Mid-Atlantic Regional Planning Body Webinar Summary

July 11, 2016 11:00 AM – 1:00 PM

Summary of Participant Input

On July 11, 2016, the Mid-Atlantic Regional Planning Body (RPB) convened its fifth public webinar, entitled *Mid-Atlantic Regional Planning Body Webinar: Briefing on the Draft Mid-Atlantic Regional Ocean Action Plan.* During the webinar, members of the RPB gave an overview of the content of the Mid-Atlantic Regional Ocean Action Plan (draft Plan) and conveyed how, when, and where members of the public could find more information and submit comments on the draft Plan. During the latter half of the webinar, members of the public were provided an opportunity to ask questions and provide input on the draft Plan through an online question and answer (Q&A) function. This document summarizes common themes of comments and questions offered by participants, as well as responses offered by members of the RPB. Additional information, including a full recording and transcript, a participant list, the slide presentation, and a listing of all questions posed via the Q&A function can be found at the RPB website.[1]

Webinar participants

Approximately 141 participants logged into the webinar.[2] Based on information provided during participant registration, it appears the following sectors were represented:

- Commercial and recreational fishing
- Marine transportation
- Energy (both conventional and renewable)
- Undersea cables
- Non-consumptive recreation
- Science/Academia
- Environmental advocacy organizations
- Policy advocacy organizations
- Federal and state government agencies
- Tribes
- General public

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[1] http://www.boem.gov/Environmental-Stewardship/Mid-Atlantic-Regional-Planning-Body/index.aspx

[2] An exact participant count is not possible. Webinar organizers are aware that some participants gathered in groups around shared computers.

Summary of comments and questions

During the webinar, participants asked questions and offered comments about the following topics.

Stakeholder Engagement
- A question was asked about how the Plan will improve stakeholder engagement to minimize user conflicts and resolve potential problems proactively. The RPB stated that the public has had opportunities to weigh in on various ocean management activities through existing processes even prior to the formation of the RPB, but the RPB has and will continue to improve such access in a regional sense through workshops, public listening sessions, stakeholder advisory committees, and by generally improving agency communication. The best practices section of the Plan also articulates the RPB's commitment to identifying potentially affected stakeholders earlier in decision making processes in order to minimize conflicts and maximize compatibilities.
- A participant wanted to know why stakeholders were not granted membership status on the RPB, which would allow them to provide input directly. The RPB responded that existing law requires that governmental employees from Federal, State, and Tribal entities and the Regional Fishery Management Councils (in this case the Mid-Atlantic Fishery Management Council or MAFMC) be tasked with representing the interests of the public and their stakeholders respectively on regional planning bodies. Stakeholder perspectives have been sought at every key step of the planning process to date and will continue to be engaged during implementation.
- A participant asked whether an environmental impact statement with a list of alternative marine planning approaches would be released to stakeholders and the public. The RPB responded that government agencies conduct environmental impact assessments in response to Federal actions, as defined under the National Environmental Policy Act (NEPA). Since the RPB has no regulatory authority, its content is not subject to Federal review, and therefore, is not subject to NEPA and the environmental impact assessment that law requires.
- A participant asked the RPB to clarify the timing of MARCO Stakeholder Liaison Committee involvement in project proposal process. The RPB responded that stakeholders have multiple opportunities to get involved in the regional ocean planning process (which doesn't involve decision making about specific project proposals) by ensuring data is available on the Mid-Atlantic Ocean Data Portal (Data Portal) and through specific actions outlined in the draft Plan. The RPB also stressed that more detailed information concerning stakeholder involvement will be included in the RPB's upcoming work plan.
- A question was asked about the level of stakeholder involvement in the future selection of pilot Ecologically Rich Areas (ERAs). The RPB responded that stakeholders will be involved in developing the criteria for pilot ERA selection through future engagement opportunities.

Interjurisdictional Coordination Actions

- A participant requested clarification about the timeline of Federal coordination actions during a project's permitting process and how the effectiveness of the Plan's "best practices" and actions will be evaluated. The RPB responded that the actions in the Plan are not intended to be carried out at a specific step of the permitting process, but will instead, along with information in the Data Portal, inform the way Federal agencies approach projects. The RPB stressed that it does not have the authority to add steps to specific permitting process, but it does make a commitment to engage one another and potentially affected stakeholders earlier in decision making as a result of the Plan.
- A question was asked about the RPB membership status of the U.S Army Corps of Engineers (USACE). The RPB responded that USACE is represented on the RPB under the Department of Defense (DOD), even though the U.S. Navy currently serves as the DOD's representative to the RPB. USACE will have opportunities to become more involved throughout the implementation process.

Data and the Mid-Atlantic Ocean Data Portal

- Several participants asked whether regulatory guidance will be implemented based on best practices, the Data Portal, and data synthesis products. The RPB responded that the Portal, best practices, and synthesis products will act as additional tools to help agencies in their existing regulatory processes but stressed that the RPB has no regulatory authority and that the Plan will not result in any new regulations.
- A question was asked about the primary audience for the Data Portal. The RPB responded that the Data Portal can be used in a number of ways by a number of sectors, including the private sector, State and Federal agencies, the MAFMC, Tribal entities, and the general public.
- Several participants asked for specific examples of how the Data Portal has solved problems by improving information sharing. The RPB responded with an example from Virginia where spatial data from the recreational fishing community was used to inform the planning process for offshore wind energy and minimize potential conflicts between the fishing and energy sectors.
- The RPB was asked if data from coastal estuaries will be included in the Data Portal. The RPB responded that doing so will depend on the need for that data, and that the nested structure of the Data Portal allows for new data to be added easily.
- A participant asked if any new data products have been generated as part of the regional ocean planning process. The RPB enumerated several data synthesis products, such as the Marine Life Distribution and Abundance (MDAT) products and Human Use Data Synthesis (HUDS) products, which have arisen as a result of the regional ocean planning process.
- The RPB was asked when the MDAT and HUDS data synthesis products will be available to the public on the Data Portal. The RPB responded that the HUDS information is already accessible through the Data Portal and that the MDAT information will be available by the end of August.
- The RPB members were asked to provide specifics on sector-specific and data-focused outreach efforts conducted as a result of this process. The RPB described MARCO-

hosted meetings with the shipping industry, tug and barge industry, and the fishing community, among others. The States have also actively engaged with MARCO Stakeholder Liaison Committee members representing numerous industries, including offshore wind energy, shipping, fishing, environmental conservation, and recreation, among others. These industries have reviewed publically released RPB materials and provided input.

Healthy Ocean Ecosystem

- A participant wanted to know how the RPB plans to select pilot ERAs and what outcomes the RPB hopes to achieve from the pilot process. An RPB member suggested that there could be a number of criteria, including for example the robustness of data available for a given area, but stressed that a process and criteria for identifying pilot ERAs has yet to be formulated and would be done so with stakeholder input.
- A participant asked if ERAs will be posted on the Data Portal. An RPB member responded that ERAs may be posted on the Data Portal, but that the ultimate product of ERA selection will be an in-depth assessment report on each ERA.
- RPB members were asked why no Federal agency leads have been identified as of yet for actions number one and five under the Healthy Oceans Ecosystem goal. The RPB responded that these actions will involve several Federal agencies and so the group needs more time to decide on the most appropriate Federal leadership for these actions, but that it hopes to identify leadership in the near-term.
- A participant asked the RPB why nutrient pollutants and toxic chemicals are not covered under the Healthy Ocean Ecosystem goal. The RPB responded that nutrient pollution is a nearshore issue that is currently addressed by a series of interstate programs and that, while toxic chemicals are not addressed under the current version of the Plan, it could be added when the Plan is updated in the future if it is determined that toxic chemicals could be effectively addressed through regional ocean planning.
- The RPB was asked to list specific examples of ERAs off the coast of New Jersey. While the RPB has not yet identified ERAs, members mentioned coastal areas, the continental shelf edge, and undersea canyons as example categories of potential areas of ecological importance and directed the public to the draft Plan and the Data Portal for more information.
- A participant inquired about the RPB's timeframe for identifying ERAs. The RPB responded by noting an upcoming workshop on August 17 in Baltimore, Maryland that would focus on this action, as well as MDAT data products.

Sustainable Ocean Uses

- A participant asked if there is a foreseeable end to the cycle of dredging and increased maritime transportation across Mid-Atlantic ports. An RPB member responded that, while future commerce trends and dredging demands are unique to each port, geographic, political, and financial constraints of the Federal government will influence trends in port expansion.

- A question was asked about the specific types of energy covered under the ocean energy objective. The RPB responded that, while the RPB considered many sources of energy when drafting the Plan, they ultimately decided to focus efforts at this time on wind energy.
- The RPB was asked whether they have any input on seismic testing for oil and gas exploration in the region. The RPB responded that the Plan currently does not cover oil and gas exploration but that the RPB could respond to that potential ocean use in future versions of the Plan if deemed appropriate.

General Comments and Questions about the RPB

- The RPB members were asked whether the actions outlined in the plan were listed in order of importance. The RPB responded that the actions outlined in the plan will be implemented simultaneously, and that while some actions will take longer to complete than others, they are all considered equally important.
- A participant wanted to know whether the Executive Summary of the Plan will be sent to the National Ocean Council for approval along with the draft Plan. The RPB confirmed this to be the case.