

MASSACHUSETTS OCEAN PLANNING LISTENING SESSION

South Shore Natural Science Center Norwell, Massachusetts Wednesday, October 1, 2008 7:00 p.m.

1 PROCEEDINGS

2 ASSISTANT SECRETARY BABB-BROTT: Well, 3 let's get started this evening, folks. Thank you 4 very much for coming out. As we get started, I'd 5 like to thank Martha Twigg, the executive director of 6 South Shore Natural Science Center for opening up the 7 doors for us. I've never been down here. It's a 8 beautiful place so it's nice to be here.

9 My name is Deerin Babb-Brott. I'm 10 Assistant Secretary for Oceans and Coastal Zone 11 Management with the Executive Office of Energy and 12 Environmental Affairs.

13 And on behalf of my boss Secretary Ian 14 Bowles, welcome. Thank you for coming out this 15 evening.

16 This evening is the seventh of a series 17 of 18 public meetings that the Executive Office of 18 Energy and Environmental Affairs is holding statewide 19 as the first step in developing an Ocean Plan.

20 Our goal is to develop the Ocean Plan 21 with broad-based public participation and input, and 22 your thoughts and comments will help both the Ocean 23 Advisory Council and the EEA decide how the Ocean

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1 Plan should achieve the objectives set forth in the 2 Oceans Act.

3 The agenda for this evening is simple, 4 and what we'll do is I will provide a ten- to 5 fifteen-minute overview of the Oceans Act and the 6 planning process and then take questions and hear 7 from folks who would like to make comments.

8 You'll notice the video equipment here. 9 We're videotaping all of the public information 10 meetings and we'll be posting the video on line so 11 that folks who aren't able to attend will be able to 12 go on line and watch the proceedings. There will 13 also be transcripts posted so folks can follow along.

14 With the video comes the need to use the 15 microphone, so if folks would like to speak or have 16 questions, if you could come up and use the 17 microphone and then we'll be sure we can catch that 18 on the video equipment.

19 There's a sign-in sheet at the door. 20 Thank you for using that. If you'd like information 21 from us or if you'd like to be kept up to date on the 22 planning process, please make sure that we've got 23 your contact information, e-mail if you've got it,

<p style="text-align: center;">5</p> <p>1 address if not and that's fine, and let us send 2 information to you on the planning process if you'd 3 like to receive it.</p> <p>4 The handouts include an overview of the 5 Oceans Act and public participation process, links to 6 more information on the web, a map of the planning 7 area, and a form for submitting written comments this 8 evening if you'd like to do so.</p> <p>9 There's also a link that will get you in 10 touch with the site that should be up in about a week 11 that will allow you to post comments on line from 12 your computer at home and so you can submit comments 13 that way.</p> <p>14 We're happy to receive comments in any 15 form you want to send them to us so we'll just make 16 sure you're able to get them to us.</p> <p>17 The last piece on the presentation, 18 there's a slide which asks a couple of questions. 19 They're meant to be primers.</p> <p>20 We're happy to hear -- We want to hear 21 whatever's on your mind about how you experience the 22 ocean, what your thoughts and concerns are, what you 23 think we should be doing. So take a look at those</p>	<p style="text-align: center;">7</p> <p>1 Why do we need an Ocean Plan? We need an 2 Ocean Plan because it's stipulated by the Oceans Act 3 of 2008 which recognizes that the ocean is a public 4 resource that belongs to all of us.</p> <p>5 We need to protect and enhance the ocean 6 environment. We also need to use the ocean 7 environment, and some uses conflict with each other 8 or with natural resources.</p> <p>9 The plan is based on the theory that we 10 can neither protect all of the oceans or wilderness 11 everywhere, nor does it make sense to develop the 12 ocean in a way that significantly harms resources or 13 uses that hurt it. So, again, the Ocean Plan is 14 about defining a sense of balance.</p> <p>15 In June the legislature passed and 16 Governor Patrick signed the Oceans Act. The Act 17 directs my boss Ian Bowles, the Secretary of Energy 18 and Environmental Affairs, to develop, with the 19 assistance of an Ocean Advisory Commission and a 20 Science Advisory Council, a comprehensive ocean 21 management plan.</p> <p>22 In short, the Act directs that the Ocean 23 Plan set forth the Commonwealth's goals, siting,</p>
<p style="text-align: center;">6</p> <p>1 and use those just as suggestions for the comment 2 process.</p> <p>3 So thank you for coming and with that 4 I'll jump into a brief introduction and discussion 5 about what the plan is and what the planning process 6 is.</p> <p>7 So we start with what is an Ocean Plan, 8 and the Ocean Plan is a plan to guide the use, 9 protection, and development of our ocean waters that 10 addresses uses, areas of special protection, and the 11 interrelationship between uses and resources.</p> <p>12 It identifies areas of potential conflict 13 between places that may be developed and natural 14 resources or uses like fishing which may already 15 occur there. And overall it addresses and develops a 16 balance among use, protection, and development.</p> <p>17 The Ocean Plan is going to be based and 18 informed by a mapping process and science data and 19 with that we will rationally organize use of ocean 20 space and the interaction between uses, and balance 21 demand for development with the need to protect the 22 environment and achieve social and economic 23 objectives in an open and planned way.</p>	<p style="text-align: center;">8</p> <p>1 priorities, and standards for proper stewardship of 2 its ocean waters that are held in trust for the 3 benefit of the public.</p> <p>4 The Act also directs that the Ocean Plan 5 fosters sustainable uses that capitalize on economic 6 opportunity without significant detriment to the 7 ecology or natural beauty of the ocean.</p> <p>8 And, importantly, it requires that the 9 Secretary developing the plan identify appropriate 10 locations and performance standards for activities, 11 uses, and facilities allowed under the Ocean 12 Sanctuaries Act.</p> <p>13 And those kinds of things include 14 renewable energy facilities of appropriate scale, 15 sand mining areas for beach nourishment, pipelines. 16 Infrastructure development essentially.</p> <p>17 Also importantly, as is illustrated on 18 the map to my left, the planning area covered by the 19 plan is not all the way up to the beach essentially.</p> <p>20 The planning area begins about a third of 21 a mile from mean low water and extends out to the 22 limit of state territorial waters.</p> <p>23 And the purpose of the Act and the</p>

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1 purpose of establishing that planning area is that
 2 the plan is not designed to address immediately
 3 coastal kinds of issues like small dredging projects
 4 or docks and piers.
 5 The plan is designed to address the
 6 allocation and balance of uses and resources in deep
 7 water. And the definition of that was therefore
 8 defined as about a third of a mile off. It's
 9 actually in rods and I forget how many rods it is.
 10 So another key piece of the Oceans Act
 11 is that it directs that commercial and recreational
 12 fishing shall be allowable uses not subject to any
 13 management dictates of the plan and subject to the
 14 exclusive jurisdiction of DMF.
 15 It also directs that the Division of
 16 Marine Fisheries shall have sole responsibility for
 17 developing and implementing any fisheries management
 18 plans or fisheries regulations.
 19 The schedule and the product for the
 20 plan. The schedule is very aggressive and directs
 21 that by June 30th of next summer we have a draft plan
 22 to submit for formal public hearings and legislative
 23 review and by the end of the year, December 31 of

10

1 2009, we have a formal plan and any accompanying
 2 regulations promulgated.
 3 The plan is going to have two pieces.
 4 The first is going to be a plan that does the kind of
 5 things that I've just described but, secondly, since
 6 we recognize that we have such a limited time between
 7 now and June essentially to think intelligently about
 8 all the different kinds of things that we need to as
 9 required by the Act, we'll be developing and putting
 10 forth for public discussion a roadmap for going
 11 forward and for identifying other bigger-picture
 12 questions that we need to address.
 13 The information that we need to collect
 14 in order to address those questions will define the
 15 way that we're going to measure what impact the plan
 16 is having; is it doing what we wants it to do, is it
 17 having good impacts, are there things that we should
 18 change about it going forward.
 19 And it will have something in there that
 20 talks about what the process for review and amending
 21 the plan will be.
 22 We see that as a very important product
 23 here because we have a limited number of months to

11

1 develop the first cut of the plan.
 2 We know we're not going to be able to do
 3 the kind of perfect job that resources and the uses
 4 and their importance to all of us are going to
 5 require over time.
 6 So the process for developing a plan,
 7 we've broken it down into four steps and you start to
 8 get an idea of the really pressed schedule here.
 9 The first step which we're in now is
 10 about gathering information and raw materials that we
 11 need to build the plan, and this process will
 12 continue through the end of January.
 13 We are receiving and reviewing public
 14 comments. We'll use those to help us develop the
 15 planning principles that will guide the plan.
 16 We're going to collect and analyze
 17 existing environmental, economic, and social data and
 18 we'll use that to develop a scientific baseline which
 19 will themselves then be the basis for any management
 20 decisions we think we have enough information to make
 21 based on the data, based on the public input, and
 22 based on what folks tell us about their use and
 23 experience out there.

12

1 At the same time we're also going to be
 2 reviewing and analyzing different kinds of planning
 3 models from around the world.
 4 This hasn't been done in very many
 5 places. Maybe six or eight places around the world
 6 have done this. So we're looking at how other folks
 7 have done this, breaking down the different steps
 8 that they've applied and seeing what things make
 9 sense here in Massachusetts given what our industries
 10 are like, what our resources are like, what our
 11 economies in the ocean are, and what kind of data we
 12 have in hand before we proceed.
 13 So that takes us to January 09. And then
 14 from February through April of 09 we'll begin
 15 developing a draft plan using those raw materials.
 16 We'll overlay the data layers to identify
 17 areas of compatibility and conflict among uses and
 18 between uses and resources.
 19 We'll evaluate tradeoffs from different
 20 kinds of planning decisions. If we had an area where
 21 there's a proposal for alternative energy but it was
 22 also an area that was a significant area for
 23 recreational fishing, what does it look like when you

1 try to do the two things at the same time and can
2 they be put in the same place? What are the
3 tradeoffs if you need more one way and more the other
4 way?

5 Those are the kind of conversations we'll
6 try to illustrate and different approaches to the
7 planning process and bring it back to the folks and
8 public so we can all turn the dial and see how it
9 actually plays out as we are building this.

10 From that we'll be developing a draft
11 working plan. Step 3 then, in spring and early
12 summer we will be reviewing and modifying the plan
13 based on the kinds of analysis.

14 We'll be gradually refining the plan
15 based on those kinds of conversations and those kinds
16 of working meetings.

17 And at the end of that process we'll have
18 a draft plan to put forward for formal public review
19 and that is step four, during which we'll hold public
20 hearings and provide for legislative review.

21 That goes through the summer and into the
22 winter of next year. We've built in as much public
23 participation and direct public involvement as

1 possible in the early part of the process because
2 when we get to the formal public hearing part, formal
3 public hearings bring with them formal rules for
4 discussion and they are essentially we sit and listen
5 and folks come up to the microphone and say what they
6 think.

7 There's not interaction, not working with
8 people. So we wanted to make sure we front-load that
9 part of it before we get to the formal public hearing
10 piece.

11 So lastly, I'd like to wrap up with a
12 couple of thoughts on what you might think to talk to
13 us about if you're interested; things like what's
14 important to you based on how you use and experience
15 the ocean, how should that be reflected in an Ocean
16 Plan that has balance, protection in use and
17 development by statute. That's the language of the
18 law. What are your thoughts about the planning
19 process?

20 Lastly, I'll point out again that on the
21 handout that talks about the overview of the planning
22 process, that at the end of it there are a number of
23 links to websites that have a lot more information on

1 this.

2 We're here to answer questions, hear what
3 your thoughts are. And with that we'll go to the
4 sign-in sheet and we'll take folks who asked to speak
5 up here and if you'd come up and use the microphone.

6 I've got a couple folks who have signed
7 up and said they'd like to speak, but if other folks
8 when they're done would like to, they're certainly
9 welcome to do so. Just come up, introduce yourself.

10 And then folks who don't want to make
11 formal comment but have questions and would like to
12 do so, please come up and ask questions.

13 It's a small group. We'll just do it
14 that way until we're done and we'll go home and watch
15 the Red Sox. I'd like to start with Tom King from
16 Stellwagen Bank Charter.

17 MR. KING: Good evening everybody. The
18 reason I asked to speak was basically I figured there
19 would be some stuff that would come up that I would
20 want to have knowledge about, but I want to ask some
21 questions first if that's all right.

22 ASSISTANT SECRETARY BABB-BROTT: Please.

23 MR. KING: On this handout that you gave,

1 it outlines the different areas. One of them is
2 clearly defined as an ocean management planning area.
3 And the other one is defined as an ocean sanctuary.
4 What is the difference between those two?

5 ASSISTANT SECRETARY BABB-BROTT: Ocean
6 sanctuaries currently exist in state law as areas
7 that are protected for special significance and
8 ecological value.

9 The planning area overlies and
10 encompasses the ocean sanctuaries. So all of
11 Massachusetts waters are ocean sanctuaries except for
12 the water body that's out in front of Boston Harbor.

13 MR. KING: And Boston Harbor is left out
14 of this plan.

15 ASSISTANT SECRETARY BABB-BROTT: Inner
16 Boston Harbor is left out of the plan. The line --
17 You can see where the line cuts across basically
18 through the Harbor Islands.

19 MR. KING: Okay. I'm a charter boat
20 captain from Scituate. And our main concern is the
21 pressure that's put on agencies by people like Ocean
22 Conservancy and Conservation Law Foundation, that
23 seem to want to make everything a marine-protected

1 area which basically translates into a no-fishing
 2 area.

3 Now, our attitude has never been that
 4 some areas should not be closed down. Maybe they
 5 should. But if they should, it should involve a
 6 fair, honest discussion of the people involved in it
 7 to determine whether that's a case and to not have
 8 government agencies or, in this case, now state
 9 agencies pressured into shutting down areas to
 10 appease what I would consider environmental radicals.

11 And that's our concern, at least the club
 12 that I belong to. That's one of the many concerns,
 13 and I just wanted to get that out here.

14 It's not like environmentalists, even
 15 radical ones, are not always wrong, but all we want
 16 is a fair chance to get a say in it, because we've
 17 already been victimized by regulations that come out
 18 of the blue like an arrow and, bang, you're limited
 19 to this, you're limited to that, without us ever
 20 having gotten any input originally to that.

21 We're at a tremendous disadvantage
 22 against these groups because they have people on the
 23 payroll who get paid to push the agenda of those

1 groups.

2 That means that we can attend hearings
 3 like this, and we've attended them in other places,
 4 but people have to go to work. They have jobs to go
 5 to that are not related to the issue, whereas they've
 6 got lawyers.

7 They've got people that they can send in
 8 to every politician there is to put over their side
 9 of the argument. So we are basically very
 10 handicapped in any discussions where they push for
 11 these marine-protected areas.

12 But at least if it's given a fair
 13 hearing, then we can have our say in it. That's
 14 basically what we're concerned about. Thank you.

15 ASSISTANT SECRETARY BABB-BROTT: You're
 16 welcome. Thank you. Bill.

17 MR. ADLER: Thank you. My name is Bill
 18 Adler. I'm the Executive Director of the
 19 Massachusetts Lobstermen's Association which
 20 represents 1200 Massachusetts lobster fishermen in
 21 Massachusetts.

22 We support the fact that there needs to
 23 be a plan and we've been in the development of this

1 through the task force and then through the
 2 legislation all the way through the program.

3 I've got to just say one thing right off
 4 the bat about projects. It always seems that when
 5 they come up with the projects, be they windmills,
 6 sand mining, LNG's, pipelines, dredging, a lot of the
 7 response is, Yes, we need to have it but put it out
 8 there, put it out there in the ocean because nobody
 9 cares about out there or who's out there, it just
 10 seems.

11 There's been several projects which are
 12 underway now that seem to do that. It's like we
 13 don't want it in our back yard, we don't want it down
 14 the street, we don't want it over here, but put it
 15 out there in the ocean.

16 And this is what frequently interrupts
 17 the fishing operations out there because it's like,
 18 well, out of sight out of mind. And so we're hoping
 19 that this plan will do something to put that in some
 20 rational way.

21 I know through the legislation and what
 22 you've just said here that the Division of Marine
 23 Fisheries shall have the sole authority over fishing

1 rules; when, where fishing is done.

2 They already have fishing issues under
 3 control and the plan dictates that the DMF has that
 4 control and that's good.

5 What we were watching closely in this
 6 management plan legislation was the fact that we
 7 didn't want a plan to be developed that we then turn
 8 around on the fishing community and say the Division
 9 of Marine Fisheries -- We know you have the authority
 10 to do something, close an area or whatever. We know
 11 you're the authority, but this plan says it's got to
 12 be closed so we're handing it over to you to do your
 13 thing which is close.

14 So I'm hoping that the plan will stick to
 15 this sole authority of the Marine Fisheries Division
 16 to manage the fishing side of this.

17 The plan needs to put controls on what is
 18 basically non-marine projects. That's pretty much
 19 where this thing started.

20 I remember the governor when he first got
 21 introduced saying, It's like a wild west show out
 22 there, that we need some control. We agreed with
 23 that.

1 We think that this type of a plan should
2 put some limits on where they can put these things,
3 where they can't, whatever the project, because they
4 were not here before and then they've just come into
5 the picture, all different types. So there does need
6 to be that.

7 We have no problem with projects that
8 will benefit the citizenry. Where those projects are
9 put is the important thing. We support the
10 alternative energy idea.

11 We support just about every project
12 that's there. I've got to say that we don't support
13 the cobble mining one because that was one where they
14 were going to fix a beach by taking the cobble out of
15 an area where the fishing had been stopped to breed
16 baby codfish and lobsters.

17 And the Division closed the area to all
18 fishing, and then along came another state agency and
19 said, We're going to take the bottom away and fix the
20 beach. Those types of things you really need to
21 watch carefully.

22 I think that's pretty much what I wanted
23 to say. I do have here that when you put a project

1 in from some business for a good reason, you don't
2 want to put something in that's going to hurt a
3 little business man like a fisherman.

4 When they put the project in and they
5 say, Well, yuh, but you can't go here anymore, well,
6 this is where that fisherman earned his living.

7 So you have to be careful that you don't
8 have a big company, a big project, which may have
9 great ideas and good for the citizenry but at what
10 price. You put the little guy out of business. So
11 you've got to be careful that that doesn't happen.

12 And I think I'll end here but I
13 do have a handout for you and this handout is
14 the Massachusetts Lobster Fishermen Industry in
15 Massachusetts, some statistics that might help show
16 how big the Massachusetts lobster industry is here in
17 this state. So I'll leave this with you. And thank
18 you very much.

19 ASSISTANT SECRETARY BABB-BROTT: Thank
20 you very much, Bill. Are there other folks who'd
21 like to make comments or who have questions?

22 MR. MANSFIELD: I have a bunch of --

23 ASSISTANT SECRETARY BABB-BROTT: Come on

1 up.

2 MR. MANSFIELD: Several questions. Much
3 less formal than the previous two speakers. Just
4 kind of general information questions.

5 My name is Alex Mansfield representing
6 Jones River Watershed Association and also as a
7 private aquaculturist who's interested in potentials
8 offshore and that brings us maybe to one of my first
9 questions then.

10 And I know this is still in the planning
11 phase and you might not be able to answer some of
12 these, but how is the plan or how are you
13 anticipating incorporating unforeseen activities in
14 the plan?

15 You're having information sessions now.
16 There might be alternative energies or things like
17 aquaculture that are developing technologies that
18 you're not going to receive a lot of information
19 about now but ten years from now may be relevant.

20 ASSISTANT SECRETARY BABB-BROTT: You're
21 right. There are a lot of questions that I won't be
22 able to answer and part of the answer here is that,
23 but I will say two things.

1 We are working to collect as much
2 information as we can, trying to see around as many
3 corners as we can, both by coming out and talking to
4 folks like you, but also by the next set which would
5 be identifying folks in the industry, through
6 industry, organizations or whatever it's going to be,
7 to get a sense of what other kind of dynamics that an
8 individual use or prospective technology could
9 require as far as siting.

10 The second piece is that because the
11 legislation requires that the plan be updated every
12 five years, we're essentially going to be in a
13 perpetual planning process, because every five years
14 really means in order to be thinking intelligently,
15 gathering information about new uses that are coming
16 on line, continuing to pursue the kind of science
17 that we know we don't have that we need to think more
18 intelligently about how we manage the ocean, we're
19 going to be just continuing to have these kinds of
20 conversations and we expect to be capturing the facts
21 that you're raising as they bubble up to the surface.

22 MR. MANSFIELD: Another one that may be
23 challenging to answer because it's probably part of

1 the planning process, but I just wonder if you could
2 say something about -- I understand the Act and the
3 plan to be sort of a zoning concept, if you will,
4 kind of integrating all the different competing
5 industries and activities.

6 If you could say something about what the
7 permitting process will look like once the plan is
8 implemented. Right now there's already regulation
9 with Army Corps and with the state, with the CZM,
10 with different agencies.

11 Will this be another layer of permitting?
12 Will this be an initial layer of permitting?

13 ASSISTANT SECRETARY BABB-BROTT: This
14 will do two things. One I think at the beginning of
15 the process is giving folks a roadmap so that they're
16 able to look at how this plan addresses where
17 specific uses are either encouraged or allowed and
18 where they are discouraged or disallowed by the plan.

19 So right away it's not going to provide
20 kind of a siting option but it's going to give folks
21 a much clearer sense of where they should be focusing
22 either in support of or not in support of projects.

23 To directly answer your question, the

1 plan does not create additional jurisdiction or
2 permitting. What the plan or what the Act says is
3 that any state permitting action by any agency that
4 affects a project in the waters has to be consistent
5 with what the plan says.

6 There may be modifications to existing
7 regulations which addresses use in marine waters and
8 may affect its many uses.

9 So if we modify Chapter 91 regulations in
10 order to accommodate what the plan says, but once the
11 plan is in place, when it goes to issue a license for
12 something that happens out there, it's got to be
13 consistent with what the plan says.

14 Also, on the federal side, the Act
15 requires that we incorporate the final plan as it's
16 promulgated into the state's Coastal Zone Management
17 plan.

18 That will gave the state the ability to
19 ensure that federal actions regarding projects either
20 in or outside of the state waters, like the LNG
21 projects that Bill was referencing, are actually
22 located in federal waters.

23 But having a plan be part of the state's

1 Coastal Zone Management program will allow the state
2 to review those federal projects for consistency with
3 the plan.

4 MR. MANSFIELD: That brings up another
5 question which is where will the enforcement side or
6 the regulatory side sit? Will it be in CZM?

7 ASSISTANT SECRETARY BABB-BROTT: It will
8 be through the permits that are issued for a given
9 project. It wouldn't be through the plan. So it
10 wouldn't be that you're consistent with the plan,
11 therefore we're -- It would be DEP issues a permit
12 which they created to be consistent with the plan.

13 If the project is in violation of the
14 terms of that permit, they're also by definition in
15 violation of the plan, but it would be DEP enforcing
16 their own conditions which would ensure consistency
17 with the plan.

18 MR. MANSFIELD: And the plan will sit
19 under you, EEA, or --

20 ASSISTANT SECRETARY BABB-BROTT: Yes.

21 MR. MANSFIELD: In CZM or --

22 ASSISTANT SECRETARY BABB-BROTT: It's in
23 the Executive Office. Yes.

1 MR. MANSFIELD: While I'm standing here
2 I'll ask another one. Again, maybe it's part of the
3 planning process but some of the things that are
4 going to come up are not boundary driven. They cross
5 boundaries.

6 An example would be -- like Mr. Adler
7 mentioned -- one of these projects like dredging.
8 You mentioned dredging is kind of excluded because
9 it's inside of the coastal zone, but the disposal
10 sites are out in this area so -- The same with the
11 fishing issues. There's a lot of cross water. It's
12 the ocean.

13 What type of -- outside of the
14 sanctuary --

15 ASSISTANT SECRETARY BABB-BROTT: How are
16 we handling activities outside of the planning area.
17 We're handling it first by acknowledging that it's a
18 big deal. What goes on in the planning area itself
19 is directly and fundamentally affected by all of our
20 activities on land.

21 Water quality affects fisheries
22 productivity, affects fisheries themselves. From the
23 ocean side we've got the LNG facilities in federal

1 waters but there are pipelines that run in through
 2 state waters.
 3 The plan doesn't direct that we formally
 4 address that and we really don't have the ability,
 5 for example, through the planning process to control
 6 land use decisions that would modify runoff though we
 7 recognize that runoff is going to affect water
 8 quality and that will affect everything else.

9 What we are going to do is work with the
 10 Scientific Advisory Council and work on ways that we
 11 can create recommendations, identify crossovers
 12 between jurisdictions that are outside of the
 13 planning area.

14 It's one of the kinds of additional
 15 inquiry that we need on the marine side so we can
 16 affect policy, land use policy, outside of the
 17 planning area.

18 In some respects it's a poor answer
 19 because we'd love the answer to be, Well, first the
 20 plan gets to run everything and I guess that's not
 21 the way it works.

22 MR. MANSFIELD: Okay. Who is the Science
 23 Advisory Council? Where does that come in?

1 ASSISTANT SECRETARY BABB-BROTT: The Act
 2 created two bodies: the Ocean Advisory Commission to
 3 assist the Secretary in developing policy and
 4 developing a plan, and the Science Advisory Council
 5 which the Act directs to support the Secretary in
 6 establishing a science baseline that will inform
 7 planning decisions, identifying additional scientific
 8 information that is necessary in order to think
 9 intelligently about how we can enhance the ocean.

10 And they're also going to be working with
 11 us on an incremental process associated with how
 12 we're using it, here's how we propose to use it, does
 13 that make sense, do we need more data. That kind of
 14 thing.

15 The Act -- I can walk you through it
 16 later but the Act specifics it's members from
 17 University of Massachusetts systems, members from
 18 environmental organizations, a member recommended by
 19 the Fishermen's Fund.

20 MR. MANSFIELD: Can't promise I won't
 21 think of something else.

22 ASSISTANT SECRETARY BABB-BROTT: You're
 23 entitled. Other folks? Well, you've got about five

1 seconds. We'll talk after.

2 Well, short and sweet tonight. Thank you
 3 guys for coming out. I appreciate it. I look
 4 forward to staying in touch with you. If you want to
 5 have us send you information, make sure we've got
 6 your contact information and at 10 o'clock we'll all
 7 watch the Red Sox. Thank you. (Applause.)
 8 (Whereupon at 7:34 p.m. the hearing adjourned.)

C E R T I F I C A T E

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 4 I hereby certify that the foregoing 30 pages
 5 contain a full, true and correct transcription of all
 6 my stenographic notes to the best of my ability taken
 7 in the above-captioned matter held at the South Shore
 8 Natural Science Center on Wednesday, October 1, 2008,
 9 commencing at 7:03 p.m.

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 12
 13 Linda J. Modano, Registered Professional Reporter
 14 My commission expires June 2, 2011

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