

MID-ATLANTIC REGIONAL OCEAN PLANNING

MID-ATLANTIC REGIONAL PLANNING BODY MEETING

HELD AT

CHARLES COMMONS

10 E. 33RD STREET

BALTIMORE, MARYLAND

ON

TUESDAY, MAY 20, 2014

FROM

9:40 A.M. TO 5:10 P.M.

P R O C E E D I N G S

MS. CANTRAL: Are we ready to get started?

All right. Good morning, everyone. Welcome. We are glad you are here. And we are expecting several other of our RPB members to join us. I know there has been a challenge with traffic and parking and navigating to this space. So we will hope that they will be with us momentarily.

But in the meantime, I am Laura Cantral of Meridian Institute. And as you can see we have a sign language interpreter with us today. And if people need her services she is going to be here to provide those. And if you don't need those services, she will not be signing all day long. But she is available and she is here getting us started.

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So before we go any further into our meeting, I would like to invite Gerrod Smith with the Shinnecock Indian Nation to get us started with a tribal blessing. Roddie?

MR. SMITH: [Speaking native language.]

First, I would like to give honor to a Native American I had the privilege to meet a couple of times. Billy Frank, Jr. recently passed on to the spirit world. And speakers at his funeral, they urged everyone to continue Frank's environmental activism, specifically concerning climate change and ocean acidification. And two weeks before he died Frank attended a tribal summit and stressed the need for tribes to act quickly to address the threat of climate change and so his impact, it will be felt for generations. And when asked who will pick up where Frank left up, and the response was all of us.

So as we move forward with these ideas of how to manage our oceans in a better way, let us keep in mind that our oceans help as well as they help with

Mother Earth. We may have to change our way of thinking. But let us be concerned about our future. In our way we think in terms of the next seven generations, protect things now for those generations to come. And so let us realize as we go through these days that our oceans need healing. With all of us working together in this way not only can we heal our oceans, but Mother Earth as well. [Speaking native language.]

And before I finish I would like to introduce someone from the Nation. She is a member of the Shinnecock Nation and she is going to be taking the reins of our co-lead for the Tribal RPB. I'm very proud to have her. Kelsey Leonard, she is sitting at the table right now, comes with a lot of experience, a lot of education. The first Native American to graduate from Oxford University, she comes with youth, she comes with strength, she comes with energy, and all those things. Dedication and time, you know, she can do these things.

But I want to say one more thing, too, just on my note for my people back home. You know, proud,

not only proud of her but we're looking at that next generation. And boy, they are really doing their thing. So there is a lot of pride there. Not only her, but I work with others and I can see them up and I can see them up and coming. Because not only are they getting that education but that culture is with them, too. And if you put those two together, you know, we can go far. And so Kelsey Leonard, she will be pulling the reins. Thank you.

(Applause.)

MS. CANTRAL: Thank you, Roddie. And welcome Kelsey. We are glad you are here. So I think at this point let's do a round of introductions around the table. And then maybe by the time we have it all the way around the table we will have a few other chairs that we can come back to. But in any event, we will do some introductions and I will do an agenda review and we will dive right in. So Doug, why don't we start with you and go around this way, and come back to the head of the table.

MR. PABST: Good morning, everybody. I'm Doug Pabst. I'm with EPA Region 2. I work on ocean

issues and more recently I am now the lead on Sandy recovery efforts for EPA.

MR. CLARK: Hi, I'm John Clark. I'm the Section Administrator for the Delaware Division of Fish and Wildlife. And as you might guess I work with fisheries issues.

MR. HALL: Good morning. My name is Jon Hall. I'm the State Conservationist. I work for the U.S. Department of Agricultural and Natural Resources Conservation Services. I'm a State Conservationist in Maryland and we work with private landowners.

MR. ROSEN: Good morning. Marty Rosen with the New Jersey Department of Environmental Protection Coastal Land Use Program. And I'm also the New Jersey representative to the MARCO.

MS. MCKAY: Hi, I'm Laura McKay, Manager of the Virginia Coastal Zone Management Program, and I'm on the MARCO Board and RPB.

MS. COOKSEY: Good morning fellow RPB members and the public, I'm Sarah Cooksey, and I'm from the State of Delaware. I'm on the MARCO Management Board and also one of Delaware's delegates

and I run our Coastal Zone Program.

MR. LUISI: Hi, good morning, everyone. My name is Mike Luisi and I'm with the Maryland Department of Natural Resources Fisheries Service. I'm the Division Chief for fisheries related issues in the Chesapeake Bay and offshore in the Atlantic Ocean. I also serve as Maryland's seat on the Mid-Atlantic Fishery Management Council. And that is what brings me here to serve the council here today. So thank you for having me.

MR. ATANGAN: Good morning. Joe Atangan from the U.S. Navy representing the U.S. Fleet Forces Command and the Joint Staff.

MR. CHU: I'm Kevin Chu. I'm from NOAA's National Marine Fisheries Services and my official title is Assistant Regional Administrator for Stakeholder Engagement. If anyone can figure out how to shorten that, I would appreciate it. I am newly come to the Mid-Atlantic. I have been here for about three months and am still trying to learn all the issues. But I look forward to meeting with everybody.

MR. WALTERS: I'm John Walters from the U.S.

Coast Guard, representing the Marine Transportation System Coast Guard interests as well as the use of all the waterways on surface, subsurface, and just about anything.

MS. ELMWORTH: I'm Selena Elsworth with the Marine Institute and I'll be taking notes today.

MS. IRIGOYEN: Hi, and I'm Ingrid Irigoyen with the Meridian Institute, part of the solicitation team.

MS. LEONARD: [Speaking native language] everyone, hello, and thank you for having me. My name is Kelsey Leonard and I will be serving as the Tribal Co-Lead on behalf of the Shinnecock Indian Nation. [Speaking native language] and I look forward to serving with you. Thank you.

MS. SHULTZ: Welcome everyone, members of the RPB and those of you joining us for our second in person meeting. I'm Gwynne Shultz and I'm with the Maryland Department of Natural Resources as I serve as a Senior Coastal and Ocean Policy Advisory. I'm also Chair of the Mid-Atlantic Regional Council on the Ocean. And over the next two days you are going to

have an opportunity to kind of learn more about opportunities that we have between MARCO and the RPB in order to continue our collaboration on ocean planning. I'm sure my colleagues will agree that it's really good to get together in person. I want to thank all of the work group members for preparing all of the draft materials that we are going to be, you know, reviewing and considering today. I do really appreciate kind of the open relationship that we have had as far as sharing ideas and recommendations and I'm really looking forward to a productive meeting.

MS. BORNHOLDT: Good morning everyone, RPB members, public. My name is Maureen Bornholdt. I am the Federal Co-Lead for the Mid-Atlantic Regional Planning Body. My day job is I am the Program Manager for the Bureau of Ocean Energy Management Renewable Energy Program. And like Gwynne I want to welcome everyone here. And I have enjoyed our time together as an RPB. And we are greeting some new members, you know, as we, I guess we are approaching, we are a little over a year old but we have had some really

great transitions. Notice a transition out, but he is still here, John Bigford is joining us in the public, welcome back. And then we have some new members around the table, you know Kevin, and Kelsey, and some others.

So I'm really excited about the opportunity to talk about the framework and some of the other issues we have before us so we can march down on the road to ocean planning. And as Roddie reminded us, it is for the generations to come. And so I think it is really great that we are gathered here today to work on that. Thank you.

MS. CANTRAL: Great. So again, I am Laura Cantral and I will be, I am also part of the facilitation team for this meeting. And in the spirit of that, why don't I say a few things about our agenda.

And first of all, you have all I think noted as you went around and made your introductions that there are little mikes taped near you. They are on all the time. You might want to be mindful of too much rustling of papers near the mikes and whispering,

because I don't know how sensitive they are and how much they will pick up but you might want to keep that in mind.

So let me just review what we hope to accomplish during this meeting. We have outlined, the RPB has outlined four objectives for this meeting. First of all to have some discussion about the draft framework for regional ocean planning and in particular to reflect on and highlight changes that have been made to that draft framework based on public input that has come from a number of different mechanisms, including public listening sessions and that kind of dialogue as well as written comments. Our goal is to approve that draft framework as part of this meeting. So that is something that we will be taking up as an early priority for this meeting later this morning.

Other things that we want to do is talk about a proposed timeline for work that is based on the framework and identify some next steps for developing products and processes that can support working to achieve the things that are outlined in the

framework.

Other things we want to do is discuss a strategy, Mo mentioned this, or maybe it was Gwynne, who mentioned that we have, the RPB has a number of ideas to present to you that they have been discussion about how to further engage members of the public and stakeholders in this work. And so we want to have some discussion among the RPB members about those ideas and strategies and find ways that we can continue in a very robust way to engage members of the public. That includes having sessions sprinkled through the course of the two days for public comment to the proceedings that are happening here. And I will say a little bit about the mechanics for the public comment in a moment.

And then the final thing that we have lined up for our objectives for this meeting is to hear from some RPB member institutions about activities that are underway within the auspices of those institutions that are relevant to regional ocean planning and have some discussion about ways in which the RPB can be engaged and informed by just knowing about those

activities and what they might suggest for the RPB process.

So those are our objectives. I am just going to outline the sequence of our topics for today, I won't go over the whole meeting agenda for both days. In a moment I am going to turn to the co-leads who will give you a review of progress since the first RPB full in person meeting. And also a glimpse into the proposed timeline that the RPB will be discussing and presenting for review. After that we will turn to the discussion of the draft framework and Doug will lead us through some discussion, as I said, about changes that have been made to that draft framework that reflect very good public input and public comment on the draft.

At that point after some presentation of the framework and some discussion among the RPB, we will turn to our first public comment session. And for those of you who are interested in providing public comment, if you have not seen it already there is an opportunity for you to sign up at the registration table outside. And we are asking that people sign up 15 minutes, at least 15

minutes before the opening of the first session so that we can get organized and know who we are going to hear from. And based on how many people are signed up for a particular session we will give you a time limit of two to three minutes just based on numbers and doing the math.

This is meeting that is, it's a formal public meeting of the RPB. The priority is for the members to be talking among themselves, in public, and making some decisions. And so as opposed to some other opportunities that we, that the RPB has made available and plans to make available more frequently, this is not the venue for a dialogue. So we will not be having an interaction with you if you are offering public comment. What we are trying to do is time our public comment sessions so that people can provide some comment into the discussion that is on the table. So first example in our first session about the framework, if you have something that you want to say about the framework, then we would invite you to come to that public comment session to offer your input. The RPB members will be listening to your input. And

then we will come back to revisit the discussion as informed by those ideas and questions and comments that are offered during the sessions. But it will not be an interactive exchange, as I said, in this venue.

During the public comment session you are welcome to offer any comment on any topic that you choose. But we are trying to strategically place them so that you have an opportunity to be speaking to that particular point if you choose to do so.

So the morning will be an overview of progress, some discussion about the draft framework, a public comment session, and then we will break for lunch. We will come back after lunch, resume the discussion of the draft framework, as I said informed by comments, questions, input during that comments session that happened right before lunch.

And then we will go into a couple of sessions that we have organized to present some sector specific information about activities that are underway in the Mid-Atlantic. The first one will be a couple of presentations about ocean energy. And then we will take another break, come back, and hear some

information about sector specific activities related to habitat in the Mid-Atlantic.

After those two sessions we will have our second public comment session of the day. That will take us almost to the end of the day, where we will take a final break and we will come back as the RPB and have some final discussion, again informed by the public comment that was offered just before. Any things that we need to wrap up before we conclude for the day, and then we will adjourn. We plan to adjourn, and it will be a long day, we are going to go until 6:15 or thereabouts. And then we can all relax and enjoy each other's company at a networking reception that will be just down the hall. And we invite all of you to join the RPB for some information discussion and refreshing beverages at that time.

So I think I will save the nuts and bolts of what we will do tomorrow for tomorrow, or maybe at the end of today. But is that clear, co-leads? Does that make sense? Are there any questions about the agenda? All right. So Andy, I see you settling in. And while you are settling in we want to give you a chance to

introduce yourself before we go into our next session.

So, welcome.

MR. ZEMBA: Andy Zemba, Pennsylvania
Department of Environmental Protection. I am the
Director of our Interstate Waters Office.

MS. CANTRAL: Great. All right. So with
that, why don't we go to our first session. And Mo, I
think you are up. And Ingrid is going to advance the
slides for you so you don't have to worry about that.

MS. BORNHOLDT: Okay. Great. Well we have
made progress since September, and since April, 2013
when we were established as the Mid-Atlantic. And I
think, you know, one of the things that these slides
do not highlight is something that Gwynne mentioned in
her opening remarks. Is that working esprit de corps
and that relationship that we have also been
developing as we are working on our framework, as we
are working on kind of our agenda as the Mid-Atlantic
and how we want to move forward. But I just want to
take a couple of minutes now and just talk about the
draft regional, the draft framework for regional ocean
planning in the Mid-Atlantic.

Hopefully some of you that are here attending here as public did enjoy the public listening sessions that we did hold. What we decided to do was draft a framework to kind of wrangle our ideas and concepts to help solidify what we want to do as a regional ocean planning body. Doug is going to get into the nits and picks associated with it, but I just wanted just kind of to set him up, if you would, for that.

MR. PABST: Excellent.

MS. BORNHOLDT: Anytime. The framework basically informs the RPB how we are going to move forward with regional ocean planning. And we could have done this in isolation around the table amongst ourselves, but we decided to do something even better and we went out with these public sessions that we had. So once finalized, and hopefully we can have some discussions around the table associated with the framework, and maybe we can reach a finalization of the product and we can move forward from there. It's going to guide us and we will develop a work plan, some action items, and hopefully take those steps

forward to regional ocean planning.

Do you want to go to the next slide?

MS. IRIGOYEN: Oh, we're staying on this one.

MS. BORNHOLDT: Okay. Okay, sorry, public listening sessions. So what we did was provide opportunity for the public. As I mentioned, we could have these discussions inside the RPB, we could all arrive at agreement, but it doesn't mean anything unless we have that reach out to the public to make sure, to help us, inform us with how we need to design our regional ocean planning efforts. We held meetings in five of the Mid-Atlantic states. We had 169 members of the public attend. I think that is phenomenal for us in our first reach out effort. And we hope that that kind of reach out multiples as we move forward with individual work plans and we can target stakeholders. And we are going to hear a little bit more about stakeholder opportunities and a strategy for that later.

We had about 28 or so written comments and we felt they were quite successful. There were some

common themes that we heard as well in these public comment sessions that helped inform some of the revisions that Doug is going to talk about. So I'll kind of tease that up and hand that over to Gwynne.

MS. SHULTZ: Okay. I'd like to take a moment and provide an update regarding the Stakeholder Liaison Committee that was recently established in order to increase the type and number of opportunities for stakeholder engagement in Mid-Atlantic Regional Ocean Planning. This committee has been convened by MARCO and MARCO is the Mid-Atlantic Regional Council on the Ocean that was formed in 2009 by the Governors of New York, New Jersey, Delaware, Maryland, and Virginia in order to work together on shared ocean issues.

MARCO and the RPB are working closely on ocean planning issues. Really in large part too a lot of the overlapping membership. Members of the MARCO management board, including Sarah Cooksey, Laura McKay, Marty Rosen, Greg Capobianco from New York who wasn't able to attend today, are all on the MARCO management board as well as representing their states

on the Mid-Atlantic Regional Planning Body. So since its inception MARCO has really served as a source for stakeholder coordination and engagement. We have convened a number of meetings with stakeholders to discuss ocean related issues and challenges in the Mid-Atlantic.

So this Stakeholder Liaison Committee is composed of kind of known leaders from sectors that are actively engaged in ocean issues in the Mid-Atlantic. Sectors that are represented on this committee include the fishing community, marine trades, the offshore wind, ports and navigation, the environmental community, scientific community, coastal tourism, ocean recreation, and submarine cable industry. And they are encouraged to provide direct input and feedback to MARCO about the design and implementation of regional ocean planning and to really act as a conduit for information between stakeholders in the region and MARCO about planning. And then MARCO ensures that this input that we receive from the Stakeholder Liaison Committee is provided to the RPB.

So the inaugural meeting was held on March 10th. During the meeting participants were provided some additional background about regional ocean planning, discussed the purpose of a Stakeholder Liaison Committee, and then also provided comments to the Regional Planning Body on the Regional Planning Body's draft framework. If any of you are interested the minutes of the first meeting as well as a roster of participants are included on the MARCO website, www.midatlanticocean.org.

So looking to the future, we plan to host probably a call coming up with the Stakeholder Liaison Committee to kind of debrief from today's and tomorrow's meeting. And then also probably will hold an in person meeting sometime later this fall after the RPB releases the draft work plan for public comment. So we are interested, the RPB, we can further discuss the role of the Stakeholder Liaison Committee, maybe later tomorrow when we also get into the discussion about stakeholder engagement.

All right. Moving then to the, kind of the next topic, talking about the progress that we have

made for the Mid-Atlantic Ocean Data Portal, as well as the Regional Ocean Assessment. And I will focus on the portal part of this first. But since 2009 MARCO and its partners, we call them the Portal Team that is led by the Urban Coast Institute, have been working on the development and enhancement of the Mid-Atlantic Ocean Data Portal. Kind of an online toolkit and resource center that consolidates available information, enables users to visualize and analyze ocean resources, and human uses such as fishing grounds, recreational areas, shipping lanes, habitat areas, energy sites, among others.

During our last in person meeting last September, Laura McKay from Virginia, who chairs our portal activities, provided a really good overview of the portal data and functions. She described significant outreach efforts that have been conducted by the states and the portal team, including participatory mapping, workshops, recreational boater surveys, meetings with a variety of folks, environmental groups, the five major ports, fishing community, wind energy companies. Since 2013

stakeholder engagement efforts have continued and those activities have been working to kind of ground truth specific data layers and portal functions in order to assess the need for any additional data or functions. And Laura Long with Tony McDonald are going to be presenting additional information about the portal activities during tomorrow's session.

So then on the last topic with regard to the Regional Ocean Assessment, it is anticipated that a lot of the data and information that is currently in the Ocean Data Portal will assist the RPB with the development of the Regional Ocean Assessment. And this assessment is really going to be documenting current ocean uses, natural resources, economic and cultural factors, and will take into account current trends and possible future uses. The information will really provide us with a much better understanding and context for our ocean planning. A Regional Ocean Assessment Work Group chaired by Kevin Chu, who is our federal representative from NOAA, and Sarah Cooksey, the state representative from Delaware, is already underway and working to develop ideas for the Regional

Ocean Assessment content and to identify the activities and capacities needed in order to carry the Regional Ocean Assessment process forward. And I know Kevin will be providing some additional information about the assessment tomorrow. All right?

MS. CANTRAL: All right. Kelsey?

MS. LEONARD: Yes. So for the charter, the last draft charter was available for public review in September of 2013. Currently the charter is basically final, we are just awaiting for signatures to be collected and we hope to post the final charter very soon for review.

And here you can see our proposed process terminology and a bit of our timeline for moving forward with implementation. This is just a snapshot. We will be able to go over this in more detail throughout the rest of the day and even tomorrow. But as you can see for the 2013-2014 year we really wanted to complete the framework, which we are very close to. And by December, 2014 we hope to have the work plan completed. More details about what the work plan consists of we will go into later. By mid-2017 we

hope to have the Regional Ocean Action Plan completed. And then for mid-2017 and beyond, we are looking at implementation of that plan and adaptation. And again, bringing that back around to further implementation so that this is a sustainable process.

So we hope to be able to answer more questions about the proposed processes going forward. We look forward to your questions. So thank you.

MS. CANTRAL: Great. So I hope you can tell there has been a lot going on. Many of you around the table have been part of that and have been hard at work. Let's take a few minutes to ask any questions or any need for clarification. As noted, there are a few of the things that the co-leads provided an overview of that we are going to go into more detail about later today and tomorrow specifically related to the Regional Ocean Assessment, the portal, the timeline, and all of the details that aren't reflected in this snapshot, as Kelsey said. So I would offer, I would invite anyone around the table who has a question or a comment to do so. But before you do that, let's let Karen introduce herself.

MS. CHYTALO: -- walk around the neighborhood and everything else. Sorry, I'm always late. I'm terrible. I'm Karen Chytalo. I'm with the New York State Department of Environmental Conservation. I am here representing my Commissioner Joe Martens and I am Assistant Bureau Chief of Marine Resources.

MS. CANTRAL: Great. Welcome.

MS. CHYTALO: Thank you.

MS. CANTRAL: All right. Questions or comments about the overview of activities? It all makes sense?

MS. SHULTZ: Maybe just to kind of add on to one of the things that Kelsey said, I think it is really important that while we are hoping that first iteration or first version of the work plan is going to be completed in 2014, is that it really is going to be this living document. It is really helping us figure out next steps and as we develop an action plan and we develop other tools this work plan is going to continually be updated and evolving.

MS. CANTRAL: Yes, and I think a reason why

we want to start with this simple graphic is to give you all a sense of the phases of the work. And we have a timeline to go into detail and some proposals from the co-leads about how to break things down and organize among yourselves to contribute to each of the phases of this work. And that is what we want to get into a little bit later.

MS. BORNHOLDT: And if I could just add one final point, I do not think it's a stretch to say that the way we have described it was influenced by the public listening session. The comment that we received about documenting, the comment we received about making it a living document, a living process, I think this kind of shows that we uploaded and kind of altered our thinking or refined our thinking as to how we want to move forward.

MS. CANTRAL: Well maybe that is suggesting that what we should do now is turn to the framework in talking about some of those things that we did here from the public listening sessions and how they are reflected in the framework. Does that make sense to folks? Okay. All right. Doug, are you ready to take

it away?

MR. PABST: I am ready. I am ready.

MS. CANTRAL: Okay. Are you going to advance the slides, Ingrid?

MS. IRIGOYEN: Do you want me to?

MR. PABST: I will cue you --

MS. IRIGOYEN: Just give me a little, wink at me every time you want a slide change.

MR. PABST: Good morning.

VOICES: Good morning.

MR. PABST: All right, thank you, thank you. Now we're going to talk about the latest draft of the framework. I like to call it the Goldilocks version, hopefully it is just right. Though she only had three bears -- tough crowd, okay.

(Laughter.)

MR. PABST: We're off to a great start! But in all seriousness, this reflects how several versions of the framework have been refined between December,

2013 and April, 2014 as informed by a lot of discussion and public input, and we are going to be talking about it during this meeting. But I really want to thank everybody on the RPB for making this happen and coming together and responding to numerous email requests for reviews and comments and input, and really give a shout out to Meridian for their guidance in shepherding us cats, which are worse than bears, I have several of them, and herding us together --

MS. CANTRAL: Bears or cats?

MR. PABST: Cats. And the public especially for hanging in there. And you know this can get very bureaucratic, I understand that. But thanks for sticking with us and hopefully we will hear that we did a great job today. No pressure. Next slide?

And I think as Mo had summarized a little bit, this talks about just the comment periods we had. Again the emphasis is that we, you know, we took it on the road, we went to all the states. And I know

people want more input and want more listening sessions. But I think we, again, that Goldilocks balance, we tried to strike just right that we could get out to people. But the bottom number, 170 members of the public had really interacted with us. And I know I have spoken with a lot of people about this. And really tried, you know, I tried the family route. You know, my family loves to hear about what I do all day so I try to explain ocean planning framework preparation to them. And you know, it is accepting realities and acknowledging our limitations. I think that is what you are going to see in this framework, is again that just right balance. We could always do more but we could have done less too, I think, so hopefully that will be reflected. Next slide?

And you know, I think I want to point out that the, I mean, all written and verbal comments were carefully considered by the RPB and this presentation focuses on how we made those changes to the framework.

And while, you know, we may have received a lot of comments that weren't incorporated, I just want to make certain that people understand that we are going to consider those as we move forward either implementation or planning. So while some things might not have been reflected in the framework, there were some suggestions that we hopefully will be able to take advantage of or implement as we move forward with the document and we develop our Regional Ocean Action Plan. Next slide?

And as we said, feasible modifications and additions were made to the document, especially for issues that were raised by multiple people or sectors. To develop the latest draft specific edits were facilitated by an internal working group. I was the Chair of that work group but thank you to everybody who helped out. But really with everybody it was, I mean, while we did have a work group I think the whole RPB did input or did show that they read the document.

Which I have been on a lot of work groups and that's progress. So we'll take that.

And this meeting is an opportunity to discuss those revisions and for the public to, again, let us know, did we get it just right? And hopefully for the RPB to approve the framework. I'll sign the charter if we approve the framework. I'm ready for some negotiating here. Next slide?

Ah, themes. And, you know, I mean if you don't see your comment on here it doesn't mean that it wasn't important. But we just tried to generalize the things that we had heard that were thematic or that seemed to resonate with multiple people. And to start off with, and we are going to spend a little bit of time talking about this, the interconnections between the estuaries, bays, and the ocean are important to both identify and account for. And when I get to the geographic focus slide, we will talk a little bit about that and we hopefully we have clarified what we

meant when we said what we said.

At every public meeting members of the public advocated for either the development of an ocean plan or documentation of what it is exactly we are going to do, the products, our activities, and their actions. Among the terms identified by the public as needing clarification included ocean coastal and/or open ocean did you mean; resilience, and as I am involved in Sandy work that is the word of the day, resilience, so I'm sure we will have some talk about that; sound science; traditional knowledge; my favorite, government efficiency, it usually gets a chuckle but it's still early, I guess, okay; effectiveness; and adaptive management. Next slide?

Hopefully my slide is centered. We are going to coordinate, cross pollinate, and learn lessons from other regions. I guess that is a fancy way of saying that we are talking to our neighbors and our colleagues. And we are not the only regional

planning body out there. We are sandwiched in between the New England and the South Atlantic, I believe. So you know, we have borders. We are sharing. So we are going to work together and work on that. And reach out and engage other state and federal agencies, local governments, who are also working on planning efforts.

We tried to clarify that the goals and objectives are considered equal weight. So there was no, any way they appear in the document does not mean one is more important than the other. Next slide?

There were several suggestions that other media outlets and tools should be used to disseminate information about what we are doing, whether it is other organizations, newspapers, social media, which I am still trying to figure out. I'm hoping to tweet by the end of the year, so follow me, eventually. Many comments also reflected that stakeholder engagement should become its own principle in the draft framework, and I think we heard a little bit about how

important that is. We actually have a group working on that. So, you cannot ever say how important that is. So we might hear a lot of that but that is really what it is all about, is making sure we are, you know, customer service, are we really doing the right thing? Members of the public suggested that the Mid-A RPB conduct a project by project approach, or take on multiple projects simultaneously. In either case there should be a sense of compounding impacts, cumulative impacts, multiple projects and how they all work together. And that to me is one of the benefits of this whole exercise, is that we all have a lot going on and we will understand how they all work together in the end. You know, we are going to be better off than when we started, that is probably the simplest way to say a lot of these things.

And several members of the public raised the importance of including ecological value, ecosystem valuation, and the rights of nature in the draft

framework. Next slide?

Ooh, now the meat. Am I still with everybody? Okay, excellent. We revised the introductory paragraph. Public comments had recommended adding a sentence to the introductory paragraph of the framework to provide clarification on the overarching purpose of the ocean planning process. And it's important enough that I'm actually going to read it. I'm not a big fan of just reading the whole slide necessarily, but I'm going to read this so bear with me. And again, if there's any English teachers in the room I apologize in advance for grammar. "At its core regional ocean planning aims to achieve better coordination and collaboration between the numerous governmental agencies with existing management authority over our nation's ocean and coastal resources to strengthen ocean governance and decision making to ensure healthy, productive, and resilient marine ecosystems for this and future

generations." Pretty powerful. Next slide?

And we also made some changes to discuss that Mid-Atlantic Regional Ocean Planning is a collaborative process between feds, states, tribal, and Mid-Atlantic Fishery Management Council representatives. We specified that the Mid-Atlantic Regional Planning Body will carry out coordinated efforts versus guiding those efforts. So the emphasis on carrying out the efforts to address current challenges and emerging opportunities. As we again heard, stakeholder processes are important. The Mid-Atlantic Regional Planning Body will develop meaningful and transparent stakeholder processes and engage stakeholders throughout the planning process. And hopefully we are going to hear from people as to if we have, again, we want to look for that Goldilocks level that will be just right. I don't know if anybody else will be following up on the Goldilocks theme, but just right.

We clarified that we are talking about federal, state, and tribal levels. So again, just as we go through this process that this is, we're working on all levels of coordination. And we added scientific understanding and traditional knowledge as being critical to this process. Next slide, please?

We're going to use an iterative and adaptive approach to regional ocean planning, meaning we will learn from our mistakes to put it in layman's terms, and hopefully our successes, more importantly, and be able to replicate those, and other people's successes. So we are going to be looking around for what works and what doesn't. And we'll update planning initiatives to reflect new scientific and human use data to address new challenges that may arise.

We're going to conduct a capacity assessment versus just compiling one. And hopefully these challenges are emphasis on the action that people are seeking us to do. So we are looking to hear back from

people on that, or just a hey, reach out.

Take into account risks associated with ocean uses. And we're going to develop a Regional Ocean Action Plan to achieve the goals and objectives that we have articulated in this framework. And I want to say that again. That the action plan we are talking about is to do what we are talking about in the goals and objective framework specifically. Next slide? And hopefully we clarified that.

Okay. Here we go, geographic focus. And I'm hoping we clarified our intention with the revisions to this section. I'm going to spend a little bit of time on this one. But I think we're ahead of schedule so I have a little bit more time than might have been originally in the agenda. We're going to focus our energy on uses and resources in the ocean waters. And when those uses, for example alternative energy whether it's wind or tidal, whatever it may be, and submarine cables, for example,

affect estuaries or coastal communities we intend to coordinate with those responsible for decision making in the estuaries and communities. We will not, however, adopt a watershed based approach that attempts to capture everything that is happening on land. Simple version, no duplication of effort. We are going to look to bridge the gaps that exist and fill in those gaps with our actions so it is a coordination.

We always meant to suggest that such coordination was going to happen it just wasn't clear enough based on comments we received in the earlier draft frameworks, thus we have attempted to clarify it in this latest Goldilocks version. If I can stop saying Goldilocks I'll be taking beer chits for later.

Public comments encouraged us to set up direct lines of communications with the appropriate national estuary programs and we have many in the Mid-Atlantic. That is Barnegat Bay; Delaware Inland Bays;

Long Island Sound, which we share with the New England Regional Planning Body as well; Maryland Coastal Bays; the New York-New Jersey Harbor and Estuary Program; Partnership for the Delaware Estuary; along with the Chesapeake Bay Program. And I apologize if I left any out. But along with other state and local programs, I mean there are a lot of local watershed based programs whether they are in communities or the state, or even if they are ad hoc sort of NGO based programs, you know, the tribal programs and initiatives, we are going to try to work with all of them and seek their expertise and input on how these bays and estuaries might influence or be influenced by our work.

And the comments stressed the need to factor in the ecological and use connections between bays and estuaries. So for example as we move to cite, you know, I mentioned some of the alternative energy things, well they are going to have lines, or transmission lines, or power lines, or gas lines that

may have to run into communities. So again, we are obviously going to have to take those things into consideration as we move forward.

And I want to stress that we can develop flexible boundaries that respect existing institutions while addressing those unmet needs where appropriate. So that means anything that we have not mentioned, we are going to work with those groups as well. So we should not be duplicating things, or for example coordinating actions on maybe reduced nutrient loadings in Chesapeake Bay, but we want to understand what those are. And we want to consider impacts to offshore development to, say, the Port of Baltimore, or what potential offshore oil spills could have on coastal habitats. So again, I am beating this a little bit to emphasize that there is this connection that we are going to have to be a little flexible on and work to develop. And I know particularly as it relates to climate change and resilience from storms,

such as the Sandy that we experienced, there is definitely going to have to be that dialogue and connection. I told you I was going to spend a little time on this slide, but it's important. Next slide, please?

Public comments recommended adding a principle on economic value. We believe this helps to depict an appropriate balance and recognize the importance of ecosystems while accommodate opportunities for economic uses. It doesn't have to be one or the other. We are all in this together. We removed numbering so, again, there is no bias or intention to indicate that one is more important than the other even though just one has to appear before the other, it's a printing thing.

We added tribal uses and sustainability to compatibility. And I think we meant all of these things all along. I think these are really clarifications. They are not new ideas. It is just,

you know, you don't know what you don't know until people tell you. At least that's what my wife tells me.

We added that the Mid-Atlantic Regional Planning Body will track progress towards meeting established planning objectives and use the information gained to modify and adapt actions. Again, adaptive management. It is not linear. It's a circular thing. We are going to learn from our mistakes and our success as we move forward, and other people's.

And we want to serve as a forum to increase interjurisdictional coordination to facilitate efficient and effective management of existing and potential future Mid-Atlantic ocean uses. So we added existing and potential future there. So we're trying to plan. People were concerned that we were just thinking about today and we weren't looking forward so we made that change. Next slide, please? How are we

doing? Good?

Public comments also suggested two separate principles for transparency and engagement. Again, emphasis on how important they both are. So you spoke, we listened, changes. Transparency, RPB products and information about processes will be made available to all interested parties in clear and accessible formats. If you want it, we are going to get it to you.

Engagement, the RPB will seek meaningful stakeholder and public input in the regional planning process using multifaceted tools, whatever we have available or people suggest, to encourage public participation and understand expressed needs. And again, the fact that we have a work group on that I think is very important. Because I'm not sure anybody really has that figured out perfectly for every situation. So we are willing to learn.

Jose lost his name tag, so --

VOICE: That's okay, I know who I am.

(Laughter.)

MR. PABST: Okay. But you guys got the cheap seats. I don't know what happened over here. What's going on? Next slide?

I can actually read this one, I think, pretty quickly. Again, goals and objectives, we removed numbering. There were only two anyway, but they weren't meant to intend that there was prioritization. And we changed them. Now they are entitled Healthy Ocean Ecosystem and Sustainable Ocean Uses. I think that's, again, what we meant. But you spoke, we listened. Next slide?

The Health Ocean Ecosystem draft objective. We made a couple of changes and we added in discovering and the ocean ecosystem. So it now reads Discovering, Understanding, Protecting, and Restoring the Ocean Ecosystem. So again, emphasis on we don't know everything about the ocean, because I think

that's pretty obvious, so we need to discover. And the ocean ecosystem in that it's a system. So system based approach, people spoke, that was the change, we listened.

We added naturally occurring processes and changes to the first objective, which now reads "improved scientific understanding and assessments of naturally occurring processes." And again, following up on the changes that were made earlier, we added cultural resources and values to the third objective, Valuing Traditional Knowledge.

This is the last slide, just letting you know. Sustainable Ocean Uses Draft Objectives. Public comments recommended adding increased transparency to the national security objective. We did. The offshore sand management objective was revised based on comments on coastal adaptation resilience planning. And that now reads, "in the context of coastal adaptation and resilience planning

and implementation." And this is, again, based on the concept that we're going to be adaptive. We're going to be resilient in what we need to do. And getting that sand, as again working on Sandy I can tell you is going to be very important for us.

And public comments recommended rewording the non-consumptive recreation objective to regard the importance of this. And I'm going to read this because it's, I think it's important. It now reads, "Account for the importance of near shore and offshore non-consumptive recreational uses and their local and regional economic contributions in the Mid-Atlantic, and in the management of other ocean uses and resources consider impacts on non-consumptive recreational activities, for example surfing, boating, whale watching, birding, diving." That's not everything, it's just an example of things. That was the last slide. And the last change that I had to cover. I'll pause for applause.

(Laughter.)

(Applause.)

MR. PABST: Thank you. Tough crowd, tough crowd. This isn't an easy topic.

MS. CANTRAL: All right. Thank you. Thank you, Doug. So I'd like to open it up for some discussion around the table, RPB members with questions and comments about what you heard from Doug on behalf of the framework writing team which has adjudicated a number of comments received from the public listening sessions and otherwise and incorporated them into the draft as he has outlined.

Let me remind everyone of the sequence of things here. We're going to have some discussion now and then we will pause for public comment. We are scheduled on our agenda, we are scheduled for that comment session at 11:15. But there is a chance we might start that a little bit early, just based on how much conversation you all want to have right now. So

if you are interested in signing up for public comment for the 11:15 session and you haven't done so, you might want to think about doing that. And we'll play the timing by ear. We'll hear public comment and then we will be resuming, after we take a lunch break, we will be resuming the discussion about the draft framework. The expectation is that you will be comfortable and ready to approve the draft framework at that point, unless some question or comment or need for further substantive discussion has come up and we need to work through that. If we need to take this under advisement overnight and bring something back to you tomorrow morning for further discussion, we can do that. But our objective for this meeting is to approve the draft framework and then move forward from there. So we have some options and the first step in navigating this process is to open it up for discussion. So let me remind you if you would put your name tent up if you have something that you want

to say, it will help me know that you want to speak.

And John, you can kick that off, John Walters.

MR. WALTERS: Thank you. I should have thought this earlier but in reading the framework alongside the charter yesterday, I noticed a difference in terminology. So I thought between the two documents our terminology should be consistent. And Doug, I'm sorry, great job.

MR. PABST: Oh, thank you, thank you.

MR. WALTERS: On the draft description of initial geographic focus the first bullet describes the area out to 200 miles which includes state, tribal, and the term federal waters. In the charter the federal waters was replaced with navigable waters of the United States, which has a definition in CFR so it's already codified as to what that term is, rather than federal waters, everybody has a different definition of what they think is federal waters. But the term navigable waters of the United States is

fairly established.

MR. PABST: Ocean, how about ocean navigable waters? Is that --

MR. WALTERS: It's navigable waters of the United States.

MR. PABST: So that could go inland, too, I think. By the definition. I mean, so I think we just wanted to add an adjective to it.

Well I kind of like the definition in the framework about shoreline seaward out to 200 miles. That was based on public comment. And on the charter, I don't know if the charter shared that level of review. But --

MR. ATANGAN: I think I had it originally as the way it was in the framework. But that was the original way that I think most of the RPBs were using it. However, in the subsequent review of the charter is when we switched to the navigable waters based on John's recommendations and the clarity of the

definitions associated with that term. So it was done, it was changed for a reason in the charter, I guess is what I'm saying.

MS. BORNHOLDT: Drive by a legal review and a concern about the folks signing that.

MR. ATANGAN: Exactly.

MS. BORNHOLDT: Versus maybe this is the plain English of that, I would argue.

MR. ATANGAN: Yes, exactly.

MS. BORNHOLDT: And maybe for what we heard back from the public sessions, this, we intend it to be the same but this is the better way to articulate it because this is an outward facing document, perhaps? I --

MR. ATANGAN: I don't know if that ever got into it. I think, I think the real issue here is if we use different terms initially, we used the federal waters because of the way we, as an RPB we, you know, the way we are constructed there's federal waters or

state waters, you know. So that's, that just kind of carried. But in the process of doing that I think we discovered that there are better definitions and probably more appropriate definitions that help better confine and, you know, that are established. I can go with either way. But I, you know, I'll defer to the experts that say, hey, this is the way it's codified.

MR. PABST: Should I be answering this?

MS. CANTRAL: Yes, go ahead.

MR. ATANGAN: Well I think it's up to us as a body. Which way do we want to go?

MR. PABST: No, I --

MR. ATANGAN: To me it's one or the other. I don't care.

MR. PABST: We could put the CFR navigable waters in here and leave out seaward out to 200 miles, as well. I mean it's, I think we could do that as well. But I'm open to suggestions. I have talked enough, so.

MS. CANTRAL: Okay. Any other thoughts?

Ms. Karen?

MS. CHYTALO: Yes, I would just recommend being clear on it. You know, just, you know, I think the terminology we came up with, people can understand it, you know, people are not going to know for sure exactly what the definition of navigable waters might be or how far that influence is going. I think this is just easier. It's easier, it's a focused area --

VOICE: (Indiscernible) it's really hard to hear back here.

MS. CANTRAL: Is your microphone on?

MS. CHYTALO: Is that a mike? Oh, okay. Sorry. I was just saying I agree that we should keep it simple, keep the terminology simple. Keep it with the clarified language going out to 200 miles. People know what that means, they can refer to that. And it is something that is clearly used in many documents. When you get to a more legal document I can see how

navigable waters, I mean, we use that sometimes in our, we use that in our regulations and stuff like that. But they are not people friend. You know, they are nobody friendly. So therefore I really think we should keep the simple language. Because especially since this is a document that we can all refer to and use.

MS. CANTRAL: So, okay go ahead Kelsey.

MS. LEONARD: I was just going to say at a certain point I think with using the term navigable waters we might be entering into that sort of convoluted area of estuaries and bays. And I think that's what we were trying to avoid with sort of the plain meaning language and using it here. So with whatever we decide we really have to articulate it in such a way that people can then implement this plan. And I think as it is currently written, from shoreline seaward out, it specifically is about oceans.

MS. CANTRAL: All right. So are folks

comfortable leaving it with the plain language version of the focus area in the framework? John, are you comfortable with it?

MR. WALTERS: No, but this is a consensus body.

MS. CANTRAL: You can live with it, right?

MR. WALTERS: I can live with it.

MS. CANTRAL: All right. Very good. Other questions or comments about the draft framework and any of the changes that you heard about? John?

MR. HALL: Again, I would like to say that I am the uplander in the room. And when we talk about the same statement, when it talks about shoreline outwards. Certainly there are some upland impacts on what you all are trying to accomplish here. And so my concession here is the fact that you say that at this time in that statement that there is going to be a possibility that as we move through this process there will be some tie in with what impacts are coming from

the shoreline upland to your mission here. And so I'm okay with it just with the understanding that we the U.S. Department of Agriculture is standing on the shoreline looking at what is being accomplished here, wanting to know how we can support and help you all in this effort. So by just saying at this time I, we take it that as we get more public comments about what is going on in the uplands impacting the oceans, then there might be a change in our geographic focus.

MS. CANTRAL: And you heard talk a little bit about addressing public comment to just that point and we intend to talk a little bit more about it later today and tomorrow, about some mechanisms for figuring out what that, how to address that connectivity.

Karen?

MS. CHYTALO: Yes, I was just thinking though but you are talking about the watersheds and what their impacts are going to be in the ocean and stuff. I mean, I think our focus is going to be on

the ocean but we are going to look at the interconnectness with the estuaries and those bodies of water because resources they don't know the difference between state waters, estuaries, you know, signs, or whatever. And they go in and out. And so they utilize all those areas. But so it's a bird going upland down in and also run off from coming off the land and, you know, from groundwater sources as well as direct surface water aerial impacts on the ocean. So I guess we have to look at those sheds, too. But that is, but the main focus is on the ocean and those are those areas are like source areas to some of the issues associated in the ocean. And so I don't view that as, you know, there are programs that are upland that handle that. And I think that's how the Department of Ag we should look to them to say, hey, you know, based upon some loading reports that we see up and down for the whole Mid-Atlantic, there should be more controls on some farmland practices or

something like that. That's a possibility that might come up as an action because we're seeing some sort of, you know, something that comes out of the Ocean Assessment Report that, you know, that is an important issue that has to be assessed on a regional basis. Does that make sense? Or is, am I getting, or --

MR. HALL: Yes. I mean, yes, that makes sense to me. But you know, I'm also trying to say that there's also some economic impacts associated with, on the upland side of the oceans as well. I mean, and again there's other issues that can come about as we delve into this process that the public is going to want us to address. And so I just want to just keep that open in terms of as it says here at this time that maybe later on it might be a possibility that things, that line changes from just shoreline inland to somewhere, or just a formal relationship with what is going on upland in terms of how we address the issue.

MS. CHYTALO: I think it's also an issue of viewsheds. That's going to become an issue, too. Because I know like in New York when a project was proposed near shore, people did not want to see the windmills close by. So that was a viewshed issue. So that, and that basically killed that project, that project. So I mean, so it is an important issue and something we can't ignore.

MS. CANTRAL: All right. Let's go to Mike and then Gwynne.

MR. LUISI: Thank you. Sticking to the topic here, I think this is a really big issue and the framework needs to be extremely clear about how far reaching this body is going to be into estuaries and, you know, being part of the Chesapeake Bay, for instance. When I read this section of the framework it calls out ocean to me. However, it mentions that any, we're going to have these connections with the entities responsible for managing in estuaries. Well

if I'm a member of the public reading that I'm going to want to know who you are going to be in contact with. I'm going to want to know how I can be involved when it reaches into where I am. Because I'll tell you, if this was an estuary and ocean planning body, there would be a lot of people that aren't included in this group that would want to be involved in that planning. Just the make up of not just the folks around the table here, but the make up of the members of the audience would be completely and entirely different. Fishing activities are completely different in the bays as compared to the ocean. Other interests are entirely different. So I just, I think this is a, I would like to get more feedback from the public as to whether or not when they read this draft are they comfortable in the approach that this is an ocean focused group, however there will be connections with in more inland waters. And I just think that is an important thing to keep in mind. Thanks.

MS. CANTRAL: Okay. All right. So let's flag that and have some more discussion around it. And Gwynne, before I go to you just a couple of things. Catherine, would you like to introduce yourself? And we're glad you could join us.

MS. MCCALL: I'm sorry I'm late. Catherine McCall with the Maryland Department of Natural Resources, one of the RPB members with Gwynne.

MS. CANTRAL: Okay. And then I wanted to just do a check on the sound and it feels to me like this side of the room, is it harder to hear people on this side than that side? Because maybe we can do some adjusting here. But in the meantime members, particularly those on this side, if you could be trying to direct your voice at the mike and we'll see if we can fine tune. And let us know if you are having trouble hearing us. Okay? All right, Gwynne?

MS. SHULTZ: And actually as kind of a follow up to what Mike was saying with regard to

relationship to the estuaries, and I think that whatever we do it's really important that we are not duplicating the efforts of other existing entities. And so I kind of call to exception the example that you gave about run off and addressing run off as part of this program. I would think that we would really need to, you know, there are other programs that are working on that and that wouldn't necessarily be the focus of our group here. So.

MS. CHYTALO: I agree with you. But I think we should be supportive of those programs to show that they are important for issues in the ocean. I mean, when we talk about ocean acidification you have to talk about upland issues or things coming out of power plants. And we do know that that is an issue and that it's going to becoming more along our area. So I think we have to sometimes look inland and tell them we need more. We need you to do more, or whatever, to help meet our goals in the ocean. And I think, but

it's an ocean looking inland type of a look, you know, rather than just a land based issue and stuff like that.

So I know what you mean. But it's a fine line that we have to be careful of. Because otherwise we would be, as you said, duplicating them. And that's the last thing we want to do. We have some wonderful estuary programs and I think we need to work with them, assist them in some ways, provide information to them and get information from them to help with our needs, too, to show that connectedness and how important some of those areas are.

MS. CANTRAL: So the balance to strike perhaps is thinking about the connections but not duplication? Okay. Joe?

MR. ATANGAN: I want to thank Doug and the team that put this thing together. I think it's a great product. I think the modifications based on the interest from the public are great. This is a

framework document. It's meant to be a high level thing. We are not going to get all the detailed pieces in there. But I think it's a great foundation for which we can set off and get started on the work that we need to do. So thanks for putting this all together and I look forward to hearing what the public now has to say about this, what I believe to be a somewhat finished product.

MR. PABST: Thank you, Joe.

MS. CANTRAL: Andy?

MR. ZEMBA: I concur with Joe. I think he's right on. I think we want to be careful about, if we're going hear a response from the public we want to be careful about discussion of adding to this. It may be adding it somewhere else but this is high level and it needs to stay high level.

MS. CANTRAL: Yes, I think that's really a helpful context for the way you all have designed your process, that this is the point of departure and you

build out the detail in the subsequent documents and thinking about the process and designing the process to meet the goals and objectives that are laid out in this framework. What we want to know right now and what we want to ask you all over the course of this meeting is are you comfortable with proceeding with this as your platform to do all of those things? Other thoughts? Go ahead, Joe?

MR. ATANGAN: No, I'm ready to go.

MS. CANTRAL: You're ready to go?

MR. ATANGAN: I'm ready to go.

MS. CANTRAL: Okay. Well if there are no other questions or comments from the RPB then I would suggest that we proceed to hear from members of the public and folks that are signed up and have something to share with you perhaps on this topic, hopefully on this topic, but you are invited to share any thoughts that you have. So are we ready to make that transition? Does that sound good?

All right. Let's see. Looking at my list it looks like we have eight people who are signed up for public comment and we have got plenty of time. So we would ask you to keep your comments to around three minutes or so. And the first person that we have signed up is Matt Gove. If you want to come to the table here, speak into the mike. Introduce yourself and your affiliation, and share your thoughts. And Brent Greenfield, you will be after Matt.

MR. GOVE: All right. Is this mike working? Can you hear me? Yes, it is a little tricky in the back. Laura, you sound great and everyone else is kind of varying levels of --

MS. CANTRAL: Okay, well we will try to work on that.

MR. GOVE: Just tell me when three minutes is up because I have a bunch of stuff and I will just stop and I will do more later. Yes, I am Matt Gove from Surfrider Foundation. Surfrider has nine

chapters in the Mid-Atlantic region of volunteer folks that are interested in ocean issues and love the coast and oceans, so that's why we're here today.

I did want to congratulate you all on the good that you have gotten done on the framework and on other stuff, especially the listening sessions. I think I was the only one crazy enough to go to all of them besides the Meridian staff so I have a good feel of how they went and I think you guys got good feedback from a good group of stakeholders. So I think that went well and is reflected in the framework.

Going forward obviously we need to continue to reach out to stakeholders. And one little pet peeve of mine is that it would be great to use all of the communications channels that all of your agencies have. I think I have noted this before. I used to work at NOAA. I know there's all kinds of communications channels. And I think right now we are

still using just the RPB specific email list or whatever it is, but it would be great if, you know, for the next RPB meeting, you know, just put that out through all the newsletters and Facebook pages and everything. Because a lot of people still don't know about these meetings and that is just an easy thing to do and it's already there. It's a system we can use, keep reaching out.

I want to thank you specifically for changing the non-consumptive recreation piece that Doug read. I think that reads a lot better. Recreational users of the beach are huge group, just beach goers. So it's a group that needs to be protected going forward and not just understood which I think was the original kind of version in the framework.

In 2013 Surfrider did a survey of recreational users in the Mid-Atlantic and we're excited, we finished the survey and the data should be

going onto the ocean data portal hopefully this summer. And we're going to continue to reach out to other recreational users in the Mid-Atlantic going forward to keep them engaged in this process and so that their voice can be heard.

I'll keep going here. Also, thank you for adding regional ocean action plan. I think you heard that many times in the listening sessions so that's great to get in. Obviously we have to figure out the details of that, there's going to be a lot of stuff in there. But without the plan I think it would be a really hard time with making changes and a real impact, so I think that is key. So thank you for adding that.

Okay, so let's get into some specifics of what we think the plan should include. Obviously agency specific actions that need to be taken to get the goals and objectives of the framework completed. We also want to see analysis of what ocean activities

work together and which ones don't work that great together, and in what areas of the ocean, and what times of the year. So that's a lot. But I think you really need to add that and have that as part of the plan to be successful.

We would also like to see identification of areas of high recreational value and that should be doable now that we have the data that has been collected through our other studies as well. We would also like to see identification of areas of high ecological value just so we know where they are and what is there. And a fifth thing also create a clear decision making process for the RPB. That's a definite thing that needs to be in there.

On top of all that you are going to need some sort of system of performance measures, indicators, benchmarks, something like that so we know moving forward if we are really having an impact or we are really getting something done. So that is another

thing that the plan needs to have.

I think I'll do one more thing about the plan and then take a break until the next public comment period. There's going to be a few so I'll just come back. The last thing about the plan is the timing. I think you guys can get it done by 2016.

(Laughter.)

MR. GOVE: Everybody laughs, everybody laughs. Hear me out. If you look back at the last year you guys got a lot done. The charter was written, the framework, five listening sessions, two full meetings, that was just a year. So I think if you can get the work plan done by the end of this year and have that kind of ready to go you've got two years to, you know, work on the ROAP, the Regional Ocean Action Plan. So I think take a year to work on it, you could be done early '16, mid-2016, I think it's doable. So think about that. And I'll be back for more later.

MS. CANTRAL: Thank you, Matt. We'll see you later.

(Laughter.)

MS. CANTRAL: Okay, Brent. Arlo Hemphill, you will be after Brent.

MR. GREENFIELD: Good morning. My name is Brent Greenfield and these comments are made on behalf of the National Ocean Policy Coalition.

With regard to the updated revised timeline in describing milestones the previous version referred to a possible ocean plan as an example of potential RPB products. However, the revised timeline refers to the development of a Regional Ocean Action Plan and completion of a first iteration Regional Ocean Action Plan. The decision on whether to develop a Regional Ocean Action Plan for the Mid-Atlantic should be subject to formal and meaningful engagement and based on the input, advice, and consensus of the region's commercial and recreational interests.

In seeking feedback on a process for moving forward with the development of a stakeholder engagement strategy the RPB noted last week that, "there has not yet been a systematic thorough assessment of stakeholders that this body needs to engage with, the key issues to discuss, or a comprehensive approach to engaging them. In the absence of such a strategy and sufficient and transparent engagement mechanisms, it should not be prejudged that the region desires a Regional Ocean Action Plan and the proposed timeline should accordingly be revised to remove references to a presumed Regional Ocean Action Plan.

The timeline should also be adjusted to first account for the development and implementation of a stakeholder engagement strategy and the establishment of sufficient and transparent engagement mechanisms, and milestones and RPB decisions should not be proposed, adopted, or completed until such a

strategy and engagement mechanisms are developed and fully implemented. Proceeding otherwise would be putting the card before the horse.

Framework revisions addressing areas such as economic value, future potential uses, and changing economic conditions are welcome. However, several changes are of concern. First, the draft framework says that the RPB, "intends to develop a Regional Ocean Action Plan." For the reasons just stated with regard to similar language in the revised timeline, this language should be revised to remove references to a presumed Regional Ocean Action Plan.

Second, rather than strengthening a commitment to the application rather than just the consideration of sound science and its activities, the framework now proposes to utilize best available science. It is imperative that the RPB make clear that any data and information it relies on will be based on sound science and that any data that is

utilized will be compliant with all relevant federal data quality laws, regulations, and standards. The need for this language is underscored by the fact that RPB products are to be implemented by federal agencies to the maximum extent, including to regulations when necessary.

Lastly, it is critical that the RPB commit to addressing all uses in a non-discriminatory manner. While the RPB has included revised language noted that use is not specifically mentioned may need to be accounted for, it must go further to instill confidence that it will not favor certain interests over others. Specifically the framework and future RPB materials should state that in conducting all its activities the RPB will recognize and accommodate all existing and foreseeable and potential future coastal and marine uses, explicitly citing fishing, boating, shipping, tugs and barges, oil and gas, renewable energy, pipelines, ports, military, under sea cables,

and sand and gravel, among others. Thank you.

MS. CANTRAL: Thank you. So Arlo? Ali Chase, you will be after Arlo.

MR. HEMPHILL: Hi, my name is Arlo Hemphill. I am with the Maryland Coastal Bays Program and we are the nonprofit administrator of one of the federal natural estuary programs that you guys were just discussing. I want to make a brief comment on the ocean action plan and on the geographic focus.

On the ocean action plan I just want to echo Matt Gove's comments that I strongly believe that you should aim for 2016. To just be blunt, political priorities change between administrations in this country and unfinished business often gets swept under the table. So just to preserve all of the efforts that you guys have done over the last two years, I really think it is important to create this as a lasting impact that will continue forward.

In terms of what the ocean action plan

contains, I would strongly urge that we look at the impacts and spatial overlaps of all potential and existing uses of the ocean. And most importantly, we develop a process and we develop a spatial plan and a process and mechanism for identifying habitats of extreme importance and ways to protect those habitats.

In terms of the geographic focus, this is now my fourth time to sit in front of this body at various meetings to urge you to consider the small coastal estuaries. I believe that the current language was a decent compromise that you at least discuss close coordination with the coastal management bodies. However, the discussion that followed disturbed me a little bit in that every time I have been up here I have told you that the National Estuary Programs are not interested in you including the estuaries so that you have a focus on water quality and stormwater and phosphates and agricultural runoff. We do that. It would be overlap. We agree. We don't

need you to focus.

The reason we want you to include the small coastal estuaries is that the National Estuary Programs lack complete capacity for blue water issues. The issues that you guys are discussing we do not have any experience in, we have never done, and they do not magically stop at the mouth of the inlet. Things such as recreational use and fishing and navigation conflicts actually intensify in the estuaries, they do not cease. We have commercial fish and invertebrate species that migrate onshore and offshore with important habitats in both. These efforts to manage these species need to be linked. And most importantly to us is the coming development of offshore wind. We have never dealt with this in the Mid-Atlantic and we don't want to do it alone. The transmission lines are going to come in through our estuaries, or nearby through our watershed, we have never dealt with it. And we will be greatly outnumbered and overpowered if

we have to deal with it alone. We want to look at offshore wind energy as a unit with you. And it is very important that we be included and have a seat at this table. So thank you very much.

MS. CANTRAL: Thank you. Ali? Will Nuckols, you will be after Ali Chase.

MS. CHASE: Hi, Ali Chase with Natural Resources Defense Council.

MS. CANTRAL: Ali, we can't hear you.

MS. CHASE: Ali Chase with the Natural Resources Defense Council. And first off I want to echo the comments that have been made thanking you for committing to the developing of a Regional Ocean Action Plan. We think that that is an essential part of achieving the health ocean and sustainable use goals that are set out in the framework. We see this as a plan based on a regional assessment that will identify areas of the sea that are appropriate for different uses based on the information that you have

received and those that need protection in order to ensure that the ecosystem is healthy.

I also want to echo the comments that have been made about the timing. That we see the Regional Ocean Action Plans as an important aspect of this new stewardship approach to ocean management that has taken place under this administration. And we think that you need to tighten up the timeline so that the ocean action plan, which includes the implementation as part of that, can be submitted to the National Ocean Council by 2016 or in 2016.

In terms of the framework, first off thank you very much for all of the listening sessions and for the back forth. They have all been really helpful and I love the way that the listening sessions in particular were conducted. I thought we really had an opportunity to discuss the items and hear from everyone their different viewpoints, and more so than just their statements why they actually felt

different, how they felt on different aspects of it.

So thank you very much for that work.

There were, while you did go through a number of the items that changed there were some comments that we made that we still feel are really important. And so we would like to raise these for your attention. And it would be helpful to know if you do not accept them why those decisions were made so we can have a better understanding going forward as to what your goals are and sort of how you see some of the comments that we have been giving as part of that.

So the health ocean ecosystem goal we still would like to see prioritized to reflect its important in the document. I understand that the framework notes that neither goal has been assigned higher priority because the RPB views them as deeply interconnected. But I personally find that slightly unclear. And I think it would be helpful to know what connection you actually see. We see that without a

health ocean ecosystem you are not able to achieve that second goal of having sustainable use. And so I just want to see if we are on the same page with that.

We want to thank you for the first, the fact that the first objective on your health ocean ecosystem goal now reflects the importance of protecting the ocean ecosystem as opposed to simply key habitats. I think that is a really important change, so thank you very much. We encourage you as you move forward with the work plan, and potentially also in this document too, to expand beyond just the characterization activities. You have as the first objectives example action. So that is not simply about identifying protection initiatives but to actually, beyond identification to actually undertake protection and habitat protection and restoration initiatives. And I know that we had previously noted for more than the canyons. This may be something that is, comes up in an additional action in the work plan,

but we want to state it now because we do think that is particularly important. And I think that it does need to move past just the identification into the action component.

Similarly in objective two, not only looking to collect information but also to act on it.

Thank you for retaining many of the elements that we see as important to ecosystem based management. A number of those items are in the principles. We appreciate that.

We still encourage the addition of a precautionary approach as an additional principle. This is something that is showing up, I think, in the Pacific Islands, in their document. And I do think that it would be an important piece to add here.

In terms of revising the principle on science to now incorporate best available science, we wanted to thank you for that. And the adaptability principle as it is now stated, I think it is important

that efforts also be made to assess the effectiveness toward meeting the overarching goals. So that right now the way it is stated is more about making sure that we are going, that you are doing the particular items. But not whether or not it is also achieving the overarching goals. And I think that that would be important to add. And whether this is identifying ecological indicators so that you can actually measure the on the ground progress we are making in terms of health so that you can get to that goal. Thank you very much.

MS. CANTRAL: Thank you. Will, you are up. And Tom Bigford, you are after Will.

MR. NUCKOLS: Tom sneaking in at the end. I thought I had the last word, but that didn't work out. So some of you know me already, but for those of you don't sort of my background is that I'm speaking as myself as an estuary and marine ecologist, sort of starting with like green water in the Bay in the

eighties, and then working farther up the food chain, and then working sort of at the federal level, nationally, through a bunch of collaborative efforts similar to this although historically quite different which hopefully is good because we are trying to get beyond what we did historically. But my expertise sort of comes at this as looking at a range of national and regional bodies that goes back to what we were doing in the (indiscernible) Action Plan, and what we did as a part of what was called the Coastal America Portfolio which is the living resources side of this really with some education stuff. And now the two bodies that looked at the holistic analysis as we had the commissions, and then the efforts at the federal level thus far, and then now what is supposed to be the regional piece of the puzzle. So I have touched all of these. I have got a pretty broad background. And I hope that matters to some degree as I am talking forward.

So one of the discussions about when we were talking about this earlier and how we kind of got here, originally we talked a lot about oceans coast, and oceans coast, and oceans coast, and we said that a lot, people got tired of saying it. So we sort of dropped that language and we just started talking about oceans when we really meant all along we were trying to find some way to holistically deal with everything that touches water in the coastal area. And that included people who said, like, oh, there's not enough, there's not enough like near shore people coming to my meetings. And we said there's not enough blue water people coming to my meetings. And we had a lot of this back and forth and a lot of these fits and starts in different areas of the countries and different estuary programs sort of had these fights and different federal efforts and different state efforts. And everybody was sort of saying we don't quite have the right cast of characters to really fix

this. And that is why even though we started this effort in the seventies, why we are here today and the resource conditions that we have now and the troubles we're facing is we had not quite gotten it right. And we hadn't cast a big enough net. And we thought that we might be able to do that with just the feds and trying to have a better federal system. But then, and to some degree by not trying to step on state toes, as well as realizing states actually have a lot of expertise as well as assets to some degree because that could help smooth out the weird federal election cycle process and then the same thing could happen. The feds could help smooth out some of the oddities that happen with states and state budgeting. And when we harmonize all of these things we are going to be able to do things that we have never done before and stop making some of the mistakes we have done before by having too many of a narrow group of people in the room.

And here we are looking at both living resources and nonliving resources. And Mo, to congratulate you I think you are doing a great job on the nonliving resources, at least the wind side of things, but trying to get the right cast of characters, a broader set than had been there in the past. But I think even if you expand that to sort of the bigger deal and you look at potential oil and gas in the future the cast of characters may not be big enough if we are really looking blue. Because those resources tend to move around. We have seen this in other water bodies in the U.S., that that tends to you need to involve a lot more people. And so I think the blue water mentality if we are looking at oil and gas alone is going to get us in trouble again.

It's even worse on the living resources side. We have particularly said it is time to take an ecosystem approach. Magnuson has only gotten us so far. You know, we have made some headway. We realize

there's lots of problems. Part of the things is that if you are a pelagic breeder and everything happens in the blue water this is a lot easier, tuna is a lot easier, even highly migratory is to some degree easier than what we are dealing with in the coastal zone. Because we don't even have like groups of species that do the same thing repeatedly. It's a highly complex system with highly complex food webs and everybody said we want it to be the ecosystem approach, which we are not smart enough to do yet. But the goal I think is an admirable goal and we should be shooting for that.

And by sort of again sort of focusing on a blue water approach the question becomes if not you, who? So I think you either need to actively say we need to cede this responsibility to the feds at the national level and ask the National Ocean Council to say you are going to have to fix this for us because we don't have the capacity to do that in the Mid-

Atlantic region, or you have to try and take up those capacity issues yourself. This very much affects membership. And I think getting this right now, although the framework document to some degree is just a guidance document, this will to some degree, actually I think to a great degree as I have seen these processes happen over time, affect membership and affect who comes to the room.

As the direction going right now, if I was again I would just go home. I mean, really. I mean, I don't see how you would be able to talk a state conservationist or somebody high up on the forest service to take their time to come to these meetings, even though their impacts are huge. Their budgets are huge, their impacts are huge, their footprint on the coast is huge. And that is one of the groups we have been trying for decades to try and actually really engage in how coastal ecosystems work.

So please don't create a system that -- and

the other part is that even if they stay on the roster what happens is it starts with high level people, sort of like SES level folks, and then it turns into senior career, and then, I've even seen this in D.C., seemingly important meetings, seven, eight years later, we have fellowship folks coming to try and just staff the chairs, and they go I'll tell my boss later what happens.

These issues are too important. I don't know how many times we can continue to get this wrong before the resources are irreparable. So I really encourage you to think broadly. Even if you have to have subcommittees, that may be another approach that works to say we need to have, although the two needs to talk together, a living resources, nonliving resources, near shore, far shore, I think that is sort of a web approach may better justify why you need to have the broad buy in and allow you the flexibility as different issues come up to say this is what we are

going to work on now. These subcommittees have the lead. They are going to refer back to the broader body. You know, that sort of approach may keep you intact and give you the broad reaches that you want.

And on the duplication piece, to some degree that is I think a fallacy because you are believing a couple of things. One is that those processes are functional, that they actually have sufficient resources, and that they actually have the proper leadership to actually achieve their own goals. And we know that is very much a patchwork throughout this region. Some are great, some are bad, some are hardly even alive, some are sort of historic artifacts, some are new and exciting. And you know, if you have that broad collection, again my question is if not you then sort of look holistically as an oversight body and try to figure out as those individual entities have capacity problems or leadership problems or just outcome problems, how can you step in collectively to

try and fix that? And I think that that sort of approach, if you think of yourselves as problem solvers, not as sort of folks that go I hope somebody has this covered, I think that is going to serve the Mid-Atlantic region a huge value that we have never had before.

On the timeline, and this is really not speaking as an ecologist but really a policy wonkish person, even 2016, if you are just trying to put out the timeline for this, is too slow. In part because if you are talking about trying to identify an action, and then you start to do something with an action, the next level of analysis is like what resources and capacities do we have to do those actions? That needs to happen pretty quickly. Because what you are really trying to affect if you are trying to change the status quo is you are trying to affect resource allocation.

I know some people would like tons more

resources. But we really I think in these days are talking about resource allocation and trying to put the right pieces in the right place to have the bigger impact than we have had historically. Those budgeting delays are significant. And they are not even lined up state and federally. They are sometimes as much as a half a year or more off, and with the weird CR things we have done in the federal even more than that. So I think being politically aware of the impact of the budgeting process on trying to move into the implementation phase based on your recommendations, I think that to me means that you need to move this up while you are still federally under this administration. Because to be honest they didn't do a very good sales job. So it's really up to bodies like this to show that this can work and have some measurable results. And I know wind is going great and I think that's wonderful. But that cannot be the only example. It can't be that we said we are

going to completely redo the plumbing of the entire way this all works and have better results on the ground in an number of spheres, which is really where we were going with a national policy. We can't hang our hat just on the hat of wind. We have to think more broadly than that in trying to figure out what else can we check off so that we can make it through transition? Governors races are similarly, I know a number of you have a similar problem in that respect too.

So try and move quickly. I would say there is no reason you cannot do this by '15 so that you are actually trying to make recommendations in '16. If you are trying to change the status quo to get those people. Sometimes they are emboldened on the way out the door, right? At least give them a chance to be bold on their way out the door and say I'm going to make policy recommendations and budgeting recommendations, you know, because I believe that your

process actually worked. If you wait until '16 then you are really talking about '17 and a half really before everything gets back up to speed again. It's just a reality of bureaucracies, there is a big lag time.

So thank you for your time. If you have any questions I'm going to be here for most of the day. I'd love to help you in any way I can. Thank you.

MS. CANTRAL: Okay, thank you. Tom Bigford? Noah Chesnin, you will be after Tom.

MR. PABST: Hi, Tom.

MR. BIGFORD: You're out of order.

It is nice to be back, nice to see Kevin in what used to be my chair, and nice to see the NOAA team here supporting him, nice to see everybody else. But I'm wearing a different hat now and I'm with the American Fisheries Society, a group that has been around 140 years representing the interests of fish. I'm their new policy director, a position that didn't

exist. And I'm here prospecting for roles for a voice for fish. So it's interesting to hear the discussion about the framework.

Great to hear the progress, too. The progress on public engagement and the focus and the use of best science and the stakeholder meetings, a lot has happened since we met in New Jersey in the fall. Good to hear.

What I wanted to talk about relates to a lot that has been said so far. So sound of it sounds a little bit redundant but I will try to put a different spin on it. It certainly relates to the discussion about navigable waters and federal and coastal and estuary and bays and the words that you use. I heard ocean a lot this morning and I know you are trying to use plain language and try to beat the shoreline out. But I agree with a lot of what I heard from John and Mike and others, too, who were talking about how the public is going to perceive this. And they will see

an agenda that talks about the oceans and might not come if their interests are more near shore. They might not be, they might not come to speak about all those sheds that Karen was talking about, the watershed, airshed, viewsheds. A lot that happens upland, uphill, upstream has a big impact on those coasts and even in the ocean.

So I think we need to find a way to be more inclusive with words. And I don't know what that is. I cannot be a regional ocean, coastal, bays, sound, rivers, watersheds, airsheds. But say those words more often so that we know that it's more than oceans. I think that is real important.

One other thing that I don't hear much of at all, I know that we as a body, and certainly the NOAA team, worked a lot with our colleagues to the north, so we tried to work with the Northeast RPB, and they are progressing at about our pace so they are good colleagues. But the people to the south are just as

much our partners and they are behind us, behind you, behind us, I'll always be with you. But they are at a different pace. And I think it is important to look to the south just as much as it is to look to the north or look to the upland or look out towards the 200-mile zone.

So just wanted to reiterate the importance of words there and making sure that you are inclusive. Make sure you include the people and the issues but also the partners north and south in addition to the west. Thank you very much for the opportunity. Keep up the good work.

MR. CHESNIN: Thank you very much. My name is Noah Chesnin and I work for the Wildlife Conservation Society. Some of you may be aware of the organization. We are based in New York City, and perhaps most well known for the Bronx Zoo, also the New York Aquarium. And I'm here on behalf of the New York Seascape Program which is a part of the Wildlife

Conservation Society that does conservation science resource, policy, but then also education and outreach through our parks in New York City.

And I think one of the things that we are really excited to see is that the wildlife element and protection is being incorporated into this plan and framework and the objectives that are moving forward through this process. And we have had a chance to engage as I have come on board, and I must say that, you know, when I attended the regional listening session in April in New York I was very pleased and the organization was very pleased to see how interactive it was. As an organization that has visitors come to the floor of the aquarium or the zoo, we want to talk not just about places and animals but also interact with the public. And seeing that that kind of approach was reflected with the listening session to really garner as much public input is really heartening and important.

The other sort of key issues that I wanted to highlight before we break, one was the inclusion in this framework now of having a Regional Ocean Action Plan. The Wildlife Conservation Society is pleased to see that included in the framework. And we would encourage you to use that planning and the final plan to identify specific areas that are worthy for protection, identify areas that are important for human use, and use performance measures indicators so that the public but also decision makers can evaluate and assess how those areas are cited and how they interact both across space and time.

Second, and I think this is another comment that others have already made, using all the effort that you are putting into it, make sure that it can be implemented on the ground, on the water, and have a deadline set for 2016, given the political and administrative priorities that are helping guide this work from D.C. but also from the region.

So I wanted to end briefly with just a little side story. Last week we had some students from the Sea Education Association. They have a semester at sea that takes students through the planning area, and others. And they stopped in New York before heading up to Woods Hole. And so they came and we had a chance to talk about this process and they were really interested but they were concerned that the process was a lot of bureaucracy. And I was able to highlight through the framework that you are planning to identify, you know, with your objectives you have highlighted the need to identify areas like the canyons and that you are bringing all the different stakeholders together through the planning process. And so they were encouraged. But they, you know, they want to find ways to be engaged. And I think aquariums and zoos can help leverage and get the public engaged. Even if it is just awareness, you know, using the facilities to sort of connect

people to the waterfront but also the ocean and the public process that is ongoing here.

So thank you very much for this opportunity and we look forward to working with you going forward.

MS. CANTRAL: Thank you. Sarah Chasis, you are next, and Peter Himchak, I hope I am saying your name right, you are after that, after Sarah.

MS. CHASIS: Good morning, everyone. I just want to start by thanking you for all the hard work you have put into this. And we are excited that you are coming together and about this process and feel you have made a lot of progress over the last year or so. I want to just express our appreciation for all you are doing.

So a couple of things. We are very pleased that there is a commitment now to develop a Regional Ocean Action Plan. We think that is vital to this process. We would note that this was something specifically called for in the final recommendations

that were adopted by the President's executive order. And also they are called for in the implementation plan for the National Ocean Policy. It specifically says that the regional planning bodies will develop marine plans. So we are very pleased to see that that now is solidified as part of the framework.

The timing is a concern that has been outlined. And we understand the pressures you are all under and the scarce resources. But we do think it is really a priority to move forward more expeditiously and set a goal of completing a plan by 2016. We think that that is, there is a lot going on in this region in terms of offshore wind development, increased shipping, changes due to climate change, ocean acidification, and there is an imperative to get a plan in place. And I think we have a question about, we'll come to it maybe in comments tomorrow, though about how much emphasis there is on the work plan. We understand a work plan is important but it seems there

is a lot going forward on that. And you know, rather than having maybe quite so focus on the work plan and that let's start, let's get going on the plan, the regional assessment and the plan. We see those as really a need to move expeditiously on.

In terms of the plan content, we do want to make sure that it has a strong spatial component in terms of identifying areas that are suitable for certain activities and identifying important ecological areas for protection and that include implementing actions. We believe that is something that is called for in the overarching approach that is envisioned for this process.

The geographic scope issue is a challenging one and we have heard a lot of good points made about that, both in the comments from the RPB and from the audience. I do think that the way it is talked about in the framework it focuses on how ocean uses may affect coastal communities, bays, and estuaries. That

is important. But the opposite of that, it seems to me, should also be acknowledged in the framework.

That what goes on in those bays and estuaries can have an impact on ocean uses. And to the extent that those are significant those need to, you know, be taken into account and factored into the planning process and the plan.

I do want to mention we have concerns about the fact that the charter is not being made available at this meeting. There were a lot of comments about the charter and the nature of the charter and making sure it was responsive to public comment. And so I think there would be a concern about seeing it and making sure that it addresses those concerns and also is in tune with the framework as it is evolved.

Finally a couple of points about two of the objectives. The first objective uses the term critical habitat. And we wondered if the RPB would consider substituting the word important for critical.

Critical habitat has a particular connotation in the context of the Endangered Species Act. So we would ask for consideration of changing that word. And we would like to see restored to objective two the second objective, the language that was taken out about affecting decision making, consideration of the effects of climate change and changes in ecosystems not only being something where there is information and enhanced understanding, but those understandings are then taken into account in decision making.

So with that I will conclude and look forward to hearing more and commenting more later. Thank you.

MS. CANTRAL: Peter?

MR. HIMCHAK: Thank you. It's Peter Himchak, Cape May Foods, specifically LaMonica Fine Foods, processes surf clams, quahogs, squid, conch, a number of other things.

Perhaps I'm looking too far down the road,

but at the inaugural meeting there was a long discussion about whether the Mid-Atlantic Regional Planning Body was developing a process or a plan. And I know the draft -- and the implications of that of course are, deal with regulatory authority as a result. The draft charter specifically states that this planning body has no regulatory authority. However, in the revised framework right up front and it says once finalized the framework will be used to guide development of a work plan and other products.

So the framework is the genesis of a plan. And a plan implemented by an executive order would have regulatory authority over marine spatial planning. Would it not? I would just like a clarification on that. And I haven't seen a revised charter, if there is a revised charter. But this issue of regulatory authority of course it has ramifications for marine fisheries management. Does the plan establish a hierarchy of uses in the ocean?

It kind of like heightens our fears and what exactly is going to be in a work plan. So can anybody enlighten me about potential regulatory authority coming out of this plan now that it's not actually a formal process?

MS. BORNHOLDT: I can appreciate how this point can be confusing because I think you're right, back even in April when they said you are established as a Mid-Atlantic RPB we're wondering, okay, so what does that really mean? One of the tenets that is in the documents associated with the executive order and then in the implementation plan is this purpose that this particular, any RPB does not in and of itself have any authority. But we have the authority of the collective that sits around the table. So it's not that the RPB is going to have fishery management responsibilities and vie for that with all of the existing statutory anointed entities that have that. But we do have the collective ability to affect a

change.

So with regard to any Regional Ocean Action Plan or process that we would embrace, it is done in the context if that jives with our existing authorities and that we can use that in our day to day business transaction, what we do in our day job. So to sum up, the RPB in and of itself does not have the ability to regulate. We have the collective ability of those folks around the table.

MR. HIMCHAK: Okay, thank you for that. And just one final point. The National Ocean Policy, the implementation plan specifically states as the focus, geographic focus, it does include all estuaries and bays up to the mean high water line. I don't know that you have the latitude of saying, yeah, well our primary focus is this but we'll consider them on a case by case basis. I know you changed the language in the revised framework but, again, I don't want you to be inconsistent with the National Ocean Policy's

implementation plan. Which is specifically bays and estuaries, ecological linkage.

MS. BORNHOLDT: There is some added flexibility in the handbook for us to really focus on those issues that we believe for, we had some discussion, I think it was in New Jersey, that resonated with me when we had our Monmouth meeting was what makes us the Mid-Atlantic? And what issues do we want to focus on that truly are things that are driven here? Not that we are not going to reach out north, or go land and water, and reach down south. But there are certain things that we all as a collective care about and we really want to focus that extra energy to be able to benefit from some of this dialogue and our jurisdiction and our ability to gather and leverage information. So we won't be in violation --

MR. HIMCHAK: Okay. Thank you.

MS. BORNHOLDT: -- but thank you for thinking about that. There is some flexibility.

MS. CANTRAL: Thank you. So I think that is everyone who had signed up for this public comment session. We will have another one later this afternoon, and then we have public comments scheduled for tomorrow as well.

If you are looking at your watches you can see that we are ahead of schedule for our agenda. We have scheduled a 12:15 break for lunch and we have a few minutes until that time. So we could do a couple of things. I have one suggestion and I am going to give heads up to people in the audience, I am going to put a couple of you on the spot.

We asked representatives from the Northeast Regional Planning Body to join us today and to be available as a resource to this regional planning body for obvious reasons. You are adjacent regions. You are both involved in these processes of figuring out what regional ocean planning looks like and how to do that. And it makes sense for you two regions to be in

close consultation with each other as you struggle with similar kinds of questions and issues.

One thing that is coming up a lot, it came up in the discussion that you all had before public comment and it came up in public comment, is this notion of how to strike the right balance with regard to the focus of the geography for regional ocean planning, and what is the connectivity to the upland area, the sheds. And how do you find the way to ensure that you have got that connectivity without duplicating efforts? So I'm going to ask either Nick or Dan, one or both of you, if you would be willing to share some of the experience from the Northeast and how you have handled this question?

MR. NAPOLI: Hi. Do I need to give my name? It's Nick Napoli with the Northeast Ocean Council. And there are several Northeast RPB members in the, sitting at the table, there is one sitting at the table, at least, and one in the room here. So, you

know, feel free to weigh in.

I think from the geographic discussion you just had, I think that the way we are approaching it is from an information collection perspective, you know, in terms of characterization existing conditions. That is very much from the shore out. And then from a sort of planning perspective how you use that information is really still to be determined but I think if you read the framework it is likely to be guided by the issues with which we deal in the plan. So --

MS. CANTRAL: And by framework you mean the Northeast has a document that they call the framework as well?

MR. NAPOLI: That's right. That's right.

MS. CANTRAL: As opposed to your, the Mid-Atlantic framework.

MR. PABST: Not the Goldilocks framework.

MS. CANTRAL: That's right.

MR. NAPOLI: Similar to it. So I think the, how much we go into estuaries or even closer to shore is really going to be determined by the issue with which we are dealing. So our estuary programs, and we also have two states that have plans so we expect that those state plans are going to largely be replicated or looked towards. We have the BOEM wind energy areas, you know, so there is existing planning for many of the agencies already ongoing that will be looked to and considered in those specific issue areas.

MS. CANTRAL: Okay. Thanks. Any questions for Nick? Yes, go ahead, Sarah.

MS. COOKSEY: This is getting a little bit ahead of ourselves. Oh, sorry. Here we go. Can you hear me okay? No? Have you thought about this in terms of the Regional Ocean Assessment?

MR. NAPOLI: So our, we haven't called it exactly that but that is what I am referring to when I

say data and information collection, characterizing existing conditions, whether it is existing uses, resources, that is largely from shore outward. Or it's almost entirely from shore outward, recognizing that there's a lot of ongoing efforts in many of those areas. So we have been calling it a baseline assessment. Same thing, I think.

MS. CANTRAL: And to be clear, we will be talking over the course of this meeting about how this regional planning body is thinking about doing those same kinds of activities in the context of a regional ocean assessment. And we may want to chat with you some more about how you are approaching that.

MR. NAPOLI: Sure. However I can help.
Thanks.

MS. CANTRAL: All right. Thank you. All right. So what are people's preferences for use of time now? Do you want to have discussion about, you know, what we want to do is come back to discussion

about the draft framework, reflecting on anything that you heard from the public comment, and then check in to see how comfortable you are and if you are ready to approve. That is what we had planned to do after lunch. We could take our lunch break early and come back to do that if you want a little bit of time to reflect. Or we could go ahead and open up that discussion now. What do people, what are your thoughts? Joe?

MR. ATANGAN: I'm trying to understand what the next step in the process is here. We've got the draft of the framework. We've gotten some additional comments. And so I guess I'm concerned that, are we, is there enough time now for us to absorb all that stuff, put it into the draft, the revised draft, come up with another, you know, a version, and then approve? I'm trying to understand what the steps are here. Because I think we heard some pretty significant comments that we need to consider and

address.

MS. CANTRAL: So those are the steps and we want to take the time that you need to do that properly. So we can start a discussion now, take a break, come back after lunch and resume that discussion, and see where you are. And if there needs to be work that we do to incorporate some of the ideas that you would like to see reflected in the draft, we can make those changes to the document over night and have you look at it first thing in the morning. It kind of depends on what you all want to do with the current status of the draft and how comfortable you are feeling with it. Gwynne?

MS. SHULTZ: Yes, one thing I would like to note is a lot of the comments that we received were not necessarily part of the framework discussion. So we heard a lot about what folks would like to see in the plans, in a future ocean action plan, you know, and some other topics. But just for clarity it might

be interesting just to identify those that really need to be part of the framework. Because you also heard about the timeline and that is not yet part of the framework. That is going to be for our subsequent discussion tomorrow as we get into the work plan. So if we could kind of zero in on just those topics that really would need to be reflected in the framework I think that would help for this morning's discussion.

MR. ATANGAN: Yes, that would be very helpful. Do we have time to do that now? I'm concerned about going into deep discussion on all this stuff regarding the framework, what needs to be changed, without having a clear idea of what it is we're --

MS. BORNHOLDT: So maybe what we should do is take our lunch break now and then come back and do the deep dive into what we heard. So that way I know, you know Doug was just saying and I agree, in taking a look at my notes it was the geographic focus again --

MR. ATANGAN: Yes, exactly.

MS. BORNHOLDT: -- that we need to talk about and to just give it enough, you know, 15 minutes I don't think is doing that justice.

MR. ATANGAN: Yes.

MS. CANTRAL: Yes.

MS. BORNHOLDT: Particularly if we want to try to move ahead and come out with up some changes to be able to before we leave Baltimore tomorrow try to have some consensus around this document. So maybe if we take our lunch break early, come back at the same allotted 15 minutes earlier so we just have a little bit more time to talk about the geographic focus and see if we can move on. Is that what folks --

MS. CHYTALO: Right. And there were just a few other little edits people brought up about --

MS. BORNHOLDT: Critical and, right.

MS. CHYTALO: -- yes, critical and all that stuff, and precautionary approaches discussed again so

I think we should --

MS. BORNHOLDT: Right.

MS. CANTRAL: Okay. All right. So are folks comfortable with that? We'll take a break for lunch now and we will be taking an hour for lunch which means we will come back at 12:45. So lunch, RPB members lunch will be just down the hall. Folks in the audience, we invite you to have lunch also down the hall. In the Charles Commons there is a nice lunch, lots of lunch options in there. And then I guess there are other things nearby, but I don't really know. But that would be the most convenient location for you, is just right around the corner. And we will be back in an hour. Thank you.

(Recess.)

MS. CANTRAL: Okay, welcome back. I hope everyone had a nice lunch. And I also hope that we were successful in adjusting the mikes as we get the discussion going around the table let us know how our

volume is and you can hear us all as well as you need to. There is a hole in the floor right behind my chair. If I go back and fall over, please don't laugh too hard.

Okay. All right. So as we noted right before taking a break for lunch the RPB wants to come back to have some more discussion about the draft framework in particular reflecting on some of the comments that many of you shared. We heard comments about several aspects of the RPB process, many of them related specifically to the draft framework and I think that is what we would like to encourage some RPB discussion about, see what that might suggest, how you are feeling about the draft framework, and what you want to do next. So I have made a list of some things that occurred to me in listening to the public comment. Maybe there are others. But why don't I tee up some of those and get some discussion around the table about some of the particular points.

First on my list is some expressions of concern and also some expressions of comfort and with having a notation, a reference to producing a Regional Ocean Action Plan and that is reflected directly in the draft framework document.

But first of all before I open this up let me say two things for context. One is for us all to keep in mind that the draft framework is a framework document. It's a broad general document. It's a point of departure for the work that follows. So I think it is helpful for us all to keep that context in perspective.

Another thing to note is that there is some introductory language on the first page of the document that assuming this body is going to approve the now draft framework would be editorial things that we would need to go back and fix that have to do with the origin of the document and its current status. So as that evolves we would make those editorial changes.

So that is just a small, sort of kind of a housekeeping, editorial matter.

So now back to one of the points that was shared by several people on the reference to a Regional Ocean Action Plan in the framework document. Anyone have any thoughts or comments about that? Or any other context that you want to offer about why that is in there?

MR. PABST: So it is a critical step so obviously recognize it in the framework so it can be incorporated in the work plan we felt was a necessary step. And given the significance of comments that we received on it, we wanted to respond to that.

MS. CHYTALO: No, I was just going to say -- let me shove this cookie in my mouth. It's so hard to be on a diet, stay on a diet. But the thing is that having a plan, going, we have a direction, what we're going to do and how we are going to document our whole process and be able to put that into something and

also have it be actionable. And I think that is something that all of us here wanted to see something to move on besides just --

MS. CANTRAL: Karen, we can't hear you.

MS. CHYTALO: We wanted to make sure that people can understand that, you know, we wanted to have a document that would include our process of how we are going to do things, have actionable items in there that we all can, you know, implement and move along, and help direct us back in our own organizations, let's put it that way, to help assist in looking at this common body. So I think we wanted to have it somewhat codified in some kind of a plan. And I think that is why we had that discussion, we thought that was the best route to go. And since we did hear so much from the public on that. They all called, most people, you know, I think 99 percent of the people I think I heard from rallied behind getting a plan done. And I think that we should follow suit.

MS. CANTRAL: So let's move on to another point that was offered up related to the reference to best available science and compliance with federal data standards.

MS. MCKAY: So tomorrow when we talk about the portal we will show the data standards that have just been posted to the portal. And those may be improved and changed over time but for the moment there --

VOICE: Can't hear.

MS. MCKAY: Sorry. Is this one working at all? Is that better? Okay. Tomorrow when we talk about the ocean data portal we will be showing you a new location on the portal where the data criteria and standards are kept. And we have five data quality criteria. Those may be enhanced over time, improved over time. But basically it does cover the federal data standards as a requirement. But we also --

VOICE: Laura, we still can't hear you.

MS. MCKAY: Sorry, I don't know what else to do.

MS. CANTRAL: Well you can go to that mike over there. We're trying to, right now we're out there trying to see what can be done to adjust these mikes because I know Karen's is a problem, Laura's is a problem, and bear with us.

MS. MCKAY: Complicated technology around here. So tomorrow we are going to talk about the ocean data portal. Can you hear me now? Yes.

(Laughter.)

MS. MCKAY: And we had just recently put up on the portal data quality standards and there are five of them. One of them addresses meeting the federal data and metadata requirements. Every data layer that is on there you can see the source of it. So I think it will be quite clear what we are putting on there and the data standards that it meets.

MS. CANTRAL: All right. Great.

MR. PABST: Well I was going to sort of echo that a little bit. And we had a discussion at lunch a little bit about science versus data which I think is an issue sometimes when dealing with knowledge. And data has a specific meaning to it. You get a number and that number has quality assurance associated with it. Science, it could be the process, it could be how we use that number, a calculus, a formula. So we feel comfortable with the best available science means the best knowledge that we have available at the time will be used based upon data that is collected using standards that are going to be at the federal and the state level. So I think that is the difference that we are trying to make. And I think that is where the portal and the data will be housed. But the science that this body and its respective agencies will use will be best available.

MS. CANTRAL: Any questions about that? Any -- yes, all right?

MR. PABST: It was Joe's idea. It's Goldilocks Part 2. Still nothing?

(Laughter.)

MS. CANTRAL: So what are doing? Are we going to try to pass that down this --

MS. IRIGOYEN: Are they all down? Or is it just Laura's?

MS. CANTRAL: Laura's is down, Karen's, I think (indiscernible).

(Laughter.)

MS. CANTRAL: Okay, moving on. So another point that came up from a number of commenters had to do with the connection to bays and estuaries and the focus of the geographic area. And in particular not only the connection from the focus as it's, the geographic focus as it is articulated in the draft framework, but the relationship between the inland waters, the bays, estuaries, and the ocean, and vice versa. So that interrelationship. So that is

something that we heard from a number of people, or that came up a lot in the public listening sessions and other input. And the framework writing team incorporated some of that input. So perhaps we should have some further discussion and reflection and think about any potential edits or anything that you would like to offer.

MR. PABST: Thanks, Laura. I think we had come up with some additional language and I would like to read it to the group. I will emphasize the parts that have been added but I'm going to read the whole thing for context, if that is okay. The Mid-Atlantic Regional Planning Body, and here is some new language, recognizes the importance of bays, estuarine, and coastal areas and, now back to the old text, will draw connections and coordinate closely with entities responsible for the management and planning of the bay, estuary, and coastal areas of the Mid-Atlantic for planning purposes, particularly in such cases

where ocean uses, and here is an insert, and natural resources have an interrelationship with coastal communities, bays, estuaries, and ports, or other shoreside infrastructure. The Mid-Atlantic Regional Planning Body will also coordinate and collaborate with regional planning bodies and other entities in the Northeast and South Atlantic, including the leveraging of resources which will be essential for success.

MS. CANTRAL: And to be clear, you, the language that you were just reciting starts at the bottom of page four in the draft framework?

MR. PABST: Mm-hmm.

MS. CANTRAL: And on to the top of page five?

MR. PABST: Yes.

MS. CANTRAL: If you are looking for that. So Kevin?

MR. CHU: Yes, I'm comfortable with that

change. I think it is important to, well I think the language we've had as originally drafted would have been fine. But obviously there was confusion about the implications and I think we should be clear on that. I will note that although your language, Doug, specifically culls out bays and estuaries, even up to freshwater is an issue that, are issues that we may have to deal with at some point or other and we should be aware of and coordinate with when necessary. But you don't want to draw the line at the Colorado River. So let's --

MR. PABST: On freshwater?

MR. CHU: I support that language. No, I don't think you need to change anything.

MR. PABST: It doesn't exclude anything by the way it's written. I think that is a good point to make. Nothing is excluded from this. We are just trying to address the sensitivity that we are being as inclusive as possible.

MS. CANTRAL: Other thoughts, reactions to that suggested revision? I see some nodding.

MS. BORNHOLDT: I agree. Because I think this gives us that flexibility to develop a work plan around some of those issues about those interconnectivities if that seems to be what we want to embrace. So I think that is a good addition.

MR. ATANGAN: Just read it one more time?

MS. CANTRAL: Doug, would you read it one more time?

MR. PABST: Which part? The whole thing?

MR. ATANGAN: The whole framework.

MR. PABST: Wow.

MR. ATANGAN: Just kidding. I'm just kidding.

MR. PABST: Four score and seven years ago, we'll do the whole address here. I'll reread this particular part or just the changes?

MS. CANTRAL: Just read the passage starting

at the bottom of page four.

MR. PABST: Sure. Sure. The Mid-Atlantic Regional Planning Body, and this is the addition, recognizes the importance of bays, estuaries, and coastal areas, and, now back to the original text, will draw connections and coordinate closely with entities responsible for the management and planning of the bay, estuarine, and coastal areas of the Mid-Atlantic for planning purposes, particular in such cases where ocean uses, and now I'm going to insert language, and natural resources have an interrelationship with coastal communities, bays, estuaries, and ports, or other shoreside infrastructure. The Mid-Atlantic Regional Planning Body will also coordinate and collaborate with regional planning bodies and other entities in the Northeast and South Atlantic, including the leveraging of resources which will be essential for success. I'm going to do books on tape after this.

(Laughter.)

MS. CANTRAL: All right. Let's go on to a few other points that I picked up listening to the public comment. With regard to some of the goals and objectives, the first draft goal regarding healthy ecosystems, there was a, I think a question about one of the draft objectives and a request to move beyond characterization to get to the protecting and restoring. And I think it is important to point out that the examples that are including in this document and the framework writing team has put in the document are just that. They are illustrative, they are examples. When the RPB gets to developing a work plan and also an ocean action plan, that is where there will be obviously a lot more activities or potential activities included. So is there anything else to say about that, framework writing team?

MR. PABST: Yes. We had a change to draft objective one. I'll read it.

MS. CANTRAL: Okay.

MR. PABST: Well we actually removed, I'm going to just read the part that we removed and if necessary I can read the whole thing. But the sentence on page seven, the sentence starts, foster collaboration and coordination for protection and restoration of, it used to say critical, so we are removing the word critical. So it is protection and restoration of ocean and coastal habitats. It used to say which, we are suggesting that are important for improving ecosystem functioning and maintaining biodiversity. So the sentence as changed reads foster collaboration and coordination for protection and restoration of ocean and coastal habitats that are important for improving ecosystem functioning and maintaining biodiversity.

MS. CANTRAL: Are folks comfortable with that edit?

VOICES: Mm-hmm. Yes. Yes. Sounds good.

MS. CANTRAL: Okay. All right. So another point that was made was with regard to the precautionary approach. And I know the framework writing team thought a lot about input that you have heard about inclusion of that. So would you like to speak to that?

MR. PABST: Oh, sure. Thanks, Laura. You know, we batted that one around a lot during, basically during the early stages of our discussions about sort of what are we doing as a group. And the precautionary principle would apply to a particular decision that we were going to make, or an action we were going to take. And we felt that the process of how this body is going to operate, consensus based, each organization and entity would have that precautionary principle. To the extent that their organization embodies it, they would utilize that as part of the way they would comment or adapt or vote, whatever word you want to use, on the plan as we move

forward. So we felt that was, it was embedded enough at that level. We didn't need to pull it out and say that we were going to say that we were going to somehow grouply apply, or jointly I should say, apply something like the precautionary principle.

MS. CANTRAL: Any comments or questions about that? Marty?

MR. ROSEN: So is the point that we are not going to take a conservative approach in our planning? We are going to, we will leave it up, we, in the absence of data we will not necessarily take the conservative decision, we will leave it up to the implementing agencies to make that call? Is that the implication then? Because the precautionary principle says in the absence of information you take a more protective route. You don't wait for the most, you don't, you know, paralysis by analysis, you can't wait for all the information to be in before you make a call. So is that what we are saying that we are going

to, even with, and what we may see as inaccurate information we will take a more protective stance? We won't take a more protective stance?

MR. PABST: Well I think we meaning the -- oh, I'm sorry. Well I think we, meaning the members, I think again that is going to be up to the individual member agency to sort of say how their agency would do business. For example if it was something from an EPA perspective I would look to our guidance that we have on how we move forward, but would reflect on the comments from my colleagues in the Regional Planning Body and others as to whether or not we have really implemented that particular point. But I can say I think we are being conservative. But I could guarantee there's probably a lot of people who might disagree with that. So I think it's sort of in the eye of the beholder a little bit, to some degree.

MS. CANTRAL: Lorraine?

MS. WAKEMAN: There can be maritime

accidents where there is life at stake and I think that you want to then pull out all possible venues if there is potential loss of life involved. And so I wouldn't always want to take the precautionary, the most precautionary stance. It depends on each situation.

MS. BORNHOLDT: I still think there is room, though, in embracing this approach that if there seems to not be enough information then we can cull that out around the table and then what you described, Doug, follows through then each agency says, okay, this is great. We had this dialogue. It doesn't look like there is that much information if there is a question. Then we can use our own decision making processes to be able to make the decision that is in our statutory realm. But we have benefitted from the dialogue around the table to try to make sure that we have an understanding of what information exists or does not exist. So I think it leaves us that door open.

Because for planning, how do you take a precautionary approach in planning? I'm not sure how that would be executed.

MR. PABST: And I think, and again I think, that's a great point and I think also as far as the environmental reviews that will be done as part of any actions or anything that is done, it's all out there for our agencies to, I mean, people can judge sort of for themselves if we in fact have enough information to make a decision. For example at the federal level it would be NIPA, that would be where I would see some of that come into play.

MS. CANTRAL: Karen, did you want to add --

MS. CHYTALO: Yes. I just think, you know, we are going, I think you raised a point about, you know, needing flexibility depending upon the issue. And I think that is what we need to make sure that dependent upon the issues that we do select as part of the regional assessment, how do we go with certain

things? And I think, you know, I think it is going to be very issue dependent. And I don't know if we can prejudge at this point.

MR. ROSENBERG: Just in response to Doug's comment, or I'm sorry Maureen's comment about how do you introduce precautionary principle to planning. You can because certain land planners do it all the time. They create zones where they do not want certain activities because there is a risk that something may happen. And they create a buffer. You know, there's different ways of doing it. So planning can incorporate a conservative approach. I don't, not knowing where this process is going to go I can't say that it becomes essential that we have that mind set. But I'm just saying that planning can be conservative. So. But not to belabor the point.

MS. BORNHOLDT: I was thinking of ocean planning, where we don't truly have that land use ability to restrict activities per se. So, but your

point is well taken. You're right.

MR. PABST: I think the, you know, this is one of those balances that is going to be a test of our, a lot of the words that we are putting in this framework. I will refer to draft principle one as a great example of where I can see this sort of potentially being played out, on page five. We have a draft principle of intrinsic value that says the Mid-Atlantic Regional Planning Body will respect the intrinsic value of the ocean and its biodiversity, at the same time recognizing humans as part of the ecosystem and dependent on the health of the ecosystem for our own well being. And that is exactly going to be, you know, implementing that principle is really going to be the precautionary principle in the sense of how we're going to find that balance. I think that is, we really need to see something before we can say if we're in fact able to implement it in that direction. So I think this is one for the actual

plan. We're just really going to have to take, carry that forward as we develop the action plan, I think. But we have clearly struck a tone in the framework that we are looking to find that sort of just right spot that has that in it.

MS. CANTRAL: All right. Let's hear from Kevin, and then Joe.

MR. CHU: Thank you. I think our decision not to specifically cull out the precautionary principle in this document is not because it is not an important principle but because it would be really complicated in this body to decide what we actually mean by that. And it would slow down the adoption of this framework. So NOAA has a policy of following the precautionary principle and I'm sure there are people in the audience who would say, huh? We don't always follow the precautionary principle. But that is our policy. And yet for me to sign on to say, yes, the Mid-Atlantic Regional Planning Body will follow the

precautionary principle would raise all kinds of questions that it would take a long time to figure out. Each agency has wrestled with this question. Each agency has come up with its concept of precautionary principle and to what degree they would follow it. And I think it is just, it doesn't necessarily help us to move this process forward to spend a lot of time trying to come to a single consensus on that. So I am comfortable not including a mention of the precautionary principle in this document because I know that each agency has already wrestled with it.

MS. CANTRAL: Joe?

MR. ATANGAN: I want to echo what Kevin has said there about wrestling with this precautionary principle piece. Just because it's not explicitly in there does not mean it is not going to be followed. I also look at, go back to the, remember, framework, high level, overarching document. And I would argue

that because our individual agencies are going to be tasked with looking at things for the precautionary principle downstream, that those things may be more of a factor in the actual implementation of the plan rather than in the framing of the plan. So we're at the framing stage. We're going to come up with an action plan. And at some point that plan is going to be implemented. So my sense is I am ready to proceed with the framework as with the modifications that have been made without that specific statement on the precautionary principle with the, I guess, knowledge and assurance that I am confident that the folks in this body and sitting around this table are going to certainly have that principle in the back of their minds as they proceed forward in the implementation of the upcoming plans.

MS. CANTRAL: Karen?

MS. CHYTALO: Can we keep that as something like a parking lot issue? Something that we would

carry through and revisit as we are developing documents and things like that? You know, usually a lot of times you have things that, you know, you are going to revisit as you go through in the development. And I think that is something, which Jose just said too, about the Regional Ocean Action Plan that maybe it might be inclusive in there but for its implementation. Where it might be meant more rather in the framework itself. So I don't want it to get lost or forgotten.

MS. CANTRAL: All right. So Joe has expressed his comfort with the document. But before I ask some questions about how others are feeling about the document, are there other questions or points that people want to raise? Things that have come up that occurred to you, or that you heard from the public comment other than the ones we have already discussed?

Yes, so another one that came up and we haven't talked about is you in your presentation made

reference to this, so perhaps revisit the logic behind prioritizing one goal over the other, and the fact that they are both important and they are in relationship to each other, and we did hear some public comment about that. So --

MR. PABST: Well I mean, and again, to be, I guess, to speak as bluntly as possible I think it becomes a bit of a circular argument for us if we start trying to prioritize one over the other rather than getting to the business of implementing them and doing what needs to be done. So in essence we took the, so I think the easier path was to just not prioritize them but recognizing that you need that health ocean in order to be sustainable. But you, by just numbering them and then sort of saying we are prioritizing one you encumber upon yourself a sense of criticism that will detract from your implementation. So discretion is the better part of valor, is that the argument?

MR. ATANGAN: Did Goldilocks say that?

(Laughter.)

MR. PABST: Something like that. It's in part two. So I mean in essence, to move this process forward, you know because there are critics of this process, I think it is in all our best interests to just leave it the way we have it without. Just saying they are both important, we are looking for that, you know, just right balance. Recognizing, though, that you cannot have one without the other.

MS. CANTRAL: All right. Any other thoughts, questions, concerns about the draft framework?

MR. ATANGAN: I --

MS. CANTRAL: Yes?

MR. ATANGAN: Just one parting thought. I did want to, I guess, do express the appreciation that the public has put into keeping us on track and keeping us engaged, keeping engaged as we've come up

with these documents. Sometimes in a process of writing the documents you get a little too close to it so there are things that you miss. So it is absolutely critical that you continue your feedback and keep pressing on us and keep reminding us, hey, do this. We heard you loud and clear on the estuaries questions. It is certainly clear in the back of our minds that we have not been communicating as well as we should have about how we want to include these estuary issues and back bay issues. So again, keep your cards and comments coming in because we are listening and we are factoring them into our decision making process.

MS. CANTRAL: All right. So Doug wants to respond and then --

MR. PABST: Oh no, I had another point --

MS. CANTRAL: Okay. All right. We'll go to Laura. Do you want to --

MS. MCKAY: I had two, can you hear me now?

Okay, great. Now I've got two.

(Laughter.)

MS. CHYTALO: You rate. You rate, Laura.

MS. MCKAY: I think we are going to pick it up more tomorrow but I know a lot of people had concerns about the timeline. So just to say we haven't forgotten that. We heard that. We're going to pick that up later.

MS. CANTRAL: Yes, that's a good point. We're going to talk about the timeline. We're going to talk about developing the work plan. I mean, there is much more to come so stay tuned. Did you have a point?

MR. PABST: Well I think we also heard a lot about metrics and I know I've voiced this myself. But we did, we did write to it in the adaptability part of the document. The principle of the Mid-A RPB will track progress towards meeting established planning objectives and use the information gained to modify

and adapt Mid-A RPB action. So again, I think this is an action plan type discussion to specifics. But we certainly, the goal of metrics measurements and tracking are in the framework. So I just wanted to highlight that.

MS. CANTRAL: All right. So co-leads, what do you think? Are we ready to ask the group if you are comfortable approving the draft framework?

VOICE: I think we should call for the question.

MS. CANTRAL: All right, we're calling the question.

VOICE: I make a motion.

MS. CHYTALO: You've got your motion.

MS. CANTRAL: We would like to make a consensus decision from this group about approving the draft framework.

MR. ZEMBA: With the changes as discussed.

MS. CANTRAL: With changes, yes. Yes?

VOICES: Yes. Yes. Sounds fine.

MS. CANTRAL: All right. Very good.

Congratulations. You have approved the --

MS. CHYTALO: We made a decision.

MS. CANTRAL: -- framework for regional ocean planning. And we will incorporate the edits that were offered during this discussion and keep moving. All right.

MS. CHYTALO: Will we get clean copies tomorrow to take home?

MS. CANTRAL: I don't know if we'll be able to produce hard copies. But let me, let us work on that, okay?

MS. CHYTALO: Email them.

MS. CANTRAL: Yes. All right. So why don't we move on to the next item on our agenda. As I mentioned this morning in my review of the day we are now going to devote some time to discussion about specific activities that are underway in the Mid-

Atlantic region. And the first session will focus on ocean energy in the Mid-Atlantic. And the objective of this session is to provide an update on both current and potential ocean energy efforts that are underway in the Mid-Atlantic. We'll hear from two presenters that I will introduce in a moment and then we'll have some RPB discussion. We will take about an hour for this session and then see where we are and probably take a break, come back for the second of our sector specific sessions which will be focused on habitat.

So with regard to ocean energy in the Mid-Atlantic, we are first going to hear from Rene Orr. Renee? Where are you? Renee is the Chief of the Office of Strategic Resources for the Bureau of Ocean Energy Management at the Department of the Interior. And okay, absolutely. So let's make sure we can hear, that everybody can hear you.

MS. ORR: All right. Well thank you very

much. And this is --

MS. CANTRAL: Can folks hear?

MS. ORR: -- more of a conversation so we have to -- so I appreciate that. Can you hear me now? No? Still not?

(Laughter.)

MS. ORR: How about now? Still no?

VOICES: Better. It's better.

MS. ORR: Better? Okay. I'll lean forward, how about that? All right. Again, my name is Renee Orr, I am Chief of the Office of Strategic Resources for the Bureau of Ocean Energy Management. One of the responsibilities of my job is development and --

MS. CANTRAL: Yes, your sound quality is not good. I think you should go -- I think it is something about soft voices that the mikes aren't picking up. (Indiscernible) soft voice.

MS. CHYTALO: I don't have a soft voice. I've never been accused of that.

(Laughter.)

MS. ORR: All right. Now can you hear me?

MR. PABST: No.

(Laughter.)

MS. CHYTALO: Take one of Laura's. She has got them all.

MS. ORR: Can you hear me now?

VOICE: Yes.

MS. ORR: Okay. All right. My name is Renee Orr. I am Chief of the Office of Strategic Resources for the Bureau of Ocean Energy Management. And one of the responsibilities of my job is development and implementation of the five-year oil and gas leasing program for the Department of the Interior.

Still can't hear me? I don't --

MR. PABST: Why don't you sit in Laura's chair? You have --

VOICE: You've got to go right into the

mike. VOICE: Why don't you sit over here,
Ms. Orr?

MS. ORR: All right.

MR. PABST: And you're back to a chair.
Look at that.

MS. ORR: All right. Okay. How about now?
Yes? Still?

VOICE: Can you move a little closer?

MS. ORR: Oh my goodness. Okay. All right.
Here we go.

VOICE: You've got to speak into the mike.

MS. ORR: Now, can you hear me now? All
right. I'm going to skip the intro. I think you've
got it figured out who I am and --

(Laughter.)

MS. ORR: I'm happy to be here and talk to
you about the five-year oil and gas leasing program
and the process that we are just getting underway to
implement it.

This is some language directly from Section 18 of the Outer Continental Shelf Lands Act, which is the foundational piece of legislation that guides what we do on the outer continental shelf. I am sure you have heard from Mo about the renewable energy responsibilities that we have. It's a separate section. But it all falls under the umbrella of the Outer Continental Shelf Lands Act. And in that act it says that the Secretary is to develop a five-year plan for oil and gas leasing considering a number of factors. And there is a very specific process that we go through to develop that five-year program and I will talk to you about that because it's about time for us to begin that process again. And you've got our mission statement there as well, and I'm sure you have seen that in the past. Next slide, please?

The process of developing, leasing, exploring, and ultimately producing any oil and gas from the Outer Continental Shelf is really a winnowing

process. The responsibility is to look at all of the areas of the Outer Continental Shelf as the starting points as we develop a five-year program. And then based on public input and a number of other factors, we winnow that down to specific areas that would be considered for the sale, then specific blocks if they are leased would then be potentially explored, and if there is a discovery potentially developed.

So it is truly a winnowing process and that is what this graphic is trying to portray. That the scope gets narrower and narrower and narrower as we move through the leasing and exploration and production process. And then also the temporal aspect of it, the time that it takes. It takes about two and a half to three years to develop a five-year oil and gas lease program. It covers obviously five years. And then moving from a lease sale through potential exploration and then potentially production is many years, decades if not longer to get from the top to

the bottom there.

As part of the responsibility in developing our oil and gas leasing program we have to, there is a number of facets that obviously would be included in that. We have to assess the potential resources. You know, to be good stewards of the resource we need to have an idea of what that resource is as you are asking the Secretary to make decisions about whether or not to lease in a particular area. We are also responsible for ensuring that the public gets a fair return for those resources. So that is incumbent on developing appropriate fiscal terms for those leases, also projections for budgets and a number of other different aspects.

We are also responsible for, as you move down through that inverted triangle, the executing of the individual lease sales, and then reviewing and approving the exploration and development plans. We also within BOEM are responsible, and you may have

heard about this as well in the past, the official leasing maps and the marine cadastre. It is, you know, drawing those official boundaries. You can't convey the rights to something that you cannot legally define. Next slide, please?

The Outer Continental Shelf is divided into 26 planning areas. And they are shown on this map. And it may be difficult to see but probably of most interest to this group of course would be the Atlantic and the Mid-Atlantic in particular. The map as we look at it what it is showing us is the current five-year program, the 2012 to 2017 five-year program. The areas that are in yellow are those that were included as potentially available for oil and gas lease sale. What is green --

VOICE: Can you talk into the mike, please (indiscernible)?

MS. ORR: Sure. Okay, the areas that are in yellow are the areas that have been, that are included

as potentially being available for oil and gas lease sale in this current program, 2012 to 2017. The blocks that are shown in green on there are already leased blocks. The areas that are in blue are not in this current five-year program.

What is difficult to see on this map is on the Mid- and South Atlantic there is some cross-hatching that indicates that that area in the current five-year program was specifically identified as being the need for additional information for the Secretary to make decisions for the potential for future sales in that area. And that is part of our, we have done a programmatic EIS on geologic and geophysical data that I will talk about in just a minute. Next slide, please?

We have been doing five-year programs for quite a while. This graphic shows the different five-year programs that have been developed since the Outer Continental Shelf Lands Act amendments were passed in 1978. So we have been doing this for quite a while.

Next slide, please?

This graphic, it is very busy. But and the title is a little bit misleading. This is the leasing process. This is development of the five-year oil and gas leasing program. As I said, this takes us about two and a half to three years to go through all of the steps in the process. We start out with a request for information. It is an initial solicitation of comments from the public, from stakeholder groups, from industry, from the states, from other federal agencies, asking that, it's basically the notification that we are starting this process again and we are asking for comments, indications of interest, any information that we should be considering as we go through this process. We will be issuing that request for information early this summer.

We sent out a letter to all of the coastal state governors last month, late last month. It was basically a heads up saying it's that time again, we

are going to start the five-year program process, you will be seeing a letter from us with the request for information. And it was an offer to meet with them if they wanted to sit down and talk about what the process is. And a lot of the, especially on the Atlantic coast, we haven't been engaged in those conversations for a while. So we wanted to offer the opportunity to just sit down and talk through what that process is.

There is a 45-day comment period that follows the request for information. From that the Secretary will make a decision on what would be included in the draft proposed program. That draft proposed program forms the basis for the environmental impact analysis that would be done. At that point we would be doing the scoping meetings and all of the associated NEPA would be done. There is another comment period at that point as well.

We then publish the draft EIS and the

proposed program. There is a 90-day comment period for that and there is specific opportunities for public comment at each one of these. We have, we set up, on regulations.gov there is a site for the public comments, and we solicit specifically from the governors and the federal agencies and other stakeholders. Comments on what has been included, what information we should be considering, all of those factors.

After the 90-day comment period on the proposed program there is a proposed final program that is published and a final EIS. That then by law has to wait for 60 days before it can be declared the final program. Next slide, please?

Stakeholder engagement is fundamental to the development of this process and really to everything that BOEM does. And I'm sure you have heard that from Mo as well. There are specific opportunities for comments that are built into that process, and you saw

them in those bubbles on the graphic that we just had. Again, we accept the comments online and we conduct meetings as, basically as requested to talk about the process. And then we have the formal comment collection process that we go through. Next slide, please?

I just wanted to cull out some of the specific opportunities for input and some of the requirements for input into the process. Under the Outer Continental Shelf Lands Act local governments can provide comments on the process independently or through state governors. In Section 19 of the, or Section 18 of the Lands Act, the state governors are specifically called out and their comments are considered a little bit differently or given a bit more weight than just comments received from the general public.

Through the NEPA process, comments are accepted through that process of course and then

addressed through the environmental impact statements. We also receive input on the programmatic issues and the environmental analysis via the consultations that are required. The ESA consultations, marine minerals, National Historic Preservation, and other. And then there are the tribal and native community consultations, the Section 106 consultations, and the Executive Order 13007, the sacred sites consultations. Next, please?

When we were looking at that map that had all of the planning areas and it had the cross-hatching on the Mid- and South Atlantic, that was the indication when we published the current five-year program that the Secretary at that point was not ready to include any lease sales in the Mid- and South Atlantic. But there was a recognition that we needed additional information. We needed to know more before we could make a decision about whether or not to have any leasing in the Mid- and South Atlantic. So as

part of that, and also because Congress directed us to, we have recently completed a programmatic environmental impact analysis looking at geologic and geophysics data collection for oil and gas surveying but also for marine minerals and renewable energy siting. We published that on March 7th. We had a 60-day comment period and we are currently working on the record of decision. And that record of decision will indicate whether we are going to allow the surveys to go through and what specific requirements or mitigations would be attached to those surveys.

Assuming, if the ROD allows the surveying to go forward it could be as early as late this year that we might see some surveys in the Mid- and South Atlantic that would provide information that is important to future decisions about whether leasing should occur in the Mid- and South Atlantic. So that will be part of what we consider as we move forward in this process. And I think that is the last slide.

So I'm happy to answer any questions that you all might have.

MS. SHULTZ: A quick follow up on your geologic and geophysical surveys, and if the record of decision was approved and goes forward, does that authorize all of those proposed surveys? I know a number of companies get to (indiscernible) or is there another step before a company is authorized to move forward?

MS. ORR: We asked all of the companies that had submitted applications previously to resubmit. So they will be, the permits would be issued individually. So there will be the consultations that are required for each one of those individually before they would move forward.

MS. CANTRAL: So we want to have some discussion right. I want to just -- look, I'm really loud now. So we know that the audio, the mikes are a problem. And we are going to probably have to switch

them out on a break. We have been trying to work all through your presentation to get them to pick up your voice a little bit clearer. It is hard for people to hear way in the back. So I know that that is a problem and we are working to address it. So please, just bear with us.

I think what we had planned was that the two of you would give your presentations and we would open it up for discussion about both. But if people, I see some tents up, if you want to take some questions, Renee, right now?

MS. ORR: Certainly.

MS. CANTRAL: And Renee, you are just, you may just have to belt it out, okay?

MS. ORR: Okay.

MS. CANTRAL: People really can't hear.

MS. ORR: All right.

MS. CANTRAL: All right. So let's go to Karen and then Kelsey.

MS. CHYTALO: I guess I just wanted to understand your process just a little bit with respect to your analysis that you do. If you are going to be taking soil samples, do you actually do, look for the oil itself, reserves, where the reserves are? Do you do that level of analysis? Or --

MS. ORR: The surveying for oil and gas is seismic surveying.

MS. CHYTALO: Okay.

MS. ORR: So it is sending soundwaves. So it is measuring, it is looking at the different kinds of rock, you know, down under the sea bed and seeing if the geology might be such that indicates that there is a possibility of hydrocarbons that might be there. So it's that kind of surveying that is done.

MS. CHYTALO: So it is like preliminary survey?

MS. ORR: Yes.

MS. CHYTALO: And then you have the separate

companies come in that would do the more I'm interested in this area because of the type of bedrock that was found here, or whatever?

MS. ORR: Right.

MS. CHYTALO: Land forms or whatever, and they would do the --

MS. ORR: Yes, exactly. Industry is going to look at that geology as well and make a decision about whether they think it is worthwhile to take the risk to explore it. And only after it has been drilled would you know whether there's hydrocarbons actually there or not.

MS. CHYTALO: Okay. But you wouldn't know if there are hydrocarbons, just based upon data that you have seen previously you would propose, potentially it could be?

MS. ORR: Right, there is the potential for it.

MS. CHYTALO: All right.

MS. ORR: And you would look at analogs in other parts of the world, or other parts of --

MS. CHYTALO: All right. I never knew.

MS. CANTRAL: Kelsey?

MS. LEONARD: My question pertains to tribal engagement. The OCSLA doesn't necessarily mandate coordination assigned from state governors with tribal governments. But have you within that RFI comment period submitted for tribes who also participate in those letters that you have been sending?

MS. ORR: I think we sent a letter in the recent past that was kind of the same sort of heads up, that we are beginning this process. I don't believe we have the separate letters drafted. We haven't sent any of the formal letters yet. But that would be part of that process.

MS. LEONARD: Because I would encourage that those comments be submitted outside of the context of historical, archaeological, some of those resources.

That tribes may have other additional comments --

MS. ORR: Absolutely.

MS. LEONARD: -- actual resource --

MS. ORR: Yes, absolutely. That's a good point.

MS. CANTRAL: Kevin?

MR. CHU: Yes, Renee, thank you very much for this presentation. It was very useful. I forgot what I was going to ask. A quick question is that you estimate that this summer there will requests for information. What kind of information are you looking for?

MS. ORR: Pretty much any information that would be relevant for decisions about potential oil and gas leasing. So any particular or specific environmental information that people or states or stakeholders think is relevant. Any specific geologic information that industry might have. Any concerns that a state or stakeholder might have about other

uses in the area. Specifically we do cull out please tell us what other uses there are in this area that would need to be considered as part of a leasing decision? What are the multiple use implications there?

MR. CHU: So you mentioned that in the Mid-Atlantic and the South Atlantic you are still looking for certain, some information to allow the Secretary to make an informed decision.

MS. ORR: Mm-hmm.

MR. CHU: When you announce the RFI, will you specifically cull out the questions --

MS. ORR: Yes.

MR. CHU: -- that you are trying to understand or get answers to?

MS. ORR: Yes, absolutely. It will enumerate the broad general, there are eight factors that the Secretary, that the Lands Act asks the Secretary to balance when making a decision about

whether or not an area would be in there. So we're going to specifically ask that information be provided with regard to all of those. So it's environmental information. It's again, the other uses. It's the potential resources in the area. It's the positions or concerns of the affected states. And then other, other questions that might be relevant, that are in addition to those eight factors that are spelled out in the Lands Act, yes.

MR. CHU: Thank you.

MS. CANTRAL: All right. So anybody -- Gwynne and then John and then Karen.

MS. SHULTZ: You mentioned earlier that there were the 26 planning areas?

MS. ORR: Mm-hmm.

MS. SHULTZ: And at this stage in the game, have you at all refined or reduced that list? Or is your request for information covering all 26 areas?

MS. ORR: Yes, by law we have to start with

all of them because we begin from the national perspective and then you winnow it down. So yes, nothing has been culled out at this point other than Congress has put a moratoria on any leasing activity in the Eastern Gulf of Mexico. So Congress has said you cannot consider any leasing in this area before 2022. So we are going to ask for information on that area because Congress could change its mind, you know, between now and the time that we put up the draft proposed program. But you know, unless they, unless there is a change in law it would not be made available.

MS. CANTRAL: John?

MR. WALTERS: You mentioned that the department had sent letters to the states within those various coastal regions. Is the department also going to send similar letters to the federal departments?

MS. ORR: Yes. Yes.

MR. WALTERS: Because that might --

MS. ORR: That will be at the same time. The letters that we sent last month were basically kind of a heads up. The letters that we will be sending, that will accompany the request for information, which I should have said that is a federal registered publication. And then we will send letters to the individual state governors. We send the letters to all 50 state governors, along with a copy of the request for information. At the same time we send the letters to the federal agencies.

MS. CANTRAL: Karen?

MS. CHYTALO: I just have one question, something that is on my mind with this. Do you, from the data that you collect from the subseabed profiling, do you also look for potential areas for carbon dioxide subseabed sequestration? Is that, is that even discussed at all in any way as a part of this whole analysis?

MS. ORR: Carbon sequestration and the

geology that would be appropriate for that is information that potentially you could get from an investigation of this seismic survey data that is collected. But a specific analysis of carbon sequestration, no, that is not something that we do as part of this process. If that answers your question?

MS. CHYTALO: Okay. Yes, I was just wondering if you identify potential areas for --

MS. ORR: You could take the seismic information and it would be helpful in looking at --

MS. CHYTALO: Helpful to do that work.

MS. ORR: -- yes.

MS. CANTRAL: Any other questions for Renee? All right. So I was going to suggest -- oh, Mike, go ahead, sorry.

MR. LUISI: Yes, thanks. Just a, getting back to the stakeholder involvement, and I don't know the entire process of how you obtain that information. To me it's almost like the five, it takes about five,

it will take about five years just to get all the information you need to even more forward, given what I have had to be involved with considerations for wind farm developing. So will there be an extended effort to the fishing industry, recreational and commercial fishing? Do you have a plan on how you will approach those groups along the coast? Because they can often be very small and community based and impacts are much, they can be much different just within a few hundred miles of one another. And you know, I, it would be nice to be able to report back to the Council information on how your agency is going to incorporate the needs and the information that you need from the commercial and recreational folks.

MS. ORR: That's a good point. I know that, you know, through the NEPA process we are going to engage. There isn't, at this point anyway, there is not a specific separate effort to engage with the fishing community. It is part of the general request

for comments and information. Through the NEPA process I know that we would do that and there would be scoping meetings that would be held. But it's a good point.

MS. CHYTALO: Give a presentation to the Council.

MS. ORR: Absolutely. We would be happy to, yes, we are happy to come and present whenever invited. We will come and present on the process --

MR. LUISI: We just got the, the agenda just was emailed for the June meeting so that's way too close. But maybe I can offer to have our Executive Director be in touch with you --

MS. ORR: Yes, absolutely.

MR. LUISI: -- and try to put something together for later in the summer.

MS. ORR: We'd be happy to do that, yes. Yes, we anticipate that, and this letter to the coastal state governors was kind of a, as I said, it

was the heads up that it's this process again. In, you know, especially the Mid- and South Atlantic, the whole Atlantic coast, we have not really been engaged for many, many years here. So it really is an education process about what this process is and it's very process oriented and specific steps that the law lays out. But absolutely we are happy to come and meet and describe what this process is and how folks can engage.

MS. CANTRAL: So it sounds to me - - now can people hear me? Can you hear me okay? You can hear me. And Renee sounds like she is more audible. Her mike is picking up better, right? And Karen, you can hear Karen better now? All right. So maybe we have resolved. I was going to suggest that we take a quick break and make sure we didn't need to do some kind of rehab on the mike but maybe it is worked out. So are we okay to keep going?

All right. So let's turn to Mo now who is going to give an overview of her program, the

Renewable Energy Program. She is the Manager of that program for the Bureau of Ocean Energy Management. She is going to talk about the offshore wind program. And Renee, you will stay around and then we will open it back up for questions and comments for either one of them. And we will count on you people in the back to let us know if you can hear folks okay, all right?

MS. BORNHOLDT: I'm going to go ahead and start with the first slide. Renee basically covered, you know, who BOEM is. And we do have all the assets in the conventional, traditional energy, to the renewable energy, and then marine minerals and gravel as well. Next slide, please?

Our authorization process, I guess we were kind of lucky. You know, Renee talked to you about Section 18 and Section 19 of the Outer Continental Shelf Lands Act, which is really prescriptive about what are the steps you need to do to create a five-year program. And then when you get on the program,

when you have your oil and gas lease sale, it is very prescriptive about how you get there. We were lucky. We don't have that. So we were able to create our own. Unfortunately the challenge to that is, the point to consider is, sometimes people want that predictability to know where you are and when you are going to be there. So it is, you are getting both ends of the spectrum when it comes to ocean energy development with regard to the types of programs that have been born specifically because of the statutory requirements within the OCS Lands Act. So we were lucky. So we created ours of whole cloth. If you ask me for a schedule I will point to, Mike Schneider is not here from New York, but we have, you know, Gwynne can tell you we've been at this for a long, long time, since '09 in Maryland. And we are just starting to get ready to have a lease sale. So we don't have that wonderful schedule that the oil and gas program has that can lend predictability that you can really point

to certain connection points for public interface, but still we have that.

So what we have in our ocean, our offshore wind authorization process are four stages. We have our planning and analysis stage. Our leasing stage, where we actually provide access to offshore wind developers either through a competitive process, kind of like with the oil and gas companies and what we do on the oil and gas side, or non-competitive negotiation like we do for marine minerals for coastal restoration; then after you have a lease we move into stage three, which is site assessment. And that's that characterization of your lease hold to get an understanding of what biology, what multiple use, what physical oceanographic character is of your particular leasehold for that lessee. They gather that information and go into stage four with construction operations. Next slide?

So as I mentioned in planning and analysis,

one of the things that we did, because we were allowed to do this with this kind of general authorization we had under the OCS Lands Act, and taking actually a lesson from the marine minerals program, is we created our intergovernmental task forces. And as Renee mentioned, we really haven't operated on the Atlantic Coast, you know, for oil and gas, what, since the early eighties. And so when we were given this program we were like, gosh, how do we get out there? Who do we talk to? And so what we decided to do in developing our program was build in a tool for us. And if you think about it it is kind of like a mini-RPB. Because we have gathered the tribal leadership, we have gathered elected local officials, we have gathered state officials that have been designated by the governor, and the local feds. And so we are able to then reach out to those folks around the table and the obligation is when you are a task force member is you have got to reach back.

Also kind of with the evolution of the regional planning bodies to include the fishery management councils, because our first read working with NOAA was that we couldn't kind of like with the challenge for the RPBs. So now that challenge kind of was met and a resolution adopted for the RPBs, we adopted the same resolution. So we also have on our intergovernmental task forces a governmental entity to represent the fishery management councils.

So within our planning and analysis stage we do, we get our task forces together, we do kind of like an RFI, what Renee explained for the oil and gas process in that we gather information. We want to know who is out there, what are they doing, what kind of information do you have? And so we have this discussion, we do it formally through the RFI as well as informally through our dialogue around the table. And John Walters can give you some of the kind of aches and pains and growing up and trying to figure

out what is the navigational state off of the Mid-Atlantic states. But we didn't have that kind of data before. And working with the Coast Guard and working with our other task force members we have gained that understanding of systems and people and biology or physiology, or physical resources.

Then what we do is we go and we publish what is called a call for information nominations. So in the task force we identify a polygon that we put out to see if there is commercial interest. We do it on a more specific refined level in this call for information and nomination. And you notice that word information is there again? Because you know you never have enough. And you always reach out to different people as you begin to have this dialogue and start refining an area that you gather other people to provide you, at least BOEM, with information associated with activities or species or what have you.

Ultimately we announce this area ID. Some of us call that potentially a wind energy area. And we do our environmental analyses around that area identification.

Once we complete our NEPA work, our National Environmental Policy work, and our consultations, both biological and those with the tribes and other entities, we can move on to the next stage. Next slide, please?

That is the leasing stage. And this is where we publish our leasing notices. And this is kind of where we are that hybrid program. We can have competitive sales like the oil and gas program does. And then if that is the case then we publish things that are called proposed sale notices and final sale notices. Or we can negotiate in a non-competitive sense like we do with coastal restoration for sand and gravel resources. And in that case you would see notifications such a determination of no competitive

interest. That is kind of a signal we are doing non-competitive. But either way, whether we issue a lease non-competitively or we issue a lease competitively, those lease documentation and all the supporting information is posted on our website that we make available. We continue to hold task force meetings as well, particularly up in New England where the public really wanted. We go off and do additional information meetings associated with the publication of these notices.

Ultimately you will, we will issue leases but we only do that after environmental evaluations and all consultations are complete. And the big difference with our leases and oil and gas leases, our leases do not authorize an activity. No, what our leases do is it authorizes the right to file another plan for that particular area. Again, this is one of the points to consider when your statutory authority doesn't cull out exactly what the next steps are. So

what happens is through the rule making process you end up with something amorphous like this.

So anyway, basically that leaseholder has a right to that area to develop renewable energy. That leaseholder does not have a right to put a picket fence around that particular lease and keep everybody else out, because our authorization does not extend that far. We just provide access, in our case for the renewable energy resources there. The next slide?

So usually what occurs is their site characterization and assessment happens after you have a leasehold. We used to think that there might be some people, some companies, that would want to go out there and do a pre-evaluation because you can do biological surveys without a permit from us. You have to make sure you follow the law for other resources and protected resources. But we learned that that was not the case because our energy sector is undercapitalized. So what you tend to see is once

they have a reservation for an area to then develop a plan for, that is when you see a lot of this activity to actually characterize some of their leasehold.

What we have done in some cases in Virginia and the Mid-Atlantic is we have entered into a cooperative agreement with the state to start gathering some information to kind of jump start some of these processes. We have done some biological studies up in the Northeast and we have engaged in some fishing as well as some biological studies with North Carolina in the South to kind of help this along. So I guess the short form is that this is basically site characterization assessment. You may see meteorological towers or meteorological buoys in place or launched during this five-year term that the lessee has. The whole point to this particular phase is to gather information to then file another plan, which is the construction operation plan. Next slide?

So the construction operation plan is

basically the first step in commercial development. They would file the construction operation plan with BOEM. We would make sure that that plan was complete, met all its data requirements. We would share that plan with the task force and then we would begin our technical and environmental evaluation of that plan. So just because they file doesn't mean the next day they get to build. It doesn't work that way.

We then conduct a more in depth and extensive environmental analysis of the particular construction operation plan. At the lease sale stage and at the site assessment stage, we basically use an environmental assessment. But at the construction operation phase when they know what they are proposing with regard to array, configuration, the types of machines, the number of vessel trips to support construction, we feel we have a more robust scenario to do a more thorough analysis and get a better idea of what the environmental implications can be. So you

will see a full born EIS at the construction operation plan stage.

You know, an EIS can take anywhere between two to three years depending on the information and the complexity and what they are proposing. So once we approve the construction operation plan, they still cannot go out there and build. What they have to do is with the construction operation plan that basically gives you the outline of what they are proposing. The lessee has to come back in with the detailed blueprints. We call that our facility design reports and fabrication installation reports. Only after we clear those can they actually begin to construct.

So basically stage four begins with their filing of the construction operation plan, which we will review. We can disapprove it, approve it with modification, or approve. Once they receive an approval they come in with the fine blueprints and tell us exactly how they are going to, which machines

they are going to use and a bunch of engineering data. Then we say, okay. Then they can go out and begin to construct. And their operations and construction term tends to be 25 years. This is negotiated. If you take a look at the proposed sale notice, for instance, Virginia, because of the size of the area and the feedback we received from the public as well as potential lessees was that they want, they thought this would be able to be developed in phases, that operation's term is a little bit longer. So we do have some flexibility to be able to make those determinations. Want to go to the next slide?

This is a map. If you go to our website you can actually print this down in page form. But this kind of gives you at a glance where we are in all of the Atlantic. And there was some feedback that the RPB membership wanted kind of a more holistic sense of where we were on the Atlantic instead of just a Mid-Atlantic update so I will just kind of fly through

this very quickly. Next slide, please?

We have held two offshore wind lease sales. The one on the left was our Rhode Island/Massachusetts sale, and the one on the right was the one that we held off the Commonwealth of Virginia. It's interesting. You talk about regional planning and dialogue among states and among feds. The reason why you see this one not called Rhode Island is because of where this particular lease area is located. Massachusetts said, hey, it's off the shore of Massachusetts as well as off the shore of Rhode Island. And it took them about nine months to come up with a memorandum of agreement to agree to how they were going to operate together. And so when we moved forward this area, it no longer was the Rhode Island area, it became the Rhode Island/Massachusetts area. And they have embraced the special area management plan that Rhode Island had performed for this area in helping us make some of the leasing decisions. So we

have basically in the Mid-Atlantic one lease that has been issued. It was awarded to Dominion Virginia Power. Next slide?

So I will just briefly run down where we have been. In the Northeast we had an application, a non-competitive, unsolicited request for a commercial list from Statoil off of Maine. However, Statoil withdrew that application in November of 2013.

In Massachusetts we had the National Renewable Energy Lab complete an assessment of options for wind leasing areas. You heard Renee talk about how you gather basic data with regard to hydrocarbons and resources or reserves using the geologic and geophysical permitting. We don't have that. But what we do have is NREL. And they are able to run a lot of wind models for us. So when we refine an area, a wind energy area, they can help us with their technology and their modeling to perhaps advise us as to how to best divide that into individual lease areas to

maximize the use of the area that we have been consulting with the states and with resource agencies about.

As I mentioned we had an auction in Rhode Island/Massachusetts in July of 2013. What is coming, the Massachusetts Wind Energy Area proposed sale notice will be out this summer and that is very exciting for us. For those of you who do follow our activities in the Northeast, a lot of lessons learned with regard to reaching out to the fishing community. And I think that this particular wind energy area, if anybody wants to take a look at the evolution we have chronicled that on our website. It is significantly evolved because of interests and concerns associated with fishing as well as the tribal interests. For the Rhode Island/Massachusetts, we have issued two leases there. Their site assessment plans are due in April, they were due in April, 2014. They have requested an extension.

What happened, this is one of these lessons learned. What happened there is we held the lease sale and then fall and winter came. And you cannot do a lot of the site characterization evaluations, particularly up in the North Atlantic, in the winter. And so the company did ask us if they could have an extension to be able to do that site characterization and take advantage of spring and summer weather up there. Next?

For the, for recently coming up, New York, we have completed, well New York started out with an unsolicited proposal from New York Power Authority. And that turned into a competitive process because when we went out to confirm that there was no other competitive interest we received two other expressions of interest from Fisherman's Energy and Energy Management, Inc. People know Energy Management, Inc. as the folks who have, who are the advocates for Cape Wind.

New Jersey we completed our NREL assessment. In Delaware we have already issued a commercial wind lease. That was actually our first non-competitive lease issued under the rules. In Maryland we published a proposed sale notice in December, 2013 and have, as I mentioned in Virginia, we held a lease sale but we also have two research lease opportunities there, one of which just received the Department of Energy grant to be able to test, build, and evaluate two twisted tower turbines. So we are really excited about that. Next slide, please?

So what is upcoming? The New York call, the call for information nomination off of New York should be, is forthcoming over the next couple of weeks. That is what we are going to do is, again, ask for more information. We know that there is Port Ambrose there. We know there's navigation issues. We have modified the area slightly there and we are asking questions about the LNG facility and its, how it can

possibly work with offshore wind. And so I know we are going to be doing some special reach out to the offshore sector as well as contacting Port Ambrose to hold some business meetings with regard to that.

Also will be published this summer will be the proposed sale of notice for New Jersey. This is another one that has been a long time in coming. We started that effort in '09 and hopefully we will see the, well no, we will see the PSN out this summer. We will be finishing up our site assessment plan review for Delaware. And very excited about the final sale notice and holding the sale in Maryland. The final sale notice should be out this summer and as well holding that sale at the end of the summer. We wanted to and are looking forward to issuing those research leases off of Virginia and completing our review of the site assessment plan for the commercial area off of Virginia. So a lot of stuff going on in Virginia. Next slide?

In the Southeast we have had some really interesting discussions about issues off of North Carolina. In particular we had a little, Karen was saying something about viewshed issues. We have been working with the Park Service to do modeling with regard to what installations would look like from the Bodie Island Lighthouse and some of the Park Service assets. And we have learned quite a bit about pushing that envelope and technology to evaluate viewshed and those kinds of analyses there. As well as working very closely with the U.S. Coast Guard and some of its maritime community about how do you solve for if you build it here and people run around? You know, how do you do this wonderful multiple use balancing that the OCS Lands Act requires of us, but in some cases there ain't no simple answers. So it has been very fascinating there.

In Florida we are getting ready. We have finalized our environmental assessment and we are

getting ready to execute the first marine hydrokinetic lease for our agency, which is pretty exciting. As well as getting ready to hopefully move forward with area identification North Carolina and move forward with an interim policy for meteorological towers off Georgia.

One thing that is not mentioned here is, you know, because of sequestration we had to stop some activities. And we kind of curtailed our dialogue with South Carolina for two years. We just got back from a South Carolina task force meeting and it looks like we are going to be starting up that task force effort. So you will see area identification moving forward in South Carolina as well. Next slide?

So what does this mean? What does all this gobbledegook mean, and all this process, and all these things? You know, I guess the key thing is, you know, we have, at least around this table, the opportunity to talk about what is going on in the Mid-Atlantic,

how some of our activities in the Northeast and the South Atlantic can interface. I mean, obviously I know the stuff that we have learned working with the Fifth District Coast Guard and John Walters and his community is that it just does not reside in the Mid-Atlantic. What you do up in the North affects what is going on in the South and in the Mid. And so I think we can have some of these dialogues to get a better appreciation of that intersection and also to help me learn who do I need to talk to? Because I think as we have struggled as an RPB trying to figure out how to get access to stakeholders, we struggle with that on an individual basis. So I hope there are some synergies, you know, that we can lead some learning as to how we got hold of some folks and as well learn from you all.

We have these engagement opportunities with task forces, as Renee mentioned we have our process meetings with the public and with government entities

that we can employ through either the environmental process or consultation process or our great Federal Reg notice. Go ahead, next slide?

So the key thing I think that we are all looking for, whether it is oil and gas, whether it's marine minerals, or even for renewable energies, is enhanced efficiencies. And I think that is probably the biggest plus, for me, that I get from this group here. It's I gain more efficiencies as far as understanding what the issues are, because I get to talk with you all, I get to hear from you, I get to upload more than I get to offload. And I think that is something that is really important. The collaborative opportunity that we are provided here around the table. And I think that as an RPB, whether it is BOEM or NOAA or DOD, U.S. Coast Guard, EPA, even EPA, that there is this enhanced opportunity to really get an understanding of what are we doing, and then how does that link with states and some of the

mandates that you all have? And some of the, whether it is master energy planning or conservation planning. Working with the tribes to understand, you know, how are you planning for your generations? What are the issues that are key to you in managing your resources and the governance processes that you have set into place? So I think this RPB is kind of the meeting of all of that to help us move forward. So to have less briefings like what you just had but more conversation.

So I don't know if anybody has any questions of me, or me and Renee?

MS. CANTRAL: Great. Let's take questions or comments for Mo with that update on offshore renewable energy. Thank you, Mo.

MS. BORNHOLDT: After lunch lull.

MS. CANTRAL: John?

MR. WALTERS: With the success that BOEM has had with state task forces for renewable energy, is

there a possibility of extending that success to oil and gas for state task forces?

MS. ORR: That's a good question. In the past, I think in the eighties when we had a leasing program in the Atlantic, we did have some regional, more regional --

MS. BORNHOLDT: Yeah, regional technical working groups, RTWGs.

MS. ORR: Right. And that's something for us to consider as we reengage, or begin to engage especially with a lot of stakeholders that we haven't in the past. That's a good way to get that information. So it is definitely something we should consider.

MR. WALTERS: My observation from listening to both presentations was this is, that the engagement with the total community seemed to be absent in oil and gas. And I think it has been an iterative process. We have grown beyond acting as a sole entity

and evolving towards involving more of a community as far as these projects. And I thought also this is the forum to bring this type of work to.

MS. ORR: I think it is interesting, hearing, you know, seeing my presentation and then hearing Mo, it is very clear there is an evolution of thinking and engagement. Because the process that I described was 1978, and it was how Congress said we were going to do it in 1978. And what Mo has developed in the renewable energy program reflects our thinking in, you know, 2010, and how do we think is more appropriate to engage?

MS. BORNHOLDT: That is a point well taken. It has been the evolution. Because we have been through so many sorts of oil and gas programs, you know, on the West Coast, and the Gulf of Mexico, and then with the marine minerals program. And so we were lucky to go last. Because then we could cherry pick successes and not necessarily, you know, trip and

stumble and relearn, you know, things that did not work well. So that is a good observation.

MR. WALTERS: And to add another lesson learned, going full circle, you implement a plan, plan, study, review from the last time. If we were going to do it again I would say involve the federal agencies much earlier in the process. DOD engaged early with BOEM but we were, Coast Guard was a latecomer. And that I thought slowed down or hindered the evolutionary process.

MS. CANTRAL: Gwynne?

MS. SHULTZ: You know, this group here is all about kind of taking this regional approach and what is good and needed for the region. Back in the earlier days when we were looking for offshore wind it was kind of like each state was on its own kind of pushing its agenda, soon realizing that kind of the actions of the states were having a regional impact on such things as navigation. So with regard to oil and

gas, the actions that you take in allowing leasing in one area is going to have an impact, whether it's on one state and the impact it would have on an adjacent state, or others in the region. How do you address that regional balance or the impacts of one activity within the region? Especially with regard to a lease maybe in one state that would impact another?

MS. ORR: Well the multiple use and the impacts, those are factors that the Secretary has to balance in making those decisions about what areas should be considered for inclusion or not. And then when we get to decisions about an individual lease sale, there is specific interaction with the Coastal Zone Management and whether the lease sale is consistent with the state's own plan for their coastal zone.

MS. SHULTZ: Within that state but how about within the larger region?

MS. ORR: Oh, yes. That is done in the

context of the balancing decision that the Secretary makes, is identifying whether the other uses, what are their concerns in the area? And it is this broad balancing responsibility that the Secretary is getting is where that really happens.

MS. BORNHOLDT: I think you could almost say it happens at all those big stages. You have it at the five-year program where they do the balancing, and then when you get down to the lease sale with the first kind of traunch of federal consistency and that kind of evaluation, then you have it again at the exploration and development stage.

MS. ORR: Yes, I didn't go through each of the steps like Mo did. But that very busy little diagram that I had for the five-year program, you can repeat that for the sales process. You can repeat that for review and approval of an exploration plan and for a development plan. So there are all those specific, where we reach out and gather additional

information, reach out to the governors of the affected states, and all of that becomes part of the decision in each subsequent stage in that process, the four stages that Mo described, too.

MS. CANTRAL: Kelsey?

MS. LEONARD: I would stress again that, you know, as John pointed out, that as with the federal agencies you also engage tribes early on in this process. I think Maureen pointed out that they have learned from their experiences in the Northeast with Cape Wind and with the tribal interactions that occurred there. And I honestly believe that if some of that engagement had occurred early on in the process you wouldn't have had the extended conflict that occurred. So as a regional planning body, looking at the Mid-Atlantic specifically, how do we create best practices to move forward with that in mind and be cognizant of that approach, so.

MS. CANTRAL: Lorraine?

MS. WAKEMAN: Maureen, are you also developing wave energy?

MS. BORNHOLDT: Yes. Our authorization in 2005 to provide the Secretary with the ability to do renewable energy, we can do offshore wind, ocean current, and ocean wave. For the latter two we partner with the Federal Energy Regulatory Commission. Because Congress was not exact in its authorization for us with renewable energy and it left a loophole open where it appeared that both of the agencies, Federal Energy Regulatory Commission and Department of the Interior, had authority over ocean wave and ocean current. So what we did in '09 is we resolved that through an MOU and so we work on this jointly. We issue the leases. We work on the site characterization piece. And then they manage the operations and we work on decommissioning with them. So yes, we can.

MS. WAKEMAN: So is there any activity going

on with wave energy?

MS. BORNHOLDT: Wave energy mainly on the West Coast. We have two opportunities off of Oregon, actually. In fact I don't know that much detail about it but if you go to the website, you go to the BOEM renewable energy website, you click on Oregon, and it will talk to you about this PMEC site, which is a testing site, as well as a site for commercial development.

MS. WAKEMAN: Thank you.

MS. BORNHOLDT: Mm-hmm.

MS. CANTRAL: John?

MR. WALTERS: Is that MOA between FERC and NOAA available?

MS. BORNHOLDT: Yes, it's online. In fact we have done it even one better. We worked together on a handbook. Because one of the concerns that was expressed after we signed this MOA was that, great, now you have two agencies doing the same thing. So

what we have done is we have put together a regulatory handbook that kind of guides folks, you know, as to who do you go to when. And this is a living document. Because there are still some elements of it, like inspections, that we really haven't perfected, as well as royalties and rents. So it is on our website.

MR. WALTERS: BOEM website?

MS. BORNHOLDT: BOEM website, renewable energy. If you go to regulatory activities it will be right there.

MR. WALTERS: Which generates more revenue, oil and gas or potential wind?

MS. ORR: Oil and gas.

MR. WALTERS: Oh, okay.

MS. CANTRAL: Other questions or comments for Mo or Renee? Yes, Karen?

MS. CHYTALO: Are the, when you grant a lease for an offshore wind project, does that include the cabling into it?

MS. BORNHOLDT: Yes, it does. What a lease will give you is the ability for one or more what we call project easements. And of course when they win their lease they are not sure exactly where they are going to go.

MS. CHYTALO: Right.

MS. BORNHOLDT: And so we require as part of that site assessment phase for them to do studies and come back to us with the routes that they think that they want to use.

MS. CHYTALO: Okay.

MS. BORNHOLDT: But I will say this. I know that we are talking about this. We talked about it in South Carolina last week. We were talking about this with the Commonwealth of Massachusetts, nobody really wants to see a spaghetti string of transmission lines. So this is one of the things that I know the Commonwealth wants to tackle with the task force, is maybe we can use our right of way access process to do

some preplanning. Now that we know where the wind energy area is, now that we know how many lease areas we're going to offer, we're going to have a lease sale shortly, we can maybe start doing some preplanning to be able to designate corridors so that you can perhaps avoid certain areas and, you know, have infrastructure going to certain substations, etcetera. So that is some, you know, something to remember as we are working through here taking a look at some planning exercises that might be useful.

MS. CHYTALO: Very good. That would be good.

MS. CANTRAL: Anything else? All right. Well, thank you, Renee, and thank you, Mo, for very helpful information

(Applause.)

MS. CANTRAL: -- and indeed relevant to the work before this Regional Planning Body for the Mid-Atlantic region.

(Applause.)

MS. CANTRAL: So we are going to take a 15-minute break now. We will come back and have another set of presentations and some discussion, this time related to habitat, habitat related activities. We will have three presenters talking about activities from the perspective of their agencies. So we will be back at 2:45.

(Recess.)

MS. CANTRAL: We're going to come back now to three presenters and I'm going to introduce all three of them in the order that they are going to share some thoughts with you. As I've already mentioned, this is another session that the RPB has expressed interest in having these kinds of information sessions to provide updates on activities that are relevant to regional ocean planning. And the objective of this session is to provide an update on some habitat related activities in the Mid-Atlantic. And you will be hearing from the Bureau of Ocean

Energy Management, NOAA, and the Mid-Atlantic Fishery Management Council.

So first we will hear from Mary Boatman, who is the Environmental Studies Chief with the Office of Renewable Energy Programs at BOEM. She is poised to go and we are confident that you are going to be able to hear her and her very strong microphone. And if you can't hear her -- yes. And after we hear from Mary we will have Kevin Chu who is one of our new members of the Regional Planning Body and the Assistant Regional Administrator, Assistant Regional Administrator? That is what your title is, right?

MR. CHU: Close enough.

MS. CANTRAL: Okay. And a long thing that we're supposed to think about how to make shorter, right? And then we'll hear from Mike Luisi, also a new member of the Mid-Atlantic Regional Planning Body and with the Maryland Department of Natural Resources Fishery Service and the Mid-Atlantic Fishery

Management Council.

So we'll hear from all three of them and then we'll open it up for questions and comments around the RPB table. And after that we're going to have our second public comments session. So if you are interested in offering public comments this afternoon and you haven't signed up, I would ask you to go out and sign the list and we'll look forward to hearing from you after we have heard from our presenters and had some discussion. Sound good? All right. Mary?

MS. BOATMAN: Great. And it seems to be working so I'm going to try not to move my head. I'm happy to be here and I'm going to share with you some of the exciting things that we are doing at the Bureau of Ocean Energy Management.

First I'd like to just start with a little bit of an overview of our program. Within the Bureau of Ocean Energy Management we have an environmental

studies program that is funded to collect environmental information to inform our decisions. And you heard earlier about some of our decisions with respect to renewable energy. This program has been active for over 40 years collecting information about the environment, particularly along the Atlantic, as well as we have activities of course Gulf of Mexico, Pacific, Alaska, and Hawaii.

In the past five years because of the Energy Policy Act we spent approximately \$26 million along the Atlantic collecting different forms of environmental information that I'm going to be sharing with you now. And this includes baseline information, essentially answering the question of what's out there: birds, mammals, turtles, etcetera. And I'll explain more in a little bit. As well as doing targeted studies to answer specific questions. We've done some studies about what would happen if chemicals were spilled from wind turbines, what could

be the effects on marine species from electromagnetic fields, how can the lighting of these facilities affect the marine habitat. So we are also doing targeted studies as well as just baseline information about what is out there.

First I'm going to tell you about one of our studies with bird distributions. As you know with offshore wind there's a lot of questions about how will this affect birds. We started with a collection, working with Fish and Wildlife Service and USGS, collecting what we already knew and creating a master database of all the observation of birds from along the Atlantic. And this is from Maine to Florida. We are in the process of working with the National Oceanographic Data Center to make most of these data sets available to you. As you can see the records go from 1938 to 2014 and we have a plan and process so that we can continue to update this with new information annually at least until the foreseeable

future.

Now what do you do? First you have just this database full of I saw a bird here at this point in time. What do you do with this information? We are also pursuing processing it. For example, this is a bird called a fulmar that you find in the Atlantic. And you can see this map about occupancy. In other words, where would you find these birds? The orange and the red is the most likely area that you would find the birds whereas the blue is the least likely. We took the database, did some statistical analyses, and this gives you a statistical representation of where you would expect to find the birds. And then a second, you can look at the abundance. Where are the most of them found? Again, the red being the highest percentage and the blue being the least. And we have done this working with our partners, the Fish and Wildlife Service, USGS, and NOAA.

Another questions that you have about birds

is how do you move around? There is the static part about where are they, how many are there in one place? But we all know birds fly around. So we have been funding quite a number of studies to put different types of tags on them to see how they move. In this case we are tagging northern gannets, surf scoters, and red-throated loons. We're putting satellite tags on them and then you can track their movements when they are down around the Mid-Atlantic and then they move up into the Arctic to nest in the summertime. And from that you get the types of data like this for the norther gannet. And you can see in the Mid-Atlantic in the wintertime they spend a lot of time in the Chesapeake Bay and along the coast. So we can see how they are moving, where they are moving around, are they going offshore? Are they possibly at risk from offshore wind development? And we are working with Fish and Wildlife Service to do this.

Next are marine mammals, turtles, and again

our infamous birds. And through the Atlantic Marine Assessment Program for Protected Species we are just about finishing up five years of going out and collecting observations using boats and planes all along the Eastern Seaboard, Maine, all the way to Florida, and on into the Gulf of Mexico because this is where these birds are found. Collecting additional information about what is out there and where are they. Doing this seasonally because their movements are related to seasons. We are looking at whales, porpoises, turtles, dolphins, seals, and again our birds. And with that we are also doing tagging studies. We are tagging turtles and seals and again seabirds to understand their movements and to correct some of our observations so we have a better understanding of just how many there are out there and just where they are.

And then we take this data and we are incorporating it into models. Because you don't, you

know, you cannot count everything fully. So you have to do some kind of predictions, modeling, to come up with actual distributions to understand how many there are in the estimates to use for things like calculations of take for endangered species, etcetera. And again we are working with NOAA, Navy, and the Fish and Wildlife Service to collect this information.

Now we're also doing something else, a new technology called passive acoustic monitoring. And especially for our favorite species, the North Atlantic right whale along the Atlantic. And we're working in the Maryland wind energy area in a cooperative agreement with Maryland to put out passive acoustic devices to listen for the whales as they move by and figure out what they are doing. When you go out in a boat or a plane you have a moment in time to see a bird or a whale. If you put these devices out there you can monitor continuously night and day for several months, six months, a year, you can replace

them, you can keep monitoring. So you can get information at night. You can get information in bad weather. And you can look at the distributions. And you also get information about what other sounds are out there, just how noisy is the ocean? So we're working again with Maryland to put these devices out. And essentially it works like this, where you have the whale making the sound, the devices are attached near the bottom. They record that sound information. Particularly the North Atlantic right whale has a distinctive noise that it makes. People can go back and analyze the data and say something about where they were, how they were migrating past the area, or how much time they spent in that area, and when.

Now for fish habitat we've got a study looking at the, excuse me, Fishery Physical Habitat and Epibenthic Invertebrate Baseline. And in English we're basically looking at what's the sea floor like and are there things out there like scallops, or

lobster, or shrimp, things we really like to eat. And we're using devices like this is a camera device. You put it down on the bottom, it's got cameras, it's got lights, you can take pictures of the bottom and you can do density counts with that. You can also send divers down in shallower water and do measurements and transects and look at what is out there. And you get back data, like these pictures. You can have a cobbly area, you can have shell hash, you can have a muddy area with a bunch of scallops. So it tells you something about what the habitat is like. And again, we're working with NOAA to collect this type of information.

And so in summary we're collecting information about important species and habitats across the Atlantic. We'll be making the data available through things like the National Oceanographic Data Center. We are working in partnerships with the states and with other federal

agencies so we can get the most information for all of us, combine our dollars, and get even more information. And we're adjusting key questions to inform decisions about offshore wind siting and operations along the Atlantic. And that's it. My six minutes.

MS. CANTRAL: Great. All right. Thank you, Mary.

MS. BOATMAN: Okay.

MS. CANTRAL: All right. Kevin, you are next.

MR. CHU: Can the people in the back hear me if I speak from here? How would they know to answer that question if they couldn't hear me?

(Laughter.)

VOICE: Well the fact that they didn't answer --

MR. CHU: So this, this worked for Mary. Okay. So this worked for Mary and hopefully it will

work for me as well. I also have a very brief discussion of NOAA's responsibilities for habitat research in the Mid-Atlantic ocean. I'm going to focus today only on activities by the National Marine Fisheries Service, which is only a relatively small part of all the stuff that NOAA does in the Mid-Atlantic Ocean. Though NOAA is primarily a scientific institution despite the fact that fishermen are regulated by us, that's only a relatively small part of what NOAA does. There is a National Ocean Service, for example, that manages the Integrated Ocean Observing System and houses the National Centers for Coastal and Ocean Sciences, doing things like the mussel watch, and manages the Office of Ocean and Coastal Resource Management, and the Coastal Services Center, soon to be merged. And the National Estuarine Research Reserve System. There is another part of the NOAA, the Ocean and Atmospheric Research Institution that, sorry, Ocean and Atmospheric Research that

provides guidance and heads up the sea grant program and manages the Office of Ocean Exploration and Research. And handles a new program for studying ocean acidification. The Weather Services the National Data Buoy System. And of course we've got a whole branch that handles the National Environmental Data Information System, NESDIS.

And I'm not going to talk about any of these things, you'll be relieved to know. But I just wanted to list those things so you can get a sense of the broad amount of information that NOAA collects about the ocean and are required by scientific mandate. But the National Marine Fisheries Service has three different habitat related mandates.

One is in the Magnuson-Stevens Act we are required to comment on essential fish habitats, and I'll talk about that a little bit more, and in the Marine Mammal Protection Act, I'm sorry, in the Endangered Species Act we commented on critical act.

And I want to come back to this morning's conversation, it is a good idea to eliminate this questionable word critical because that has a very specific meaning to NOAA under the Endangered Species Act. And then we put a huge amount of resources into scientific investigations on the ocean ecosystems that I will mention briefly today.

So first I want to talk about the essential fish habitat component of our mission. We have a Habitat Conservation Division that manages these consultations. And in essence the Magnuson-Stevens Fisheries Conservation and Management Act requires that all federal agencies consult with NOAA on actions that could adversely affect essential fish habitat. They send us a letter saying we propose to do this and is it going to affect essential fish habitat? And we are able then to advise them as to whether it will have an impact and suggest recommended alternatives or other ways in which we can, they could operate to

address the impacts on essential fish habitat. And if they choose not to follow our advice they have to put in writing their rationale for doing so.

Examples of essential fish habitat consultations, we do a log with FERC on hydropower, the Federal Energy Regulatory Commission. And you may remember that I mentioned freshwater earlier in the conversation here, one of the big issues for us with regard to FERC is the dams and passage of the anadromous species like salmon, river herring, sturgeon over those dams. We are engaged with wind farm development. We are consulting about other non-conventional hydrokinetic power generation, the wind energy, tide energy. Information of electrical lines of natural gas lines in the ocean. We will be involved in any oil and gas transports, deepening of major ports, installing offshore liquid natural gas terminals, sand and gravel mining. All of these things could affect essential fish habitat and require

NOAA to be engaged and respond with advice on the impacts of any federal activity on the essential fish habitat. So I was listening carefully to the conversation about the upcoming surveys for oil and gas development. And I think one of the great things about this Mid-Atlantic Planning Body is it brings people together. And I was able to learn in advance of receiving the letter from BOEM that it is coming and it will help us to coordinate, to plan better, and to get NOAA more fully engaged in that process. So the no surprises concept, and I appreciate that.

Here are some of the key partners that we work with: Army Corps of Engineers, the EPA, Coast Guard, Fish and Wildlife Service, BOEM, Federal Highway Administration, Federal Emergency Management Agency, FEMA, and of course NOAA. We consult with ourselves. It's a little, sometimes a little daunting. But we do a lot of stuff that affects the marine environment. And we have to ask ourselves does

this affect essential fish habitat? And sometimes we have to change our plans because other parts of NOAA, other parts of us don't.

Very briefly I want to touch on the requirements under the Endangered Species Act. Again, NOAA is required to identify critical habitat required for the conservation of endangered species. And that habitat can be areas in which they are currently found or in which they should be found and will be essential for their survival should they expand, should their population expand. There are no designations in the Mid-Atlantic that I am aware of, critical habitat for any of the endangered species. But I do want to flag that we just received a, I think it's a notice of intent to sue, it may be an actual lawsuit, for failure to identify critical habitat for Atlantic sturgeon. So we will be thinking about how to respond to that very soon.

But most of what I want to mention is the

activities of the science center, the Northeast Fisheries Science Center is I think one of the premier marine science organizations certainly in the country and I think probably in the world. And they, almost everything they do touches on habitat. There are there main areas in which they operate, and in a moment I'll talk about their four different priorities that they listed recently in a strategic plan. One is they monitor and assess living marine resources. And then another is they study the changes in the ocean and try to predict them and try to help our agency and other agencies be prepared to respond to them. And another is simply the study of habitat and ecology and how it all fits together in the ocean.

So they have identified, the Northeast Fisheries Science Center has identified four different research themes. And but their biggest operation is monitoring and assessing populations and ecosystems. So they don't limit themselves to counting butterflyfish

or codfish. They are not only assessing the stocks of individual fish species but also trying to understand and assess ecosystems as units.

The second research theme is to understand environmental change and its impacts on marine ecosystems and marine species, and on human communities. This picture, by the way, you can't see it very well but this is a photograph of two different pterapods, one grown in an ocean acidic environment, one grown normally. The top one has a very smooth shell, very clear body. The one below has a much more ragged and fragile shell and the body is not as clear. So we are studying the impacts of ocean acidification along with other parts of NOAA, other aspects of the marine ecosystem. We're trying to figure out what changing of ocean temperatures may mean to fish populations and how they move around. We're trying to -- well, enough on that.

And we're trying to just sort of get a

handle on what habitat means and how changes in habitat affect species. And we are looking for not only the importance of specific habitat types, but also those habitats affect, are affected by human activities and by natural change as well. And we want to use that information to support marine and coastal planning. So it will come back to this body and others as a way to help make planning more valuable.

There was something I wanted to say.

The fourth research focus is aquaculture, which probably won't play a major role in this particular regional planning body but could be important. And it certainly is important in terms of habitat understanding. And one of the things we are trying to do with aquaculture is develop, use what we know about ecology and interactions among species to try to develop a multitrophic level system of aquaculture, whereby you might have fish in a pen, and then the byproduct of those fish species settle down

and are filtered out by oysters, which clean the water. And then grow some kelp or something like that, that would be in California anyway, to take advantage of the cleaner water. So we are trying to build a more holistic system of aquaculture. And that is my presentation. Thank you.

MS. CANTRAL: All right. Thank you, Kevin. And you have teed up Mike very nicely with the opening slide for his presentation. So Mike, I will just turn it right over to you.

MR. LUISI: If I hold this like this can you guys hear me a little better? I tried. Okay. How's that? Okay, thanks. Okay. Well thank you for having me present here today. I was asked to bring to your attention some initiative that are being taken by the Mid-Atlantic Fishery Management Council. I work for the Department of Natural Resources right here in Maryland but I serve as the Council liaison from the state and to the regional planning body. So I have a

presentation to give to you today. The overview of the talk is going to be regarding the Council's vision on current habitat activities. Right now the Council initiatives with respect to deep sea corals, essential fish habitat designation and updates, there is a possible habitat pilot project, and ecosystem approaches to fisheries management initiatives.

Now before I begin I just, I need, you know, these are, this information has been provided by Council staff and I'm not going to even attempt to fool you into thinking that all of the details regarding all of the work that go into these plans is anything that I am going to be able to answer very detailed questions about. But if there is something you are interested that you see here today, and I certainly can follow up or provide you with the appropriate staff person's with the Council to get in touch with regarding the initiatives and activities that are being undertaken.

Okay. So to begin with I thought it would be important to step back just a little bit and discuss the strategic planning process that the Council went through over the past couple of years. They undertook this process in order to develop a strategic plan through a process which they called visioning. And this visioning process was the Council's effort to reach out to its stakeholders through surveys and public meetings to identify what stakeholders wanted the Mid-Atlantic fisheries to be in the years to come. So based on this visioning work, work with councils, work with the stakeholders, they were able to develop this vision. And if you, and that vision was incorporated into this strategic plan. So the strategic plan can be found by visiting the Council's website at the site listed above.

So what came from the visioning process and the strategic planning process was a Council vision. And that Council vision was a healthy and productive

marine ecosystem supporting thriving, sustainable marine fisheries that provide the greatest overall benefit to stakeholders. And this, you know, in order to achieve this vision I think what is important is that it's clear that habitat and ecosystem initiatives play a large role in that. And that in order to have these healthy and productive marine ecosystems we need to protect, identify the important habitats in the ocean in order to meet that goal. So that is kind of what is driving some of the changes, some of the new initiatives with the Council.

Okay, getting into a few of the detailed plans, some of the things that the Council is working on. One of the them is a deep sea coral initiative. Amendment 16 to the Atlantic Mackerel, Squid, and Butterfish Plan looks at protecting areas where deep sea corals reside on the edge of the canyon, or in the canyons and on the edge of the continental shelf. This authority in order to protect deep sea corals

within these management plans was part of the reauthorization of Magnuson in 2007. So the reauthorization provides kind of a generally broad provision, a flexible provision, for protecting deep sea corals from fishing impacts. And that is something that was initiated back in 2012 within the MSB plan. So for the last couple of years the Council has been working on developing alternatives for management structure in order to protect deep sea corals.

So there are two main considerations. Well, the plan is very complicated. There are an enormous amount of details that go into all of the parts of the plan and what could be implemented, you know, where we might go as far as deep sea coral protection. But I thought what I could do is focus on just a few of the more general parts of the plan, or more of the general alternatives. One of them has to do with zones and the protections of these specific zones. Another is

related to the prohibition of certain fishing gears.

So speaking to the zones, the plan looks at two different, you know, being able to manage within two different units or two different zones. One of them is a broad zone and the broad zones are intended to encompass very large areas of deep water where there is currently very minimal fishing activity. We use the terms freezing the footprint on where fishing activity is occurring as a way to describe what these broad zones would do. So areas where there is relatively little fishing activity, where there would be relatively small impacts to the industry by managing those zones and restricting certain gears is what the broad zones is all about.

So the broad zones can be described at certain depths. So you start at depth contours of 200 meters, 300 meters, 400 meters, 500 meters and so forth and determine from that depth contour out to the 200-mile line we are going to implement certain

management authority and management provisions in those areas. Where the question comes to the Council, though, is where do you start? Is it 200 or 500? Because there are fishing activities that take place throughout those zones. So we have to try and manage and balance what we can as far as establishing where those broad zones start.

The second type of zone we would call it a discrete coral zone. And they are intended to encompass smaller areas that are known to contain corals or have a very high probability of containing these deep water corals based on the suitability of the habitat that is known there. A lot of these waters are, they are not very well explored. And there's efforts being taken right now to learn more and more and more about where these corals can reside in the canyons. But we just don't know. We don't have information on all of the different canyons along the Atlantic Coast. So we're, the discrete coral

zones may specify certain places where we either know through visual data or we can imply that because the same habitat is in these two different areas, and one habitat has been identified as having coral, we could apply the same management solution to another zone. So that is one thing being considered.

The second major part of this plan has to do with restrictions on or prohibitions on the gear that can be used. Whether to restrict all bottom tending gear, which would be including mobile gear. Or should we be focusing more on the more, I guess it would be more destructive moving gear rather than gear that is not moving when it is placed on the bottom, such as long lines or fish pots or lobster pots. Bottom trawls and other gears have more of a, there is more of a potential for impact because they are moving through the water column, they may be contacting the ground. And these are all things that we taken into consideration during this planning process and during

this amendment.

So right now just to summarize where we are with the deep sea corals amendment is that right now there is an approved range of alternatives. So the zones, the prohibition on gears, and about a dozen other things are all a part of these alternatives that have been approved by the Council. Staff are currently working on those alternatives based on recent feedback from the Council. And the idea, the plan is to potentially go to public hearings sometime late this summer or early fall regarding that amendment.

The next thing I want to talk about just real briefly is essential fish habitat updates. The Council manages 13 species and designates essential fish habitat for all life stages of those species. The Council can also designate areas called habitat areas of particular concern, or HAPC. These are areas where they are designated as critical habitat to one

portion of the life stage, let's say, for a particular species. And currently there are two species, two different areas that fall within the HAPC that the Council has designated. One of them has to do with SAV occupied areas in estuaries for summer flounder as being a critical habitat, and the other are the clay outcroppings that tile fish occupy during their life. So those are two. But they also, you know, staff have kind of been working more to take on and, you know, try to update these essential fish habitat, you know, doing the updates as we address issues within these plans.

Okay, ecosystem approach to fisheries management. One of the initiatives that the Council is working on is to develop a document. This document is supposed to have kind of an umbrella effect over the different single species management plans that the Council works on. So right now most of what the Council does is work on a species at a time through

their management plan. And it can often be difficult to incorporate ecosystem approaches when you are doing, when you are managing on a single species one at a time. So a document is being worked on. The way that it is coming together is that it will kind of sit over top of the other single species documents. And the Council is set up in a way that there are committees that are established and those committees are established based on those single species that we are managing. And each of the chairmen, chairpersons, on those committees sit on an executive committee. So the idea is that this document, this ecosystems approach to fisheries management document that is being worked on will be dealt with and managed by the executive committee overseeing all of the species committees. So we're hoping that there will be some integration. I know it was being, something that was being talked about is how do we begin to transition from single species management with the information

that we have into more of an ecosystems approach?

Staff have let me know this week that they really want to engage the ecosystems and ocean planning committee a little bit more working on habitat and ecosystems approaches. So that is just something to look forward to into the future.

Lastly there are, there is an ongoing discussion about a potential habitat pilot project with the Council and NOAA Fisheries Habitat Division to develop habitat objectives for the Council. Again, I already mentioned that we are looking to expand the role of the ecosystems and ocean planning committee related to habitat. And, you know, Council staff are constantly engaged with many of the habitat related partners along the Atlantic Coast, which I won't bore you with the details of who they all are. But you can imagine they are working with them and incorporating all of these actions that I just spoke about.

Thank you very much. I'll leave it with

that. Thank you.

MS. CANTRAL: All right, great. Thank you, Mike. So thank you to all three of you for the overview of some habitat related activities that are relevant to the Mid-Atlantic regional ocean planning process. And I do want to note that we plan to have a similar session tomorrow that will cover some navigation related activities that are going on in the Mid-Atlantic. So the idea here is to provide the updates of existing activities, have an opportunity for those of you new members of the RPB to ask questions, seek some clarity, and also to talk about whether these activities suggest some addition opportunities for collaboration or coordination. A couple of you have mentioned already in some discussions that just learning about what is going on, you know, gives you an opportunity to be better informed in doing the work that you do in your day jobs. And that you can see potential for better

coordination just with that information. So the more that we can do to enhance your ability to understand what each of your organizations and institutions and agencies is doing and how that is relevant to what you are focusing on as this planning process evolves, all the better.

So let's open it up for questions and comments. And just note that we will be transitioning to a public comments sessions after we have had some dialogue here around the table. And a bunch of tents just went up. So I'll start with John Clark.

MR. CLARK: Thank you. Thanks for the presentations. They were very interesting. Dr. Boatman, does BOEM have any plans to study the effects of seismic testing on fish and other marine life?

MS. BOATMAN: First I'll preface this with my area of focus is with renewable energy and not so much with oil and gas, but yes. We have done, we had a workshop about effects of sound on fish. We are

really thinking about these issues. So yes we are moving forward with our process of learning about it, identifying gaps, and then moving forward with what we see needs to be done based on the resources we have.

MS. CANTRAL: So I think I will just go around in the order of the table, the tents that I see up. So we'll go Karen, Laura, Kevin, and Gwynne. And then I will note anyone else who puts their tent up and if you think of something, signal and let me know.

MS. CHYTALO: I know this isn't totally a habitat question. But with climate change and temperatures increasing in the water, fish are becoming, resources are becoming more stressed out. Are you looking at incidents of disease in resources, too? In a sense that, you know, like last year we saw porpoise die off, going from Massachusetts down to Florida. We had a big vibrio outbreak too in our shellfish beds. I mean, so that, and that is stressing out our resources. So therefore if we are

going to see more impacts on our resources from other impacts or things, you know, how do, are you accounting for that stuff, too? You know, looking at that? That was to Mary and to Kevin.

MS. BOATMAN: Well that's a NOAA question.

MR. CHU: I think, yes, I think that is a NOAA question. And yes, we are also looking at the impacts to individual fish on changes in the environment and looking for incidences of disease in particular or, and checking things like growth versus weight, or length versus weight and seeing if they are more emaciated. That sort of thing, yes. We are doing all that stuff.

MS. CHYTALO: So you are keeping track of that kind of stuff? So therefore when we look at potential impacts from siting or something like that, we should be viewing some of that. Like what percent incidence of disease, or something like that, in the area could be? Something that we would want to

understand better, too.

MR. CHU: Yes. That's certainly something we hope we get to.

MS. CHYTALO: Yes. I have a question for Mary, though, too. Regarding, when you are doing the bird surveys, are you getting altitude information? Other than just an abundance, and spatially, where they exist?

MS. BOATMAN: The flight heights is the big question. And that is something that is a challenge to get. And just flying over in an airplane and looking at a bird it is very hard to tell how high it is. There are some methods with, you take photographs and then you can see how big the bird is, you know how high you are, you can mathematically try to figure out how high the bird is. There's also some other, with the telemetry, putting tags on them, we are looking at using different types of tags and see if we can't figure out how to get flight heights. So yes, we are

pursuing it but it is a challenging question to try to answer.

MS. CANTRAL: Laura McKay?

MS. MCKAY: Does this one work?

(Laughter.)

MS. MCKAY: Hello?

MS. CANTRAL: There you go.

MS. MCKAY: Yay. I recognize this could be a really tough question for Mary or Kevin or Mike. But for each of you, what do you think are the most pressing data gaps that are remaining that we need to have data on for some good spatial planning.

VOICE: (Indiscernible)

(Laughter.)

MR. CHU: Yes. Well I think, I don't have an answer for that. Honestly. I'll do the Laura approach. Does this work? No?

MS. MCKAY: No, that's the wrong thing. You have to pick up the little one.

(Laughter.)

MR. CHU: That's on. I think, Laura, that that is the key question. And since I have been starting work on this regional ocean assessment I have been wrestling with that. And how to identify the gaps, and how to characterize them so that others can also see those gaps? But I have not got an answer to that. And I really don't know.

MS. MCKAY: Well we do have the portal, an area for identifying data priorities. And Jay have I have been working on that. And so I think we're pretty clear on the data that is in the works so far. And there is a lot of studies that are out there that are maybe not completed yet that aren't quite ready to put up on the portal. And it's just getting a little bit hard to understand really what is our next best step. So I think something we are always looking for is what all of you, and audience included, think are the next best datasets that we need to be working on

to ensure that we do some good planning. So I don't know if Mike or Mary has anything else to add?

MR. LUISI: Yes, I can, just in my experience the, knowing what is there, you know, the ocean is quite large and, you know, you cannot know where everything is. So I'm constantly told by my stakeholders in Maryland that we don't understand what is in the ocean. We don't know what the habitat types are. We don't have, we can assume based on, you know, general exploration and we extrapolate those data to fill all of the holes. But we, you know, just understanding and knowing what is out there and what changes to the habitat types that we know, what impacts are they doing to have? I mean, it would be a difficult thing to put our finger on.

MS. CANTRAL: Mary?

MS. BOATMAN: Yes. It's always challenging to be honest as a scientist you always have something else you want to know. So it is a never-ending

process of learning. But I just did a presentation last week and kind of walked through what are we thinking about, what do we know? Because there is always the issue that people say we don't know, we know less than we actually do know. And I think along the Atlantic we have a good idea of what most of the species are, especially species that are of concern, fish, I think we know what most of the fish are out there that we want to be thinking about, etcetera. There is always going to be discovery of a new species. That is just the way the world works. We just have to accept that. And then I think from a distribution abundance we are getting more information. As I showed in the past five years there has been a lot of people out there really trying to get a handle on where everything is. We are getting better at that. The next step that we're doing is how are they moving around? What are they doing out there and when are they doing it? And we are getting that

information now. That is going to be another process for the next few years so you are not going to get to what the gaps are. And then the key issue will be what is the question you are trying to answer? Because the information or the data that you need really depends on the question that you are asking. And I think through your planning process with the framework and a little bit with the assessment and all you can narrow it in to what are the key questions that you want to be asking? And that points you to the information that you need to address those questions. So that is kind of my answer to the whole thing. So there is always a little bit more you need, but it's hard to just say we have a hole here, we have to fill it.

MS. MCKAY: And if I could just add to that, I think that is a really important thing for the RPB to keep in mind, is really what our planning questions so that we can be really clear about where those data

gaps are. Because it is no small task. Thank you all.

MS. CANTRAL: Kevin?

MR. CHU: Yes. I want to follow up on your comment that this exchange of information is really valuable to allow each other to understand what issues each of us has and to look for connections between us. For example, just listening to Renee's conversation about oil and gas leasing triggered this light in my mind, okay, NOAA should engage earlier. And now I know who to go to and we'll start talking now rather than waiting to get the letter and perhaps having it sit on somebody's desk for half of the time when we need to develop a response. So it really is good to bring us together to make that kind of connection. And in that context I want to go back to a point that Mike raised, of the deep water corals. Because that has arisen as an issue that a number of people have said we have got to do something about that and now is

the time. Because at the moment there is not a lot of activity in those canyons where they, the corals tend to be found. And if we could take some proactive measure to help protect those corals, now would be a great time. So would just like to suggest that we put it on the RPB agenda to find out more about that and try to discuss among all of us aspects of protection of those critical habitats and how each agency can help with that. I know it is an issue for MARCO. It's certainly an issue for NOAA. It's going to be an issue for the Mid-Atlantic Council. And other agencies can help with that. I mean is there an issue, we don't know yet, about submerged cables? Is there something with the oil drilling? You know, the steps that we could all contribute to. So I would like to suggest that this is a topic that we could take up now and share information about and perhaps get a Mid-Atlantic-wide program to conserve those corals.

MS. CANTRAL: All right. Let's flag that as something for some discussion. And Mike, you put your tent up. Do you want to respond directly to that?

MR. LUISI: Yes. I just, Kevin said the word that I was planning to state the next time I had a chance to make a comment, and it's proactive. The reason why I get concerned when we talk about planning for the future is that with fisheries management we are typically in a reactive phase. We are reacting to new information, which is old information, and trying to make the best decisions we can to manage these species that we do. And it's very difficult to think about how we might get in front of the information so that we can manage more proactively. You know, you may establish a wind farm, or an oil and gas site in some particular area. Well that area in ten years may be a prime area based on water quality and other conditions in the ocean where a certain species may want to occupy that area based on changes in our

environment. So yes, the planning process needs to incorporate what we know now and potentially new science and the best available data. But it's just fish swim and they are moving all over the place all the time. We have seen there are some specific examples about movements just recently where flounder have moved into different locations in the ocean. Most people believe that that is based on the environment changing. So you know, just something to, I just wanted to make the point that management of fish is often in that knee jerk after something happens. We'd like to get ahead of it if we can.

MS. CANTRAL: Okay. So let's continue to go around the table with John and Gwynne and then we will circle back to Joe. I just saw you put your tent up, Joe.

MS. CHYTALO: Mine is --

MS. CANTRAL: Yours is on the same? All right. So go Gwynne, and then John, and then back to

you, Joe.

MS. SHULTZ: Okay. So actually my question is to Mike and it's kind of on the same theme of the deep sea corals. So if the Council is thinking that they are worthy of some form of protection because they are important to maintain and enhance the fish ecosystem, the fish and the ecosystem productivity. So my question is about kind of the role of the Council on our regional planning body. So do you, does the Council serve any kind of advocacy role for the coral into the future? Say, you say coral are important. We are putting forth some guidelines about different fishing activities that can occur in areas important for coral. Do you then become, and does the Council then become an advocate for the protection of coral? Or is your main goal about, you know, the impacts of different activities on fisheries? So I just kind of want to understand more of the Council role in these kinds of issues.

MR. LUISI: I think by the Council taking action it signifies that there is an element of protection. And so it is recognized that protection is necessary in order to ensure that these ecosystems are not destroyed. And so the actions that will be, the recommendations, the Council doesn't take any action itself. It makes recommendations to NOAA in order to, you know, to take those actions. But the Council's role, I'm trying to, it's not, I'm trying to understand your question. It's whether or not they are going to advocate --

MS. SHULTZ: For protection --

MR. LUISI: I think they are advocating through their actions that they have recognized that this is important and that these habitats and that these animals that live there are worthy of protection in order to allow biodiversity and a health ecosystem. If that makes sense?

MS. SHULTZ: All right. So then do you

advocate then for those habitats? Like say if we do get other kinds of activities, you know, whether it's oil and gas, or things in the region, does the Council then say habitat is important for our fish therefore it should be protected? Or is it just as it relates to fishing activities?

MR. LUISI: No, I think it is to your first point. By taking those protections when issues come up and we are talking about other uses of the ocean in those areas I would expect that the Council would take the position, after having done what it had done to limit fishing activities, detrimental impacts to those areas, that they would take that similar position down the road. And you know, make the comments, write the letters to any type of rule making process or, that's enough request for information, I don't know how it all falls in line as far as making something happen. But they, and the Council has in the past, you know, provided thought and comment from the Council

regarding activities in the ocean.

MS. SHULTZ: Thank you.

MS. CANTRAL: John Walters?

MR. WALTERS: Thank you. This question is going to violate the geographic zone.

(Laughter.)

VOICE: Already?

MR. WALTERS: Already.

VOICE: Uh-oh.

MR. WALTERS: Kevin mentioned when he was up there that there was essential fish habitat described or identified for sturgeon and once NOAA identifies an essential fish habitat for a threatened species I think you mentioned or stated that any federal action requires consultation with NOAA. So if a federal action preexisted the designation of BFH, do we still have to go and get a consult with NOAA on our current federal activities in that area? And but specific to the rivers of the Mid-Atlantic region in that most of

the rivers as you go further up have rock and the hard bottom that sturgeon spawn on. And that's exactly the same region where the Coast Guard marks with aids to navigation. That we've only been doing for a couple of hundred years. So as, how does that affect the essential fish habitat and the consultation that you mentioned was required? Sorry about the violation of the geographic area.

MR. CHU: The requirement is to consult for federal actions that are taking place. So if you are planning something, you should ask about it. If you have to do a NEPA analysis, you should also consider essential fish habitat.

MR. WALTERS: Right. But we've been doing this activity every year, year in and year out --

MR. CHU: Yes, so if it's --

MR. WALTERS: -- for a couple of hundred years.

MR. CHU: Understood. And we should

probably talk offline --

MR. WALTERS: Okay --

(Laughter.)

MR. CHU: Yes, actually we will stop there. We'll take this offline. This is a good example of coordination --

MS. CANTRAL: That's right. That's right. All right. Very good. Joe?

MR. ATANGAN: I want to circle back to a couple of things that Laura and Mary both mentioned. I get a little concerned when we talk about data and data gaps. Because the implication is, oh, we've got enough data. We can do whatever at this point, or make decisions. You are not making decisions just based on the data. You have got to start looking at, you know, we went straight from data to information. What I'm concerned about is who is going to do the analysis that is going to result in that meaningful information? Okay? How are we going to get to the

point where we are ready to make decisions? Because frankly I get a little bit concerned about making decisions just on data alone. Okay? And what are we going to rely on? And so this goes back to what Laura mentioned earlier which is in order to get to that point where you are making decisions and information and having the right kind of knowledge based on that data, you have to be ready to ask, you have to be prepared with the questions that you are going to be ready to ask in order to get to the point where you can make a decision. So I really feel strongly that we as a group need to start looking at what questions we are going to need to ask with regard to the whole ocean planning effort so we can I guess start targeting our areas where we have, and in fact identify where we have data gaps, identify where we have knowledge gaps. Okay? Because, you know, every once in a while the scientist in me gets conflicted with the policy wonk that's in me. And it

is, you know, scientists can have data, they are always lacking in data. And we can spend our entire lives just looking for data and never get to the point where we are analyzing that data and turning it into meaningful information. And we've got to be careful to walk down this road. Because it's, you know, we have this great portal populated with great data. But until you pull all that information together, analyze it, and come out with some meaningful information then you really can't do true, you can't really make the kind of decisions that you need to make in the ocean planning effort. So as a group we need to start looking at what questions do we need to start asking in order to identify the data gaps and the knowledge gaps that need to be filled?

MS. CANTRAL: Karen?

MS. CHYTALO: Just as a follow up to what Jose said, yes, I agree completely with that. Because I think that is one of the things that always scares

me is that we are making decisions upon inaccurate information sometimes. And we are doing something, or we are taking an action thinking that we are correcting something and meanwhile maybe we're not. You know? And therefore we are not allowing certain things to occur. And Mike just recently I saw a presentation on deep sea coral work done off of California, off the coast of California. And they mapped out where the corals were, they mapped out where the fishing activities were, they had their trawl fisheries versus pot fisheries. And it was interesting to see that it was more the pot fisheries causing impacts rather than the trawl fisheries. And they found that the squid eggs and stuff like that were utilizing corals as a habitat. You know. And so I think, you know, because the amendment right now is basically for trawl fisheries, right? Or are they looking at pot fisheries too?

MR. LUISI: It could be both.

MS. CHYTALO: It could be both, right.

MR. LUISI: The decision would need to be made still whether or not to focus on all gears on those areas or the bottom mobile gears rather than just bottom gear in general.

MS. CHYTALO: But it's also good to be looking at the data layers of information to see where those interactions are if they are available. And I think that something that, you know, the portal might have a lot of that information there that could be used to help to make some of those analyses. And so I think, I'm hoping that those things are going on to, let's make decisions based upon the best available information, the best available science that we can do and to move ahead. Because, you know, those corals are so slow growing, they take 100 years for them to grow a few inches or whatever some of them, and that you want to make sure we are not destroying them with whatever type of gears that could potentially be out

there.

MS. CANTRAL: Yes, go ahead?

MR. LUISI: Just as an example of information or data that we have that, okay, so you can look at, you can look at a map and there is information about boat tracks. Where boats have been and where they are pulling their gear. And it is discussed all the time at the Council where a boat that brings out a bottom trawl does not necessarily put that bottom trawl out, it doesn't drop to the bottom of the ocean and drag along the ground until all the line is out. There is a, it has been described as landing an airplane. You have to start way out in advance of where you are going to be when that gear interacts with the species in which it is intended to catch. And so therefore the information, the data that we have when you analyze it it appears as if a fisherman may be engaging in an activity, an unwanted activity, a detrimental activity to the

habitat in that area. However, you only learn of what the actual flight path of the net is by talking with fishermen and learning from them and sitting down with them and having them explain to you how this works. So when you make the decisions you can incorporate all of that information.

So just data and numbers on the screen don't always tell the whole story. And that is something that the Council I think prides itself in as far as taking, making sure that we fully understand what it is, the decisions we are making before we make them through stakeholder interactions.

MS. CANTRAL: John Clark?

MR. CLARK: Thanks. Mike, it was great to hear about technosystem fisheries management. We're always hoping that will one day occur. At the Atlantic States Marine Fisheries Commission meeting last week the Commission was reviewing the latest proposals for the Magnuson-Stevens Act

reauthorization. And it was brought to their attention that I believe the House version of the reauthorization right now has language that would prohibit the sharing of federal fisheries data with marine spatial planning activities. And obviously that sounds like a target, an activity like this. And the Commission is of course going to be sending comments in on that. And I just wondered if the Council is also planning to comment on that?

MR. LUISI: I'm sorry, but I don't have an answer for you on that. But thinking we had, we went through step by step all the different components of the reauthorization at our last Council meeting. It was about five hours worth of discussion. And I don't know the specifics as to what is going to be sent in. But I know the Council is putting together comment, which I could send to you, or make sure to distribute to the rest of the body here.

MR. CLARK: Right. I think it was just the

House version right now that has that language in there. But I hope that's not going anywhere.

MS. CANTRAL: Let's go to Marty, and then Joe.

MR. ROSEN: So a quick question for Kevin. Kevin, one of your slides described the consultation you have with other federal agencies. Is there a similar process for states or other entities in terms of consultation on NOAA activities? (Indiscernible) federal consistency, which I know, you know, requires state engagements.

MR. CHU: There is no requirement for states to consult but there is the ability for states to consult and we are glad to provide advice on topics that may be of interest to you.

MR. ROSEN: So let me try to understand. So your slide, if you have NOAA initiated activities, those are the agencies you interact with to share your proposals or your projects?

MR. CHU: Well those are the agencies that typically ask NOAA to opine on the impacts of essential fish habitat, impacts of their activities on essential fish habitat.

MR. ROSEN: Everybody awake?

MR. CHU: Did I do that?

MS. CANTRAL: Okay.

MR. ATANGAN: I just wanted to replay to, I guess, and maybe it's a flippant response, to what the House of Representatives is doing. Is I would just note that the information that we would get from the Fishery Council would in fact be hosted on the MARCO portal, which I think may help is skirt that a little bit.

MR. ROSEN: Yes, we were told there was just a lot of antipathy toward the National Ocean Policy in the House, which --

MR. ATANGAN: Go MARCO.

MS. CANTRAL: All right. Well putting the

politics aside, are there any other questions about --

MS. CHYTALO: A question for Kevin about the essential fish habitat or even habitats of particular concern. When you designate that habitat do you include not only the bottom, or also the entire water column, or what? Is it that big box or is it just an aerial extent? I never knew. I don't know.

MR. CHU: Well for essential fish habitat it probably depends on the species and the area. For an endangered species like right whales it is not essential fish habitat, it is critical habitat. But in that case it would certainly be the water column. We are worried about the water in which right whales swim. So it could be everything from the bottom to the top. In many cases it may just be the submerged aquatic vegetation in the very bottom and not necessary the top. So it really depends on the species that we are trying to protect.

MS. CHYTALO: Because all I know is I'm

always seeing the little offshore maps and I was like, well, does it include everything? The midwater? Because that's an issue with respect to trawling. If you are trawling through a habitat or essential fish habitat, or something like that. And but you really are catching outside there, just getting ready to trawl. I mean, I'm just trying to figure out how does that apply?

MR. LUISI: Well and I'm not going to, I can't, I used to, I try not to speak from the gut on things I don't necessarily know all that much about. But in my experience that is where you can use the different gear restrictive type of measures in order to allow for certain activities to occur and not others. If you are protecting the bottom and you don't want bottom trawling to occur, you may still allow for other activities to happen there, midwater trawling or just something in addition to that. Which, you know, is where the managers have some

flexibility in how they can apply those rules and those protections.

MS. CANTRAL: Anything else, RPB members? Should we -- yes, Jon Hall?

MR. HALL: Yes. Sitting here kind of listening to the information and science on the ocean and I just kind of wonder, because I don't know that much about this field. But is all this science being put together in a way that provides some consistency in how it can be stacked? You know, we talked about fish being moved, moving. Well, but the habitat that they use doesn't move. Is there some looking at that and saying this is characteristic of that? This is this landscape here? It's kind of like, I can only equate it to the landscape. But this is an oceanographic landscape here, and this occurs here. These plants occur here, and is this warm? Is this deep? Is that stacked in a way that can become, what we utilize in our agency in like an ecological site

description. So that now you can take that science and then wherever that occurs you can perceive that something very similar is going to be occurring and the same kind of species or fish is going to, is this being gathered that way? So is there consistency between --

MS. CANTRAL: I think Laura can answer.

MS. MCKAY: I'll try. I think our crack portal team is working on something that we might call a four-dimensional ocean data portal that would show you the depth when possible, you know, and it is even above the water, too, the airspace with the birds. So that would be the ultimate dream, is to show the vertical dimension of resources and uses in the ocean. And then the fourth dimension being time. So at least seasonally how the land, the oceanscape is changing seasonally. So the technology is coming along. It is very complex. But I think that is, right, Tony and Jay? The ultimate dream of our portal is to have

those four dimensions.

MS. CANTRAL: All right. Great. Kevin?

MR. CHU: And I can also add that NOAA is trying really hard to do a lot of that stuff. To put all of the aspects together, from the physical characteristics of the water, the physical characteristics of the bottom, the biological characteristics of all the various trophic levels in time and over time. And it gets mind bogglingly complicated. But that's what we, we are trying to move in that direction. The portal is another similar effort. And there are I think a lot of efforts to try to bring that together. You know, whether the human mind can actually do that, I'm not sure. But we're trying, yes.

MS. CANTRAL: All right. Thank you. All right. So I think we are ready to segue now to public comment session. Does that sound good? All right. So we have six people who are signed up for public

comment. And again, you are encouraged to speak to the topics that we have been talking about this afternoon having to do with ocean energy and habitat related activities. But you are welcome to offer your thoughts on anything that you choose to. I'm just going to read through the list of the people who have signed up and then you will know the order that you are in the queue. We have Michael Kearns, Sarah Chasis, Matt Gove, Amy Trice, Jeremy Firestone, and Greg DiDomenico. So Michael, you are up. And come to the table here and just introduce yourself and your affiliation. And then you've got three minutes.

MR. KEARNS: Hi, everybody. My name is Michael Kearns. I'm Vice President of Government Relations with the National Ocean Industries Association in Washington. We're a trade association. We represent a little over 300 companies involved in all aspects of energy production on the outer continental shelf in the U.S. That includes major oil

and gas producers, service and supply companies, transportation firms, accounting and legal firms that specialize in the offshore removal energy companies, sort of the entire supply chain.

I appreciate the chance to come and comment. I will try to be brief today. We just wanted to come today to say that we support and encourage all sorts of safe and responsible development of energy from the outer continental shelf, both conventional oil and gas as well as renewables. The bottom line message I would leave you with is that we would encourage you to not prematurely push to take any offshore acreage off limits from consideration for energy development. In many cases, particularly oil and gas as you heard earlier today, we are still working to assess the resources that are out there. There could be significant natural gas and oil resources off the Atlantic coast of the United States. Producing this would drive lower energy costs and create more jobs,

it would generate revenue for the government coffers, it would enable manufacturing to continue to move back to this country. So there are a lot of benefits that come from that.

We often hear in the discussions about the importance of making science based decisions and we fully support that. But as an industry the offshore oil and gas industry has been precluded from actually collecting the information that we need about the resource space on the outer continental shelf for the last several decades. We are beginning to move towards being able to collect that data. But while we are doing that we neither want you to delay moving forward on consideration of development and we also don't want those things taken off the table. So we need to sort of find that fine line through there.

So while we are doing the seismic work let's keep the OCS Atlantic in consideration, continue to make informed decisions. Just some numbers for you to

consider. NOIA along with the American Petroleum Institute recently did a study about the potential benefits of opening the Atlantic to energy development. Between now and 2035 we estimate an additional \$200 billion in GDP, \$51 billion in royalty revenue generation, and about 250,000 jobs. So that will sort of give you some context of what we are talking about.

A reminder that OCS resources are held in trust for all the citizens of the United States. They are a national resource. And so we would encourage the participation of the inland states as much as possible, beyond just the coastal. They have a vested interest in this as well.

And I would finally say that we really want to remain engaged in this process. But it probably won't come as a surprise, you have probably heard some of these before, the industry has some concerns about the regional planning process. We very well

understand how to work with federal agencies. We understand how to work with individual states. But there is a concern, justified or not, there is a concern among the companies that represent that the regional planning process introduces more uncertainty and a potential additional level of regulatory oversight or need for approvals and things like that. That causes concern. We have timelines for development of projects that stretch out over decades that involved tens of billions of dollars. And any uncertainty has some very real ramifications for us.

So I would just leave you with that. We want to continue to be a participant in this discussion. I am here today to offer comment, which is great. But we also have concerns about where we fit into this discussion. It seems like a very much inside the government discussion. So we can offer our opinion in this venue but we look for additional ways to continue to be part of the conversation. And if

you have any questions, concerns, comments, etcetera, I remain open to trying to answer them as best I can. Thank you.

MS. CANTRAL: Great. Thank you. Sarah, you are next.

MS. CHASIS: Thank you very much. This was a very interesting discussion, presentation and discussion on the energy front and the habitat front. So I would like to make a few comments. One is we are very encouraged by the work that the Mid-Atlantic Fishery Management Council is doing, and in particular excited about the work on the deep sea coral protection areas and look forward to the next stages of the Council moving forward on that. And we would point out that to the extent we have protections in the Mid-Atlantic for habitat, and there are not a lot, they have originated with the Mid-Atlantic Fishery Management Council through the HAPCs which protect Norfolk Canyon from bottom trawling, the clay

outcroppings that Mike referred to. And if this, hopefully this amendment goes forward on deep sea coral protection, that would be an important step forward.

But otherwise in the Mid-Atlantic this region is really lacking in habitat protections. I think as Kevin pointed out, we don't have any critical habitat designations for endangered or threatened species. We have no marine sanctuaries. So we see one of the challenges and opportunities for this regional ocean planning process to identify and enhance the protections for important ecological areas in this region.

The second point I would like to make is that the discussion of these various activities and other planning processes to us underscores the importance and value of this regional planning body moving expeditiously to develop a regional ocean plan which can then inform those other processes as well as

of course taken value and information and lessons learned from those processes. So we see that through the regional ocean planning process, which is cross sectoral, is going to consider cumulative impacts of what is being currently undertaken and proposed on the region, that that can be very useful and feed into the individual agency, and state processes for that matter, relating to these various uses and activities.

So to us it underscores the importance and the value of this body moving forward expeditiously. We think it can add value and, you know, an important perspective to the individual agency processes that are moving ahead.

As an example I would point to, and we are not exactly sure how this is proceeding, but the situation with the offshore wind site off New York and the Port Ambrose LNG terminal proposal which appear to be being proposed potentially in an overlapping geographic area. Not clear whether those two could go

forward, you know, at the same time, or whether there is conflict. If we have a regional ocean plan that helps to analyze the relationship between these proposals and the implications, one for the other, that can help provide greater certainty and advanced notice to industry and help ensure that we have a more coherent, organized approach to development in a way that will not preclude unnecessarily other uses or adversely impact the ocean ecosystem.

The final point I would like to make is that this region is very important for the right whale. And as you proceed to think about and consider uses in this region, please attend to the importance of that species. We have been concerned in particular as we see a lot of developments occurring and being proposed within the same region within 30 miles of shore that right whales use to migrate, south in the fall to the calving grounds off the southeastern coast and then returning north in the spring with the mothers and

calves in particular. And there are activities and things that could be done to protect these important creatures.

There are, as many of you know, only 500 or fewer. And I just wanted to call to your attention the fact that a number of the environmental groups have joined with wind developers to agree voluntarily to undertake enhanced protections to these right whales as they migrate, in particular they are present. And we announced about two weeks ago an agreement for the Rhode Island/Massachusetts area with Deep Water Wind, which is the lessee in that area, for these additional measures during the site characterization and site assessment stages. So you know, we consider this a really important aspect of your planning and look forward to working with you as you proceed on this. So thank you.

MS. CANTRAL: Thank you. Amy, you are next -- no, Matt. I'm sorry. Matt, you are next. Amy,

you are after Matt.

MR. GOVE: All right. Thanks for those presentations, everybody. Those were great. I did want to ask, though, for a little more context. Laura, you gave us some context right now about why we are doing these. I was just trying to figure out is this something we are going to start doing at every RPB meeting? Is the goal just to know more about all these important projects going on? Or is it more focused to start influencing our work? Or start to think about when the RPB is going to jump in and get involved, or comment? So I wanted a little more context, if that's possible at some point. But they were great presentations. I don't want to say it was not interesting and important. I'm just wondering the goals.

Also Joe mentioned analyzing data. And I think that is a good segue to talking about some sort of science advisory council. I'm not sure if that is

on the agenda for today or tomorrow but that seems like something that should be discussed. Do we need some sort of body? Who is going to look at the data? We have the great portal team, but that is kind of a very specific focus. So I think that is something that should be discussed.

And then I want to talk about the charter, but I don't know what to say exactly. I just feel like the charter, I guess it's done, it's finalized. I think people felt a little bit left out on that. We had our one time to comment on it and then it kind of disappeared for eight months. And I realize you were probably trying to get all of your various attorneys to sign off on it. But there wasn't even an announcement about if that was happening. So that was kind of a black hole that it fell into. So just in the future, or if there is more time to comment on it we definitely will. But if that is done just in the future know that that, we felt a little bit left out

on that. It felt like it kind of disappeared for a while. And that's all I've got. Thanks.

MS. CANTRAL: Thank you.

MS. TRICE: Hi, I'm Amy Trice with Ocean Conservancy. So the BOEM presentations highlighted one of the absolutely critical roles the RPB can play, and that is providing a single point of entry for nongovernment stakeholders to engage with multiple agencies and ensure that their views are considered in multiple processes. From an outsider's interest perspective the sheer number of points of engagement identified just in the two BOEM presentations is overwhelming and those are just some of many.

I do this for a living and it is a full-time job. So someone who is fishing for a living, how can they possibly follow all of these processes? The RPB can serve as that central venue. Stakeholders simply don't have the capacity to track and engage in these processes individually. Frankly, they are too

complicated and they are too many. And this problem is only going to increase as ocean uses increase. Ad hoc project by project engagement simply does not work for stakeholders.

It will help us stakeholders and agencies who noted the challenges of reaching stakeholders to have one central, simple point of engagement. That is a key role the RPB can play. As a stakeholder I should be able to bring my data and interest here and know that they will be taken into account with all projects. Thank you all for the time and the ability to comment.

MS. CANTRAL: Thank you. Jeremy Firestone, you are next.

MR. FIRESTONE: Thank you. Good afternoon. Jeremy Firestone, the University of Delaware School of Marine Science and Policy. It's good to see you all working together. I think we would all like to see you work a little faster. I think following up on the

discussions this morning I think we owe it to everyone to finish this by 2016. We all know the problems that are going to evolve if this is not done by 2016. We probably won't get it done in 2017. It doesn't matter who wins the next election. So I think we are two and a half years out and we ought to be more aggressive in our ambition.

I do want to applaud a couple of the changes that were made this morning. I really second the change away from critical habitat, and the movement towards best available science. And I think we need to consider whenever we are thinking about best available science we need to, in this process, think about both climate change and ocean acidification. It's not clear to me, we did have a presentation on oil and gas exploration, how oil and gas in this day and age more exploration fits within the notion of best available science.

I do want to second what Joe said about

moving from data to analysis. That is what we, we do collect a lot of, I collect a lot of social science data. But we also try to do a lot of analysis. And we just did publish a paper where we tried to quantify the trade offs between offshore wind and commercial vessel traffic, and how you might rearrange things. I think it is important from the starting point is no one here has vested rights. There was a discussion about we have been doing this for 200 years. Well there's a lot of things we have done in this country for a long time, or things that we did in the past, that we don't do anymore. And just because we did things in the past doesn't mean we should be doing them that way in the future. It is a big ocean but it is a crowded ocean. And we have got to figure out how to work together, perhaps rearrange some of the deck chairs, and come up with the best planet we can for everybody.

So that's basically what I wanted to say. I

don't believe we should have offshore wind everywhere. I think we should try to do it before the end of the decade. But I mean, there are certainly differences between having it off Ocean City versus having it off of Assateague. And you know, or even off of, you know, I would say, you know, I would distinguish the Delaware State Parks from Assateague. I mean, we allow motor vehicles on the beaches and in Assateague we conserve the scenery as part of the 1916 Organic Act for the National Park Service.

So we need to think about all of these things. I wish you good luck in your continued deliberations and thank you for the time.

MS. CANTRAL: Thank you. Greg DiDomenico?

MR. DIDOMENICO: I'm not sure if this is working or not, but I guess it is.

MS. CANTRAL: You're good.

MR. DIDOMENICO: I'll speak real close. My name is Greg DiDomenico, Executive Director of the

Garden State Seafood Association. And really, I only have a comment and a question. The comment is sort of broad, the question will be specific. I hope you can answer the question with a one-word answer.

From a public perception issue, the RPB has got to decide whether they are going to be advocates, scientists, or as Joe said policy wonks. If you are going to do all three, you need to let people know that is the role you are going to play. Because I don't know what your role is and I'm going to have a very difficult time telling our members what your role is. That's my comment and you can do with that what you will.

My question is will this body, will the RPB, comment directly on amendments to fishery management plans done by the Mid-Atlantic Council via the National Marine Fisheries Service? Lorraine is shaking your head no?

MS. WAKEMAN: No. The Department of

Transportation will comment as the Department of Transportation, I can tell you that. My department will comment as the department.

MR. DIDOMENICO: Is that how everybody is going to handle? But, and you will be doing that as your role within the RPB?

MS. WAKEMAN: No, no, no. We will be doing it as the Department of Transportation -- oh, sorry. The Department of Transportation would comment not as an RPB member but as the U.S. Department of Transportation.

MR. DIDOMENICO: Have you ever done that?

MS. WAKEMAN: I don't know.

MR. DIDOMENICO: Okay.

MS. WAKEMAN: That would be more of a Federal Highways --

MR. DIDOMENICO: Okay. So your area of expertise as it pertains to ocean issues, you will still perform the same function?

MS. WAKEMAN: Yes. Yes.

MR. DIDOMENICO: You will not be commenting on deep water coral habitat Amendment 16?

MS. WAKEMAN: Probably not.

MR. DIDOMENICO: Okay.

MS. WAKEMAN: Unless there is runoffs from highways or bridges.

MR. DIDOMENICO: Okay. So the RPB will not be making comments. And/or will they be reviewing the amendments to these FMPs in accordance with your goals and objectives?

MS. SHULTZ: If we could hold off on actually answering your comments? Because right now what we are doing is just kind of taking input in. There were a number of other individuals that also asked questions that we would like the opportunity maybe to discuss as a body after the formal testimony.

MR. DIDOMENICO: Okay. That's fine. Thank you very much.

MS. CANTRAL: Thank you. All right. So those are all the people who were signed up for public comments so that concludes our public comment session for today. We will have more public comment sessions on day two of our meeting tomorrow. Now our agenda calls for us to take a break after hearing the public comments sessions. We are a little bit ahead of schedule. I would suggest that we just take a quick break, a ten-minute session just to refresh a little bit after a long afternoon of some very interesting presentations and our public comment. And then we will come back and conclude the proceedings for today. And I will give you a heads up on what we are going to work to accomplish tomorrow. And then we will have a nice reception. All right? So we'll take ten minutes and we'll be back at 4:30.

(Recess.)

MS. CANTRAL: All right. So this session is designed to be further discussion among the RPB about

the topics that were presented in the afternoon sessions on ocean energy and habitat related activities as informed by what you heard from public comment. There were a number of comment shared and a few questions, some of which you may want to address. And I think you can address. And as the process advisor here from a process standpoint maybe I can help to clarify some of the questions that had to do with the process and what it is that you are doing here today and why the agenda was designed and what we are going to be doing tomorrow. So that is our intention and we will go for as long as we need to. And then we will wrap up for today and, as I said, go to a nice relaxing reception.

But before we do that, some more business. And we would like to know who would like to kick it off with a question, comment, or observation?

MS. CHYTALO: Well actually I was hoping we could just take a minute to respond to Matt's question

about why did we have the presentations today? You know, why did we have one on habitat, why did we have one on energy? And how might those kind of link up with what we are going to be doing into the future? So kind of as our process person, could you take a minute to talk a little more about that?

MS. CANTRAL: Sure. So as the RPB had some discussion planning and preparing for this meeting, one of the things that they all acknowledged was to start some of the dialogue to better understand what individual member institutions are doing, and to have a chance to better understand. And I think as we heard in some of the discussion earlier this afternoon, just the mere fact of sharing that information and having some a-ha moments as a result of that is one of the benefits of a forum like this.

So if you look at the framework that was approved this afternoon, and some of the preliminary language that describes the planning process and the

role of the Mid-Atlantic Regional Planning Body, two points are mentioned. One is to improve the understanding of the Mid-Atlantic oceans and the use, management, and conservation of its resources. And to coordinate efforts, or better coordinate efforts, to address both current challenges and emerging opportunities. And starting a dialogue about understanding what different agencies already have underway is some helpful context to be able to do that.

And tomorrow the flavor of the meeting will shift into talking about the next steps for this body. And the co-leads will be presenting some process recommendations for what those next steps could be. Organizing in some subgroups, some working groups with some assignments and some deadlines, and talking about that timeline, perhaps reflecting on what many of you have suggested about the timing at the end of the planning phase that has been suggested. And so what we wanted to do today was provide some

contextual information. We'll do a little more of that contextual information in a session tomorrow. But the rest of the time is going to be spent thinking about some nuts and bolts and mechanics of next steps and what to do from here now that the framework has been approved. So I hope that helps.

MS. BORNHOLDT: I want to add onto that.

MS. CANTRAL: Yes, great.

MS. BORNHOLDT: I know that since April, 2013 we have been talking about charters, and processes, and decision making. And I think John, maybe you were the one that was saying, hey, when are we going to get to the fun stuff? And so learning about what we do, yes it does, learning about what we do in our day jobs and so that can link up and actually really augment our understanding of, I think it helped with the framework. I think it's definitely going to help us with the work plan. And then moving to this concept of Regional Ocean Action Plan. And so

I think it's really good that we kind of to give ourselves a break and be able to talk about some of the real things that we do in our day job and get that perspective.

MS. CANTRAL: Andy?

MR. ZEMBA: Does that thing work? I want to address, because I think this builds on what we're talking about right here. The last gentleman, and I apologize, I thought his name was Mr. DiDomenico of Garden State Seafood Association. He asked an interesting question which was does this group see itself as advocates, scientists, or policy wonks. I would like to address that question again tomorrow after we go through this, the discussions tomorrow. I think I'm going to be, at least myself, I'm going to be able to answer that better. And because I think also related is a point that Matt made, which is is there going to be some type of science council with this?

I am a little hesitant myself to say that I would have the background to be able to analyze a bunch of scientific data, etcetera. So my point is I would like to go back to his question tomorrow and kind of see what we think maybe after we go through those discussions.

MS. CANTRAL: Yes. Yes. Yes. So, yes, let's definitely flag that. And I think that it will, tomorrow's discussion will inform some initial thinking about the apparatus that you may need for getting the kind of information that you are going to need as you move forward. Gwynne?

MS. SHULTZ: Yes, I would also like for us to discuss a little bit the question that Greg asked about will this regional planning body be submitting comments on an amendment that the Fishery Management Council puts forth. And I think that is important in that when you look at what we are here for, we are here to collect the data, better understand

information, and the science behind it, to increase our collaboration so that we can all do our jobs better. All, the federal agencies, the state agencies, everyone can go back, implement your own policies, your own programs, in a much better and more efficient and effective way.

If we were to start getting into responding as an entity to Fishery Management Council amendments, oil and gas amendments, you know, all of the different things that all these different agencies do, or if a state does something, if we want to as a group try to work on that and provide an opinion, we are not going to have any time to get our core mission done. So you know, I just wanted to see if there were, are there folks that are thinking differently, that we should be kind of responding? And I don't know if now is the time, or tomorrow is the time, but I think that is really something that we need to be very clear among ourselves as well to today's participants.

MS. CANTRAL: Yes. All right. So I see some people want to respond to that. Why don't we take Kevin --

MR. CHU: Joe was up.

MS. CANTRAL: Joe, you were up first?

MR. ATANGAN: I guess as an initial response we need to carefully consider the fact that we are a planning body as opposed to a governing body. And there is a distinction there in how we approach the questions that Greg asked. I do want to be mindful that although I'm hearing a lot of you all need to move quicker piece that is coming through, I think we all need to be mindful of where exactly we are at in the process. Remember, we just finally said okay on the framework. And the framework, we're at the very baseline drawing of what it is that we're trying to build. Okay? And for each one of these we, I understand it's real easy, and I understand the temptation to immediately dive into, you know, well

are we going to have hardwood floors? Or are we going to have granite -- we're not at that stage yet. And I hear you, we need to move quicker. But there is a process that has to be followed here in some way. There is a framework that says this is what we are setting out to do and here are our objectives. The next step is, okay, here is how we are going to do it. And then there is a point there where we are going to identify and here are the tools by which we are going to accomplish these things. And some of those tools are going to be working groups and committees, such as the science advisory committee, that help us inform, you know, the things that go into this plan. Maybe the stakeholder, you know, a stakeholder engagement group that would go out and figure out how we are going to socialize the things that we want to do.

So you know, I am mindful that we are promising a lot. It's coming. It's coming. It's coming. And I hear the, but you are not moving fast

enough. But I think we have to be very mindful of where we are at at this stage and what is the next phase here.

MS. CANTRAL: Kevin?

MR. CHU: Yes. I just spoke with Greg DiDomenico during the break. But basically what I said was --

MS. CANTRAL: They can't hear you.

MR. CHU: Can you hear me? Is this better? Yes, that's better. So I spoke with Greg during the break. And basically what I told him is in my view there is nothing that absolutely precludes the Mid-Atlantic Regional Planning Body from making a comment on anything. The likelihood of us making a comment on a Fishery Management decision is zero. Because --

(Laughter.)

MR. CHU: -- because it has taken us a year to develop the framework. We just don't have the time and we're not nimble enough to actually get into that

kind of nitty-gritty, basically agreeing with (indiscernible) on this topic. But we could say something. It would not be a regulatory comment because we don't have that kind of authority. It would just be offering an opinion. And it would take us so long to come to a consensus on what the opinion would be that it would probably, it's not going to happen.

MS. CANTRAL: Practical reality.

MR. PABST: But it was a great framework --

(Laughter.)

MS. CHYTALO: That Goldilocks wrote, yes. I agree 100 percent with what has been said so far, and what Gwynne brought up, too. That I really don't think that it's our responsibility as an RPB to comment on individual projects. We all have our own authorities and we will be working through our own vehicles to comment. I mean, I would be going through and discussing things with my agency to comment on,

you know, I discuss things with Sea Pines and so therefore, it sits on the Council --

MR. PABST: Oh, poor thing.

(Laughter.)

MS. CHYTALO: Him or me?

MR. PABST: Oh no, him. I mean him.

(Laughter.)

MS. CHYTALO: No, but I mean that is like that is our role that we could bring this up. And also we can discuss things with our members here providing information and gathering more information to assist in those decision making processes. But for us to make those types of decisions, oh my God, our lawyers, it would take forever. The project would be built already by the time our lawyers signed off on the damn thing. So I would not, I would not recommend that.

But I know, I have served on a lot of National Estuary Programs. And we have always done

that same tack, too, as a management committee we never came out with a comment on any specific project. But we always allowed our citizens advisory committee. They had that right. They could do that. As an organization, a group, to comment on the individual type projects. But we never felt, because since we do have our own authorities and that we have to work through our own means, that it wouldn't be appropriate for us as an organization to comment on a specific project. But helping each other out? Absolutely. That's what we have to do.

MS. CANTRAL: Yes, Mo?

MS. BORNHOLDT: I'm going to switch gears a little bit. One of the public comments that I heard was this concern about there is so much going on in the Mid-Atlantic I don't know where to start, and if you all could be, somehow be a one-stop shop for us. So I'm going to put a plug in for our website. We started this new space on the website talking about

coming events. And I know that NOAA was one of the first to actually populate it and I know that we have done that. So maybe, it's not the be all, end all, or the final resolution to a one-stop shop, but the least that we, I think we can do as RPB members is to provide Mo and Leeann with those opportunities for comments. So if someone was overwhelmed, they just wanted to take a look at the Mid-Atlantic for what is going on in the FMC, or what is going on in Pennsylvania, if you can provide that to us with links and we can at least put that on the RPB site so that kind of provides a tool for someone to get a quick glance as to what is going on in the Mid-Atlantic. Until we figure out what role we are going to have that is at least something we can do in the interim. So that is my suggestion.

MS. CANTRAL: Yes, that's a great idea.

Other reflections? Sarah?

MS. COOKSEY: One of my colleagues just

asked why I was so quiet, so I feel like I maybe need to say something. I am concerned about our ROA. And as Kevin and I will talk to you some more about that tomorrow, I hope that maybe folks tonight can reflect on the comments that we just heard a little while ago, and Joe's comments about what are the questions we're trying to answer. Because I think that that is related to the regional ocean assessment. And I can't remember how you put it, Kevin, but how do you know what you don't know?

I think we do know that there is a lot that we don't know. And as managers, most of us are charged, we're some sort of resource manager. And what I'm hoping this planning body will help me do is make better decisions quicker. And we just get so bogged down with not having information. So if we could spend some time in addition to what is already on our plate and figure out how it's going to weave into the action plan, maybe it's a little work group

under the action plan, where we just get a finer point on all the information that is out there. And figure out what it is we really could do with the resources we have. So I know I'm not saying anything that folks haven't already thought of. But I think we need to really put that down in words. So thanks.

MS. CANTRAL: Great. Karen?

MS. CHYTALO: Yes. One of the gentlemen, I forgot who, I think one of the first speakers I think spoke about concern with us increasing uncertainty in offshore activities and stuff. And I thought part of our responsibility or what we would do is to improve certainty, or let people know what some of our concerns are, or our issues are, or things that need to be collected as information. I think that by having a certain level of information that we have and that has been put on the MARCO website and our MARCO portal and stuff like that, it helps to detail out where things, activities are occurring, or things, to

avoid or to steer away from. And I think it will help provide, I don't know, maybe I'm a stupid regulator, I don't know. And that I would be like, that it would provide more certainty. That I'm not going to waste my time over here because I know three million people have issues with that. So I'm not going to waste my time there. But over there, no one is complaining, or no one is using it, or no as much use. So therefore maybe I should spend more time, put my cookies over here, and do the, an assessment that I need to do.

So I'm hoping that with the work that we do do is that we do create more certainty for companies, for the public, and for fishing interests, or whatever interests, that they know what is coming down, what kind of decisions they are making, knowing that their issues are being accommodated. Not that, you know, we're just going to come up with, you know, statements or something like that. And it's like you could drive a truck through them. I think we want to make sure

that we do provide that certainty. And I think the more that we can help make that happen, I think that would be good for economic reasons as well as being protective of our resources.

MS. CANTRAL: All right. Any other thoughts? MR. ATANGAN: I'm thinking I need a beer.

MS. CANTRAL: We're close. We're close.

MR. PABST: I think Joe is channeling me.

(Laughter.)

MS. CANTRAL: All right. Well why don't we, why don't we shift gears just a little bit and I will review the agenda for tomorrow and then we can wrap up for today. Does that sound good? You guys are ready for a break, a little shift in gears? Mike?

MR. LUISI: If I can just ask one question about the clarity or what the discussion we just had a few minutes ago regarding testimony, or not testimony but public comment from Mr. DiDomenico, and earlier

today from Mr. Himchak regarding providing direct comment as a group to Fishery Management plans. And I don't know if it says it anywhere other than maybe the minutes from this meeting. I'm pretty clear now, I was worried today. I heard that question was asked, it was asked again. And I'm thinking to myself I've got a Council meeting in a couple of weeks and I'm going to probably report to the Council what happened at this meeting. And I need, I'm going to be asked, well, what does this group, what do you think their role is going to be with managing fisheries through the Council process? And I'm more clear at this point. But it would be nice to have kind of a statement from the group that clarifies that we're not, what I understand it to be is that all of us around this table will be learning as we analyze and gather information. And that each one of us through our own agencies may be able to use what we learned to direct change through our agency or make comment

through our own particular groups rather than one comment that is coming from all of us. So if I want to go home, if I learn something and I want to go back and use Maryland Department of Natural Resources as my vessel, my vehicle to make a comment, then I can do that. But I'm not going to have to take to the Council a regional planning body comment regarding any one specific issue. And I, you know --

MS. CANTRAL: Right.

MR. LUISI: -- does that, I mean, am I --

MS. CANTRAL: I think that is very clear.

And I think your colleagues --

MR. LUISI: -- someone that is in the public can get that and they can read it? I mean, they can hear it. But --

MS. CANTRAL: So one suggestion would be to add that to the FAQ document that has been prepared. That is a question that is coming up and maybe will continue to come up. But I think the way that you

described the process is consistent with what I have been hearing around the table, and also just the understanding that from knowing what this process is intended to be. Not that it is your participation, any one of you, your participation representing your agency, your state, your tribe. You are working together to improve understanding of the resources, leveraging capacities and understanding where information and data is. So that is one way to improve, lots of ways to improve a certain kind of understanding. You are also understanding how to improve coordination between and among yourself. You have an opportunity to enhance the engagement of the stakeholders because you are a vehicle for doing that. And then you go back and do your day jobs informed by that understanding of the collective and the venue that this provides. And that is where that kind of input goes into the kinds of things that you were talking about. All right. Joe? Besides that you are

ready for a beer?

MR. ATANGAN: Well I know Doug is getting thirsty so I will make this one quick. But to kind of piggy back on what Mike was talking about here, this is, each one of our agencies or groups that we represent have their own versions of strategic plans and look to the future and things like that. But I think what this planning body can be very powerful in is we will each get visibility on those plans. And it can inform this broader plan on the activities. And eventually it will become an iterative process where, you know, your plans will influence how we develop our plans. And then downstream our plans will hopefully influence how the next iteration of our individual agency plans. So it becomes a, kind of a self-feeding mechanism by which we can all leverage what each other is doing to improve the things that need to be improved out there as far as managing the ocean.

MS. BORNHOLDT: Well, you are right. It

kind of uploads as to how we conduct our business.

MR. ATANGAN: Yes.

MS. BORNHOLDT: It is an organic development. Right now the stove pipes, this was the first attempt to cut across.

MR. ATANGAN: To synchronize everybody's efforts.

MS. BORNHOLDT: Right.

MS. CANTRAL: Okay. So let me just say a couple of things about tomorrow. The, one of the objectives for this meeting was met today with the approval of the framework. So we will use that as our point of departure for discussion tomorrow. Registration for the meeting will open at 9:15 and we will be back, call the meeting to order at 10:15, at 9:45, I should say. We'll call the meeting to order at 10:15 and then we will go into a discussion about moving forward.

As I mentioned earlier, the co-leads have

some suggestions to present to the RPB about what that could look like, how to go about developing a work plan. And we will get into some details about the components of that plan. Including developing some options for developing a Regional Ocean Action Plan and what that would look like and what it would contain and how to go about doing that. We'll talk about connections to the bays, estuaries, and coastal lands. We had a lot of discussion about that and made some adjustments in the framework but this is talking more specifically about how to actually make some of those connections and what would that look like. And also interjurisdictional coordination, how to better, how to understand what different agencies are doing and where opportunities for more coordination could take place. We'll talk about the data portal, the regional ocean assessment that Sarah referenced earlier. And as a strategy for stakeholder engagement.

All of those things are work flows that we need to get the RPB organized around that can then become elements of the work plan. Some of the activities that I just described are already underway and some of them need to get launched and get started. And so we will talk all of that through.

(Whereupon, at 5:10 p.m., the meeting was concluded.)

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CERTIFICATE OF NOTARY

I, DAVID RITCHEY, the officer before whom the foregoing testimony was taken, do hereby certify that the testimony of said parties was taken by me by stenomask means and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony is taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

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DAVID RITCHEY

Notary Public in and for
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