And Often
- Work With Federal Partners So They Know What You Are Doing And Why
- Focus On The Important Stuff
- Keep Your Delta In Mind

## Appendix G: New England Fishery Management Council Fishery Management Area Information for Marine Spatial Planning

Presented by Doug Grout,  
NEFMC representative to the  
Northeast Regional Planning Body

NRPB Meeting  
November 19-20, 2012  
Portland ME

## Major NEFMC Activities

- NEFMC manages 28 species, grouped according to Fishery Management Plan.
- Oversight committees make plan development recommendations to the full Council, with the support of technical staff, outside scientists and industry advisors.
- Plans are developed in collaboration with NMFS, who implements the regulations and is responsible for enforcement.
- The Council also convenes standing and ad-hoc committees to address specific issues such as habitat, enforcement, research steering, and ecosystem-based management.
- Many of the committees include members from the Mid-Atlantic FMC. NEFMC jointly manages spiny dogfish, with MAFMC as the lead.

### Fishery Management Plans

- ❖ Large mesh multispecies: Atlantic cod, haddock, pollock, yellowtail flounder, witch flounder, winter flounder, windowpane flounder, American plaice, Atlantic halibut, redfish, ocean pout, white hake and wolffish
- ❖ Small mesh multispecies: silver hake (whiting), red hake, and offshore hake
- ❖ Monkfish (joint w/MAFMC, NEFMC lead)
  - ❖ Skates (7 species)
  - ❖ Atlantic herring
  - ❖ Atlantic sea scallop
  - ❖ Deep-sea red crab
- ❖ Atlantic salmon (no commercial fishery or stock assessment process)

## Existing management areas

Many area-based regulations have been implemented over the years by NEFMC.

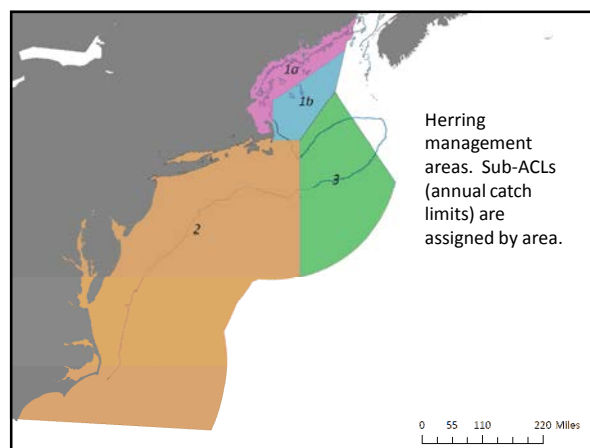
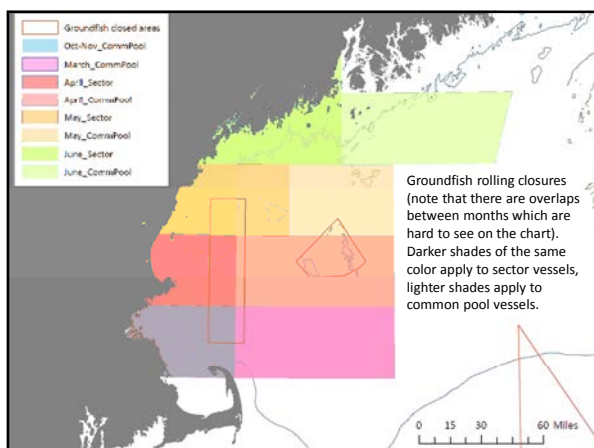
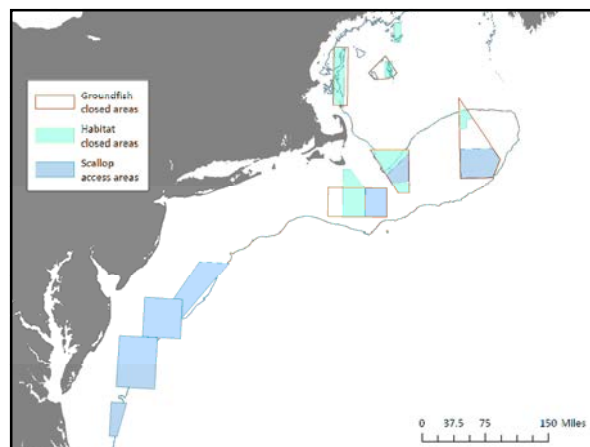
**Major areas include:**

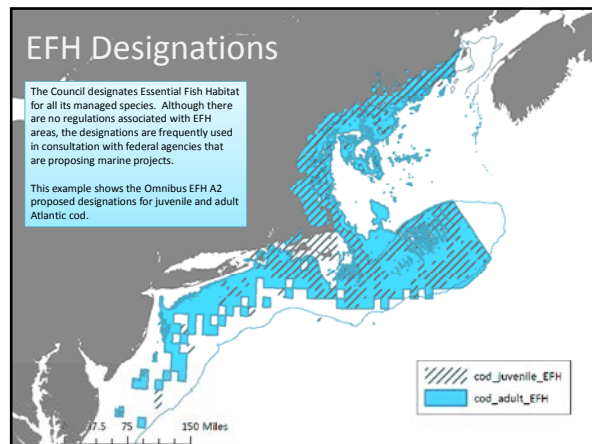
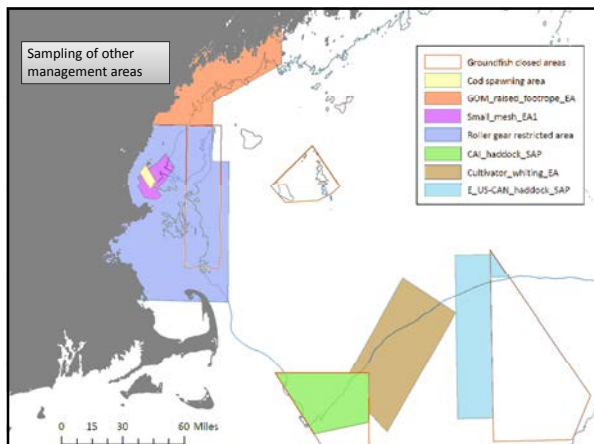
- Groundfish closed areas (year-round)
- Habitat closed areas (year-round)
- Scallop access areas (rotating closure then access)

**Other areas (not all are mapped):**

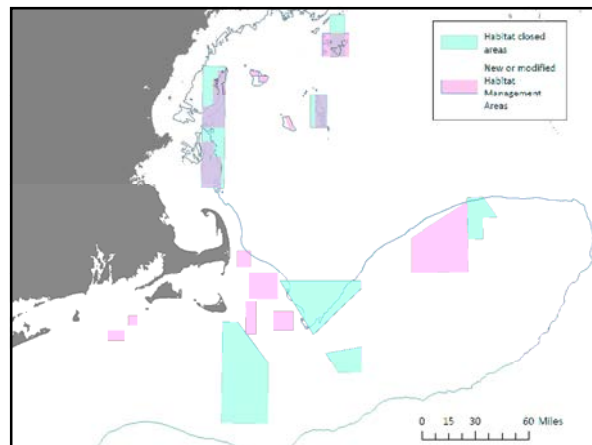
- US/CAN management areas on GB
- Rolling closures in the GOM (Multispecies FMP, seasonal)
- Differential DAS counting areas (Multispecies FMP)
- Exemption areas (e.g. Cultivator Shoal whiting, GOM raised footrope, small mesh)
- Special Access Program areas (e.g. E. US/CAN SAP, CAI haddock SAP)
- Herring management areas (with area-based allocations)
- Accountability measure areas (e.g. Multispecies FMP windowpane and ocean pout, Scallop FMP for yellowtail flounder)
- Spawning protection area for GOM cod
- Roller gear restricted area

Coordinates for all areas in the electronic code of federal regulations, Title 50 Part 648  
<http://www.ecfr.gov/>





- ### Future changes to management areas
- Omnibus Essential Fish Habitat Amendment 2:
    - New or modified habitat management areas (shown in pink on next slide)
    - Dedicated Habitat Research Areas (TBD, will build on the habitat management areas)
    - Updated groundfish Management Areas (TBD)
  - Deep-sea coral protection zones (a coral amendment will follow the EFH amendment)



- ### Next steps/timelines
- Early-2013 – develop remaining management areas for Omnibus EFH A2
  - Mid-2013 – Council approves Omnibus EFH A2 areas
  - Mid-2014 – Implementation of OA2 measures



# Appendix H: Leveraging Ocean Planning Momentum in the Northeast

November 20, 2012  
Ron Beck - First Coast Guard District

## New England Federal Partners

NEFP - since 2006 – great participation  
 ↗ Statement of Common Purpose

Candid discussions – true sense of community

Two areas of focus - Climate and Ocean Planning

Preliminary inventories of all going on in water

Committed to federal regulatory efficiency

National Ocean Policy 2

## Poised for Action

Work by the states

- ↗ RI SAMP
- ↗ MA Ocean Plan
- ↗ ME Ocean Energy Task Force

National Ocean Policy 3

## Poised for Action

NE Ocean Data Portal – Integration of derived products

Agency

- ↗ BOEM
- ↗ BOI
- ↗ USCG
- ↗ NOAA
- ↗ EPA

Regulatory

National Ocean Policy 4

## Agency Preparation

BOEM State Task Forces

- ↗ Feds, Tribes, States at the table
- ↗ Clarity of Regulatory processes
- ↗ Venue to discuss concerns/issues
- ↗ Reduce multi-use conflicts

BOEM Environmental Studies

- ↗ Wide-ranging investigations from transmission line effects to potential bat interactions

National Ocean Policy 5

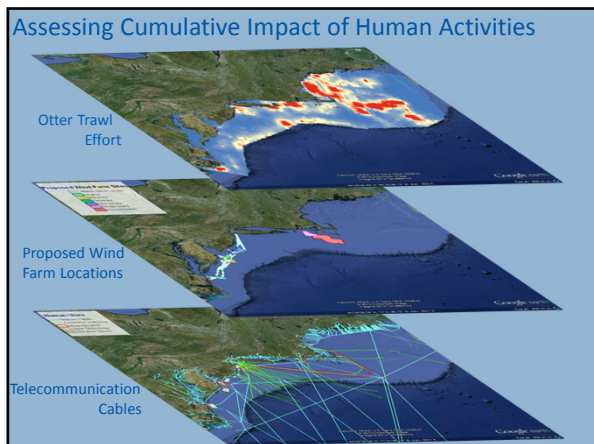
## Agency Preparations

USCG Atlantic Port Access Route Study

RI Sou

National Ocean Policy 6





### Federal Regulatory Efficiency

September 14<sup>th</sup> – Workshop in Boston

Logos for the following agencies are displayed: Executive Office of the President, Environmental Protection Agency (EPA), National Oceanic and Atmospheric Administration (NOAA), United States Fish and Wildlife Service, US Army Corps of Engineers, Department of Energy, Department of the Interior, Bureau of Ocean Energy Management (BOEM), Department of Transportation, and United States State Department.

National Ocean Policy

### Federal Regulatory Efficiency

September 14<sup>th</sup> – Workshop in Boston

- Objectives
  - Opportunity for efficiency with regional ocean planning
  - Commitment/ways to communicate about offshore projects and new technologies
  - Identify data needs for the regulatory process
  - Identify mechanisms for incorporating ocean planning information and products
- Next Steps
  - Continue dialog – follow up agency-to-agency discussion
  - Quarterly conference calls – what is on the horizon
  - Share data portal benefits

National Ocean Policy

National Historic Preservation Act (NHPPA)	NPS	16CFR 60 16CFR 61 16CFR 65 16CFR 68 16CFR 78 16CFR 79	<ul style="list-style-type: none"> <li>16PART 60—NATIONAL REGISTER OF HISTORIC PLACES (NHP)</li> <li>16PART 61—PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS</li> <li>16PART 65—NATIONAL HISTORIC LANDMARKS PROGRAM</li> <li>16PART 68—THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES (2007)</li> <li>16PART 78—MANNER OF FEDERAL AGENCY RESPONSIBILITIES UNDER SECTION 114 OF THE NATIONAL HISTORIC PRESERVATION ACT (2007)</li> </ul>
Clean Water Act (CWA)	EPA	40CFR 6 40CFR 112 40CFR 117 40CFR 122 40CFR 129 40CFR 150 40CFR 151 40CFR 156 40CFR 140 40CFR 113	<ul style="list-style-type: none"> <li>40PART 6—PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT AND ASSESSING THE ENVIRONMENTAL EFFECTS ABOARD OF EPA ACTIONS (EPA)</li> <li>40PART 112—OIL POLLUTION PREVENTION (EPA)</li> <li>40PART 117—DETERMINATION OF REPORTABLE QUANTITIES FOR HAZARDOUS SUBSTANCES (EPA)</li> <li>40PART 122—EPA ADMINISTERED PERMIT PROGRAMS: THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (EPA)</li> <li>40PART 129—TOXIC POLLUTANT EFFLUENT STANDARD (EPA)</li> <li>40PART 140—WATER QUALITY PLANNING AND MANAGEMENT (EPA)</li> <li>40PART 151—WATER QUALITY STANDARDS (EPA)</li> <li>40PART 156—GUIDELINES ESTABLISHING TEST PROCEDURES FOR THE ANALYSIS OF POLLUTANTS (EPA)</li> <li>40PART 150—MARINE SANITATION DEVICE STANDARD (EPA)</li> <li>40PART 113—LIABILITY LIMITS FOR SMALL ONSHORE STORAGE FACILITIES (EPA)</li> </ul>
Ocean Dumping Act—Marine Protection, Research and Sanctuaries Act (MPRSA)	NOAA USCO USACE EPA	15CFR 902 15CFR 156 40CFR 220 15CFR 221 40CFR 222 40CFR 223 40CFR 224 40CFR 225 40CFR 227 40CFR 228	<ul style="list-style-type: none"> <li>15PART 902—NATIONAL HISTORIC MONUMENT PROGRAM (REGULATIONS) (NOAA)</li> <li>15PART 156—DISPOSITION OF PROPERTY (NAVY)</li> <li>40PART 220—GENERAL (EPA)</li> <li>40PART 221—APPLICATION FOR OCEAN DUMPING PERMITS UNDER SECTION 102 OF THE ACT (EPA)</li> <li>40PART 222—ACTION ON OCEAN DUMPING PERMIT APPLICATIONS UNDER SECTION 102 OF THE ACT (EPA)</li> <li>40PART 223—CONTENTS OF PERMIT, REVOCATION OF, OR LIMITATION OF OCEAN DUMPING PERMITS UNDER SECTION 104(B) OF THE ACT (EPA)</li> <li>40PART 224—RECORDS AND REPORTS REQUIRED OF OCEAN DUMPING PERMITS UNDER SECTION 102 OF THE ACT (EPA)</li> <li>40PART 225—CORPS OF ENGINEERS PROPOSED MATERIAL PERMIT (EPA)</li> <li>40PART 227—CRITERIA FOR THE EVALUATION OF PERMIT</li> </ul>

### Offshore Development Regulatory Map

The map displays various regulatory areas for offshore development. Key areas include:
 

- National Environmental Policy Act (NEPA)**: 42 U.S.C. 4321-4347
- Oil Pollution Act (OPA)**: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 33 U.S.C. 2701-2712 U.S.C. 9601
- Shore Side Operations**: 33CFR 150
- Marine Engines**: 33CFR 150
- Work Barges**: 33CFR 150
- Subsea Transmission Lines**: 33CFR 150
- Work Boats & Crew**: 33CFR 150
- Waterway Safety**: 33CFR 150
- Aids to Navigation**: 33CFR 150
- Construction Safety**: 33CFR 150
- Marine Sanctuaries**: 33CFR 150
- FAA Markings**: 49 U.S.C. 106

### Department of Energy Pilots

Ocean Renewable Power Company  
Cobscook Bay \$10M DOE Grant - \$21M Project

The block features the logo for ORPC (Ocean Renewable Power Company) and a 3D rendering of a wind turbine structure, likely representing the project mentioned in the text.

## An Exciting Time to be Involved

- Election preserves President's Executive Order
- The Northeast region is prepared
- We get to focus on the business of planning armed with:
  - Data products that provide real decision-making help
  - In a region that has proven itself eager to participate
  - And a geography that facilitates working together


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Thank You!

## Appendix I: Ocean Planning Activities of the Northeast Regional Ocean Council

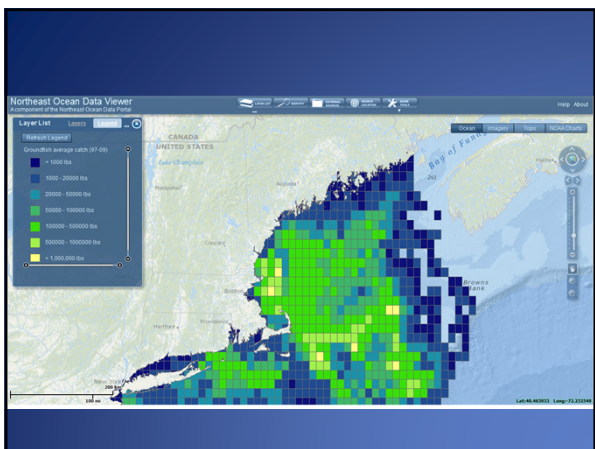
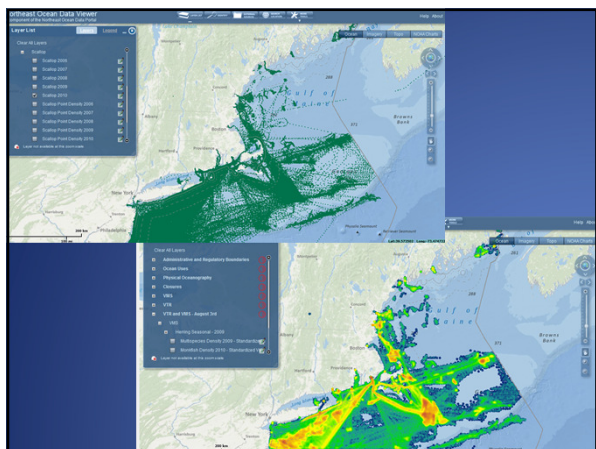
NE Regional Planning Body  
November 20, 2012  
Portland, ME



- 2011** Develop work plan  
Seek funding and support
- 2012** Feedback on work plan
  - March workshop
 Begin foundational work
  - Preliminary engagement
  - Draft Products (maps, white papers, on-line atlas/data portal, issue identification)
- 2013** Continue to implement/evolve workplan
  - Further develop issues/goals
  - Products (maps, economic overview)
  - Baseline characterization

- ### Projects underway
- Focus on data/map development through engagement
  - Preliminary identification of regional ocean planning issues to feed into goal-setting
  - Staff manages contractor teams for each project (with significant state/federal agency involvement)

- ### Projects underway
- Commercial Fisheries Mapping:**
- Maps of commercial fishing activity using existing data sources with fishing industry input
  - Summer/Fall 2012: Initial meetings with advisors; obtain data and develop preliminary maps
  - Winter 2012/2013: Industry meetings to refine maps, identify gaps





### Projects underway

**Marine industry engagement:**

- Status, future trends, identification of issues
  - Maritime commerce and transportation
  - Energy and related infrastructure
  - Aquaculture
- Develop white papers to summarize status, trends
- Refine issues through a series of discussions through mid-December

### Projects underway

**Marine industry engagement:**

Example issues raised to date (preliminary):

- Agency coordination/decision making
- Understanding technological trends and siting implications
- Review data characterizing the industry and identify priorities for additional analysis/collection

### Projects underway

**Marine industry engagement:**

Example data discussion:

- How do we further analyze commercial traffic?
- How do we represent this information?

### Projects underway

**Recreational boating survey**

- Maps and economic data describing recreational boating from NY to Maine
- Survey developed, publicized and implemented with industry participation
- Survey completed at end of this boating season
- Winter 2013: Review survey results and further discuss ocean planning issues with industry





### Projects underway

**Natural resource community engagement:**

- Review data, their application for ocean planning, and identify additional data products/analysis
- Outreach to science and conservation communities
- Winter/spring 2013: Review data, implement outreach plan
- Late spring 2013: Workshops to review results and discuss planning issues

### Projects underway

**Natural resource community engagement:**

- Data organization:
  - Marine mammals
  - Fish & shellfish
  - Birds
  - Sea turtles
  - Benthic/pelagic habitat
  - Other? How to deal with cross-cutting issues such as climate change?
- Identify experts, review data
- Outreach to identify issues

### Projects underway

**Habitat classification methodology**

- Review and compare methodologies in region
- Develop action plan to coordinate methods and data requirements
- Working Group convening in late November; workshops to review comparison in 2013.

### Projects underway

**Northeast Ocean Data Portal**

- NE Ocean Data Portal Working Group formed over two years ago
- Identify ocean planning data priorities
- Build on existing efforts within the region
- Develop website to access and display data

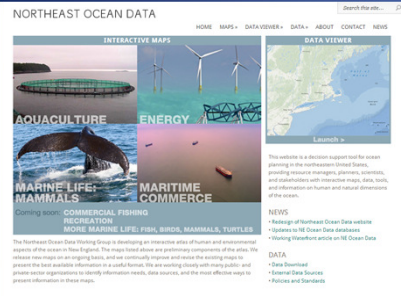
### Projects underway

**Northeast Ocean Data Portal: Data Priorities**

<u>Ocean Uses</u>	<u>Habitat</u>
Vessel traffic patterns	Birds
Shipping channels	Marine mammals
Energy facilities	Fish habitat
Pipelines, cables & power transmission	Shellfish habitat
Commercial fisheries	Benthic communities
Recreational boating & fishing	
Shipwrecks	
Aquaculture	
<u>Administrative &amp; Cultural</u>	<u>Physical &amp; Oceanographic</u>
Fishery management areas	Bathymetry
Dangerous and restricted areas	Seafloor geomorphology
Federal & State marine protected areas	Shoreline classifications
Heritage & cultural sites	Wind regime
	Surface currents and waves

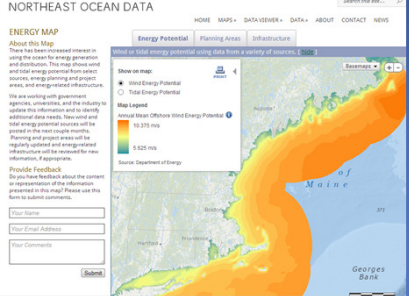
## Projects underway

### Northeast Ocean Data Portal



- Data characterizing ocean use and resources
- Data viewer and data catalog
- Links to relevant external data sources
- Interactive maps

## Projects underway



### Interactive Maps

- Limited functionality
- Focus on data representation
- Support discussions with stakeholders
- Working towards a baseline assessment

[www.NortheastOceanData.org](http://www.NortheastOceanData.org)

## Future projects (through 2013)

- Continued data and map development
  - Cultural resources
  - Additional recreational activities
  - Many other priorities
- Enhance functionality of data portal
- Baseline characterization

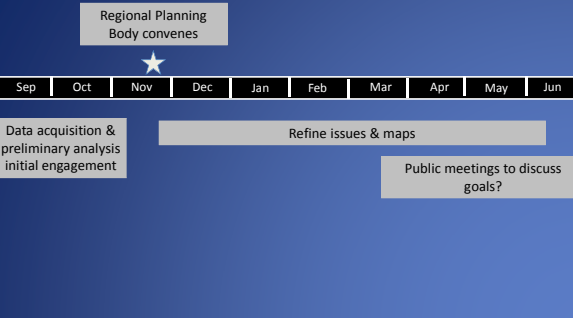
## Future projects (through 2013)

- Enhance communications efforts
  - Web site
  - Fact sheets
  - Ensure reaching target audiences
  - Other?
- Continued stakeholder engagement
  - Support public process
  - Continued industry-specific engagement

## Stakeholder input to date....

- Maximize engagement (but be efficient, practical)
- Want clarity on goals...soon
- How to use/develop data , particularly in decision-making?
- How to specifically enhance coordination?

## Summary



Regional Planning Body convenes

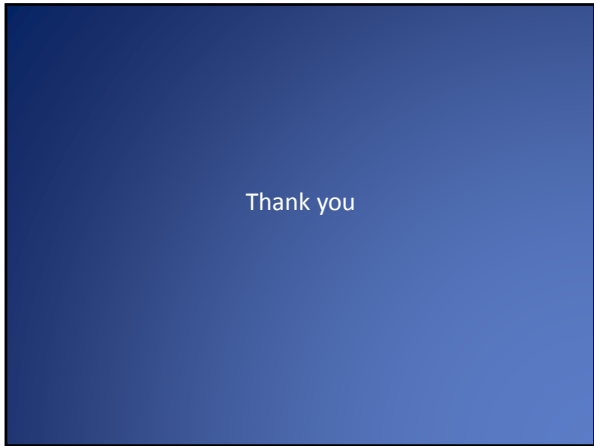
★

Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
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Data acquisition & preliminary analysis initial engagement

Refine issues & maps

Public meetings to discuss goals?





## Appendix J: STAKEHOLDER ENGAGEMENT:

Strategies  
Needs  
Capacities

## RECAP and NEXT STEPS

- Principles/Strategies
- Types of Stakeholder Input
- Proposed Engagement Goal
- Previous Workshop Highlights
- Current NROC Activities
- **Additional Opportunities**

## Discussion

- Based on current activities, what are outstanding needs for stakeholder engagement – what's missing?
- Based on capacity, how can these needs be met – what are realistic strategies for getting there?