

Massachusetts Ocean Partnership

Partners' Event in Provincetown

Purpose and Overview of the Event

This Partners' event, organized and sponsored by the Massachusetts Ocean Partnership (MOP) and hosted by local Partner Provincetown Center for Coastal Studies on July 30th, provided an informal setting for Partners (and prospective partners) to:

- hear directly from and speak with Mr. Deerin Babb-Brott—MA Executive Office of Energy and Environmental Affairs' (EEA) newly appointed Assistant Secretary for Oceans and Coastal Zone Management;
- learn more about the specific interests and concerns of other ocean stakeholders; and
- network with one another.

Oceans Act Briefing/Discussion

D. Babb-Brott first acknowledged the tremendous (if somewhat daunting) opportunity of developing the first statewide, integrated-ocean-management plan in the country. He outlined the basic requirements of the MA Oceans Act (the Act) and previewed the state's current thinking about its ocean management planning process and structures over the next 18 months. He indicated that the planning process is not set in stone, that the state welcomes input to the process and expects to formally kick-off the ocean management planning process on August 13th. D. Babb-Brott acknowledged that the timeframe established by the Act is tight, but that it also serves as milestone to achieving tangible results. A copy of the Act accompanies this report, also D. Babb-Brott directed the participants to a helpful summary of the Act at http://www.foleyhoag.com/NewsCenter/Publications/Alerts/Environmental/Environmental_Alert-062008.aspx.

In general, the Act requires an ocean management plan that:

- sets forth the Commonwealth's goals, siting priorities and standards for proper stewardship of its ocean waters held in trust for the benefit of the public;
- coordinates activities that include international, federal, state and local jurisdictions;
- fosters sustainable uses that capitalize on economic opportunity without significant detriment to the ecology or natural beauty of the ocean; and
- Identifies appropriate locations and performance standards for marine uses and facilities.

Event Schedule	Event Activities
10:00-1:00	10:00-11:30 Oceans Act Briefing
	11:30-1:00 Luncheon
1:00-4:00	1:30~2:30 Open Session MOP Governing Board
	1:30~2:30 Center for Coastal Studies Whale Disentanglement
	At your own pace Whale watching, etc.
2:30-4:00	Executive Session MOP Governing Board
4:00-6:00	Closing Reception



Lucy Edmonson (DEP) and Deerin Babb-Brott (EEA)

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D. Babb-Brott highlighted that the Act:

- Creates a 17-member Ocean Advisory Commission (OAC) and a 9-member Science Advisory Council (SAC);
- Establishes a fund comprised of proceeds from ocean development mitigation fees, appropriations and other monies. Mitigation fees are to be allocated primarily towards offsetting environmental damages or navigational issues created by projects; non-mitigation income will be allocated to ocean ecosystem protection and restoration;
- Requires state-issued permits, certificates, etc. to be consistent with the plan;
- Maintains the Division of Marine Fisheries management control of commercial and recreational fishing;
- Allows renewable energy projects of “appropriate scale” to be sited in ocean sanctuaries.

Timeline and Planning Framework

EEA must promulgate the Plan by December 31, 2009. The Act requires a six-month public review period, which means the deadline for a final draft plan is actually July 2009. D. Babb-Brott acknowledged a generally accepted understanding that this 12-month process will not yield a *detailed* ocean management plan and emphasized that the initial plan will include general spatial and regulatory/management components and establish a framework for future planning, science and policy processes. The planning framework will be informed by public/stakeholder input, current available data and applicable planning tools (modeling, etc.), and be adaptive to changing conditions. The rough-draft planning schedule is as follows:

- **Now ~ Jan 2009** – develop plan framework. Gather public input on ocean management expectations, needs and concerns; identify/establish plan principles and goals; inventory and integrate priority ocean data; identify applicable planning tools; evaluate lessons-learned from other ocean management initiatives; generate planning framework alternatives and select preferred framework.
- **Feb ~ April 2009** – develop draft management plan. Push data and stakeholder input through the framework; generate planning scenario alternatives; identify working draft plan.
- **May ~ June 2009** – review draft management plan. OAC, SAC and other stakeholder review; refine/revise draft plan.
- **July ~ December 2009** – formal review period. Public hearings/comment, legislative review, etc.

EEA Ocean Management Planning Organization / Structure

The Act has charged EEA with authority and responsibility to develop the Plan. D. Babb-Brott will lead and manage EEA’s ocean planning process, ultimately at the direction of Secretary Ian Bowles. EEA’s internal Planning Team includes D. Babb-Brott, J. Weber (recently hired Ocean Services Manager) and an Ocean Analyst to be hired shortly. An Interagency Coordinating Committee has been established with high-level representatives from the EEA agencies. Six topical Workgroups (WGs) are being formed: (1) ocean-based renewable energy; (2) habitat (including conservation); (3) sediment management; (4) transportation, navigation; (5) cultural, social, recreational and historic resources; and (6) commercial and recreational fishing— regulatory considerations will run through each. The WGs are expected to play a core role in formulating the ocean management plan. They will be utilized to gather and manage data for input into the Massachusetts Ocean Resource Information System (MORIS) and to identify stakeholder issues.

The expected charge of the 17-member OAC includes determining the themes, goals and aspirations of the plan. The OAC will: develop planning principles based on those explicitly stated in the Act and building on those identified by the 2004 Massachusetts Ocean Management Task Force report, *Waves of Change*; evaluate applicability of ocean management examples from other areas to inform the Massachusetts plan; and serve as a sounding board to periodically provide feedback and guidance on the planning process and products.

The expected charge of the 9-member SAC includes assessing the current state and adequacy of scientific data for ocean management planning, identifying key data gaps, and helping define the important short- and longer-term science questions.

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The Partnership's Role

Stephanie Moura, MOP Executive Director, offered an extended “elevator speech” to help clarify the Partnership’s genesis and evolving role. MOP, which grew out of the Massachusetts Ocean Management Task Force, was initiated out of a recognition that integrated ocean management planning would require unprecedented public-private collaboration and an infusion of capital resources. MOP’s work will focus on two primary areas:

1. **Supporting stakeholder involvement** (through collaborative problem-solving and outreach), and
2. **Improving the integration of credible ocean science** into the management process.

D. Babb-Brott acknowledged the Partnership’s considerable work to date and noted EEA’s involvement as a lead Partner since MOP’s beginning. He also reaffirmed EEA’s intent to continue that collaboration toward developing an ocean management plan that is both stakeholder informed and science based. The details of the EEA-MOP relationship are still being worked out through a Memorandum of Understanding which is anticipated in the near future. Specific areas of collaboration are expected to include: evaluating planning framework options, enhancing the functionality of MORIS, identifying applicable modeling and other decision-support tools and supporting stakeholder participation.

D. Babb-Brott described the EEA-MOP relationship as two entities that have *met at the altar*, “We know we are getting married fast so now we need to get acquainted.” S. Moura likened the collaboration to that of the DNA double helix —two distinct but parallel and complementary strands that are linked by strong bonds— “Working together we will express the best traits of the ocean management plan.”

Questions and Answers

The floor was opened up for a question and answer period following the presentation.

Q: Can you define the boundaries of the planning area established by the legislation ?

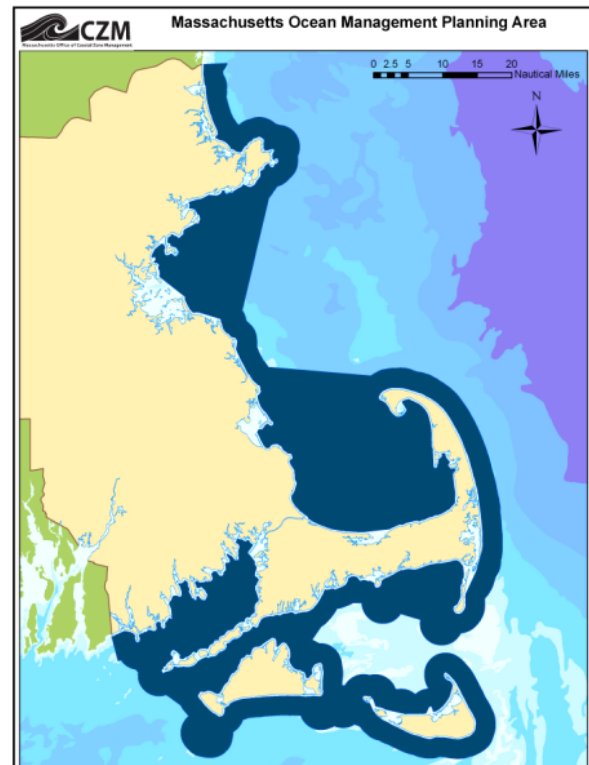
A: The Act defines a “blue water” planning area from 100 rods offshore (roughly .3 miles) to 3 miles offshore. (The dark blue shaded area on the map at right.)

Q: The legislation allows renewable energy facilities of “appropriate scale.” How will that be determined ?

A: EEA will define “appropriate scale” with input from the Ocean Advisory Commission, the regional planning agencies, municipalities and others.

Q: How will this plan be coordinated with international, federal, regional and local jurisdictions?

A: At this time it is unclear, but developing a roadmap for coordination across jurisdictions is a priority. Federal consistency review through CZM is one avenue for coordination .



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Q: What level of planning can be done in the 12-month time frame? Will appropriate locations for various uses be determined using a map or performance criteria?

A: The Act requires EEA to determine use allocations and make decisions regarding management issues. We will do this in a practical and intelligent manner, given the 12-month timeframe, developing a general framework for use allocation and other management issues. Appropriate locations for all uses cannot be determined in great detail within the 12-month planning timeframe. One possible approach would be to determine broad-scale, general use areas that can be refined over time using performance standards or criteria.

Q: How will the short-term plan fit into the longer-term planning framework?

A: We will have to figure that out. It is important that the principles and framework that shape the December 2009 plan are consistent with longer-term planning considerations. The short-and longer-term approaches should complement, not contradict, each other.

Q: Regarding the management of resources such as fish, if public comment expresses a desire to stop taking fish, what will be the next step?

A: At this point, it's unclear what will happen. The OAC will likely review such issues and provide comments and make recommendations. Under the law, the Division of Marine Fisheries has final authority and oversight regarding any part of the plan that affects fishing interests.

Q: When gathering ocean data, will the state be using data compiled 5 years ago or more recent data?

A: We will attempt to use the most current / relevant data readily available.

Q: What are the "big" substantive issues that this process will address and resolve?

A: The big questions ocean management planning will address include:

- How do we allocate uses of our ocean waters in a manner that is consistent with the Commonwealth's priorities, considers stakeholder needs and is based on good information? For example –Recognizing the need for renewable energy sources, where do we site offshore energy sources? What are the user conflicts regarding offshore renewable energy development?
- How can ocean management planning anticipate the effects of and improve preparedness for climate change, sea level rise and ocean acidification on our marine resources and the people that depend on them?
- What are the effects of various uses on the health and resiliency of ocean ecosystems?

Q: How will the WGs efforts be integrated to look at issues across "silos"?

A: The WGs are managed by CZM and will report their data findings and stakeholder interest input to the OAC and EEA's Planning Team. They are currently organized in "silos" but the OAC and Planning Team, probably with assistance from MOP, will look at the integration piece.

Q: What is the make-up of the OAC?

A: The OAC consists of 3 members of the senate, 3 members of the house of representatives, the Directors of Coastal Zone Management (D. Babb-Brott to serve in this seat), the Division of Marine Fisheries and the Department of Environmental Protection, a representative from five coastal region planning associations, and a representative from a commercial fishing organization, an environmental organization and a representative with expertise in offshore renewable energy. (See the Act for details.)

Q: Is there a public appeal mechanism included in the legislation?

A: I'm not sure.

Q: Why was the Nantucket Regional Planning Commission excluded from the legislation and is there a way to include a representative from the Commission?

A: It's unclear exactly how that came to pass – perhaps an oversight - but the legislation cannot be altered. Let's discuss this further and explore possibilities to involve the Nantucket Commission.

Q: What tips the scale in EEA's decision making? Is it a warm and fuzzy feeling or hard numbers?

A: Decisions will be made considering input from the feedback loops. The OAC and WGs will report their findings and recommendations, public comment will be heard and EEA will seek common ground where feasible. Inevitably, some hard choices will have to be made.

Q: Regarding state legislators, how are OAC nominations made?

A: The Senate and House leadership respectively will appoint the required members to the OAC. Senator Tarr of Gloucester and Senator O'Leary of the Cape will most likely be included. At this time, I'm unsure who the other legislative members of the Commission will be.

Q: Recreational fishing is an economic boon in Massachusetts, but I don't see where recreational fishing is represented.

A: The commercial/recreational fishing WG will have representation from the recreational fishing sector.

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A summary of the Governing Board open session is provided below.

Open Session of the MOP Governing Board

Participants:

GB/Exec. Com: B. Adler, P. Brooks, J. Bullard, S. Crosby, R. Delaney (chaired meeting), D. Hadden, J. Hunt, L.A. McGee, S. Moura, R. Peach, and by phone, A. Rosenberg. (Absent: P. Diodati, L. Roach, G. Watson)

Staff and others: T. Bonifacio, H. Krum, N. Napoli, many MOP partners (open session) and by phone, A. Breault



Open Session of MOP Governing Board

Meeting brought to order

- The GB adopted the revised 6/19/08 Governing Board meeting summary.
- The GB agreed the meeting summary format going forward will be an “expanded bullet” style with key issues, decisions, and action items; remarks will not be attributed.

Debrief of Partner’s Event

Considerations for MOP’s role in ocean management planning (OMP)

Relationship with EEA – a work in progress

- Develop MOU to clarify respective roles and responsibilities (in progress)
- Coordinate/integrate management of various working groups, science efforts, etc. to maximize effectiveness, minimize redundancy
- Clarify short- and long-term priorities/needs of the state and the Partnership
- MOP has obligations to Partners and GBMF which help shape its relationship to the state’s formal OMP process

Considerations for MOP’s stakeholder advisory and science integration roles:

- Engage partners collaboratively to ensure OMP is a broad-based effort
- Provide training and other services to improve collaborative problem solving capacity of Partners, Ocean Advisory Commission, Science Advisory Council
- Assist with *integrating* efforts across EEA’s 6 work groups
- Convene informal problem-solving groups to generate creative ideas to feed into the formal planning process
- Respond quickly to identified OMP priorities (consultants) to meet the short-term requirements of the Oceans Act
- Enhance data network and application of appropriate decision support tools to ensure OMP is science-based
- Provide continuing support for stakeholder advisory and science integration efforts for longer-term OMP

Compressed timeline

- Provides an opportunity for innovation
- Encourages stakeholders to think outside “silos”

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Partner Questions (during the open session)

Q: Will the EEA-MOP MOU include a schedule with benchmarks ?

A: Yes.

Q: How could the Marine and Oceanographic Technology Network (MOTN) be involved with MOP ?

A: Provide Partner/stakeholder input to MOP.

Network with Partners/stakeholders for business development (MOTN members develop and manufacture oceanographic equipment used by science and industry.

Q: There is still a lot of "gray area" about who will do what to advance OMP. What are some specific examples of how MOP will work with the state?

A: Enhance the MORIS data network: integrate existing data, enhance functionality, improve user interface

Assist in developing ocean management planning framework

Q: When a Partner, such as MWRA, provides information for the data network – to whom does the data go - the State or MOP?

A: MOP may assist with discoverability, but data will be served to MORIS. The current presumption is that the state will ultimately maintain the data network over time.



Luncheon Discussion



Robbin Peach and Steve Crosby (en route home)

Summary

Following the morning briefing, Partners and prospective partners gathered over lunch (featuring Napi's renowned Portuguese seafood platter) to continue their discussions of ocean management issues, catch up with colleagues and make new acquaintances. In the afternoon, participants had the option of attending the open session of the MOP Governing Board meeting, touring the Center for Coastal Studies' marine laboratory and learning about its marine life disentanglement program, or spending free time experiencing a fine summer day in Provincetown. The day concluded with an informal closing reception on the beachfront deck of the Way DownTown Restaurant where participants swapped stories, opinions and handshakes.

Next Partners' Event

The next MOP Partners' event will be held at the end of October, 2008— details to follow.

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