# **Summary**

# Northeast Regional Planning Body Meeting

*June 3-4, 2015* 

Mystic, Connecticut

This document summarizes discussions and presentations at the sixth meeting of the Northeast Regional Planning Body. The meeting took place on June 3-4, 2015 in Mystic, Connecticut. 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 sixth meeting of the Northeast Regional Planning Body (NE RPB) took place on June 3-4, 2015 at the Hilton Mystic in Mystic, Connecticut. The NE RPB meeting was attended by state, federal, Northeast Fishery Management Council, and tribal NE RPB appointed members or their alternates. Approximately 64 members of the public attended as observers and 16 total public comments were provided during two public comment sessions held over the course of the meeting. A list of NE RPB members and alternates and public participants is included in Appendix A.

Objectives of the meeting were to:

- Discuss updates on NE RPB activities and progress since November 2014.
- Review and make decisions on next steps for the synthesis and use of data and other information under existing authorities.
- Review Draft Northeast Ocean Plan Outline and make decisions about next steps.
- Provide opportunities for public input about the topics being considered by the NE RPB.

Meeting materials, including discussion documents and a summary from the recent stakeholder forum can be found by clicking <a href="here">here</a>. Additional information about the NE RPB and ocean planning in general is available <a href="here</a>. This includes information on past and upcoming NE RPB meetings and opportunities for public comment.

The first day of the meeting, June 3, the NE RPB heard updates on key projects, reviewed a Draft Northeast Ocean Plan Outline, considered the Draft Work Plan, which included next steps for data synthesis and agency use to guide the development of the draft plan, and heard public comments. On the second day of the meeting, June 4, the NE RPB continued to discuss the Draft Work Plan and Outline, next steps for data synthesis and agency use over the next six months, and heard additional public comments.

The NE RPB adopted the Draft Work Plan that advances development of the Northeast Ocean Plan. As part of this Work Plan, the NE RPB will establish an Ecosystem Based Management (EBM) Work Group. The Terms of Reference for this Work Group will be developed by the Co-Leads for further review and discussion by the NE RPB. Fall agency workshops and a public stakeholder forum will occur in advance of the next NE RPB meeting in November 2015.

<sup>&</sup>lt;sup>1</sup> http://neoceanplanning.org/events/june-2015-rpb-meeting/

<sup>&</sup>lt;sup>2</sup> http://neoceanplanning.org/

# **About This Meeting**

The sixth meeting of the Northeast Regional Planning Body (NE RPB) took place on June 3-4, 2015 at the Hilton Mystic in Mystic, Connecticut. The NE RPB meeting was attended by state, federal, Northeast Fishery Management Council (NEFMC), and tribal NE RPB appointed members or their alternates. Approximately 64 members of the public also attended and 16 total public comments were provided during two public comment sessions during the meeting. A list of NE RPB members and alternates and public participants is included in Appendix A.

The meeting was called by the NE RPB state and federal Co-Leads. The state Co-Lead is Grover Fugate, Executive Director, Coastal Resource Management Council, State of Rhode Island; the federal Co-Lead is Betsy Nicholson of the National Oceanic and Atmospheric Administration (NOAA); the tribal Co-Lead is Richard Getchell, All Nations Consulting and Former Tribal Chief, Aroostook Band of Micmac Indians. The meeting was organized in collaboration with John Weber, Nick Napoli, and Katie Lund, ocean planning staff, and Meridian Institute staff, which provided meeting planning and facilitation services and developed this summary document.

# **Meeting Objectives**

Objectives of the meeting were to:

- Discuss updates on NE RPB activities and progress since November 2014.
- Review and make decisions on next steps for the synthesis and use of data and other information under existing authorities.
- Review draft Northeast Ocean Plan Outline and make decisions about next steps.
- Provide opportunities for public input about the topics being considered by the NE RPB.

Meeting materials, including discussion documents and a summary from the May 2015 stakeholder forum can be found by clicking <a href="here">here</a>. Additional information about the NE RPB and ocean planning in general is available <a href="here">here</a>. This includes information on past and upcoming NE RPB meetings and opportunities for public comment.

<sup>&</sup>lt;sup>3</sup> http://neoceanplanning.org/events/june-2015-rpb-meeting/

<sup>&</sup>lt;sup>4</sup> http://neoceanplanning.org/

# Wednesday, June 3, 2015

On the first day of the meeting, June 3, the NE RPB heard updates on key projects, reviewed the Draft Northeast Ocean Plan Outline and the Draft Work Plan to guide the development of the ocean plan, reviewed options for next steps for data synthesis and agency use, and heard public comments.

# **Tribal Blessing**

Ms. Lynn Malerba, Mohegan Tribe, opened the meeting by offering a blessing for meeting participants.

# **Welcoming Remarks**

Commissioner Rob Klee, Connecticut Department of Energy and Environmental Protection, welcomed NE RPB members to Connecticut on behalf of Governor Dannel Malloy. He emphasized the value of Long Island Sound to the state and referenced the recent announcement that the Connecticut legislature passed legislation to create and implement a "Blue Plan" with marine spatial planning at its core (Bill No. 6839, An Act Concerning a Long Island Sound Blue Plan and Resource and Use Inventory). He highlighted the intersections between this state planning effort and the NE RPB's work and said that climate change should be an important theme in both of these plans.

#### **Introductions and Agenda Review**

Ms. Laura Cantral, Meridian Institute, facilitated a round of introductions. A list of attending NE RPB members, alternates, and public participants is included in Appendix A. Ms. Cantral explained that the meeting would be focused on four objectives:

- Discuss updates on NE RPB activities and progress since November 2014.
- Review and make decisions on next steps for the synthesis and use of data and other information under existing authorities.
- Review draft Northeast Ocean Plan Outline and make decisions about next steps.
- Provide opportunities for public input about the topics being considered by the NE RPB. She informed the group that there would be two opportunities to receive public comment about the topics being considered by the NE RPB, one at the end of the first day of discussion and one at the end of the second. She also directed attention to two documents that were released prior to the meeting: the <u>Draft RPB Work Plan</u><sup>5</sup> and the <u>Draft Northeast Ocean Plan Outline</u>.<sup>6</sup>

http://neoceanplanning.org/wp-content/uploads/2015/06/RPB-Work-Plan-Decision-June-2015.pdf

<sup>&</sup>lt;sup>6</sup> http://neoceanplanning.org/wp-content/uploads/2015/06/Draft-NE-Ocean-Plan-Outline-June-2015.pdf

# **Opening Remarks, Overview of NE RPB Progress, and Presentation of Draft Northeast Ocean Plan Outline**

Mr. Grover Fugate welcomed participants and emphasized the importance of this stage of the planning process. The NE RPB will begin knitting together the work of various NE RPB activities into the ocean plan.

Ms. Betsy Nicholson provided an overview of topics to be discussed at this meeting in the context of the NE RPB's origins and progress over the past few years. She shared the NE RPB's timeline, which is in Appendix B, and thanked stakeholders and RPB members for their continued participation and contribution to the process. She reiterated Mr. Fugate's emphasis on the important work to be pursued over the next six months in building out the content of the plan and building support and commitments for its implementation. She explained that there will be three more formal public NE RPB meetings before the plan is completed, and emphasized the importance of public engagement throughout the upcoming drafting and review process.

Ms. Nicholson also mentioned that the National Ocean Council (NOC) recently released draft guidance to the NE RPB providing an outline for the NOC's plan review process. The NE RPB has until July 1, 2015 to supply feedback to the NOC on this document, and Ms. Nicholson asked NE RPB members to supply input to the Co-Leads prior to this date.

Ms. Nicholson reviewed the Draft Northeast Ocean Plan Outline. She reviewed the four major sections of the plan: (1) framing narrative, (2) management applications, (3) plan implementation, and (4) a list of regional ocean science and research priorities extending beyond the initial scope of the plan. She emphasized the importance of writing the plan so it is clear how the plan will be used by RPB entities. She then introduced Mr. Nick Napoli, Northeast Regional Ocean Council (NROC), to walk through the Outline in more detail.

Mr. Napoli reviewed the Draft Ocean Plan Outline in detail, emphasizing that subsequent sessions of this meeting will be focusing on particular sections of the Outline. Section 1 will include an overview of the NE RPB process, a description of how the plan will achieve the NE RPB's three goals, and references to the projects that underpin the plan like the baseline assessment and data portal. Most of the June 2015 NE RPB meeting focused on Section 2, discussing NE RPB activities for the next six months to aggregate various projects' results and think about their management application through existing programs. NE RPB members heard many updates on projects that contribute to Section 2 in the next meeting session. Section 3 is about ocean plan implementation. Finally, Section 4 will identify additional and on-going science and research priorities necessary to further advance the interests of the region.

The NE RPB members discussed the review process for the plan, inquiring if draft sections of the plan will be reviewed by the NE RPB as they become available, or whether they will review the plan as a whole. One NE RPB member expressed preference for reviewing individual sections as they are drafted.

# **Update on Recent Activities and Projects**

Mr. John Weber, NROC, introduced research and project teams involved with the various projects being carried out by the NE RPB. Each presenter shared an update on activities and next steps, followed by brief NE RPB discussion.

#### **Commercial Fishing**

Mr. George LaPointe, George LaPointe Consulting, shared an update on data collection and stakeholder engagement related to the characterization of commercial fisheries, including Vessel Monitoring System (VMS), lobster fishery, and party/charter mapping. Powerpoint slides from his presentation are available in Appendix C.

This work continues previous efforts exploring the use of VMS data to describe certain commercial fisheries. To better understand vessel patterns in specific fisheries, data were organized by fishery and, using an approximation of vessel speed, and by vessel activity (fishing or in transit). Results generally help indicate where there are concentrated areas of fishing and 'highways' for fishing vessels.

The team is working on incorporating feedback and suggestions from the fishing industry. For example, data will be superimposed on NOAA charts, federal fisheries management areas will be added, and temporal trends will be identified.

The project team has determined that a region-wide vertical line analysis is currently the most comprehensive across the region for characterizing the lobster fishery. This existing vertical line survey was developed as part of the North Atlantic Right Whale take reduction effort. While available for the entire planning area, it is at a relatively large scale (approximately 10-minute grid size).

He also provided a brief overview of a pilot party/charter project underway, recognizing that there is little to no spatial data suitable for characterizing the spatial activity of such vessels. Project partners include the Atlantic Coastal Cooperative Statistics Program, state fishery managers, and SeaPlan; the methodology is to add location-capturing capability to mobile device units (tablets) that can also be used to record catch if a captain desires. The mobile application is currently under review and should be certified in the next few weeks. This will result in specific location information relayed from the approximately 12 vessels participating in this pilot project.

For all of the types of information that is resulting from this project, Mr. LaPointe highlighted limitations, but explained that they do provide a solid amount of baseline information. In the future, maps would need to be used in tandem with other sources of information in order to provide a comprehensive and/or site-specific picture.

NE RPB members provided comments and questions in response to the presentation:

• The northern shrimp fishery is not included in the current maps. Mr. LaPointe said that this is an example of a fishery that does not have VMS data; finding information for

those fisheries not covered by VMS is challenging.

- A question was raised about the availability of additional commercial fisheries products for Section 2 of the ocean plan and the status of synthesized data products. It was clarified that data synthesis is in the initial stages, and that current maps do not include data for non-VMS fisheries. The NE RPB will need to have further conversation about synthesis products to include in the plan.
- A question was asked about what extent the NE RPB can utilize products incorporating state-level information. Mr. Weber clarified that is the data is at a regional scale and that the plan will also need to reference related state-level data (where available) in addition to map guidance. The NE RPB may want to look to the Rhode Island and Massachusetts state plans as a model for synthesizing and aggregating information across fisheries.
- There is a need for discussion on the analysis of the compatibility of fishing and other potential uses. Mr. Weber replied that this issue will require additional discussion and clarification. Now that there is a large amount of data gathered about various uses, the next step is to have conversations about how to link those together, and this step is accounted for in the Draft Work Plan.
- A question was raised about whether Ms. Kathy Mills' research on fisheries and climate at the Gulf of Maine Research Institute would be integrated into this work, with a suggestion that it would be interesting to see animations of fisheries or fish resource changes associated with temperature and other trends. Mr. Weber clarified that the NE RPB would be able to look at the results of Ms. Mills' work shortly.
- The importance of the lobster fishery in New England was highlighted. Mr. Weber pointed out that this might be a topic to include in Section 4 of the ocean plan, science and research priorities.
- A NE RPB member asked if Mr. LaPointe's team is going to include analysis of stock
  assessments to identify potential future fishing areas. Mr. Weber responded that there
  are other research efforts that are using existing data (such as from trawl surveys) and
  models of future conditions to assess recent and future trends in fisheries.
- A concern was raised about the possibility that information about historic fishing locations would not be incorporated into NE RPB products. An area may have once been used for fishing but then closed due to unfavorable conditions. When conditions become favorable again, fishermen may want to return to that area, but the lack of current fishing activity may indicate to other ocean users that it is free to develop in other ways, especially if NE RPB maps only depict static information. Mr. LaPointe responded that this is a good example of why those using the ocean plan will need guidance and be directed to other sources of data.

#### Marine Life Characterization

Dr. Pat Halpin, Duke University, provided an update on research underway by the Marine Life Data & Analysis Team (MDAT). The team includes NOAA National Center for Coast and Ocean Research, the NMFS Northeast Fisheries Science Center, and Loyola University. Powerpoint slides from his presentation are available in Appendix D.

Dr. Halpin gave an overview of the project timeline. The team has recently focused on data aggregation and consulted expert work groups to review a strategy for modeling species' distribution and abundance, including marine mammals, sea turtles, birds, and fish. In the coming months, the team will focus on finalizing the data and model products and setting up a distribution system for the products so that they can be seamlessly incorporated into the Northeast and Mid-Atlantic data portals. This system will allow for real-time updates to both portals housing this information and the integration on existing data portals will allow viewers to narrow in on specific data layers (e.g., for particular species and/or at particular timescales).

Dr. Halpin showed example data products and described some elements of the data gathered, including the environmental covariates incorporated into the models from which products are derived. Additionally, the team is developing products to characterize uncertainty for each of the data products.

The next phase of the project involves exploring the feasibility of data products that identify "hotspots" for single or multiple species. These products can be tailored to inform regulatory needs. Mr. Halpin also described efforts to identify core areas of importance by examining different thresholds related to species e.g., including various percentages of species' occurrences. There are also efforts to accurately depict relative importance of areas across different scales, as results will be different if assessing across the Northeast rather than along the entire Atlantic seaboard.

He then described next steps for the project team through the end of 2015, which include delivering final species abundance products, continuing to develop species-specific products in parallel with the regulatory-use discussion, continuing the development of single species hotspots, research and development on multi-species hotspots, and planning for other products that will support the drafting of the Northeast Ocean Plan.

The NE RPB provided the following feedback or questions for Dr. Halpin on the progress towards marine life characterization:

- A NE RPB member asked if the team is incorporating biophysical habitat (e.g., kelp beds) information into data products. Dr. Halpin explained that the team is using physical, oceanographic, and productivity covariates when constructing its products. The team is planning to add more of those biophysical features when producing multispecies products.
- Another NE RPB member asked if the abundance information is effort-corrected and it was clarified that it is.
- A NE RPB member asked how historical data has been incorporated so that trends can
  be assessed. Dr. Halpin said the team is planning to conduct a side analysis comparing
  information from the past couple years with baseline data from the previous decade to
  identify trends.
- Further in-depth conversation with the MDAT team will be important as more thinking goes into what products will be developed. Dr. Halpin responded that he would

welcome and seek out this deeper engagement.

#### **Baseline Assessment**

Mr. Hauke Kite-Powell, Woods Hole Oceanographic Institution's Marine Policy Center, shared an update on the baseline assessment, a compilation of existing information to characterize the region's natural resources, infrastructure, economy, cultural resources, trends, and future planning considerations. He said the purpose of the baseline assessment is to support the regional ocean planning process, summarize what is known about the region's marine resources and value derived therefrom, and suggest how this information can be applied in the context of planning decisions. Mr. Kite-Powell's presentation is available in Appendix E.

The assessment team includes researchers from Woods Hole Oceanographic Institution's Marine Policy Center, the University of Southern Maine, the University of Massachusetts Boston, and the New England Aquarium. Where appropriate, data from the baseline assessment also will be available via the Northeast Ocean Data Portal<sup>7</sup>. A first draft of the baseline assessment report is anticipated mid-summer with editing and review to follow and a final assessment in September 2015.

Mr. Kite-Powell asked for specific input from NE RPB members on sources of information on cultural resources and nontraditional ways of thinking about ocean value. He asked that RPB members contact the project team or ocean planning staff with suggestions.

# **Informal NE RPB and Public Discussion About Projects**

The public and NE RPB had an opportunity to informally discuss and ask questions of specific project teams during a world café-style session. Each of the teams served as a lead for a tabletop discussion where they were available to answer additional questions. NE RPB members and the public were welcome to move from table to table during these informal discussions.

# **Continued Updates on Recent Activities and Projects**

Following lunch, Ms. Cantral reconvened the meeting for more five additional updates on recent NE RPB activities and projects and a brief NE RPB discussion followed each presentation.

#### Coastal Zone Management Act (CZMA) Update

Mr. Weber provided an update on recent CZMA-related activities. The NE RPB states previously had identified several topics of state interest at the intersection of regional ocean planning and the federal CZMA. David Kaiser, NOAA staff, is drafting a white paper, to be delivered this summer, which more fully flesh out some of the ideas generated through this process. Ms. Nicholson added to Mr. Weber's update by clarifying that Mr. Kaiser is interested in talking to the U.S. Navy, Coast Guard, and the Federal Emergency Management Agency (FEMA) about certain federal activities under those agencies' authorities.

<sup>&</sup>lt;sup>7</sup> http://www.Northeastoceandata.org/

#### **Regional Restoration Priorities**

Mr. William Hubbard, U.S. Army Corps of Engineers (USACE), provided an update on work to identify, prioritize, and address restoration projects in the context of the NE regional ocean plan. His presentation can be found in Appendix F.

He reminded NE RPB members that prior to their last meeting in November 2014, an expert subcommittee was formed and a spreadsheet of federal funding opportunities was developed. This spreadsheet will be updated as conditions change. Since the November meeting, this subcommittee also has drafted several alternatives for how to represent restoration in the ocean plan and created a data layer for the data portal with additional detail about priority restoration projects.

Mr. Hubbard identified that there are areas where the project team needs NE RPB involvement, and he requested that RPB members and their staff review the draft approaches created by the subcommittee (see document 3.2B in the <u>meeting materials</u>8) to help identify the appropriate way for this topic to be represented in the Northeast Ocean Plan. He also requested that NE RPB members review options for how to incorporate a list of restoration projects in the plan (see document 3.2C in the <u>meeting materials</u>2).

NE RPB members discussed how they would like to see restoration incorporated into the plan, specifically whether they would like to include a list of specific projects the NE RPB supports and whether this information will be static or living. The following points were raised in this discussion:

- It is important to agree on types of projects and a set of criteria to help define "regionally significant" restoration projects. The list of criteria that the subcommittee created is an important start to that process. Members discussed the value of adopting criteria instead of endorsing specific projects and recognized the need for additional discussion on this point.
- Mr. Hubbard clarified that the subcommittee did not rank projects.
- Each agency has its own set of criteria by which it determines if projects are eligible or not, and like most of the other content of this plan, this list would be a value-added overlay to help entities make better decisions.
- Several NE RPB members expressed preference for a dynamic and flexible system for managing the list of priority projects, so that it can be updated based on changing conditions.
- Several NE RPB members expressed support for the idea of having the Northeast Regional Ocean Council (NROC) manage the updates to the project list. The NE RPB's

<sup>8</sup> http://neoceanplanning.org/wp-content/uploads/2015/05/June-2015-RPB-Meeting-Materials.pdf

<sup>&</sup>lt;sup>9</sup> http://neoceanplanning.org/wp-content/uploads/2015/05/June-2015-RPB-Meeting-Materials.pdf

role should focus on defining the process for review and criteria for acceptance to the list.

• It was suggested that one outcome of this work might be to have federal agencies structure their habitat restoration programs to use the criteria and restoration data layer as guidance.

Mr. Hubbard reminded NE RPB members that this process is inherently valuable because this is the first list of priority restoration projects that is region-wide.

Following this discussion, Ms. Ivy Mlsna, U.S. Environmental Protection Agency, demonstrated the developmental portal data layer with additional detail about the restoration projects on the priority list. Following this presentation, the NE RPB asked questions and provided comment on the data layer. Their discussion is summarized below:

- A question was raised about whether the projects presented on the portal are current or completed. It was clarified that these projects are in various stages of completion and none of the projects on this list have full funding. The information on the stage of completion for each project will be incorporated into the data layer in the future. Habitat information will also be incorporated in the future.
- A NE RPB member asked if the database identifies existing and/or potential funding for the projects. Ms. Mlsna explained that information on current levels of funding and the amount needed to complete the projects is incomplete but could be researched further. The NE RPB member identified this as important information to have.
- A NE RPB member asked what sources of information were used to develop this data layer. Members of the subcommittee collected the information and Mr. Hubbard asked that NE RPB members let him know if projects are missing. One NE RPB member identified that Natural Resources Conservation Science (NRCS) projects in Cape Cod should be included.

Ms. Cantral summarized this discussion by reminding NE RPB members to provide feedback on the subcommittee's criteria and options for incorporating the list of priority restoration projects into the ocean plan.

#### Sand and Gravel

Mr. Bob LaBelle, Bureau of Ocean Energy Management (BOEM), updated the NE RPB on activities related to sand and gravel. He explained that there was a recent NROC meeting where the Sand and Gravel Work Group met with the Coastal States Organization (CSO) and the USACE to discuss a regional approach to sand management for coastal restoration using sand sources in both state and federal waters. The NE RPB can gather geological information from both an ongoing BOEM sand study in federal waters and other studies completed by New England states to characterize their sand sources in state waters. The group would like to develop a plan to assess and meet needs on a regional basis.

Mr. Hubbard provided further detail on the work USACE is conducting in this area. He emphasized the need for a regional approach for sand management for projects to be successful in the authorization and appropriations processes. He mentioned that the Northeast region should carefully examine a recent sand study conducted for coastal California that could serve as a model to advise future action in this region.

A NE RPB member clarified that the work discussed by Mr. Hubbard is beyond the scope of the initial Northeast Ocean Plan and the member asked about the timing of incorporating Northeast survey information into the data portal. The response was that it is unlikely the BOEM survey data will be ready for the data portal by 2016. Some geological information for state waters is currently available.

It was acknowledged that the existence of a subcommittee to focus on this topic with a regional lens is a benefit to the planning process.

#### Offshore Wind

Mr. LaBelle provided a brief update on offshore wind activities underway in the region. He mentioned that BOEM is conducting a lobster ventless trap survey in coordination with the University of Rhode Island in the Massachusetts and Rhode Island wind energy area. BOEM also has a cooperative agreement with Massachusetts for three years of field surveys led by the New England Aquarium on birds, mammals, and turtles in the state's wind energy area. This project is nearing completion, and results will be submitted to the MDAT team for inclusion in their work. BOEM is also funding the National Marine Fisheries Service (NMFS) Northeast Fisheries Science Center's benthic assessments and integrated habitat ecosystems analysis. He also mentioned a study collecting input on possible wind farm impacts on fisheries in New England.

A NE RPB member inquired about the status of development of the three leased wind energy areas. Mr. LaBelle answered that there is detailed information about these leases available online on the BOEM Office of Renewable Energy Programs' website. He also offered to send around additional information.

A NE RPB member expressed a desire to continually update the data portal with information on the current stage of development for offshore wind projects. The response was that portal information related to offshore energy is updated on a monthly basis.

Another NE RPB member expressed concern about the electromagnetic fields surrounding undersea cables that are needed for offshore wind projects. Mr. LaBelle responded that this is an active field of study, and BOEM is looking to do further research in this area.

#### Aquaculture

Mr. Weber shared an update on NE RPB activities related to aquaculture. The NE RPB decided to form the Aquaculture Work Group at the November 2014 meeting. The Work Group decided to initially focus on cultivation of blue mussels in federal waters because there is recent

experience with those types of projects in the region, but may broaden its focus to other project types in the future.

The Work Group is exploring if the cultivation of blue mussels in federal waters requires special attention in the NE RPB's other work on improving pre-application practices and the use of data and information. The Work Group feels that the current approach to these topics is suitable for mussel cultivation. The Work Group would like to engage with industry over the next couple months to better understand if there are certain types of siting or environmental conditions that is conducive to mussel-production, particularly in federal waters.

To date, Work Group membership has mostly consisted of federal agency representatives because of the focus on federal waters. Mr. Weber mentioned that the group has discussed whether it would make sense to include state representatives going forward. A NE RPB member suggested that the work group reach out to the states, especially since Rhode Island just completed permitting blue mussel long line operation in state waters. There will be important lessons learned to share in this regard.

### **Regulatory Pre-Application Best Practices**

Mr. Deerin Babb-Brott, SeaPlan, updated the NE RPB on work associated with the development of draft pre-application best practices. He presented the NE RPB with an overview of current regulatory practices and an outline of a "best practices" document. His presentation is in Appendix G.

The NE RPB Regulatory Work Group is developing an approach to standardize permit preapplication processes and make them more successful and efficient for agencies and project proponents alike. When successful, pre-application procedures allow for informal discussion between project proponents and agencies to explore proposed activities prior to the commencement of formal review. These discussions include the regulatory environment in which the project will occur, the informational context for the project, the knowledge of local and regional stakeholder interests, and knowledge about existing conditions.

Mr. Babb-Brott discussed considerations for developing best practices. The work group focus has been on improving the existing process through the use of the data portal and Northeast Ocean Plan and enhancing opportunities for more informed stakeholder and public participation in the permit review process.

Mr. Babb-Brott then turned to Mr. Hubbard to speak to his experiences with the existing USACE pre-application process and how it can be improved through ocean planning. Mr. Hubbard said that USACE conducts a coordinated site visit that starts the planning process for a project. He sees the data portal as a useful tool for agencies and the public, as it could allow for virtual site visits. It also provides a mechanism for the federal and state governments to talk about proposed projects.

The work group is considering various formats to convey information on best practices in the ocean plan, such as plain text and checklists for agencies to include in regulatory guidance materials.

Following the presentations, NE RPB members asked questions about the regulatory best practices work.

- A question was asked about efforts to map stakeholders and identify those with interest in specific projects. Mr. Babb-Brott replied that there has not been such an effort, but that the work group wants to spend more time thinking about how to provide such information.
- Another NE RPB member asked how the NE RPB could expect to get this guidance into
  the hands of private applicants. Mr. Babb-Brott replied that it will be important to
  incorporate these best practices in as many agency products and on as many webpages
  as possible. He mentioned that most of the activities that will need to go through preapplication will be relatively large projects, and applicants are likely to know about
  these best practices through consultants and professional experience.
- A follow-up question was asked about whether the Regulatory Work Group has been in conversation with such project consultants and proponents when developing these best practices. This has been done on an informal basis and through presentations to the Environmental Business Council of New England, an existing forum that includes such organizations.
- A comment was made as a note of caution that terms like "consultation" and "best practices" can make the process sound more prescriptive than voluntary. If a project proponent comes in and does not want to use the NE RPB's best practices, there should be no negative impact on the proposal.
- Another NE RPB member asked whether agencies should start developing guidance on the use of ocean plan-developed data before the completion of the plan. In response, ocean planning staff clarified that over the coming months agencies will be engaged to develop such guidance as part of the ocean planning process.
- A comment suggested that a simulated scenario/case study would be helpful to test this best practice guidance in practice; experience with particular projects in Massachusetts and Rhode Island would be a valuable resource.

# NE RPB Discussion on Next Steps for Data Synthesis and Agency Use

Mr. Nick Napoli provided an overview of the *Draft RPB Work Plan* that will inform the upcoming months of the development of the Northeast Ocean Plan. Slides for this presentation are available in Appendix H.

Mr. Napoli explained that the Draft Work Plan focuses on NE RPB activities, primarily focused on Section 2 and also related to Sections 3-4 of the *Draft Northeast Ocean Plan Outline*. During these six months, the NE RPB will work on developing and aggregating marine life and human

use data, talking to agencies about how they will use that data, and developing agency guidance for their use.

Mr. Napoli then walked NE RPB members through the specific tasks outlined in the *Draft NE RPB Work Plan*, identifying core teams of NE RPB members that will be most involved in specific tasks.

NE RPB members were then invited to provide specific feedback on the Draft Work Plan and were reminded that this discussion would continue on day two of the meeting.

#### General Comments about the Draft Work Plan

NE RPB members offered the following suggestions or questions about the Draft Work Plan:

- NE RPB activities should continue to identify opportunities for greater state involvement. There was also a request for additional conversation between states and federal agencies about how they will be using the data incorporated into the plan.
- In response to a request to clarify the deliverables for Section 2, Mr. Napoli explained
  that deliverables (maps plus agency guidance) would be unique to each topic in
  subsections a-o under Section 2. While aggregate maps might be the primary deliverable
  for each species, there will also be references to supplemental information provided
  through the data portal.
- A question was raised about how existing regulatory areas will be referenced in the plan. Some of this information has already been incorporated into the data portal.
- Several NE RPB members expressed support for incorporating aspirational language into Section 1 of the plan to describe the importance of the Northeast ocean, explaining why the NE RPB is undertaking this planning effort, describing the historical context, and drawing from the previous visioning/goal development activities of the RPB.
- Additional time is needed to build out a list of research priorities.
- The plan is an opportunity to further explain specific goals, such as the Healthy Ocean and Coastal Ecosystems goal (each goal has original explanatory text that can be referenced in the final plan), and describe how these goals are to be achieved. This could help clarify what the NE RPB wants to gain from the process.
- There is a need to manage the public's expectations on what the ocean plan can
  accomplish related to the Healthy Ocean and Coastal Ecosystems goal. In some cases,
  mitigation of negative environmental problems may be the most realistic objective. The
  NE RPB should establish a baseline and measure success from that baseline.
- The NE RPB needs to analyze the information produced through this ocean planning process. This will help the NE RPB determine what it has learned about existing uses, conditions, and trends as well as areas of future concern.
- Additional conversations and engagement on agency guidance and the application of data in the regulatory process will be important in implementing this work plan. NE RPB staff clarified that these conversations are critically important, and the staff would like to hear how to best engage agencies.

- Consider ways to involve RPB members in the review process for draft sections of the plan to ensure that they have sufficient time to engage their colleagues. This may involve supplying sections of the plan for agency review as they become available.
- Identify areas that were historically ecologically important, not just the current system.
- There is a need for the NE RPB to work with tribes to find ways to incorporate historical
  and cultural information into the baseline assessment. This should include information
  beyond the current consideration of archeological sites. The NE RPB should consider
  using upcoming events targeting regional tribes as a platform to increase tribal
  involvement in the RPB process.

#### Comments about Specific Tasks in the Draft Work Plan

The Draft Work Plan includes additional details about each of the tasks outlined below. It is available <u>online</u><sup>10</sup> as part of the meeting materials. The comments below all relate to Section 2 of the Draft Northeast Ocean Plan Outline, which is the focus of the Draft Work Plan.

#### Task 1

- A NE RPB member suggested additional information and further refinement is needed for Task 1b of the work plan. To allow for more substantive input, NE RPB staff should meet more than once with multiple federal agencies to review progress and guidance development.
- A NE RPB member expressed a desire for a timeline of data development to facilitate the
  involvement of agencies at the right time in the process. NE RPB staff also said that they
  intend to work with NE RPB contractors to try to meet agency scheduling needs in terms
  of data development and review.

#### Task 3

- A NE RPB member inquired if the MDAT team is developing a *new* methodology for
  identifying important ecological areas. The response was that the team is looking to
  adapt current methodology, and this should be reflected in the title of the task
- NE RPB members asked for details about the establishment of the new Ecosystem Based Management (EBM) Work Group and suggested that additional information on membership, purpose, and deliverables should be identified. The RPB Co-Leads will draft Terms of Reference for further review by the NE RPB.
- A participant expressed a desire to use the new EBM Work Group to review the entire plan instead of focusing the group's efforts on identifying important ecological areas.
- Support was expressed for this task and the formation of a new EBM Work Group.

#### Task 4

• A NE RPB member suggested that the work plan describe more concrete outcomes for subsections b-f of Task 4.

<sup>&</sup>lt;sup>10</sup> http://neoceanplanning.org/wp-content/uploads/2015/06/RPB-Work-Plan-Decision-June-2015.pdf

• Task 4a should be modified to consider conservation and restoration of offshore sites.

#### **Public Comment**

Ms. Cantral opened the first of two public comment sessions. Seven individuals provided comments during this session. Major themes from the comments included:

- Support for adding aspirational elements to the plan and also adding more specific desired outcomes to help identify how the plan will address the RPB's three goals.
- Emphasis on establishing strong leadership in the regional ocean planning arena, as the Northeast is poised to be the first completed regional plan.
- Emphasis on greater inclusion of stakeholder input in the planning process and giving the public more ownership over the plan.
- Support for involving stakeholders in the process of reviewing draft agency guidance and request for more information and involvement in Regulatory Work Group activities.
- Support for including information on public value of ocean resources beyond traditional measures of economic value.
- Recommendation to make the concept of EBM a general theme that is well articulated in the Northeast Ocean Plan.
- Request to release public NE RPB documents well ahead of public meetings so that stakeholders can spend time reviewing them and gathering input.
- Request to make the National Ocean Council guidance and CZMA white paper available to the public.
- Support for the idea of not penalizing project proponents who do not want to use the NE RPB's suggested pre-application process.
- General support for developing agency guidance as a useful tool for increasing effectiveness of planning.
- Request for clarification on whether the NE RPB will include hotspots and core areas in the Northeast Ocean Plan.
- Appreciation for the Work Plan and Draft Northeast Ocean Plan Outline documents.
- Concern about small coastal communities not being reflected in regional data sets.
   Reference to a white paper developed by the Island Institute that could help with incorporating these communities into the plan.
- Request for further thought about how to identify all interested stakeholders in siting
  processes, especially concerning stakeholders associated with the tuna, lobster, and
  shrimp fisheries that are not in existing NE RPB data sets.
- Recommendation to add an additional task to the work plan related to documenting stakeholder engagement best practices.
- Emphasis on the importance of temporal variables in fisheries data. Fisheries data must recognize that some fisheries are important to specific communities at specific times of the year.
- Support for advancing the tasks in the Draft Work Plan.

- Support for identifying biodiversity hotspots.
- Recommendation for the NE RPB to find increased ways for both NE RPB members and stakeholder groups to engage with and better understand the data and products developed by the various NE RPB projects.
- Recommendation for the NE RPB to think further about how to identify compatible uses, as aggregating and layering data will not be enough in this arena.
- Comment that beach re-nourishment is not necessarily equal to coastal resiliency. That is a state-level policy decision that needs to be made.
- Request to include benthic communities in Task 1 of the work plan.
- Suggestion to define healthy oceans as emphasizing that human uses should not cause impacts or negative changes to ocean and coastal resources.
- Recommendation that the NE RPB use existing instead of new methodologies in Task 3 of the work plan regarding identifying important ecological areas.
- Request to consider offshore conservation and restoration priorities in Task 4 of the work plan (e.g., kelp forest restoration).

In addition to comment provided during this session, a summary of public comment received during Spring of 2015 is available in online by clicking <a href="https://example.com/here">here</a>11.

# **Summary of Day 1**

Ms. Cantral wrapped up the discussion and provided a brief summary of the agenda for the second day of the meeting.

# Thursday, June 4, 2015

On the second day of the meeting, June 4, the NE RPB continued to discuss next steps for data synthesis and agency use, decided to adopt the Draft Work Plan that advances the development of draft plan content over the next six months, and heard additional public comments.

# Welcome Back, Review of Day 1 Outcomes, and Review of Day 2 Agenda

Ms. Cantral provided a brief overview of the day's agenda. She reminded NE RPB members that the morning sessions will continue the discussion about the Draft Work Plan and Outline and that the meeting would end with an opportunity for public comment.

Ms. Nicholson summarized some themes she heard from day one, including:

• The plan should contain aspirational language on the importance of ocean planning and the goals of the ocean planning effort in the Northeast.

<sup>11</sup> http://neoceanplanning.org/wp-content/uploads/2015/06/Public-Comment-Spring-2015.pdf

- The plan should contain information on what the NE RPB has learned from the planning process in terms of observations and trends
- The NE RPB should provide sufficient opportunities for NE RPB members, agency staff, and stakeholders to review draft agency guidance for the use of data products.
- The need for an increased level of effort from all NE RPB members at this important stage in the planning process, including engaging their staff and colleagues in providing feedback on the draft plan.

NE RPB members were invited to offer reflections on the previous day's discussion.

A NE RPB member commented that the progress on activities and data development presented the day before offered reassurance that the NE RPB has a solid foundation for a plan that will meet NE RPB goals.

Another NE RPB member emphasized the importance of further engaging the industry sector in the planning process.

# Continued NE RPB Discussion and Decision on Next Steps for Data Synthesis and Agency Use

Mr. Napoli outlined the timeline for RPB activities for the next six months through a presentation found in Appendix H.

The summer and early fall will be focused on engaging specific agencies about the use of marine life and human use data. Ocean planning and agency staff will review data products and related agency guidance templates to further refine these products. In October, the NE RPB will hold a stakeholder forum to review draft ocean plan elements such as the baseline assessment, marine life, human use, and results of the EBM Work Group. The next public NE RPB meeting will be held in November 2015.

NE RPB members were then asked to provide further input on the Draft Work Plan.

#### Comments on Draft Work Plan Tasks 1-2

NE RPB members identified the need to convene a workshop or series of workshops with agency staff to review the data and products developed to date (specifically, results of Tasks 1-2 of the Draft Work Plan) in August or September 2015. Specific RPB member input on this topic included:

- This workshop could strengthen coordination between states and federal agencies, for example to integrate state and regional planning processes.
- NE RPB members supported the idea of sending a letter from the NE RPB Co-Leads to high-level individuals at each NE RPB agencies, encouraging them to send invited staff members to the workshop. Each NE RPB member should identify appropriate recipients for receive this letter for NE RPB Co-Leads. The dates for this meeting should be set as soon as possible and included in the letter.

- It is important to have a working session of this nature in the region as well as have similar conversations in Washington, DC to ensure awareness at appropriate agency levels.
- Dr. Halpin clarified that this workshop would be useful in building on previous reviews of the marine life products that agencies have already undertaken.
- NE RPB staff will plan to send materials to focus workshop discussions in advance of the meeting.
- There was a concern about the number of participants at this workshop and that large numbers would not be conducive to productive, free-flowing discussion.

NE RPB members were encouraged to send additional ideas about an August/September workshop to NE RPB staff in the coming weeks.

#### Comments on Draft Work Plan Task 3

Task 3 of the work plan suggests advancing the methodology for identification of ecologically important areas across taxonomic groups and suggests an EBM Work Group be established to support this process. Specific RPB member input on this topic included:

- NE RPB members emphasized that the EBM Work Group should include scientists and managers from NE RPB member entities.
- There were concerns about calling this an EBM Work Group if the sole task is to identify important ecological areas. Such a work group should be tasked with applying an EBM lens to the entire plan.
- NE RPB members emphasized the need to be intentional about terminology, especially with regard to the phrase "important ecological areas."
- The terms of reference drafted by the Co-Leads for this work group may influence the other pieces of this task. NE RPB members should keep this in mind moving forward.
- It was clarified that the term "RPB staff scientists" refers to NE RPB member organization scientists.

NE RPB members decided to create an EBM Work Group and to task the Co-Leads with developing its terms of reference and membership.

#### Comments on Draft Work Plan Task 4

Ms. Cantral summarized the previous day's conversation regarding the NE RPB's restoration and conservation work. NE RPB members expressed interest in including a list of regional restoration and conservation priorities in the draft plan and keeping this list dynamic and upto-date. Comments from NE RPB members on this topic included:

- Emphasis on the importance of identifying how the list will be maintained, including who will be responsible for its upkeep and how often it will be updated. There was support for NROC having such responsibilities.
- Support for including information on the data portal describing how much funding has been committed to, and is needed by, each project.

• Support for considering offshore restoration and conservation priorities and reflecting this in the list of criteria.

A NE RPB member requested clarification on the process and timing for NE RPB members writing specific sections of the draft plan outlined in subtopics a-f, and if there would be a standardized outline for each section to ensure consistency. NE RPB staff responded that the answer to this question will be become clearer in the coming months as these sections are developed, but that drafting of particular sections was anticipated to begin this summer.

#### Comments on Draft Work Plan Task 5-7

Mr. Napoli reviewed Tasks 5-7 of the Draft Work Plan related to Sections 3-4 of the Draft Outline of Northeast Ocean Plan. He mentioned that Mr. Babb-Brott and the Regulatory Work Group will continue their activities through the summer and that this work will be influenced by the development and refinement of data products and agency guidance.

Task 6 is focused on plan monitoring and evaluation, including the potential development and use of indicators. After NE RPB products are developed further, the NE RPB will include indicators regarding how to measure progress toward its goals. The next NE RPB meeting will continue to focus on these topics.

#### RPB Member comments on task 6 included:

- Support for further discussion of developing plan indicators.
- Clarification that the NE RPB needs to think both about monitoring and evaluation of
  ocean health and evaluation of the plan itself (i.e., how well the NE RPB is meeting its
  goals), recognizing these are two different needs.
- Offer of using NOAA evaluation experts to assist in sketching out monitoring and evaluation of the plan.
- Reminder on the importance of setting a benchmark and determining the desired rate of change when developing a monitoring and evaluation strategy. The NE RPB should think about how it will differentiate changes resulting from the plan from those over which it has less control. The strategy will have to be largely based on the content going into the plan. A Guide to Evaluating Marine Spatial Plans by Bud Ehler and published by the United Nations Educational, Scientific and Cultural Organization is a good resource for this point.
- Suggestion for the NE RPB to have further discussions on how it defines a successful plan.
- Suggestion that the NE RPB should use the ocean health report that the New England Fishery Management Council receives every year as a resource.
- Suggestion that the NE RPB should use the Northeastern Regional Association of Coastal and Ocean Observing Systems' Integrated Sentinel Monitoring for Climate Change in Northeastern Coastal Ecosystems project to inform its gap assessment.

Task 7 is focused on identifying the science and research priorities to advance EBM and ocean management in the future. Some information for this section has already been collected and will continue to be collected through NE RPB activities. NE RPB comments on Task 7 included:

• Emphasis that this section of the plan should include ideas that advance ecosystembased management in its science and research priorities.

#### Comments on the Draft Northeast Ocean Plan Outline

NE RPB members provided the following comments and suggestions related to the draft outline, and related topics:

- Information about compatibility among uses should be included in in Section 2 of the Draft Northeast Ocean Plan Outline.
- Best Management Practices (BMPs) do not seem to fit in the baseline assessment. This should go in Section 3 of the draft Outline.
- Include benthic habitat, including corals and kelp, as a specific section under Section 2 of the draft Outline.
- Aspirational language for Section 1 could be taken from Obama's executive order
  creating the National Ocean Policy, and related framing documents. This next phase of
  work require intense engagement from NE RPB members. It was suggested that the NE
  RPB think carefully about managing expectations for what the ocean plan can
  accomplish. Because the plan will be operating completely under existing regulatory
  authorities, it could be helpful to think of it as a guidance tool rather than as an ocean
  "master plan."
- The aspirational language should emphasize why regional ocean planning is important and what pressures the region is facing.
- A NE RPB member suggested adding existing and upcoming federal actions to the data portal (i.e., a means of providing a geospatial Federal Register).
- A NE RPB member identified a potential learning opportunity in the form of an upcoming international symposium hosted by the University of Rhode Island on marine spatial planning.
- Concerns were raised about the compressed nature of the timeline. It was emphasized that the NE RPB needs adequate time to carefully review the products and guidance to guarantee a robust plan, and that this should be an iterative process.
- The NE RPB should not lose sight of the need to integrate all of its observations that result from review of the data and products. This will help identify how this process will effect management and planning, not just regulatory decisions.

#### **Public Comment**

Ms. Cantral opened the second public comments session. Nine individuals provided comments during this session. Major themes from the comments included:

- Appreciation of the hard work the NE RPB is undertaking on all of its activities.
- Support for adding in aspirational elements to the plan.

- Support for broadening the work of Northeast economic characterization in the baseline assessment to include more information related to public value.
- Suggestion for the stakeholder forum in October 2015 to be focused around the aspirational goals and foundational elements of what the NE RPB sees the ocean plan accomplishing instead of around maps and data products.
- In Task 4, support for incorporating issues of rarity for species and communities into the definition of important ecological areas.
- Suggestion that the definition ocean plan success should be about whether the plan and
  implementation of the plan leads to better decision-making. There are inferential models
  that can be used to measure this definition of success.
- Suggestion to look at the work of the National Association of Marine Laboratories to help network scientists.
- Support for considering the importance of education in this plan. The plan should motivate the public to be better stewards of the environment. The New England Ocean Science Education Collaborative can help with this.
- Emphasis on the importance of coordinating this work with and learning from state ocean planning processes.
- Suggestion that when assessing important ecological areas, the NE RPB should use the Long Island Sound Ecological Assessment as a reference.
- Requests for more opportunities for public engagement. Specifically, the public wants
  to be able to provide input during the development of the agency guidance, thresholds,
  data products, and the baseline assessment.
- Suggestion to hold workshops to consider stakeholder aspirations and to gather their input on all aspects of ocean uses. The NE RPB should incorporate these public aspirations for the future of the ocean into Section 1 of the plan.
- Request for NE RPB to develop a document that outlines the decisions made about the
  options presented at the November 2014 public meeting and the progress on these
  decisions to date.
- Request for the August/September NE RPB workshop(s) discussed earlier in the day to be open to the public and documented for public awareness.
- Suggestion for both the public and NE RPB members to provide input to the ocean and coastal recreation study that is being undertaken by Surfrider, SeaPlan, and Point 97 for the NE RPB. There will be a webinar to present preliminary data on the individual user survey component on June 30, 2015.
- Recommendation to release public NE RPB documents well ahead of public meetings so that stakeholders can spend time reviewing them and gathering input.
- Request for clarification on contents of the baseline assessment with regards to recreational interests. This would include more detail than what was provided in the baseline assessment table of contents in the meeting materials.
- Support for the work of the Restoration and Conservation Subcommittee. Suggestion to use

The Nature Conservancy's work in this area as a reference.

• Emphasis on the importance of integrating EBM and ecological data throughout the plan instead of just in Section 4.

# **Summary and Next Steps**

Ms. Cantral and Ms. Nicholson summarized the outcomes and next steps of the meeting.

#### Next Steps:

- This summer, the RPB will continue developing Section 2 of the plan.
- In August or September the NE RPB would like to host workshops that will bring together NE RPB members and regulatory staff to engage with the products to date.
- There will be a Stakeholder Forum in October 2015.
- The Co-Leads will develop terms of reference and suggest membership for the EBM Work Group.
- Mr. Babb-Brott and the Regulatory Work Group will continue to pursue the items Outlined in Task 5 of the Draft Work Plan.
- The NE RPB should provide input to the Restoration and Conservation Subcommittee on their draft criteria and options for how the list of priority projects should be included in the plan.
- NE RPB members should provide feedback to the NE RPB Co-Leads on the NOC guidance by July 1.
- The NE RPB's Canadian ex-officio member Tim Hall is retiring and Glen Herbert will be serving in that role.
- The NE RPB should begin to prepare for the November 2015 public meeting, which will likely focus on the baseline assessment, data products and related guidance Discussion at the meeting may also include:
  - o Long-term sustainability of the data portal.
  - Indicators, monitoring and evaluation, and revisiting the comments made today about the distinction between evaluation of ocean health and evaluation of the plan itself.
  - o Discussing a review process for the draft plan.

The NE RPB decided to move forward with the tasks described in the Draft NE RPB Work Plan.

#### **Closing Remarks**

Ms. Nicholson and Mr. Fugate offered brief closing remarks, including an emphasis on the importance of this regional ocean planning endeavor, acknowledgement of the positive working relationship of RPB members, and appreciation for public and partner participation in the process. Ms. Cantral then adjourned the meeting.



# Appendix A: Regional Planning Body Meeting Participant List

June 3-4, 2015 • Mystic, Connecticut

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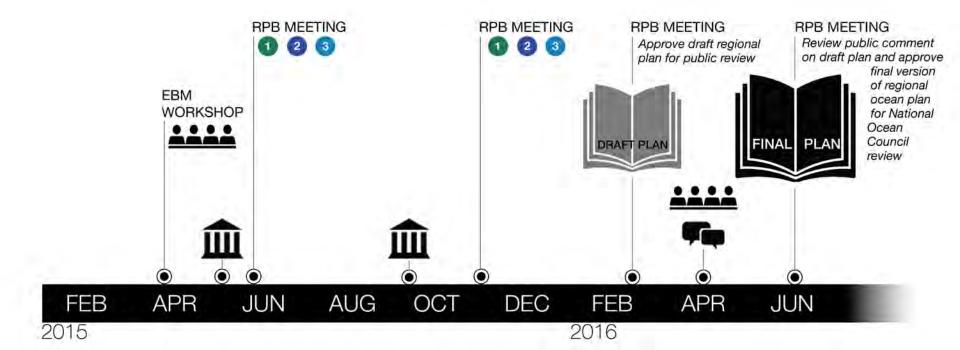
e-mail: jweber@northeastoceancouncil.org

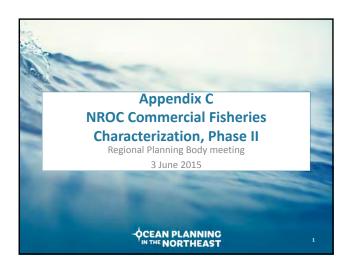
# Appendix B Northeast Regional Planning Body

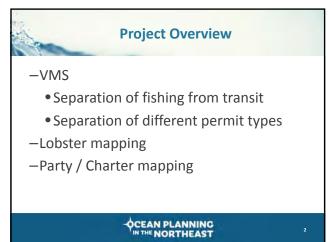
June 3-4, 2015 Mystic, CT



# OCEAN PLANNING GOALS TYPES OF ENGAGEMENT Healthy Ocean and Coastal Ecosystems PUBLIC FORUMS Effective Decision Making Compatibility of Past, Present & Future Uses TYPES OF ENGAGEMENT PUBLIC FORUMS COMMENT PERIODS

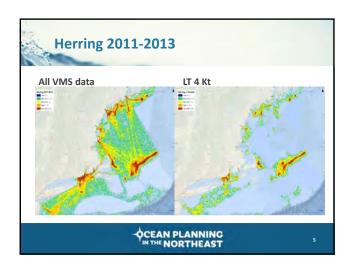


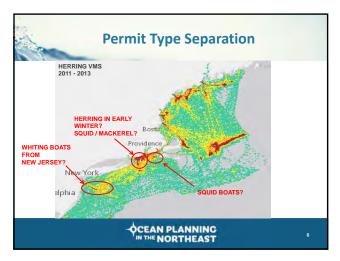












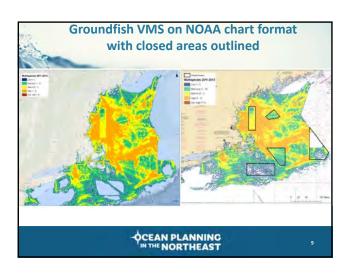
#### **Permit Type Separation**

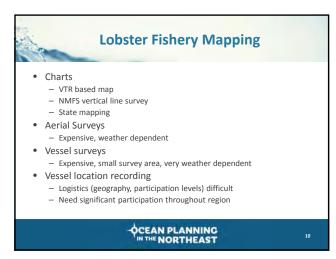
- Main reason for examination, squid and mackerel fishing under herring VMS, has been diminished by squid, mackerel, and butterfish VMS which began in September 2014
- When looking at VMS charts, need to recognize that permit holders maintain flexibility by broad declaring target of trips

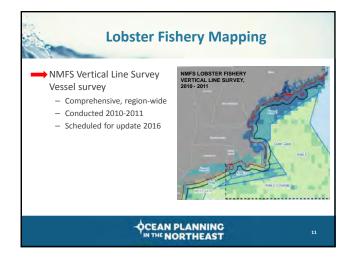
OCEAN PLANNING

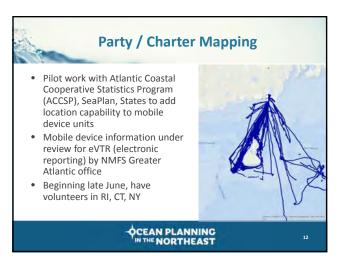
#### **VMS** charts

- Use NOAA Chart as background
- Add important management areas, e.g. groundfish closed areas
- Stakeholders said that the charts were largely accurate, some anomalies that need exploration, e.g. scallop activity off continental shelf
- Need to standardize format over time
- Give good regional perspective but should be used with other information sources, particularly more localized information
- Confidentiality impacts on VMS charts working with NOAA LE

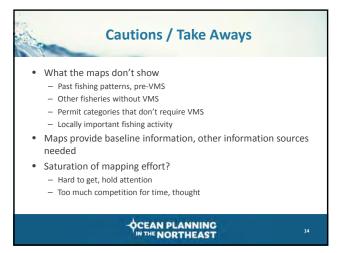


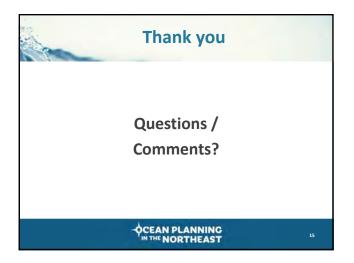


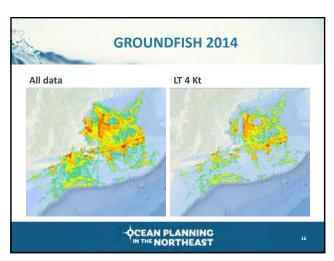












# Appendix D Marine-life Data & Analysis







#### Patrick N. Halpin

Marine Geospatial Ecology Lab, Duke University
Marine Life Data & Analysis Team (MDAT) Principal Investigator Brian Kinlan (Co-l), Earvin Balderama (Co-l), Mike Fogarty (Co-l) Jason Roberts, Arliss Winship, Corrie Curtice, Jasse Cleary, Emily Shumchenia

> North East Regional Planning Body June 3, 2015















# Objective:

To provide an update on marine-life data and model development and discuss next steps







# Marine-life Data & Analysis Team



#### Overview

- · Timeline
- · Marine-life data & model updates
- · Synthetic Products Important Ecological Areas
- · Next Steps

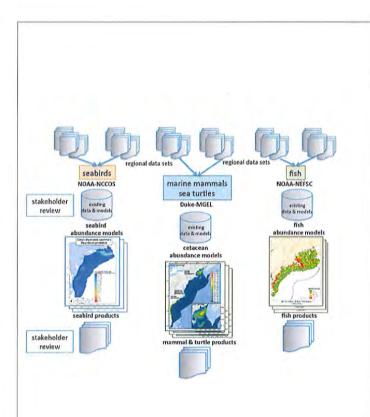
- · Marine Geospatial Ecology Lab Duke University
- NOAA NCCOS
- NOAA NMFS/NEFSC
- · Loyola University

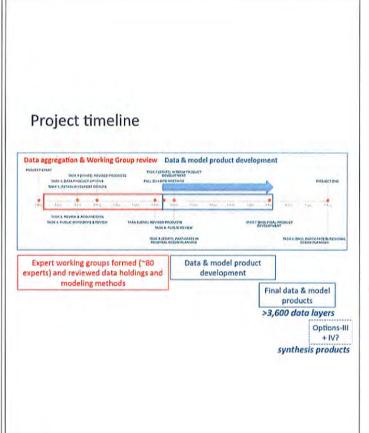




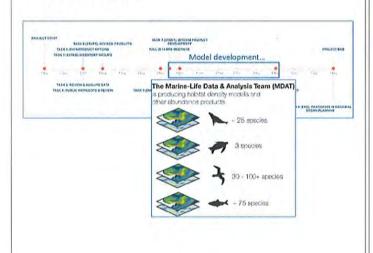








# Project timeline







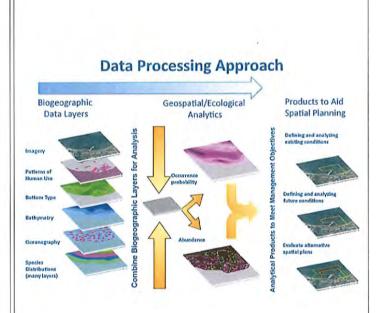


#### Overview

· Marine-life data & model updates

## Distribution & Abundance

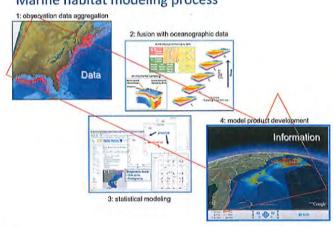




# Marine mammal aggregation data overview

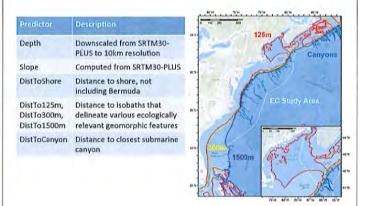


# Marine habitat modeling process



# Marine habitat modeling process 2: fusion with oceanographic data Information

# Physiographic predictors



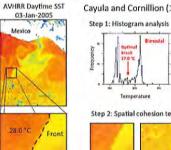
# Physical oceanographic predictors

Predictor	Description				
SST	Taken from GHRSST CMC 2.0 L4 0.2° daily SST, interpolated up to 10 km resolution				
DistToFront	Distance to closest SST front detected in CMC SST using Canny edge detection operator. Tested several alternative formulations.				
DistToEddy, DistToAEddy, DistToCEddy	Distance to ring of closest geostrophic eddy having any/anticyclonic/cyclonic polarity, from Chelton et al. (2011) database. Tested eddies at least 9 weeks old, at least 4 weeks old, and without a minimum age.				
TKE, EKE	Total kinetic energy and eddy kinetic energy derived from AVISO 1/4° DUACS 2014 geostrophic currents, interpolated up to 10km resolution				
WindSpeed	VindSpeed 30 day running mean of NCDC 1/4° Blended Sea Wi				

# Identify fronts in SST images

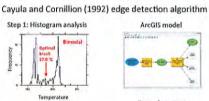
MGET: Marine Geospatial Ecology Tools Roberts *et al.* 2010





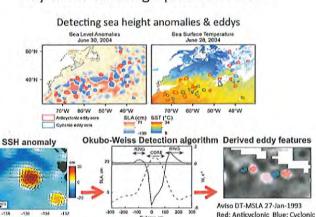
~120 km

Step 2: Spatial cohesion test





#### dynamic oceanographic covariates



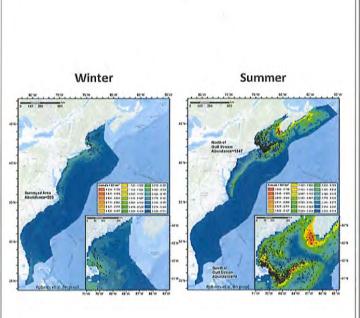
# Productivity-related predictors

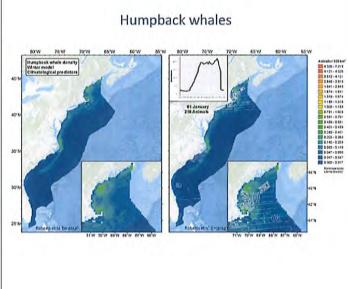
Predictor	Description			
Chl	GSM merged SeaWiFS/Aqua/MERIS/VIIRS 9km daily chl-a concentration, smoothed with 3D Gaussian smoother to reduce data loss to < 10%. Tested two smoothing formulations.			
VGPM	Behrenfeld et al. vertically generalized primary prod. model (VGPM) at 8-day, 9km resolution, trilinear-interpolated to daily. Also tested 45, 90, and 180 day running cumulative sums.			
PkPP, PkPB	Weekly zooplankton potential production and potential biomass from SEAPODYM model			
Epi_Mnk_PP, Weekly epiplelagic micronekton potential prod Epi_Mnk_PB and potential biomass from SEAPODYM model				

# **Modeling Methods**

- Integrated multiple surveys from different platforms to fill spatial and temporal gaps, and to accrue enough sightings to model rare species
- Used "distance sampling" methodology to model detectability, correct for biases, and standardize survey data
- Modeled density from habitat-based predictors obtained from remote sensing and models, using multivariate regression models (GAMs)
- Fitted separate models for the Atlantic and Gulf of Mexico
- When possible and appropriate, fitted seasonal models using species-specific seasons based on known ecology



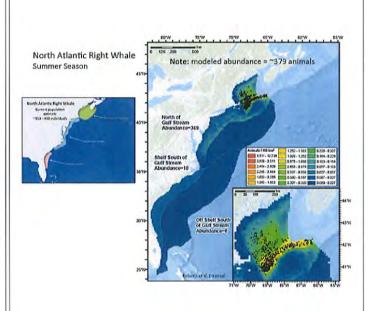


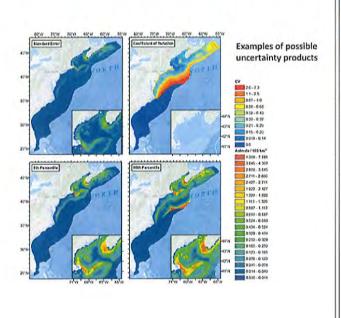


















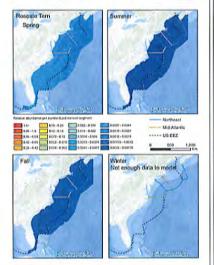
# Overview

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- · Marine-life data & model updates: Avian examples
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- . .

# Species product updates:

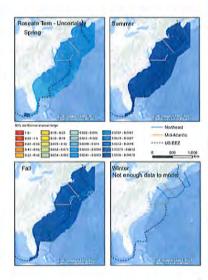
Roseate Tern - abundance

Kinlan et al. 2015, in review

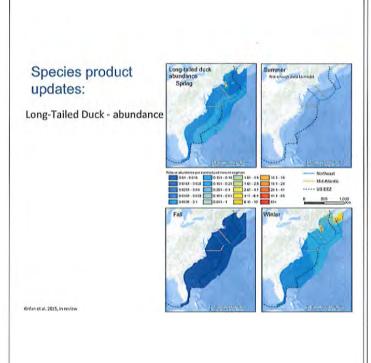


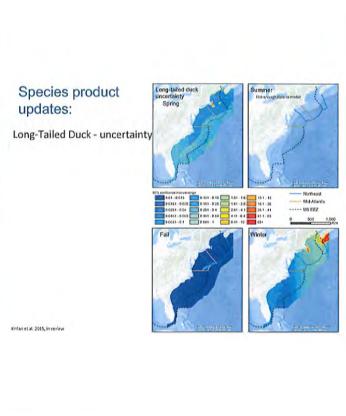
Species product updates:

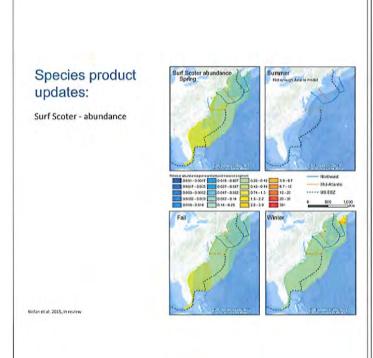
Roseate Tern - uncertainty

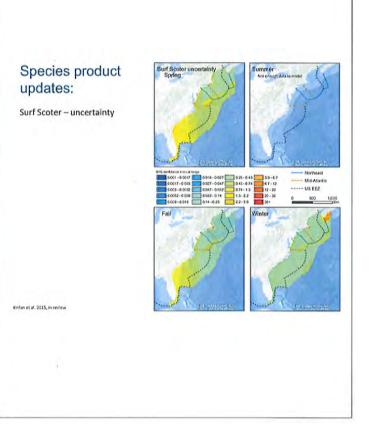


Kinlan et al. 2015, in review

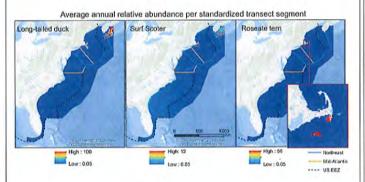








#### Species product updates: annual



Kinlan et al. 2015, in review







#### Overview

- 1. Dissiline
- · Marine-life data & model updates: Fish examples
- A principle permitter, permitter genomerter in
- to present here

**Note:** We will have a workstation set up to allow you to view maps & data products today.

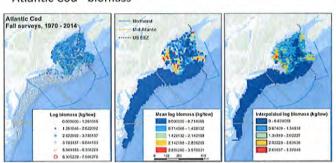
#### **NEFSC Bottom Trawl surveys**





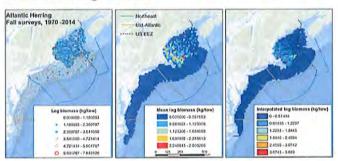
#### Species product updates:

#### Atlantic Cod - biomass



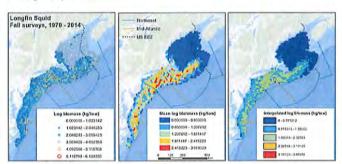
#### Species product updates:

Atlantic Herring - biomass



#### Species product updates:

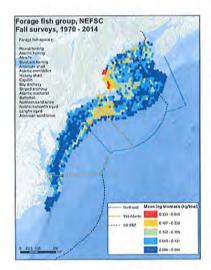
Longfin Squid- biomass



# Species product updates:

Forage fish - biomass

Multi-species compilation



#### Species abundance products:

#### **Marine Mammals:**

148 models (29 species or groups modeled annually, seasonally, or monthly) + 4 uncertainty products per model = 740 data layers

#### Avian:

(3 groups \* [1 annual average map + 4 seasonal maps] \* 2 metrics \* 3 products per metric) + (46 species \* 2 metrics \* 3 annual products per metric) + (134 species-season maps \* 2 metrics \* 3 products per metric) = 90 + 276 + 804 + 138 = 1308 data layers

#### Fish

81 species \* 2 time-spans federal \* 4 maps + (81 species \* 1 timespan state \* 3 state surveys \* 4 maps) = *1620 data layers* 

Potential for synthesis products

~740 mammal layers, + ~1308 avian layers, + ~1620 fish layers = ~3668

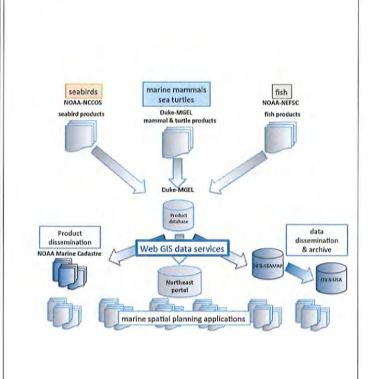
#### Species abundance products:

**Question:** How do you deliver this volume of data to multiple data portals?

Answer: through internet web services

#### Benefits:

- · Portals do not need to store or display all layers;
- · Updates are passed to all portals & users





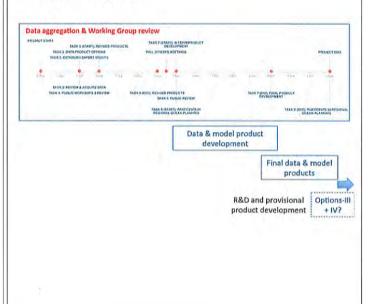




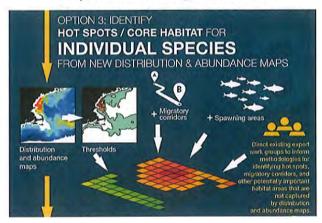
#### Overview

- · Totaling
- Industriebbe datur M montal apolisis
- · Synthetic Products Important Ecological Areas
- West blogs

# Project timeline



# Important Ecological Areas



# Important Ecological Areas

#### Levels of analysis

#### Distribution

Where are these species found? (data = range maps, habitat models...)

How many animals are found in an area? (data = density models...)

Persistent multiple use or critical habitat ar Where are the critical areas for these species? (data = multi-species use "hotspots", critical feeding/breeding areas, BIAs

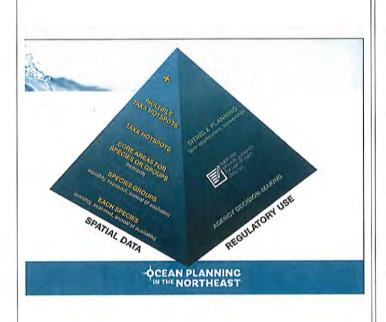
(1) Species areas that inform regulatory needs

(2) Multi-Species areas of high abundance & diversity

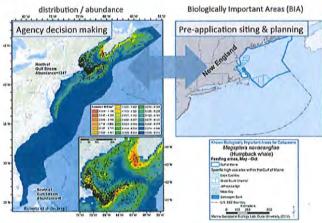
#### Vulnerability

What are the potential stresses on these areas? (data = current or potential uses, habitet degradation...)

Increasing requirements for long-term data collection, more sophisticated analysis and multi-disciplinary approaches



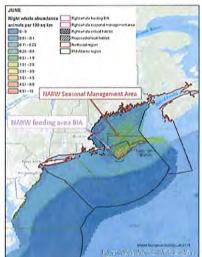
#### Ecologically Important Areas: Life History / Usage



# Abundance data for regulatory use:

- What are the abundance thresholds that relate to important areas?
- How do abundance thresholds correspond to identified important areas?

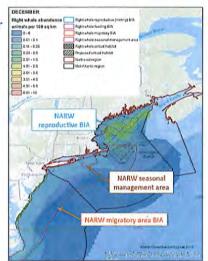


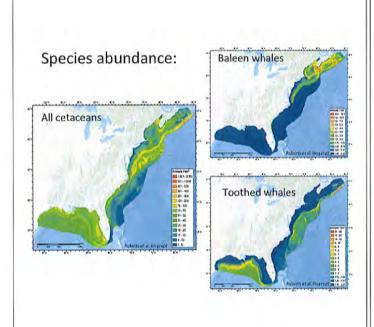


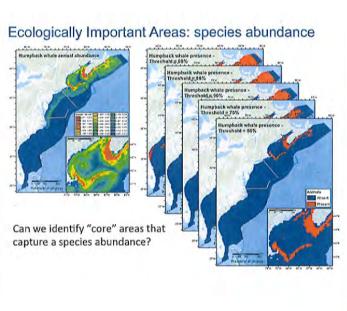
# Abundance data for regulatory use:

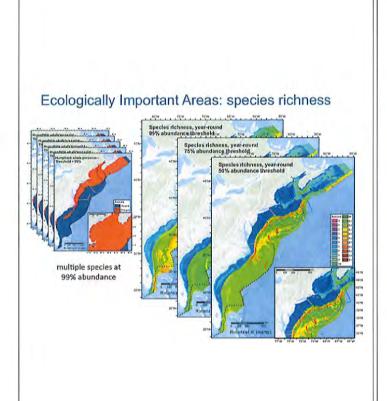
 What are the seasonal abundance thresholds?







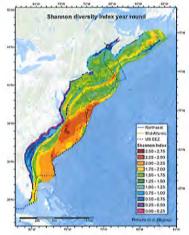


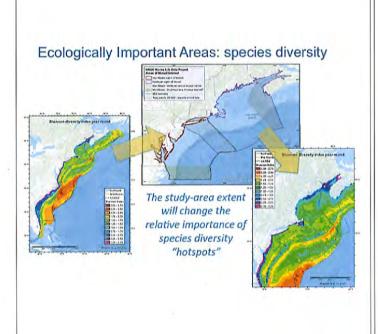


# Ecologically Important Areas: species diversity

Shannon Diversity Index

$$H' = -\sum_{i=1}^R p_i \ln p$$









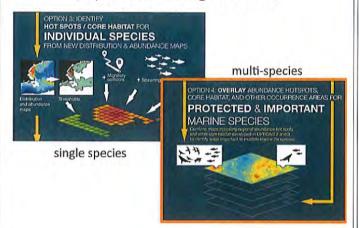


## Overview

a software record of favorable for

Next Steps

# Important Ecological Areas









#### Next steps:

- ✓ Deliver final species abundance products & web-services;
- ✓ Species products for regulatory agency use;
- ✓ Continue development of single species "hotspots" (option 3)
- ✓ R&D work on multi-species important area "hotspots" (option 4)
- ✓ Planning for draft ocean plan products (maps, figures, text...)

# Questions

Contact email:

northeast\_marinelife\_data@duke.edu

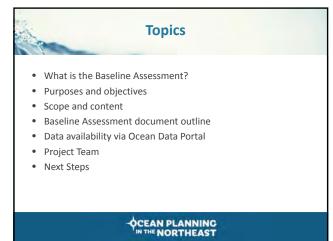


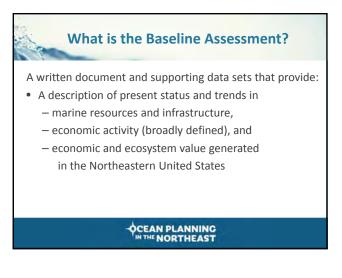


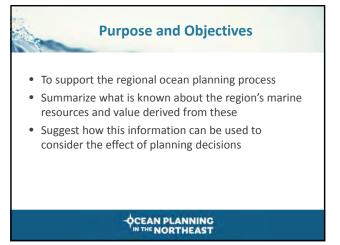




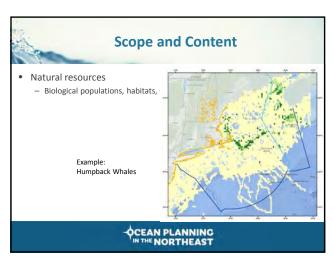






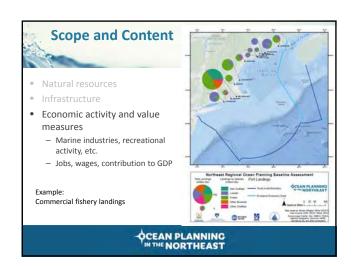


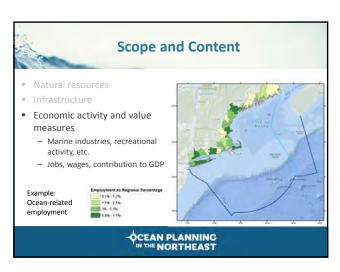




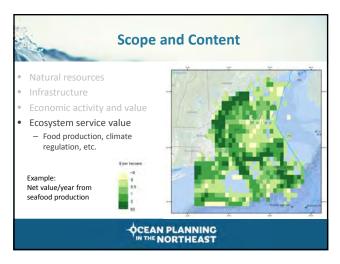


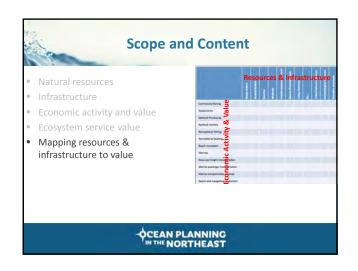


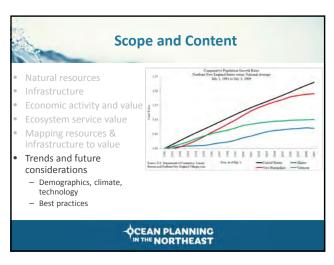


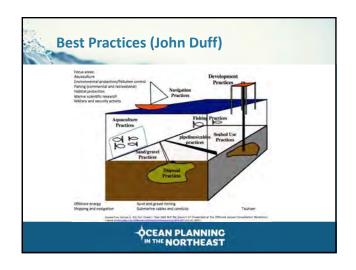


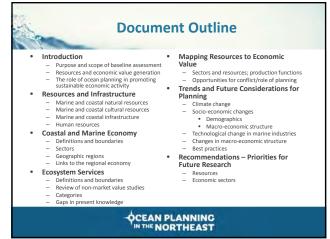








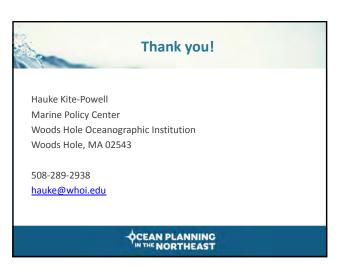


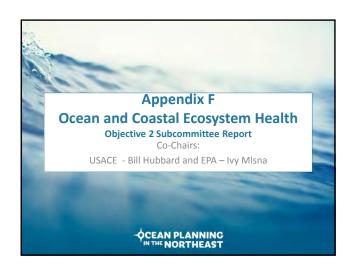


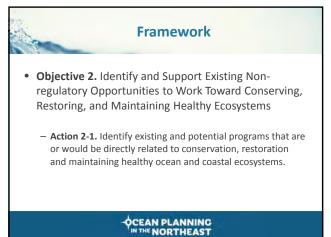












# **Objective 2 Successes** Subcommittee team formed - meeting quarterly - Tab 3.2A • Spreadsheet of federal funding opportunities MI1 - Not included in briefing package - online • Project criteria agreed by sub-committee - Tab 3.2B • A New England data layer of projects completed - Ocean Data Portal - will demonstrate OCEAN PLANNING

# **RPB supported project** = has potential funding and

**Criteria for Priority Projects** 

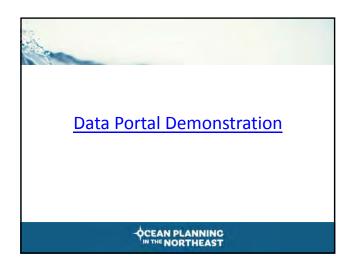
is a viable, prospective project to improve ocean condition as indicated by meeting criteria identified in tab 3.2B.

The subcommittee asks the RPB to review and approve these criteria to support restoration and conservation priority projects.

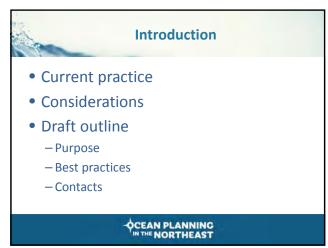
# Options for Including Restoration and Conservation Priorities in NE Ocean Plan

#### Four options for the RPB to consider (Tab 3.2C):

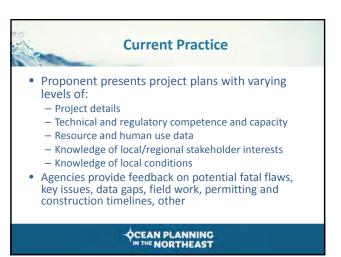
- $\bf A$  RPB supports set of habitat and/or project types as restoration and conservation priorities for the region no data layer
- ${\bf B}-{\sf RPB}$  supports static set of projects published as priority in the regional plan and commits to maintaining a data layer (subcommittee is a RPB entity)
- ${\bf C}-{\bf RPB}$  supports NROC as the regional entity to maintain and update list and data layer of priority projects (subcommittee is a NROC entity)
- $\rm D-RPB$  supports set of projects that will be changed for each updated Plan, while fluid list is maintained on the side by NROC for reference during updates











#### **Considerations**

- Improve an existing process, not create new process
- Enhance value by integrating use of the data portal and ocean plan
- Enhance opportunities for more informed stakeholder and public participation in environmental and regulatory review

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#### **Section 1: Purpose**

- Provide framework of data, guidance, and procedural best practices
- Support understanding of proposed action, key issues, available and needed data, key stakeholders
- Support early and informed stakeholder engagement
- Support coordinated state/federal review

OCEAN PLANNING

#### **Section 2: Best Practices**

- Overview
- Data and information sources
  - Northeast Regional Data Portal
  - NE Regional Ocean Plan
  - Other data sources
    - Federal, state, regional (e.g., NERACOOS), NGO (broadly), stakeholders, other
  - Links to existing regulatory guidance

OCEAN PLANNING

#### Section 2: Best Practices for Data

- Guidance for use of Data
  - Consultation focuses on initial siting considerations using aggregated data products
  - Guidance developed by agencies; consultation is 'hands-on' application
- Type and level of detail of information to be discussed
- Expectations for outcomes of consultation

#### **Section 2: Best Practices for Process**

- Notice and participation
  - Private applicant
    - Agencies with key interests/jurisdiction
  - Federal project
    - Early discussion with affected state to determine opportunities and capacity to coordinate NEPA and state review
- Linkages to state pre-application processes
  - ME and RI require consultation and public meeting for certain kinds of projects
- Coordination with Tribes
  - Integrate tribal best practices materials currently under development
- Stakeholder engagement

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#### **Section 2: Best Practices for Engagement**

- Best practices will describe why stakeholders should be engaged as part of the pre-application process and options for doing so
  - Nature and level of engagement is at proponent's discretion, but can be addressed through best practices that address:
    - Knowledge of key affected interests as a basic component of project design
    - Guidance on aggregated data products (e.g., spatial designation of activities may require groundtruthing)
    - NEPA and regulatory provisions related to stakeholder interests (NEPA, OCSLA; specific factors considered in permitting under the Clean Water Act and Rivers and Harbors Act, USACE Public Interest Review

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#### **Section 3: Reference Material**

- Select reference materials and contact information, including:
  - Federal, state, and tribal agencies with ocean management interests/jurisdiction
  - Stakeholder organizations
    - Industry associations
  - Project-specific opportunities for engagement and public comment
    - Federal (USACE public notice, other)
    - State regulatory programs (typically CZM and state DEP or equivalent)



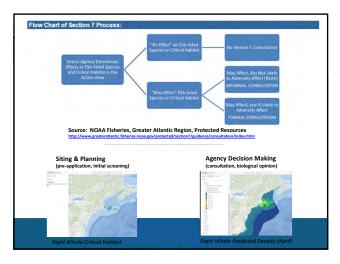
# Formats

- Potential formats
  - Plan text
  - Summary checklist of Best Practices for inclusion/reference in agency materials
  - Other

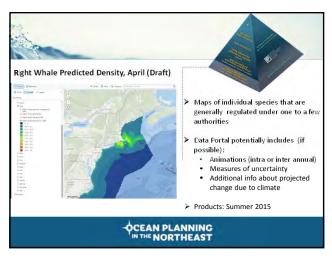
#### **Outcomes**

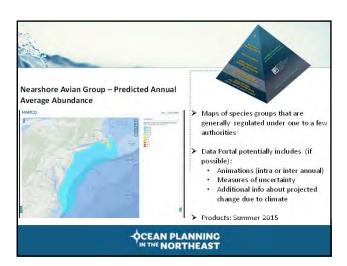
- Outcomes of consultation include:
  - Application of regional ocean plan
  - Enhance state/federal coordination
  - Better information for participation and decisionmaking
  - Fewer impacts through more effective avoidance, minimization, and mitigation
  - More efficient review and permitting process

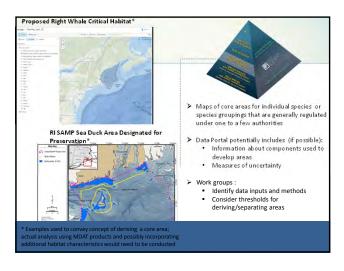


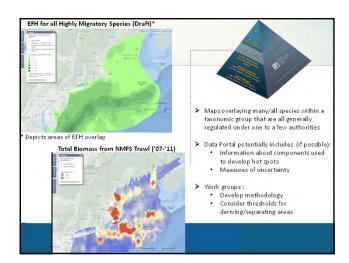


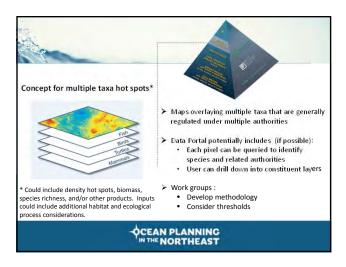


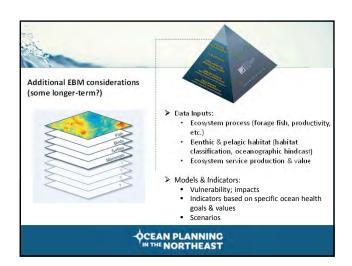


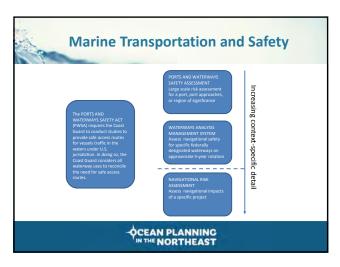




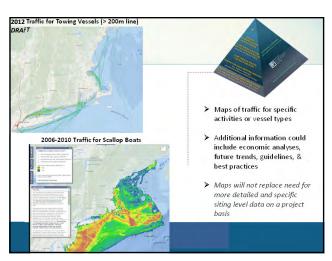


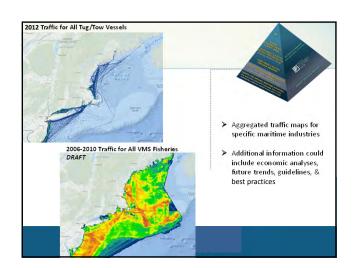


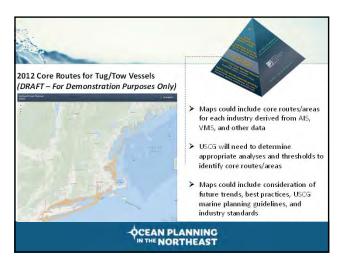


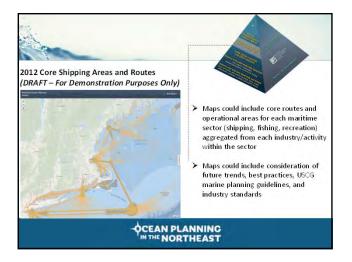


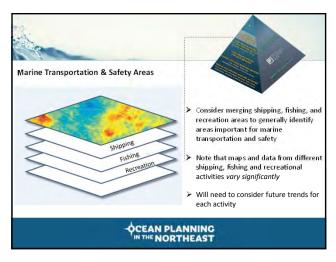


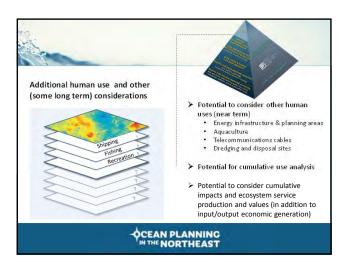


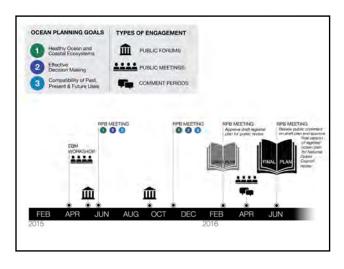


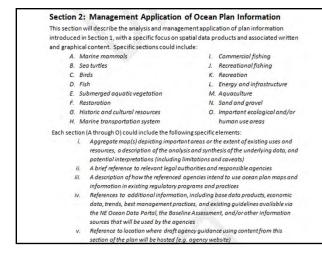


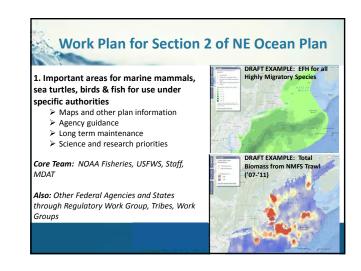


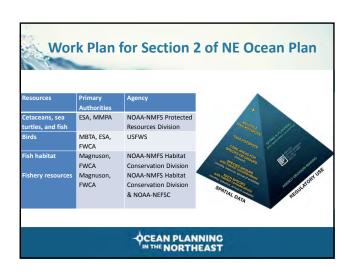


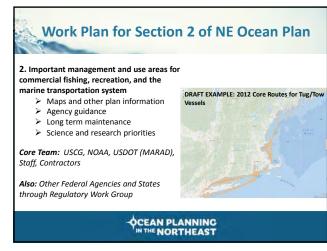


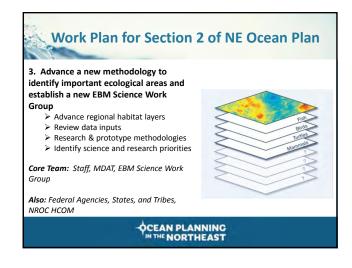


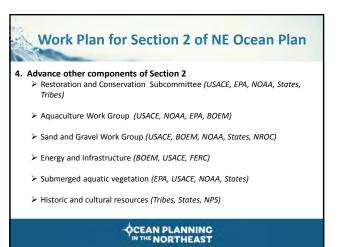












#### Section 3: Ocean Plan Implementation

This section will describe how the RPB intends to implement the ocean plan, including enhancements to agency practices, agency commitments, long-term administration, and plan evaluation. Socific sections could include

- A. Best practices for pre-application, including best practices for tribal consultation and identification of potentially affected stakeholders
- B. Agency commitments related to formalizing plan implementation, including:
  - Continued development of agency guidance related to the use of plan information under specific authorities (referenced in Section2)
- Coordination through the Coastal Zone Management Act
- Adoption of the plan
- C. Administration of priority components of the Northeast Ocean Plan, including maintenance of the Northeast Ocean Data Portal, updates to specific data products, and identification of additional analyses to be further detailed in Section 4
- D. Monitoring and evaluation, including the assessment of plan performance and use of indicators of ocean health
- E. Process for plan updates, revisions, and continued public input
- F. Roles of RPB, NROC, individual agencies, and the National Ocean Council

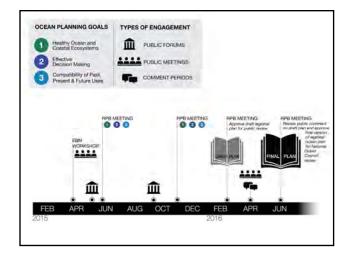
#### Section 4: Science and Research Priorities

This section will describe priority data, research, and science necessary to update and advance ocean plan information and analyses. Specific sections could include:

- A. Additional studies and primary research to increase understanding of natural and human systems
- 8. Updates to specific natural resource, cultural resource, and human use data products
- C. Continued analysis and integration of Ecosystem Based Management considerations, potentially including:
  - Important ecological areas and human use areas
  - Habitat mapping and classification
  - Changing conditions related to climate or other factors
  - Vulnerability, risk and impacts of changing conditions and potential new uses to existing human uses and resources
  - Ecosystem service production and valuation
- D. Reference to existing programs and efforts to be leveraged

#### Work Plan for Sections 3 & 4 of NE Ocean Plan

- 5. Agency guidance and best practices for pre-application, including tribal consultation and identification of potentially affected stakeholders
  - ➤ Internal/external guidance about agency use of plan information
  - Pre-application best practices including use of plan information, guidance, coordination with tribes, and stakeholder engagement
- 6. Options or a specific proposal for plan monitoring and evaluation, including use of indicators
  - Informed by NROC, OHI, GOMC, EBM Science Work Group, and previous and future public input
- 7. Science and Research Priorities
  - Informed by MDAT, Work Groups, Agencies via work in Section 2, EBM Science Work Group, and previous and future public input



#### **Timeline**

#### July:

- Marine life: review progress on initial maps of important areas and agency guidance template
  - NOAA Fisheries Cetaceans, sea turtles
  - ➤ USFWS Birds
  - NOAA Fisheries Fish
- 2. Human uses: review progress on initial maps of important areas and agency guidance template (commercial fishing, recreation, marine transportation system)
  - ➢ USCG, NOAA Fisheries, USDOT

#### **Timeline**

#### August and September:

- Marine life: review progress on initial maps of important areas and agency guidance template
  - > All federal agencies and states through the Regulatory Work Group
- Human uses: review progress on initial maps of important areas and agency guidance template (commercial fishing, recreation, marine transportation system)
  - > All federal agencies and states through Regulatory Work Group

# Timeline

#### October:

Stakeholder forum to review:

- Baseline assessment
- Marine life
- > Human use
- > EBM Science Work Group progress

#### November:

RPB Meeting