

# Draft Northeast Ocean Plan Public Release Webinar Summary

## Northeast Regional Planning Body

May 25, 2016 | 12:00 PM – 2:00 PM

### Overview and Objectives

On May 25, 2016, the Northeast Regional Planning Body (NE RPB) held a public webinar associated with the public release of the draft Northeast Ocean Plan (draft Plan). The webinar objectives included:

- Announce the availability of the draft Plan
- Provide an overview of the draft Plan
- Describe the public comment process and upcoming opportunities for public engagement to discuss the draft Plan
- Answer clarifying questions from the public on both the draft Plan and public engagement process

During this webinar, members of the public provided comments and posed questions through an online question and answer (Q&A) function of the webinar platform. This document summarizes the comments and questions offered by participants, as well as responses offered by members of the NE RPB. Additional information, including a full recording of the webinar, a participant list, and the slide presentation, can be found at the [NE RPB website](#).<sup>1</sup>

### Webinar Participants

More than 218 participants joined the webinar.<sup>2</sup> This includes eighteen federal, state, tribal and New England Fishery Management Council (NEFMC) NE RPB members or their alternates; 190 members of the public; and ten support staff. A full participant list is available on the [NE RPB website](#).<sup>3</sup>

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<sup>1</sup> <http://neoplan.org/>

<sup>2</sup> Webinar organizers are aware that some participants gathered in groups around shared computers; the number of participants is an estimate.

<sup>3</sup> <http://neoplan.org/events/draft-plan-comment-meetings/>

## Overview of the Draft Northeast Ocean Plan

Betsy Nicholson, National Oceanic and Atmospheric Administration (NOAA) and NE RPB Federal Co-Lead announced the availability of the draft Plan for public review. The draft Plan is available on the [NE RPB website](#)<sup>4</sup> for public review until July 25, 2016. Ms. Nicholson shared an overview of each chapter of the plan:

- Chapter 1: The New England offshore environment and the need for ocean planning
- Chapter 2: Ocean planning in New England
- Chapter 3: Regulatory and management actions
- Chapter 4: Plan implementation
- Chapter 5: Science and research priorities

Ms. Nicholson described the public comment process and upcoming public meetings to review, discuss, and comment on the draft Plan. The slide presentation and a complete list of times, dates, and locations of the meetings for the public comment is available on the [draft Plan Public Comment Meeting Schedule section](#) of the NE RPB website<sup>5</sup>.

## Perspectives from NE RPB Members

The following NE RPB Members shared their perspectives on the draft Plan content, including its development, use, and next steps for implementation:

- Grover Fugate, Rhode Island Coastal Resource Management Council and NE RPB State Co-Lead
- Richard Getchell, All Nations Consulting; and Former Tribal Chief, Aroostook Band of Micmacs and NE RPB Tribal Co-Lead
- Mark Alexander, NEFMC and NE RPB member
- Joe Atangan, Senior Scientist, Joint Chiefs of Staff U.S. Navy and NE RPB Member

Their slides are included in the [webinar presentation material](#)<sup>6</sup>.

## Facilitated Public Q&A and Comments

Throughout the webinar, participants submitted comments and asked questions via the webinar Q&A feature. These questions were then posed to the NE RPB Co-Leads and Members

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<sup>4</sup> <http://neoceanplanning.org/plan/>

<sup>5</sup> <http://neoceanplanning.org/events/draft-plan-comment-meetings/>

<sup>6</sup> <http://neoceanplanning.org/events/draft-plan-comment-meetings/>

by Laura Cantral, Meridian Institute, who facilitated the webinar. The questions below have been organized around several key themes that emerged during the Q&A session. As many questions as possible were answered in the 2-hour time period allocated for the webinar.

## Public Input Process and Next Steps

**Q:** Will you be providing one-page briefs summarizing the Plan and its components for outreach purposes to specific stakeholders throughout the comment period?

**A:** There is a short brochure that provides a summary of the final Plan. The slide presentation of the draft plan also will be made available through the NE RPB web site.

**Q:** Does the NE RPB prefer comments focusing on areas of concern particular to their industry or interests (e.g., fisheries) or comments on the entire draft Plan?

**A:** Comments on any part of the Plan would be very helpful, with special emphasis on the parts of the plan that are of particular interest to the individual stakeholder. For example, the sections of the plan relevant to fishing include the Chapter 3 section on commercial and recreational fishing and the part of Chapter 4 that includes best practices related to stakeholder engagement.

**Q:** This morning's Federal Register announcement noted that details on the specific mechanisms that federal agencies will use to implement the Northeast Ocean Plan will not be made publicly available until the Plan is sent to the National Ocean Council for certification, which will be after the public comment period concludes. Why is that information not being provided to the public as part of this final comment period?

**A:** Chapter 3 details how federal agencies intend to use the Plan and additional information on the administrative mechanisms by which the federal agencies will operationalize the Plan will be provided in a second Federal Register announcement when the Plan is made final this coming fall.

## Chapter 2: Ocean Planning in New England

**Q:** A participant asked for clarification on the number of Tribal NE RPB Members who participated in the planning process.

**A:** The draft Plan identifies the six federally recognized Tribes who signed the NE RPB Charter and participate actively in the process. The other four federally recognized Tribes in the region are supportive of the planning process but lack capacity to engage as the other six tribes have. They can become more involved in the process at any time, and the NE RPB continues to keep them informed of activities and progress through other standing calls organized by the EPA.

**Q:** What new data and information generated as part of the planning process and its relevance to ocean management?

**A:** New data supporting the plan is publically accessible through the [Northeast Ocean Data Portal](http://www.northeastoceandata.org/)<sup>7</sup> (the Data Portal). The Data Portal is an information resource and decision support tool and provides user-friendly access to maps, data, and tools for regional ocean planning, including new marine life and habitat data for 150 species across the region and summary products associated with this new data that can be tailored to specific needs of ocean managers. This data has never been available before on a regional basis. The planning process has also built on work done in the region's state plans by developing data related to fishing, shipping, and recreation activities.

### Chapter 3: Regulatory and Management Actions

#### *Regulatory and Management Context*

**Q:** Several participants asked questions related to the authority of the NE RPB and whether federal agencies and states are required to use the draft Plan in their decision making.

**A:** The NE RPB was created through a Presidential Executive Order and thus directs federal agencies in matters related to their decision-making pursuant to regional ocean plans. The draft Plan includes actions for federal agencies to take within existing authorities. The NE RPB is not a regulatory body and has no independent legal authority. States, tribes, and the NEFMC are voluntary participants; states are currently drafting a document that they will sign that outlines how they will use the Plan. Chapters 3 and 4 contain additional details on this topic.

**Q:** Will the NE RPB ever get to the level of creating ocean zones, similar to municipal planning or zoning boards for land planning?

**A:** The NE RPB does not have the authority to create ocean zones. Rather, the Plan improves how entities work within existing authorities (e.g., through better and consistent data and enhanced stakeholder engagement).

**Q:** Will the draft Plan include supporting environmental impact analysis documentation that includes alternatives?

**A:** The appropriate National Environmental Policy Act documentation will accompany the final Plan, as necessary.

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<sup>7</sup> <http://www.northeastoceandata.org/>

**Q:** How will the Plan relate to existing state plans like the Rhode Island Special Area Management Plan and the Massachusetts Ocean Plan?

**A:** The Plan complements state efforts by enhancing the decision making process, emphasizing early input into federal decision making processes, and providing new and improved data through the Data Portal. State data and information, and experience and background in ocean planning also directly informed the regional planning process.

### *National Security*

**Q:** Does making military presence and uses publicly available through the planning process compromise national security?

**A:** No, quite the opposite: creating awareness about military presence is beneficial because it helps the Department of Defense coordinate with other ocean users and ensure access to areas that are vital to training and testing.

### *Commercial and Recreational Fishing*

**Q:** Could the NE RPB's process for identifying Important Ecological Areas (IEAs) process result in new closed fisheries?

**A:** The NE RPB has no authority to close areas to fishing or any other activity. The draft Plan includes a framework to guide discussions around identifying IEAs; the draft Plan does not include specific map products identifying IEAs. Chapter 3 of the draft Plan discusses immediate next steps for continuing the NE RPB's work on IEAs, including continuing the discussion of what any future identification of IEAs would mean in a management context.

### *Recreation*

**Q:** How are recreational uses addressed in the draft Plan? How will the NE RPB ensure robust engagement from the recreational community into the future?

**A:** There is a section on recreation in Chapter 3 of the draft Plan. The Data Portal includes a large amount of new information on recreation activities collected as part of the planning process. Chapter 4 of the draft Plan includes a section on stakeholder engagement for the NE RPB moving forward.

## **Chapter 4: Plan Implementation**

### *Intergovernmental Coordination and Stakeholder Engagement*

**Q:** What is the process for non-federal RPB entities (i.e., States, Tribes, and NEFMC) to articulate how they will use the Plan to guide and inform their actions?

**A:** The states are currently developing a document that will articulate how they will use the Plan. These entities also helped draft the section of Chapter 4 that outlines ways in which they will better coordinate and engage in regulatory and management processes.

**Q:** What is a “pre-application consultation”?

**A:** A pre-application consultation occurs when developers with potential projects have preliminary discussions with federal agencies about these projects. This happens prior to a formal permit being filed.

**Q:** What commitments does the draft Plan contain to help achieve better and earlier stakeholder engagement on new ocean project proposals?

**A:** The beginning of Chapter 4 of the draft Plan provides best practices for stakeholder engagement that will be conducted during Plan implementation. Included in these best practices are topics such as pre-application meetings, which will include state agency representatives, and the use of the Data Portal to help identify local and other stakeholders who should to be engaged.

### *Data Portal*

**Q:** How will entities use information from the Data Portal in their decision-making processes?

**A:** Federal NE RPB members commit to using the Data Portal in their decision-making, but the specifics of how they will use it differs by topic area. There are details under each topic area in Chapter 3 of the draft Plan that explain how entities will use information in the Data Portal to inform decisions related to that topic.

**Q:** What strategies will the NE RPB use to keep data on the Data Portal updated?

**A:** Chapter 3 of the draft Plan has topic-specific details on data refresh commitments, and Chapter 4 of the draft Plan discusses longer-term strategies.

**Q:** How will federal agencies utilize the information in the Data Portal in situations where “best available science” is not reflected in the Data Portal?

**A:** Chapter 3 of the draft Plan describes the approach to this issue and the information available on the Data Portal. Chapter 4 describes the process for maintenance and continued use of the Data Portal. The NE RPB recognizes that some of the data has inherent limitations, so data is accompanied by a description of caveats and limitations both on the Data Portal and throughout Chapter 3 of the draft Plan. Stakeholders are encouraged to review the data and caveats and provide input. It is important to note that the Data Portal is an important source of information, but not the only source of information and should be used in conjunction with other resources, as appropriate.

**Q:** Who does the NE RPB envision using the Data Portal and how it will be useful to different constituencies?

**A:** The Data Portal is designed to be useful for a wide audience. For example, the private sector can use the Data Portal when considering future activities and the public can use it as an information source when commenting on proposals. It is important to note that the Data Portal is a public tool and the Plan contains federal agency commitments to use it.

### ***Monitoring and Evaluation***

**Q:** Who would conduct the analysis for the NE RPB's Ocean Health Index and what are the metrics for ocean health?

**A:** The NE RPB will oversee this process, with regular stakeholder engagement, starting with determining goals and metrics. This topic will continue to be discussed by the NE RPB's Ecosystem Based Management (EBM) Working Group. Further details about this topic can be found at the end of Chapter 4 of the draft Plan.

**Q:** Does the draft Plan include recommendations for developing lasting organizational structures to continue regular assessments of ocean health?

**A:** The NE RPB is committed to adding value to existing work on assessing ocean health. Chapter 4 details the NE RPB's work on monitoring and evaluation that begins to answer this question, but the NE RPB would like feedback from the public about those details in Chapter 4, suggested next steps, and suggestions for other efforts with which to coordinate.

### **Chapter 5: Science and Research Priorities**

**Q:** How will the NE RPB involve stakeholders in developing science and research priorities into the future?

**A:** The NE RPB would appreciate feedback on the priorities currently listed in Chapter 5 of the draft Plan, especially priorities that might be missing from the list. The NE RPB anticipates many future opportunities for engaging with stakeholders around this topic, and it will be discussed by the EBM Working Group. The process for this will be further built out during the implementation phase.