

Summary of Discussions
Mid-Atlantic Regional Planning Body Meeting
September 24-25, 2013
West Long Branch, New Jersey

This document summarizes discussions and presentations at the inaugural meeting of the Mid-Atlantic Regional Planning Body. The meeting took place on September 24-25, 2013 at Monmouth University in West Long Branch, New Jersey. This summary was developed by Meridian Institute, which provides process design, meeting planning, and facilitation services to the Mid-Atlantic Regional Planning Body.

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Executive Summary

The inaugural in-person meeting of the Mid-Atlantic Regional Planning Body (RPB) took place on September 24-25, 2013 at Monmouth University in West Long Branch, New Jersey. Meeting participants included state, federal, and tribal appointed RPB Members and Alternates. A complete roster of Mid-Atlantic RPB Members can be found [here](#). In addition, approximately 75 members of the public attended as observers, and 13 provided input during the public comment sessions. The meeting was chaired by state, federal, and tribal RPB Co-Leads and facilitated by Meridian Institute, which also produced this summary document.

The objectives for the inaugural RPB meeting were to:

- Determine a general five year timeline for regional ocean planning and associated products.
- Determine an approach, process, and timeline for public engagement and RPB decision making on goals, objectives, and geographic focus.
- Identify mechanisms for regularly engaging stakeholders in the short and long terms through every step of Mid-Atlantic regional ocean planning, and provide opportunities for public input at this inaugural meeting.
- Review draft RPB charter and determine next steps regarding administrative and operational considerations.
- Discuss use of the Mid-Atlantic Regional Council on the Ocean (MARCO) Mid-Atlantic Ocean Data Portal to support data and information needs for ocean planning and next steps regarding a regional ocean assessment.

Day 1: Tuesday, September 24, 2013

On September 24, the RPB began the meeting with introductions and focused on gaining a shared understanding of the RPB's role in carrying out regional ocean planning in the Mid-Atlantic. It reviewed activities by the RPB to date and considered a proposed five year timeline for the RPB's work going forward that is broadly organized as follows:

- 2013-2014: Organize and identify goals and products
- 2015-2016: Complete first iteration products and implement actions
- 2017-2018: Implement, adapt, and iterate

The RPB also reviewed an offer from MARCO of specific products and services to support ocean planning, which the RPB welcomed.. The RPB considered a series of initial draft regional ocean planning goals and principles, and initial ideas about the geographic scope of the planning effort. These were developed by an ad hoc, informal workgroup and offered as a starting point for RPB discussion. During discussion, the RPB expressed a desire to (a) craft a concise vision statement, (b) refine the draft goals to be higher level and capture sector-

specific aims as objectives, and (c) consider a two tiered geographic focus in which the primary area for planning is the ocean and a secondary focus is the nearshore estuaries and other areas. The RPB also reviewed a set of ideas developed by an ad hoc, informal RPB workgroup related to stakeholder engagement, including a proposal to establish a Stakeholder Liason Committee under the auspices of MARCO..

Members of the public provided input to the RPB regarding the draft goals, draft geographic focus, and ideas about stakeholder engagement during two separate public comment sessions held during the day. On the evening of September 24, the RPB convened an informal public engagement event, during which members of the public were invited to engage in dialogue with RPB Members.

Day 2: Wednesday, September 25, 2013

On September 25, the RPB continued its discussion about stakeholder engagement and expressed comfort with MARCO's offer to establish a Stakeholder Liaison Committee that would be one of many mechanisms for stakeholder input. In response to public input, the RPB also agreed to seek additional detail about the costs and other implications of a formal stakeholder committee under the Federal Advisory Committee Act. The RPB agreed that robust stakeholder engagement and transparency will be cornerstones for success of the planning effort. Limited funds will require creativity and leveraging of resources across RPB Member entities and with partners.

The RPB also discussed data and information, highlighting tools and products that MARCO is managing. Discussion focused on a data portal and a regional ocean assessment, with the RPB welcoming the data-related activities being conducted under the auspices of MARCO to support ocean planning efforts.

The RPB revisited its discussion about draft goals and geographic focus on day 2, suggesting additional refinements and terminology referring to a "framework for ocean planning" that includes the vision, principles, goals, and objectives. The RPB also expressed comfort with a proposed timeline related to that framework that includes a concerted effort to seek further public input in early 2014, finalizing and approving a framework in spring 2014, and making progress on a RPB workplan based on that framework in summer and fall of 2014. The RPB also discussed a draft RPB charter.

Members of the public provided input regarding data and information, the framework for regional ocean planning, and details about the draft charter during two additional public comment sessions held on day 2.

At the close of the meeting, the Mid-Atlantic RPB identified several next steps including:

- Clarifying responsibilities and strengthening RPB workgroups.

- Identifying further staffing and fiscal resources needed from Member entities in order to effectively support the RPB going forward.
- Seeking clarification on a variety of points related to FACA and stakeholder engagement efforts.
- Further developing a draft framework for regional ocean planning based on input about the vision, goals, principles, objectives, and geographic scope discussed at the meeting.
- Further developing the full suite of stakeholder engagement mechanisms, including in particular the Stakeholder Liaison Committee proposal.
- Providing further comments on the charter, the data portal, and a regional ocean assessment to the RPB Members spearheading those efforts.
- Continuing to develop and refine the five year timeline, focusing in detail on the upcoming 12 months.

About this Meeting

The inaugural in-person meeting of the Mid-Atlantic Regional Planning Body (RPB) took place on September 24-25, 2013 at Monmouth University in West Long Branch, New Jersey. The meeting was attended by state, federal, and tribal RPB Members and appointed Alternates. Approximately 75 members of the public were in attendance, several of whom participated in four distinct public comment sessions and opportunities for informal discussions. A complete roster of RPB Members and Alternates representing member states, tribes, the Mid-Atlantic Fishery Management Council (MAFMC) and federal agencies can be found [here](#) and a participants' list from the meeting can be found in Appendix A7.

Meeting Objectives

Objectives of the meeting were to:

- Determine a general five year timeline for regional ocean planning and associated products.
- Determine an approach, process, and timeline for public engagement and RPB decision making on goals, objectives, and geographic focus.
- Identify mechanisms for regularly engaging stakeholders in the short and long terms through every step of Mid-Atlantic regional ocean planning, and provide opportunities for public input at this inaugural meeting.
- Review draft Mid-Atlantic Regional Planning Body charter and determine next steps regarding administrative and operational considerations.
- Discuss use of the Mid-Atlantic Regional Council on the Ocean (MARCO) Mid-Atlantic Ocean Data Portal to support data and information needs for ocean planning and next steps regarding a regional ocean assessment.

The full suite of meeting materials can be found in Appendix A. These materials, a full meeting transcript, and additional information about the RPB and ocean planning in the region can be found at the RPB [website](#).

Tuesday, September 24, 2013

The first day of the RPB meeting was focused on gaining a shared understanding of RPB activities to-date, a proposed timeline for ocean planning, consideration of a working relationship between the RPB and MARCO, discussion and refinement of initial draft regional ocean planning goals and geographic focus, and discussion of ideas related to fostering meaningful stakeholder engagement. The first day included two public comment sessions, which were focused on specific topics under consideration by the RPB. Those sessions were intentionally sequenced to fall in the middle of RPB consideration of those topics so that the RPB discussion could be informed by public input.

Welcome, Agenda Review, and Tribal Blessing

Ms. Laura Cantral, Meridian Institute, facilitated the meeting. She began by offering brief welcoming remarks and reviewing the agenda for the meeting. She emphasized that while the RPB has made progress in developing initial ideas over the course of recent months, this was the first in-person meeting of the RPB to discuss those ideas in detail. She also emphasized the RPB's commitment to stakeholder and public engagement, and noted that the four public comment sessions at the meeting were intentionally timed to take place in the midst of RPB discussions of key topics. This was intended to allow the RPB to reach resolution on a topic informed by public input. In his role as tribal Co-Lead of the RPB and a leader of the Shinnecock Indian Nation, Mr. Gerrod Smith then offered an opening blessing and encouraging words.

Welcome to New Jersey

Mr. Tony MacDonald, Director of the Urban Coast Institute at Monmouth University, welcomed the RPB and members of the public in attendance to New Jersey and to the University. He emphasized the importance of this regional ocean planning effort to the health and economic vitality of the Mid-Atlantic region and to the State of New Jersey. He also asked the RPB to remember that the people and communities in the region depend on healthy oceans and vibrant coastal economies. They would benefit from enhanced collaboration through ocean planning and therefore need to be closely engaged throughout the process. He encouraged the group to take advantage of opportunities to collaborate, noting the existence of many potential partners in the region who are eager to help make this effort a success.

Mid-Atlantic Regional Planning Body Member Introductions

During this session, RPB Members were asked to briefly introduce themselves and reflect on the following question: “In your view, why is regional ocean planning important for the Mid-Atlantic and what is your #1 hope or desired outcome as a result of the process?”

Responses to this question are summarized as follows:

- Improving decision making about ocean resources and space, including:
 - Streamlining processes
 - Increasing coordination and understanding of activities conducted by RPB member entities (i.e., states, tribes, MAFMC, and federal agencies)
 - Leveraging resources
 - Improving, coordinating, and using data and information more effectively to support better decision making
 - Reducing conflict and increasing compatibility among uses
 - Increasing federal support for state and regional ocean priorities
 - Managing through a systems approach that helps to restore a sense of balance and order in our oceans
 - Being more proactive about emerging issues and accounting for the needs of both current and future generations of Americans
 - Identifying and achieving shared objectives
- Accomplishing key sector-specific aims, including:
 - Building more resilient coastal communities and economies
 - Preserving military training ranges
 - Ensuring a well-functioning marine transportation system to support our nation’s competitiveness
 - Recognizing the ocean as an important source of food and working to reduce negative impacts on ocean health

Overview of Mid-Atlantic Regional Planning Body Activities To-Date and Proposed Timeline

During this session, RPB Co-Leads—Mr. Gerrod Smith, Ms. Gwynne Schultz, and Ms. Maureen Bornholdt—set the context for the meeting by providing a brief presentation. Slides associated with their presentation can be found in Appendix B1. During the presentation, Co-Leads outlined the opportunities and challenges that regional ocean planning can address, including a need for coordinating ocean activities and ecosystem components that are interconnected, but managed separately by various jurisdictions. Key demands for ocean space (e.g., expansion of commercial shipping, renewable energy proposals, and the impacts of climate change) exacerbate the need for better coordination

and planning. The Co-Leads reviewed the purpose of the RPB, which is to coordinate among state, federal, tribal, and MAFMC representatives to plan for new and expanding uses in the Mid-Atlantic ocean, make more informed decisions, improve efficiency, leverage resources, and work more closely with stakeholders. They emphasized that the RPB will not supersede existing authorities, but rather operate within the boundaries of member entities' existing responsibilities.

Co-Leads then reviewed activities of the RPB since its formation in April 2013. Activities include the establishment of informal, ad hoc workgroups that developed ideas in preparation for the inaugural RPB meeting in order to stimulate productive RPB discussion. The workgroups focused on:

- Stakeholder engagement
- Regional ocean planning goals and geographic focus
- Data and information
- Operational and administrative considerations

The RPB has also established a [webpage](#) and email address (MidAtlanticRPB@boem.gov). As initial steps in its effort to operate transparently and encourage public input, the RPB conducted an interactive public webinar on August 1, 2013 to provide updates and opportunities to comment, posted draft materials for its inaugural meeting on the RPB website over one week in advance, and sent several email messages to a large database of regional stakeholders to provide updates and information about the RPB since its formation.

Co-Leads then described a proposed five-year timeline for RPB work that is broadly organized as follows:

- 2013-2014: Organize and identify goals and products
- 2015-2016: Complete first iteration products and implement actions
- 2017-2018: Implement, adapt, and iterate

It was noted that stakeholder engagement and data collection would be continuous throughout the process, as would adaptation of planning products to account for changing circumstances. Additional detail about the draft timeline can be found in a document entitled *Mid-Atlantic Regional Ocean Planning 5 Year Timeline: Draft for RPB Discussion (9-16-2013)*, which can be found in Appendix A2.

At the conclusion of the presentation, Ms. Cantral turned to the RPB for discussion. A key initial focus for discussion was a decision the RPB will make eventually regarding creation of an "ocean plan" and/or a planning process. Some members desired a written document that would represent the best thinking of the RPB at a certain point in time, recognizing the need for a living product that evolves as regional circumstances change. Perhaps this would simply contain baseline information about current resources and uses, which would be dynamic through time. Several members emphasized the importance of the planning

process, e.g., the RPB serving as a forum for identifying and addressing opportunities and challenges in a collaborative and coordinated manner. Some members stressed that this effort should include both a coordination process and a written plan, and that the written document would ensure that the RPB serves the key functions of an effective inter-jurisdictional coordination process. The group appeared to agree that establishing an effective coordination process will be important and useful, and determining if/when a plan would be developed and what it would contain will require further RPB consideration.

Relationship between Mid-Atlantic Regional Planning Body and Mid-Atlantic Regional Council on the Ocean (MARCO)

During this session, Ms. Schultz, the RPB State Co-Lead and MARCO Chair described offers of specific products and services to support ocean planning from MARCO to the RPB. She noted that MARCO envisions the provision of these products and services as the foundation of the relationship between MARCO and the RPB. She referred to a document entitled *Mid-Atlantic Regional Council on the Ocean Proposed Products and Services for Use by the Mid-Atlantic RPB* which can be found in Appendix A3.

She provided a brief presentation with slides, which can be found in Appendix B2. During the presentation, she described the establishment and brief history of MARCO and noted that a number of MARCO Management Board members are also RPB Members and Alternates. Then she described three categories of products and services that MARCO is offering to the RPB to support regional ocean planning:

- The Mid-Atlantic Ocean Data Portal
- Some stakeholder engagement activities
- Some data collection for the regional ocean assessment

Ms. Schultz noted that further detail on each of these products and services would be provided during sessions specifically focused on stakeholder engagement, and data and information later in the meeting.

Ms. Cantral then turned to the RPB for brief discussion about what had been proposed. Members expressed a general sense of comfort with the nature of the proposed relationship between the RPB and MARCO and the categories of products and services being offered. Key questions posed for further consideration include how the RPB would be able to provide input and best utilize products and services that are managed under the auspices of MARCO, including how to work together to ensure the data portal has sufficient data specificity to support detailed planning work. There was also strong acknowledgement of and appreciation for the important role that MARCO is playing in laying the groundwork for successful regional ocean planning, and a recognized need for federal agencies to provide additional resources to support these efforts through the RPB.

Initial Draft Regional Ocean Planning Goals

During this session, the RPB reviewed initial draft regional ocean planning goals developed by an informal, ad hoc RPB workgroup. Ms. Cantral opened the session by noting that workgroup representatives would introduce their ideas, followed by brief RPB discussion. The RPB would then briefly discuss draft ideas about geographic focus for the planning effort, a closely related topic. It would then turn to the public for input during a public comment session on these topics, before continuing its dialogue. She also emphasized that while thought had been put into the initial draft goals that were to be presented, these were still preliminary ideas that require much more public input and discussion by RPB Members. She also noted that a timeline and process for finalizing the goals will need to be clarified.

Representing the ad hoc workgroup, Mr. Douglas Pabst gave a presentation. His presentation slides are available in Appendix B3. He also referred to a document entitled *Draft Regional Ocean Planning Goals and Geographic Focus Ideas for the Mid-Atlantic* which can be found in Appendix A4. He began by defining components of a possible framework for regional ocean planning. Components of the framework are:

- Vision – A desired future state.
- Goal – A goal is a statement of general direction or intent. They are high-level statements of the desired outcome that you hope to achieve.
- Principle – A principle is a basic or essential quality or element determining the intrinsic nature or characteristic behavior of regional ocean planning.
- Objective – An objective is a statement of desired outcomes or observable behavioral change that represents the achievement of a goal.

Mr. Pabst also offered potential criteria for thinking about regional ocean planning goals, reviewed stakeholder input to date on this topic, and reminded the RPB about the national goals for ocean planning as articulated in the National Ocean Council's Marine Planning Handbook (July 2013). He then offered a set of initial draft goals for consideration:

- Facilitate responsible renewable energy development
- Protect habitats and ecosystem functionality
- Ensure access for existing and traditional uses (e.g., fishing, recreation)
- Ensure sufficient access to ports
- Retain areas for military testing, training, and operations

Mr. Pabst noted that hazard resilience and climate change are topics that have arisen several times in both workgroup and full RPB teleconference discussions, and the workgroup is eager to hear RPB input on how these should be accounted for in the proposed planning framework. He then offered a set of draft principles for consideration:

- Increase government coordination and efficiency

- Improve stakeholder engagement
- Provide for past, current, and future ocean uses
- Use best existing and new ocean data to provide shared scientific foundation for ocean planning and improve decision-making

Ms. Cantral then turned to the RPB for discussion, and the RPB confirmed general comfort with the overall framework as presented. She then posed the following questions: “Does the RPB wish to articulate a high-level vision for the future that the RPB is hoping to achieve through regional ocean planning? If so, does the RPB want to commit to crafting a vision statement as a next step?” Several members noted that the National Ocean Policy already offers a vision statement, and considered whether that existing statement could be used verbatim or at least serve as a launching point for a short vision statement tailored to the Mid-Atlantic. The group expressed a shared desire to avoid a lengthy visioning process and instead to adopt a short vision statement that becomes part of the framework.

Ms. Cantral then turned the group’s attention to the substance of the initial draft goals. She reminded the RPB that the discussion objective for draft goals at this meeting is to refine a set of initial ideas that can serve as a reasonable starting point. These ideas are intended to be offered to the public for further reaction over the course of the coming months. She also urged the RPB to consider crafting some example objectives and actions to illustrate to the public how the draft goals might be used in practice. During RPB discussion, specific input about draft goals included:

- With regard to the draft goal “facilitate responsible renewable energy development,” there was discussion about differing perspectives in the region about development of energy from the ocean, primarily with regard to exploration and development of offshore oil and gas. It was noted that the RPB is a forum for addressing shared goals, and renewable energy development appears to be a subset of the broader suite of possible energy opportunities that the member entities of the RPB do agree upon.
- There was agreement that the concept of “responsible” development of any ocean resources is important.
- With regard to the draft goal “protect habitats and ecosystem functionality,” a request was made to add concepts related to improvement or restoration of the resources as well.
- With regard to the draft goal “ensure access for existing and traditional uses (e.g., fishing, recreation),” it was emphasized that access for fishermen and recreational users is very important and should be highlighted in a revised set of goals.
- With regard to the draft goal “ensure sufficient access to ports,” a request was made to replace the word “sufficient” with “efficient and safe.”
- A request was made to add climate change and resilience more explicitly as the draft goals are refined.

Geographic Focus for Ocean Planning

Ms. Cantral opened the session by emphasizing that the geographic focus and goals are important inter-related concepts that will be refined together over time. The RPB then reviewed a proposal for initial geographic focus of the planning effort that was developed by an informal, ad hoc RPB workgroup. Mr. Pabst presented a series of ideas captured on slides, which can be found in Appendix B4. He also referred to the document entitled *Draft Regional Ocean Planning Goals and Geographic Focus Ideas for the Mid-Atlantic*, which can be found in Appendix A4.

Mr. Pabst began by reminding the RPB about the basic geography of the region as defined under the National Ocean Policy and by offering some practical considerations for the RPB to keep in mind. He then offered the following initial ideas about a geographic focus for regional ocean planning:

- Include state and federal waters out to the Exclusive Economic Zone
- Do not include nearshore estuarine areas (e.g., large bays)
- Extend from the Virginia/North Carolina border in the south to the New York/Connecticut/Rhode Island border in the north
- Do not include terrestrial (land) areas, even though we recognize that activities there influence the coastal and ocean environment

Ms. Cantral then turned to the RPB for discussion. Several comments were offered in support of a focus on the “blue ocean” and exclusion of terrestrial and estuarine areas, based largely on the understanding that terrestrial and estuarine areas already have existing management and coordination structures. The idea would be to focus RPB planning efforts on offshore areas, while also coordinating with terrestrial and estuarine management entities as needed for meeting the regional ocean planning goals that are eventually established. However, a question was posed about smaller nearshore estuaries that may not have strong management programs. Another question was posed about Long Island Sound, with some members desiring the Sound to be included and urging that the Northeast RPB and the states around the Sound be engaged in ensuring that whatever approach is chosen is consistent and practical. One member offered a different perspective, encouraging the group to focus on identifying top priorities and the most important areas in need of attention, rather than on exclusion of topics or areas. Another member urged the group to consider a “soft boundary” for now that is flexible depending on the issues that need to be addressed. The RPB then paused its discussion to hear public comment.

Public Comment about Initial Draft Goals and Geographic Focus

During this session, members of the public were invited to offer public comment on any topic, but encouraged to tailor their comments to the topic currently being discussed by the RPB. Eight individuals provided comments and the ideas presented are summarized as

follows. The details of comments for the record can be found in the full meeting transcript, which can be found at the RPB [website](#). Comments focused on:

- *Timeline for planning*: The timeline is very long and yet there are many important challenges in the region that will require better decision making very soon. The RPB should identify how to address those challenges in a more coordinated and thoughtful manner right away.
- *Stakeholder engagement*: The RPB should foster smaller discussions with stakeholders early in the process to help develop the regional ocean planning goals. The RPB should take a nested approach. There should be more stakeholder and public involvement in the process.
- *An ocean plan*: An ocean plan should be developed, in addition to a planning process. The ocean plan should be used as a key reference document for federal agencies operating in the region, once it is developed.
- *Draft regional ocean planning goals*: The goals should be more focused on ecosystem health, and goals should be prioritized. The importance of non-consumptive recreation and protection of wildlife should be more explicitly reflected in the goals. The goals should be more specific. The goals should ultimately be measurable and achievable. The framework should reflect a need to provide for past, current, and also future uses. It should emphasize the development of offshore wind power in the region.
- *Draft geographic focus*: Smaller nearshore bays and estuaries should be included because their health is very connected to ocean health and they are often lacking a strong management structure. The National Estuary Programs that do exist around some smaller bays and estuaries are very focused on water quality from land-based uses, rather than on ocean-based uses and threats to ecosystem health. Beaches and areas of recreation should be included among areas of special concern. The RPB should consider having primary and secondary geographic focus areas. All important activities and ecosystem elements have a land and estuarine component that is essential, and to exclude those areas entirely would miss an important opportunity.

Initial Draft Regional Ocean Planning Goals and Geographic Focus (continued)

During this session, the RPB resumed discussion of draft regional ocean planning goals and geographic focus, informed by input received during the public comment session. Ms. Cantral opened the session by reiterating the importance of focusing on shared interests and ways the RPB can offer added value to existing management processes in the region.

Ms. Cantral then asked for the RPB to reflect on public input and share further thoughts about the proposed framework for ocean planning, including the initial draft goals provided for discussion and the draft geographic focus.

Regarding the draft goals, several Members asked that the draft goals be refined to further emphasize the role oceans play in supporting a strong economy and job growth, as well as ensuring access for new ocean uses. It was suggested that the goals be written broadly enough so that they might accommodate future priorities, as well as current priorities. Several Members agreed that the vision and goals should be kept high-level and fairly general, while points about specific sectors and ocean uses should be captured under objectives. There appeared to be broad support for this suggestion. At the same time, it was noted that the framework needs to be clear about what the RPB hopes to accomplish and not so general as to set unrealistic expectations or fail to provide a clear direction and focus for the planning effort. Regarding specific wording, there appear to be varying interpretations among RPB Members of words such as “protect”, “restore”, and “enhance”, so ensuring clarity while moving forward will be important.

With regard to the geographic focus, several Members expressed support for the idea of a primary focus area for now, recognizing that this may evolve over time. The primary area of focus should be the ocean, with consideration of connections to estuarine and terrestrial areas as needed to ensure consistency.

Ms. Cantral closed the session by offering that the Meridian facilitation team could refine the draft framework and draft geographic focus during the evening based on these comments, to foster further discussion on Day 2.

Stakeholder Engagement

During this session, the RPB reviewed stakeholder engagement activities to-date and ideas for further stakeholder engagement in the planning process, which were developed by an informal, ad hoc RPB workgroup. Ms. Cantral opened the session by noting that workgroup representatives would introduce their ideas, followed by brief RPB discussion. The RPB would turn to the public for input during a public comment session on this topic, and then continue its dialogue about stakeholder engagement in the morning on Day 2.

Ms. Sarah Cooksey and Mr. Thomas Bigford represented the ad hoc workgroup that developed ideas about stakeholder engagement for RPB consideration. Ms. Cooksey began by encouraging the RPB and members of the public to attend an informal evening event after the adjournment of Day 1, which would serve as a venue for informal discussion between RPB members and stakeholders about ocean planning.

Ms. Cooksey then provided a presentation with slides, which can be found in in Appendix B5, and a document entitled *Mid-Atlantic RPB Stakeholder Engagement: Current mechanisms and options for the future* in Appendix A5. She described current stakeholder engagement efforts, noting that that the RPB has set up basic tools and mechanisms for information exchange and that a MARCO workshop and RPB webinar were held to engage stakeholders since formation of the RPB in April 2013. She then noted a desire to improve communication

between the RPB and stakeholders and provided a series of possible mechanisms and tools that could be developed, including information sharing systems for stakeholders to self-organize and provide coordinated input to the RPB. One discrete mechanism for input that could be created is a state-led Stakeholder Liaison Committee (SLC).

Mr. Bigford then further described the SLC idea. He explained that MARCO had developed the idea and would manage the SLC. The SLC would be a standing group with clearly identified representatives from a diversity of interests that would provide input to MARCO about ocean planning in the region. The SLC would also serve as a venue for stakeholder interests to seek common ground on pressing ocean issues in the region. SLC members would serve as conduits for information to and from their constituencies and MARCO, and MARCO would be responsible for ensuring that the full RPB benefits from the range of input gained through the SLC. It would be less formal than a Federal Advisory Committee Act (FACA) committee, and that informality has pros and cons. One benefit is that it could be established quickly and operate in a flexible manner. A con is that MARCO would manage the group and receive its input, rather than the RPB directly. Mr. Bigford then asked the RPB to consider if it wishes MARCO to move forward with the SLC and share any ideas about how to make the SLC most effective without invoking FACA.

Ms. Cantral turned to the RPB for discussion. Members expressed strong interest in understanding what the Northeast RPB had done with regard to stakeholder engagement. A member of the public who serves as staff for the Northeast RPB, Mr. Nick Napoli, was asked to come forward and provide information to the RPB. Mr. Napoli explained that the Northeast RPB had developed initial draft goals with example objectives and actions and brought those ideas to 10 public meetings around the Northeast region to gather public input. The Northeast RPB staff is currently revising this framework, including further developing the full suite of objectives and actions under each goal, and is preparing to discuss those with stakeholder advisory groups that are state-specific and being managed or communicated with through state Members of the Northeast RPB. Stakeholder groups appropriate for providing input about ocean planning already exist in several states in the Northeast, whereas other states have created new stakeholder groups for this purpose. The region has not yet determined what mechanism it will use for regional-scale input. With regard to funding, Mr. Napoli explained that the Northeast Regional Ocean Council (NROC), a regional ocean partnership in that region, provided resources for the 10 public meetings, even though resources were also leveraged with existing state entities.

RPB members reflected on what was heard and discussed how they might move forward in the Mid-Atlantic region. Setting aside the SLC idea for the moment, several members expressed an interest in having RPB Members attend existing meetings of stakeholder groups and use those opportunities to provide information about the RPB and receive input on RPB ideas. These meetings would need to be identified and then the RPB Members who are based geographically nearby could be asked to represent the RPB and engage stakeholders at the meetings. While some meetings will be focused on topics that are beyond

the expertise of a given RPB Member who is located nearby, there would nonetheless be great benefit in RPB Members listening to the input of stakeholders they are not normally engaged with in their daily work. It was also noted that RPB Members often meet with stakeholders in the course of carrying out other non-RPB professional responsibilities, and that these opportunities should be leveraged as well. Being nimble and taking advantage of such opportunities requires an organized and coherent approach, with coordinated messaging, and that fits into the overall RPB timeline.

The RPB recognized that there are staffing and resources constraints related to any option, which need to be considered. MARCO does not currently have sufficient resources to mimic the support that NROC has provided to the Northeast RPB. While MARCO is exploring options to be able to do more, any opportunities will take time to come to fruition. Some Members observed that MARCO appears to be offering significant resources to support regional ocean planning and the federal agencies were called on to find ways to contribute more than they have to-date. Support needed includes financial resources and federal participation in meetings that are convened with stakeholders, among other things.

With regard to the formation of a SLC, it was noted that some members of the public would prefer a formal FACA committee be established. At this point in time resources are not available for creation of such a body, but the RPB agreed to further explore the costs and timing constraints to establish a FACA. In the meantime, the general sense of the group was that the SLC is a sound proposal that represents the best option currently available. It was noted that there are a number of stakeholder leaders who have already expressed an interest in being directly engaged in some way. As next steps, MARCO and others offered to further develop the SLC idea and specific RPB Members offered to reach out to stakeholder leaders at the appropriate time to explore their interest in participation and design of a SLC.

Public Comment about Stakeholder Engagement

During this session, members of the public were invited to offer public comment on any topic, but encouraged to tailor their comments to the topic currently being discussed by the RPB. Nine individuals provided comments and the ideas presented are summarized as follows. The details of comments for the record can be found in the full meeting transcript, which can be found at the RPB [website](#). Comments focused on:

- *Establishment of a FACA committee:* The RPB is being too cautious about trying not to invoke FACA. There are creative options that have been developed for public lands management agencies that are worth exploring. The RPB should embrace FACA, and if it does not have the capacity to form a FACA committee at this time, should not embark on ocean planning until it does.
- *Public input to draft ideas and meeting materials:* There is appreciation for the RPB having posted all materials in advance of the meeting, and opportunities for the public to weigh in early and often are encouraged. Additional time to review

materials in advance of meetings would be appreciated. When the public weighs in, it is important to show that the RPB has listened and considered that input.

- *Creation of a potential SLC:*
 - Membership: Some existing interest groups have already been thinking about the eventual creation of some sort of stakeholder advisory body and who might be appropriate representatives, as well as the range of interests that should be included in any advisory body. The RPB is encouraged to consider multiple representatives from diverse sectors that have varied viewpoints and knowledge.
 - Self-organization will not work well for some sectors, such as commercial fishing. However, that sector does have very effective communication channels if information is moved through the right nodes of communication. A network of peer leaders and opinion formers should be identified and engaged.
- *A scientific and technical advisory function:* The RPB will need to consider scientific and technical information in the course of its work and it will be important to have sound advice about the use of that information in ocean planning from non-governmental scientists and technical experts. Therefore, a scientific and technical advisory body should be created.
- *RPB participation in existing stakeholder meetings:* There is enthusiasm for the idea, and RPB Members would be welcomed to attend the meetings of a number of interest groups.
- *Creation of a public ombudsman:* An idea was offered to create a public ombudsman position. That individual would sit at the RPB table and serve as a regular and direct point of connectivity for the public and the RPB.
- *Other input:*
 - Locations for upcoming RPB meetings have been suggested and should be considered.
 - It is unclear how the RPB will be held accountable for its actions.
 - The lack of resources to support ocean planning is troubling.
 - The RPB was reminded of the importance of the submarine cables sector, which is vital to the national and global economies and should not be overlooked.
 - There is a need to clarify the role of the RPB and how it will or will not affect regulatory and permitting activities of federal agencies. Clarity about this and other aspects of the process will be important for fostering effective outreach.

RPB Reflections about Public Comment on Stakeholder Engagement

During this session, the RPB briefly reflected on what it heard during public comment. Ms. Cantral began by noting that the RPB would resume discussion of stakeholder engagement on the morning of Day 2. As facilitator, she then offered a summary of key themes from public input (captured in the previous section of this document). She then turned to the RPB for further reflections.

During discussion, there was acknowledgement of a strong desire for more public and stakeholder engagement, and a need for additional resources to accomplish this. Members also identified a need for coordinated communications to support the full range of options for stakeholder engagement that are being explored. RPB Members agreed that the science and technical advisory function is important. Some RPB Members have put thought into this dimension and note that the more technical aspects of planning work are still in the future, so there is time to identify specifically how to address this need. The idea of a public ombudsman was of interest, and it was suggested that the RPB further explore that idea, specifically whether a public ombudsman could have ex officio status.

The RPB expressed interest in moving toward a FACA committee eventually, but also shared a strong sense of comfort in proceeding with alternative approaches for now. There was acknowledgement that some interest groups would prefer the creation of a FACA committee as an alternative to the SLC and as a prerequisite for continuing the ocean planning process, but others would like to see the SLC move forward in the meantime while a FACA committee is being considered for the future. In addition to cost and timing implications, an additional challenge related to FACA was identified: the rotational nature of federal co-leadership could present significant complications for the long-term maintenance of a FACA committee. The implications of Co-Lead rotation and other details regarding establishment of a FACA committee were flagged for further exploration by the RPB. It was noted that there are no FACA-related restrictions on the RPB receiving presentations of information from stakeholder experts, provided that the information is not provided in a frequent, formalized manner that would imply a special advisory relationship status for certain stakeholders.

Summary and Next Steps

Ms. Cantral wrapped up Day 1 with a brief summary, the content of which is captured in the preceding sections of this document. She reminded the group that the Meridian facilitation team would work over the course of the evening to refine the framework for ocean planning based on RPB discussion and bring that back for continued consideration on Day 2. She then encouraged attendance at the informal stakeholder networking event held that evening, and adjourned the meeting for the day.

Wednesday, September 25, 2013

The second day of the meeting was focused on continuing discussion about stakeholder engagement and a framework for regional ocean planning, and introducing topics related to data and information and operational considerations, including a draft RPB charter. The day included two additional public comment sessions, which were focused on specific topics under consideration by the RPB and intentionally sequenced to fall in the midst of RPB discussion and consideration of those topics, so that the RPB could be informed by public input in the course of its discussions.

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

During this session, Ms. Cantral briefly reminded the group about outcomes of Day 1 and described the agenda for Day 2. She explained that there would be a slight adjustment to the agenda: after lunch, the RPB would resume discussion of the framework for ocean planning before moving onto operational considerations.

Stakeholder Engagement (continued)

During this session, organizers of the informal stakeholder event on the evening of Day 1 provided a brief summary of input received. The RPB then resumed discussion of the SLC, which was proposed on Day 1.

Mr. Bigford began by noting that the informal stakeholder event was a success. He noted good attendance, and energetic and constructive discussion between stakeholders and RPB Members. Ms. Cooksey shared some highlights of input received during the event, including: some stakeholder concern about potentially not having an ocean plan completed until 2018; a desire for the RPB to demonstrate accomplishments quickly; a reminder that ecosystem-based management was a priority of the National Ocean Policy, and this and the other eight priorities of the policy should be taken into account. Ms. Cooksey then reminded the group that this was the inaugural meeting of the RPB and an early step for public engagement, the RPB intends to foster a meaningful conversation with stakeholders, and is listening to the input it receives.

Ms. Cantral then turned the RPB's attention to creating a SLC under the auspices of MARCO. The RPB reiterated a shared sense of comfort with this approach. It was noted that MARCO now needs to identify the staffing, financing, and other components needed to implement the SLC mechanism successfully. Several RPB Members who are not associated with the MARCO Management Board expressed a desire to work in partnership with MARCO on those aspects of stakeholder engagement that MARCO has offered to lead, including the SLC. With appreciation for MARCO's offer, the RPB encouraged MARCO to

take the next step of developing additional detail and a work plan for carrying out the SLC approach.

Data and Information

During this session, the RPB reviewed an update and discussed a set of ideas related to data and information to support regional ocean planning that was developed by MARCO. Ms. Laura McKay presented a series of slides, which can be found in Appendix B6.

Ms. McKay began with updates about the [MARCO Mid-Atlantic Ocean Data Portal](#), including data enhancements and improvements to the online tools available to anyone who visits the portal. She noted that one key aspect of stakeholder engagement is the collection and vetting of data, which MARCO has carried out through participatory mapping, surveys, and meetings with key ocean users. These activities have been focused on enhancing data reflected in the portal and portal functionality (e.g. through a “draw” tool for members of the public to use). Recent/upcoming efforts have related to enhancing data about ports and shipping, commercial fishing, recreational uses, wind power, sand resources and discharge sites, and submarine cables. The team of staff working on the portal is coordinating with Mid-Atlantic Regional Association for Coastal Ocean Observing Systems (MARACCOOS) to determine ways to translate real-time ocean observations into data layers useful for long-range planning. They are also hoping to reflect additional detail through the data, for example by showing seasonal variations, while still ensuring the portal is user-friendly. Ms. McKay recognized that improving and updating information, including through the engagement of people in the region who live, work, and play in/near the ocean, is an ongoing and iterative process. She also noted that long-term funding and maintenance of the portal needs to be planned for. Ms. McKay noted that it is important for the RPB to understand the portal in detail so that it can help shape this tool to be as useful as possible for ocean planning.

Ms. McKay they described MARCO’s ideas about collecting information for a regional ocean assessment, which currently has funding to launch an initial effort. She noted that regional assessments can be very robust assessments of ecological conditions that include modeling of cumulative impacts. Such an effort would require significantly more financial resources than are currently available. At this point in time, MARCO is able to support a simpler assessment that describes the marine environment and human activities that are relevant to ocean planning in the region. A team being led by Monmouth University will subcontract the assessment work through a request for proposals, and needs guidance from the RPB about how to make this relatively modest initial assessment as useful as possible.

Ms. Cantral then turned to the RPB for discussion, noting that there are probably opportunities to partner on data-related stakeholder engagement activities with the Northeast RPB. Ms. McKay shared that MARCO has been working closely with staff at

NROC and the Northeast RPB to coordinate those efforts. Members noted that it will be important for the portal to be tailored to help the RPB achieve its goals, which are being developed.

Members shared how the portal is already proving helpful to some agencies as they work to carry out their missions in a more coordinated manner. For example, the U.S. Coast Guard explained that it is using the portal to better understand a range of ocean characteristics and human uses as it examines strategies for managing marine traffic on the East Coast of the U.S. in light of new and expanding ocean uses and changing ocean conditions. This was highlighted as a helpful example of the utility of ocean planning generally and the data portal tool specifically, and a request was made to develop a series of case studies like this to make the ocean planning process more understandable to the public and demonstrate its value. It was noted that the portal team is already discussing development of such a series of case studies. One Member noted that, as decision makers work to ease congestion on East Coast highways, there will be increased short-sea shipping in the region, which will have important implications for other ocean uses.

In response to a question, Ms. McKay explained that MARCO has a robust structure of smaller working groups addressing data needs and the portal specifically, including a group of outside experts called a “data review team,” which is helping develop a user agreement and set of data standards for the portal. MARCO was urged to take industry standards into account when developing the portal data standards. Ms. McKay was also asked about state data, which she explained had been part of an earlier version of the portal and would be considered as appropriate going forward.

The RPB expressed a sense of comfort with embracing the portal as a tool to support regional ocean planning. It acknowledged that there will need to be upgrades to the portal over time to serve ocean planning needs into the future, including capturing finer-scale data. However, for now it was accepted as a high quality product that offers a helpful starting point and an opportunity for transparency. It was noted that the exact relationship between MARCO and the RPB as it relates to use, maintenance, and enhancement of the portal over time will require additional discussion and negotiation.

Ms. Cantral then asked the RPB to consider what it would like to see included in a regional ocean assessment, keeping in mind the limited resources available. In response, it was suggested that the first iteration of an assessment could document the currently available information and potentially help identify the questions that need to be answered by future studies. The regional ocean planning goals and other aspects of the framework for ocean planning will be important for determining what should be assessed and what questions need to be answered, once they are finalized. Some Members expressed hopes that the assessment would include economic information, some land-based information as appropriate, and information about major trends, wherever possible. One idea offered was to structure the assessment around the organization of the portal and add information about

the condition of the resources and expected future uses, where available and appropriate. One option would be to use the Global Ocean Health Index.

In terms of format, the regional ocean assessment could be a document and/or part of the online portal (which would allow for easier iteration as new information becomes available). It was noted that traditional knowledge and information from stakeholders should be accounted for in the assessment. Given the limited resources available, it is likely that the first iteration assessment would be a series of summaries of key information that already exists, with links to longer reports. This could be considered an effort to establish a framework for future, more robust assessments. RPB member organizations have important information that should be included, and therefore the whole RPB should be engaged in development of the assessment.

Public Comment on Data and Information

During this session, members of the public were invited to offer public comment on any topic, but encouraged to tailor their comments to the topic currently being discussed by the RPB. Five individuals provided comments and the ideas presented are summarized as follows. The details of comments for the record can be found in the full meeting transcript, which can be found at the RPB [website](#). Comments focused on:

- *The portal*: There is enthusiasm for the portal, which is easy to use and important for helping stakeholders understand the ocean and ocean activities.
- *Stakeholder outreach*:
 - Recreational users need to be engaged even more than they have been to ensure information about opportunities to provide and vet data is widely shared. There are important surveys under way now that all recreational users are encouraged to participate in.
 - There is a desire to better understand the specific costs, timing, and other hurdles related to formation of a FACA committee.
 - The format for public comment at this meeting is unsatisfactory because it does not allow for direct dialogue between members of the public and the RPB.
- *Reliance on maps*: Some information that is very important does not lend itself to being mapped. The RPB should ensure that it couples its use of spatial data with other information that may be less spatial and less numerical, but is no less important.
- *Data*:
 - Including state data would be helpful. The portal team was encouraged to explore ways to include that data.

- Including shape files that show where specific projects have been proposed would be helpful to members of the public interested in providing input about those projects.
 - Some information will be difficult to elicit from users because they prefer not to share it.
 - Including a brief listing of all federal register notices that related to the Mid-Atlantic ocean areas would be appreciated.
 - *Regional ocean assessment:* There is support for the concept among interest groups.
 - *Input about specific sectors:*
 - The importance of marine transportation cannot be overstated and the need to ensure that new uses, such as wind power, which are intended to reduce our use of fossil fuel energy don't actually displace marine transportation routes, requiring that industry to then use more fossil fuel energy. Also, a request was made to look at how Europe is handling similar planning efforts for lessons learned.
 - Data about all potential future uses should be included in the data sets used for ocean planning, including information from seismic testing conducted in the 1980s and any future seismic testing that is conducted in the region.
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Data and Information (continued)

During this session, the RPB took a moment to briefly reflect on what it heard during public comment. Ms. Cantral began by offering a summary of what she heard as key themes from public input (which are captured in the previous section of this document). She then turned to the RPB for further reflections.

Regarding land-based information in the portal, it was noted that the portal includes only information about ports and that information about avian flyways and other land-based information would be potentially important to include.

In response to specific public comments, Ms. McKay shared that the portal team is exploring ways to add non-spatial data and Mr. Bigford shared an interest in making the public comment sessions more interactive.

Initial Draft Regional Ocean Planning Goals and Geographic Focus (continued)

[replacing the session on agenda scheduled for 1:00pm]

Ms. Cantral explained that the RPB decided to use this time to revisit the draft regional ocean planning goals and geographic focus. Specifically, the purpose of the session was to

continue discussion while reviewing framework refinements made by the Meridian Institute facilitation team based on Day 1 comments. Ms. Cantral then showed a series of slides with the refined framework concepts, which can be found in Appendix B7.

Ms. Cantral explained that the major refinements to the framework were based on discussion among the RPB about (1) developing a short vision statement, (2) having a smaller set of higher-level goals and then focusing on specific sectors in the objectives under those goals, and (3) establishing a geographic focus on ocean waters, with connections to bays, estuaries, and terrestrial land connections as needed to ensure consistency. Specific wording changes and concepts discussed on Day 1 were also reflected in the refinements. Finally, she offered a timeline for public outreach and finalization of the framework that includes a set of public listening sessions early in 2014 and finalization of the framework at an April 2014 RPB meeting.

Ms. Cantral then turned to the RPB for discussion. Regarding the vision, some RPB Members expressed a desire to develop a very short vision statement that is much shorter than one full page. Some appreciated the statement offered by the National Ocean Policy, while others preferred a statement that is specifically tailored to the Mid-Atlantic region and this RPB process.

Regarding the framework, several comments were offered. It was reiterated that the words “protect,” “restore,” and “health” can have varying meanings and the RPB should be clear on what it means. A Member noted that tribal values and knowledge should be reflected more explicitly in the framework. And the intrinsic value of the ocean should also be reflected in the framework, not only its utility for supporting human needs. A separate goal should be added about resiliency, and the concept incorporated into the objectives of other goals, including mention of ocean acidification. Recreational access needs to be reflected in the objectives and perhaps ocean uses that are not economic in nature should be pulled into a new goal. Introducing the framework with some rationale and context would be helpful. Next steps included further refinement of the framework by Members who have been participating in an informal RPB workgroup focused on the draft goals.

Regarding the geographic focus, a desire was expressed to continue discussion and increase RPB understanding of the extent to which seaside bays are or are not being effectively managed.

Regarding the timeline for finalizing the framework, some Members stated that it should be more ambitious, while others acknowledged that resource and staffing constraints will determine the pace of RPB action and therefore they believe the timeline is realistic, while still others felt it was ambitious as currently articulated, given those constraints. There was general acknowledgement that engaging stakeholders in a meaningful way at each step of the process and ensuring products are high quality will require building in sufficient time to do so. RPB Members acknowledged the need to prepare for a major push of activity in

January 2014, which would require every member entity to make commitments and contributions of time and effort, and hopefully financial resources as well. Specific assignments will need to be made and deadlines met in order to stay on track.

Operational Considerations: Mid-Atlantic Regional Planning Body Charter

During this session, the RPB discussed a draft charter that had been developed for consideration weeks prior and refined based on a first round of RPB input. Mr. Joe Atangan set the stage for discussion by focusing the RPB on key details needing resolution before the charter can be finalized.

Mr. Atangan referred to slides during his presentation, which are provided in Appendix B8, and directed the RPB to the full text of the *Draft Charter for the Mid-Atlantic RPB*, which can be found in Appendix A6. He began by explaining the intention to create a charter that would be high-level and enduring through time, with associated documents related to procedures and goals that could be adapted as needed with ease and flexibility. He then guided the RPB through the major details still requiring discussion: (a) the description of the RPB mission, (b) the commitments from Members, and (c) timing and staggered rotation of the Co-Leads. He also offered a timeline for finalizing the charter by the end of November 2013.

During discussion about the mission of the RPB, the RPB expressed a general preference for the third, blended option presented by Mr. Atangan on the associated slide, and offered some minor amendments to the language. The RPB then paused to hear public comment on the charter.

Public Comment on Operational Considerations

During this session, members of the public were invited to offer public comment on any topic, but encouraged to tailor their comments to the topic currently being discussed by the RPB. Eight individuals provided comments and the ideas presented are summarized as follows. The details of comments for the record can be found in the full meeting transcript, which can be found at the RPB [website](#). Comments focused on:

- *Draft goals:* There is agreement on the addition of “protect and restore” to the goal about ecosystem health. There is a need to explicitly reflect the importance of recreation. It is important to include some language in the goals about meaningful public engagement, and a request was made to allow for additional comment on the draft goals before they are shared at public listening sessions in early 2014. There is lack of clarity about what a goal on resilience would accomplish. The importance of

submarine cables to the national and global economies should be captured in the objectives. Support was expressed for use of the term “efficient and safe port access.”

- *Timeline to finalizing the framework:* It is recommended that the RPB convene quarterly meetings. Also, it should set specific deadlines for milestones. The timeline should reflect the fact that ocean users already have to navigate many bureaucratic steps to carry out their work. The timeline should be postponed until a formal engagement mechanism is set up under FACA.
- *Draft charter:* The charter should include a way for local officials to participate, as well as terms and processes for use of private funding and clarification about how planning would be carried out under existing authorities. The charter should include a mission that aims to resolve problems, not simply “address” them. It should also clarify the role of the public and any advisory functions, such as the SLC. The role of the Co-Leads and the consensus process needs to be articulated more clearly. The charter should include mention of the regional ocean assessment and the capacity assessment, and an explicit commitment to develop a plan. The charter should be consistent with the Executive Order that established the National Ocean Policy and clarify that federal agencies are required to participate to the fullest extent applicable under law. The charter should be strengthened with bylaws, subcommittees, and a report-back process. An offer was made to connect the RPB with an existing FACA committee that focuses on nearshore and offshore infrastructure, and a suggestion was made for the RPB to connect with the Interstate Commerce Committee.

Operational Considerations (continued)

During this session, the RPB continued discussion of the draft charter, informed by public input received during the preceding public comment session. Mr. Atangan asked the RPB for their reflections about Member commitments as articulated in the charter. A question was posed about whether federal Members are expected to represent their agencies or departments, which was flagged for further clarification. A desire was expressed for flexibility for agencies/departments to interpret this commitment as is most appropriate for their situation and agency/departamental culture. This would impact, for example, whether departments need to issue guidance based on any eventual ocean plan.

With regard to the selection of a next round of Co-Leads, it was clarified through discussion that each governmental sector (i.e., states, tribes, and federal agencies) will select its own Co-Lead, recognizing that each sector may have a slightly different process for doing so. And each Member entity will select its own representatives and the length of time they serve as a RPB Member. With regard to the timing of Co-Lead rotation, Members shared a preference for staggering the rotation to ensure continuity of leadership through time.

A question was posed about whether the RPB should consider the creation of more established procedures for decision making and dispute resolution, as well as explicit

identification of partner relationships in the charter. Members who also participate on the MARCO Management Board noted that there are some topics around which MARCO will want/need an explicit statement of relationship, and MARCO needs to further consider its preference for if and how that relationship would be articulated in a charter or the charter's appendices.

With regard to local government participation, the RPB discussed options for connecting local representatives to the ocean planning effort, including the option currently captured in the draft charter. That option focuses on an expectation that state Members would connect with local government officials in those states as appropriate through networks and mechanisms of their choosing. Several Members stated that any public outreach or stakeholder engagement mechanisms should include local representatives. The RPB also discussed coordinating with the National Ocean Council's Governance Coordinating Committee, which includes local representation. The suggestion to create a public ombudsman was also flagged as a possible future component of the charter, pending clarification about the possibility of creating such a position in light of FACA. Mr. Atangan closed the topic of the charter with a review of a suggested timeline for finalization, and urged both Members and the public to provide any additional comments about the charter as soon as possible.

Mid-Atlantic Regional Planning Body: Going Forward and Next Steps

During this session, Ms. Cantral summarized major outcomes of the meeting, noting that significant progress had been made and the RPB had met its meeting objectives. The RPB also briefly discussed major next steps. They included:

- With regard to RPB workgroups, Co-Leads offered to develop and share a proposal for restructuring and strengthening the workgroups after the meeting.
- A request was made for clarity about upcoming tasks, further staffing and fiscal resources needed from Member entities in order to effectively support the RPB going forward. Co-Leads committed to developing that information for the RPB following the meeting.
- Co-Leads also committed to seeking clarification on a variety of points related to FACA, including the possibility of creating a public ombudsman position.
- A small group of Members committed to further developing the draft framework based on input about the vision, goals, objectives, and geographic scope discussed at the meeting.
- MARCO and the RPB will continue to develop the full suite of stakeholder engagement mechanisms, including in particular the SLC proposal.
- Members were asked to send any further comments on the charter to Mr. Atangan as soon as possible to allow the charter to be finalized by the end of 2013.

- Members were asked to send further input about the data portal and a regional ocean assessment to Ms. McKay.
 - The RPB will continue to refine and consider its five year timeline, focusing in detail on the upcoming 12 months.
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Wrap Up and Closing Remarks

Following brief and encouraging closing remarks by Co-Leads, Ms. Cantral adjourned the meeting.

Appendix A1

Mid-Atlantic Regional Ocean Planning Inaugural Regional Planning Body (RPB) Meeting

Date: September 24-25, 2013

Location: Wilson Hall Auditorium, Monmouth University, 400 Cedar Avenue,
West Long Branch, New Jersey, 07764

DRAFT Meeting Agenda

Meeting Objectives

- Determine a general 5 year timeline for regional ocean planning and associated products.
- Determine an approach, process, and timeline for public engagement and RPB decision making on goals, objectives, and geographic focus.
- Identify mechanisms for regularly engaging stakeholders in the short and long terms through every step of Mid-Atlantic regional ocean planning, and provide opportunities for public input at this inaugural meeting.
- Review draft Mid-Atlantic Regional Planning Body charter and determine next steps regarding administrative and operational considerations.
- Discuss use of the MARCO Mid-Atlantic Ocean Data Portal to support data and information needs for ocean planning and next steps regarding a regional ocean assessment.

Tuesday, September 24, 2013

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|-----------------|---|
| 9:30 am | Registration opens |
| 10:30 am | Welcome, agenda review, and tribal blessing |
| 10:45 am | Welcome to New Jersey |
| 11:00 am | Mid-Atlantic Regional Planning Body Member introductions
RPB Members will introduce themselves and briefly articulate their hopes for the planning process. |

- 11:25 am** **Overview of Mid-Atlantic Regional Planning Body activities to date and proposed timeline**
RPB Co-Leads will set the context for the meeting by providing brief updates about progress to date and describe a proposed 5-year timeline for RPB work for further consideration throughout the meeting. This will be followed by RPB discussion.
- 11:45 am** **Relationship between Mid-Atlantic Regional Planning Body and Mid-Atlantic Regional Council on the Ocean (MARCO) going forward**
The RPB State Co-Lead and MARCO Chair will describe offers of assistance from MARCO, including specific products and services to support ocean planning. Over the course of the meeting, the RPB will discuss details of how MARCO's products and services can best be utilized.
- 12:00 pm** **LUNCH**
Lunch options are available to the public at the Magill Commons building. A campus map will be available at registration.
- 1:00 pm** **Initial draft regional ocean planning goals**
The RPB will review current progress toward development of an initial set of draft regional ocean planning goals for public review. The RPB will then discuss options for a process and timeline for seeking additional public input and finalizing goals.
- 2:00 pm** **Geographic focus for ocean planning**
The RPB will review a proposal for an initial geographic focus for regional ocean planning, keeping in mind the inter-relationship between geographic focus and the regional ocean planning goals that are under development. The RPB will then pause to hear public comment, and then resume its discussion of goals development and the geographic focus.
- 2:30 pm** **Public comment about initial draft goals and geographic focus** Interested members of the public will be provided one of several opportunities to offer public comment. Depending on how many individuals would like to comment, the time limit will be between 2-3 minutes. A sign- up list and instructions will be available at the meeting registration table.
- 3:15 pm** **BREAK**

- 3:30 pm** **Initial draft regional ocean planning goals and geographic focus**
The RPB will reach resolution about initial draft regional ocean planning goals that it wishes to offer for further public input; a process and timeline for finalizing goals, objectives, and actions; and a preferred option for geographic focus.
- 4:30 pm** **Stakeholder engagement**
The RPB will briefly review progress to date on stakeholder engagement and RPB ideas for further engaging stakeholders in the immediate and long terms. The RPB will then pause to hear public comment in the subsequent session, then resume discussion of stakeholder engagement briefly at the end of the day and on the morning of day 2.
- 5:00 pm** **Public comment about stakeholder engagement**
Interested members of the public will be provided one of several opportunities to offer public comment. Depending on how many individuals would like to comment, the time limit will be between 2-3 minutes. A sign-up list and instructions will be available at the meeting registration table.
- 5:45 pm** **RPB reflections about public comment on stakeholder engagement**
The RPB will briefly identify key themes heard during the preceding public comment session to consider during further discussion of stakeholder engagement on the morning of day 2.
- 6:00 pm** **Summary and next steps**
A brief summary and identification of next steps will be provided.
- 6:15 pm** **ADJOURN**
- 6:30 pm to** **Mid-Atlantic region: cash bar networking reception**
7:30 pm The public is invited to join RPB Members for a cash bar networking reception. This is an informal opportunity for the public to interact with the RPB and share ideas in an informal setting.

Wednesday, September 25, 2013

- 9:00 am** **Registration opens**
- 9:30 am** **Welcome back, review of Day 1 outcomes, review of Day 2 agenda**
- 9:45 am** **Stakeholder engagement**
The RPB will reach resolution on which formal and informal mechanisms for stakeholder engagement it wishes to pursue further and clarify next steps.
- 10:45 am** **Data and information**
The RPB will discuss MARCO's Mid-Atlantic Ocean Data Portal and upcoming regional ocean assessment as capacities to support regional ocean planning. The RPB will then pause to hear public comment in the subsequent session, then briefly resume discussion of data and information before lunch.
- 11:15 am** **Public comment on data and information**
Interested members of the public will be provided one of several opportunities to offer public comment. Depending on how many individuals would like to comment, the time limit will be between 2-3 minutes. A sign-up list and instructions will be available at the meeting registration table.
- 11:45 am** **Data and information**
The RPB will continue discussion of data and information and identify next steps.
- 12:00 pm** **LUNCH**
Lunch options are available to the public at the Magill Commons building. A campus map will be available at registration.
- 1:00 pm** **Operational considerations: regional ocean planning timeline and products**
The RPB will revisit the draft RPB timeline and associated products initially presented on day 1 and identify any needed refinements.

- 1:45 pm** **Operational considerations: Mid-Atlantic Regional Planning Body charter**
The RPB will discuss refinements to a draft RPB charter and clarify next steps. The RPB will then pause to, hear public comment, and then reach resolution on these key operational considerations.
- 2:45 pm** **Public comment about operational considerations**
Interested members of the public will be provided one of several opportunities to offer public comment. Depending on how many individuals would like to comment, the time limit will be between 2-3 minutes. A sign-up list and instructions will be available at the meeting registration table.
- 3:30 pm** **BREAK**
- 3:45 pm** **Regional Planning Body operational considerations**
The RPB will reach resolution and next steps on revisions to the RPB timeline, associated products, and the draft RPB charter.
- 4:45 pm** **Mid-Atlantic Regional Planning Body: going forward and next steps**
A summary of key outcomes from the meeting and identification of next steps will be provided.
- 5:15 pm** **Wrap up and closing remarks**
- 5:30 pm** **ADJOURN**

Appendix A2

Mid-Atlantic Regional Ocean Planning 5 year Timeline: DRAFT for RPB Discussion (version 9-16-13)

2013 – 2014	2015 – 2016	2017 – 2018
<p data-bbox="178 272 676 300">Organize and identify goals/products</p> <ul data-bbox="94 349 756 1242" style="list-style-type: none">• RPB organizes its operations (including charter, staffing, workgroups/subcommittees, technical/advisory bodies).• Stakeholder engagement mechanisms instituted/identified for every step in process, transparency measures in place.• Vision, goals, and objectives; specific actions and principles; and geographic focus areas established with strong stakeholder input (public engagement and further deliberation by RPB in winter/spring 2014, goals finalized by late spring 2014).• Goals drive development of a work plan. Work plan is developed (start developing fall 2013 and finalize first iteration summer 2014 as informed by goals development process).• Begin/continue development of suite of products, including:<ul data-bbox="189 1055 745 1242" style="list-style-type: none">○ Regional assessment (of ocean resources and human uses) to integrate data and inform management○ Capacity assessment○ (Mid-Atlantic Ocean Data Portal)	<p data-bbox="892 272 1386 337">Complete first iteration products and implement actions</p> <ul data-bbox="787 389 1438 1315" style="list-style-type: none">• Work plan implementation continues (and work plan is refined as needed).• [Type a quote from the document or the summary of completed (e.g., regional assessment and capacity assessment).• Determine additional products (e.g. possible ocean plan) and clearly define their purpose and timeline for development.• Monitoring and evaluation is underway.• Stakeholder engagement continues to be strong, grounded in positive public experiences with process.• Region begins to experience:<ul data-bbox="882 901 1428 1315" style="list-style-type: none">○ Increased collaboration about ocean management decisions○ Heightened awareness of marine protection and sustainable development issues○ Increased leveraging of data acquisition○ Greater predictability and efficiency of decision making○ Progress toward substantive regional ocean planning goals	<p data-bbox="1564 272 1816 337">Implement, adapt, and iterate</p> <ul data-bbox="1470 389 1911 730" style="list-style-type: none">• Products are refined to account for new information (adaptive and iterative).• Other appropriate products (e.g. possible ocean plan) are finalized and implementation is underway.

CONTINUOUS: Stakeholder Engagement, Data Collection/Sharing/Integration, and Adaptation of Planning Products



Appendix A3

Mid-Atlantic Regional Council on the Ocean Proposed Products and Services for use by the Mid-Atlantic Regional Planning Body

This document was developed by the Mid-Atlantic Regional Council on the Ocean (MARCO) to inform the Mid-Atlantic Regional Planning Body (MidA RPB) discussions during its September 24 and 25, 2013, in-person meeting. MARCO is developing products and services that will benefit ocean planning in the Mid-Atlantic region and proposes to make these products and services available to the MidA RPB.

Background

Mid-Atlantic Regional Council on the Ocean

MARCO is a regional ocean partnership working on shared ocean issues that benefit from interstate collaboration and coordinated problem solving. Established in 2009 by the Governors of New York, New Jersey, Delaware, Maryland and Virginia, MARCO has identified four shared regional priorities to improve ocean health and contribute to the high quality of life and economic vitality of our region:

- Promote the identification and protection of important ocean habitats, including sensitive and unique offshore areas;
- Collaborate on a regional approach to support the sustainable development of renewable energy in offshore areas;
- Prepare Mid-Atlantic communities for the effects of climate change on coastal and ocean resources; and
- Promote improvements in ocean water quality.

MARCO embraces ocean planning as an important strategy for establishing and achieving shared goals for the use and conservation of the region's ocean resources.

Mid-Atlantic Regional Planning Body

In 2010, a Presidential Executive Order established a National Ocean Policy (NOP) to guide the protection, maintenance, and restoration of America's oceans and coasts. The NOP requires federal agencies to work in a more coordinated, goal-oriented framework with states, tribes, and stakeholders. The NOP also calls for the creation of Regional Planning Bodies (RPBs) to coordinate and implement regional ocean planning with state, federal,

tribal, and Fishery Management Council representatives. The Mid-Atlantic RPB (MidA RPB) was formally established in April 2013. The MidA RPB seeks to leverage existing efforts underway by states and regional entities, and engage stakeholders and technical experts to participate in an ocean planning process.

Leveraging Existing Resources

MARCO and the MidA RPB have both acknowledged the value of ocean planning to address a new generation of ocean management challenges and opportunities. Both entities understand that by working together we can build a solid foundation for promoting greater, more effective governmental and private investment, and for generating more attention on priority issues for the Mid-Atlantic region. Foundational documents for both entities point to the desire for and benefits of intergovernmental collaboration and the efficient use of resources.

The Mid-Atlantic Governors' Agreement on Ocean Conservation notes that:

- The States are principal management agents of the coast and ocean and desire a strong State leadership role. At the same time, we understand that we are but one set of stakeholders with a vested interest in the health of the Mid-Atlantic region. We also recognize that many federal agencies have programs and jurisdiction within or beyond State waters. The meaningful engagement of federal, business, academic, and non-governmental entities is essential.
- Appropriate federal agencies with significant resource responsibilities in the Mid-Atlantic will be asked to participate as partners in our shared actions.

The National Ocean Council's *Ocean Planning Handbook*, notes that:

- Ocean planning should build on and complement existing programs, partnerships, and initiatives.
- Many regions have existing regional ocean governance structures or partnerships. Regional planning bodies are intended to complement these existing activities in whatever manner best meets the needs of the region.
- Consistent with existing authorities and missions, the work of regional planning bodies can also be supported by in-kind services from planning body members, external resources such as grant opportunities, and partnerships.

Products and Services for use by the Mid-Atlantic Regional Planning Body

It is MARCO's intent to make the following products and services available to the MidA RPB to advance ocean planning. As the ocean planning process evolves, these efforts may change, depending on new information, stakeholder input, and other factors.

Mid-Atlantic Ocean Data Portal:

MARCO initiated development of its Mid-Atlantic Ocean Data Portal in October 2009 and launched the first version in December 2010. The Portal is an online, user-friendly mapping tool and resource center that consolidates the best available data and makes it accessible via the internet to a wide range of users. The Portal enables users to visualize and analyze ocean resources and human use information such as fishing grounds, recreational areas, shipping lanes, habitat areas, and energy sites, among others.

The MidA RPB will need relevant and credible data and maps to undertake regional ocean planning. This information is necessary to comprehensively, consistently, and continually investigate, assess, analyze, and forecast human uses, ecosystem conditions, management alternatives, information and data gaps, and monitor plan effectiveness. This information must be accessible to federal, state, and local managers, tribes, academics, the private sector, and the public.

MARCO is promoting the use of its Mid-Atlantic Ocean Data Portal as the primary ocean planning tool for the region – a one-stop user-friendly portal. **To accomplish this objective, MARCO offers the Portal for use. To the extent practicable, MARCO will work to (1) ensure data quality criteria are developed and adhered to, (2) add additional data relevant for regional ocean planning in the Mid-Atlantic, and (3) make the Portal and associated visualization tools available to stakeholders. In order to help expand and expedite the Portal's value as a shared regional resource, MARCO encourages RPB partners to provide assistance.**

Stakeholder Engagement:

MARCO, primarily through its state Coastal Zone Management agencies and partners, has engaged stakeholders from ocean industries, ocean recreation interests, environmental and conservation groups, research institutions, and the public to help inform our activities. In December 2009, MARCO sponsored the Mid-Atlantic Ocean Stakeholder Conference (New York City) to gather stakeholder input on our draft Action Plan. Recent stakeholder engagement efforts have focused on the development of the Ocean Data Portal and providing opportunities via workshops and meetings to foster dialogue among federal and state agencies and stakeholders to share ideas on ocean planning. Further, MARCO sponsored the recent Mid-Atlantic Regional Ocean Planning Workshop in April 2013, a gathering of 160 individuals representing industry, federal, state, tribal and local government, academia, the fishing community, environmental NGOs, and the public. The establishment of the Mid-A RPB was announced at this event.

MARCO and the MidA RPB seek continued stakeholder involvement in Mid-Atlantic ocean planning and want to explore as many opportunities as possible for collaboration and participation across the region. **To accomplish this objective, MARCO will assist with stakeholder engagement activities and help to create a strong communication network.**

MARCO will seek to engage maritime industries, commercial and recreational fishers, other recreational interests, offshore wind industry, and conservation interests. Insights and information gained through these engagement efforts will be shared with the MidA RPB on a regular basis.

Regional Ocean Assessment:

The National Ocean Policy and Marine Planning Handbook each call for and anticipate the development of a regional ocean assessment or series of assessments to guide regional ocean planning efforts. The scope and framework for a regional assessment, that uses maps and information to describe the ocean environment and human activities, should be guided by and reflect ocean planning priorities and specific ecosystem management objectives for the region and include consideration of relevant social science. A regional ocean assessment should also leverage work by states, federal agencies and the RPB, and incorporate and be coordinated with the Mid-Atlantic Ocean Data Portal's spatial data and information, and contribute to a consistent planning baseline the Portal is designed to support. **MARCO and the Monmouth Team (grant recipient who has this task within their scope of work) will work in consultation with the MidA RPB to initiate work on a preliminary Mid-Atlantic Regional Ocean Assessment (or specific components of such Assessment). MARCO will make this available to support marine planning in the Mid-Atlantic.**

Appendix A4

Important note: This material was produced by an informal, ad hoc RPB workgroup. The full RPB will be discussing these ideas in detail for the first time during the September 24-25 meeting. Public input is welcome before the meeting (by sending an email to Mid-AtlanticRPB@boem.gov) and during the meeting.

Draft Regional Ocean Planning Goals and Geographic Focus Ideas for the Mid-Atlantic

Since the formal establishment of the Mid-Atlantic Regional Planning Body (MidA RPB) in April of 2013, members have been laying the groundwork to articulate the needs and opportunities for the Mid-Atlantic region that can be addressed through regional ocean planning. Building upon previous efforts to identify regional ocean priorities, the MidA RPB is discussing how best to:

- Understand and incorporate current and future ocean uses into RPB planning work.
- Prepare for new and expanded uses to ensure more hazard resilient coastal communities and economies as well as healthier ocean and coastal ecosystems.
- Be equipped to make better and more informed decisions about the use and management of the Mid-Atlantic ocean space.
- Efficiently use constrained public resources.
- Provide effective mechanisms for active participation from ocean stakeholders and the public.

Through informal, ad hoc RPB work groups, the following ideas about initial draft goals have been developed. This document captures those ideas and is intended to serve as material for RPB consideration at its inaugural meeting on September 24-25, 2013.

Developing Regional Ocean Planning Goals

Background: The *Final Recommendations of the Interagency Ocean Policy Task Force July 19, 2010* articulates national goals and guiding principles that would be followed in marine spatial planning efforts and the development and implementation of regional ocean plans. It also defines marine spatial planning (MSP) as:

“a comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of ocean, coastal, and Great Lakes areas. [MSP] identifies areas most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce

environmental impacts, facilitate compatible uses, and preserve critical ecosystem services to meet economic, environmental, security, and social objectives.”

The national goals of marine spatial planning can help shape our thinking about goals for the Mid-Atlantic region. The *Final Recommendations* include the following national goals:

1. Support sustainable, safe, secure, efficient, and productive uses of the ocean, our coasts, and the Great Lakes, including those that contribute to the economy, commerce, recreation, conservation, homeland and national security, human health, safety, and welfare;
2. Protect, maintain, and restore the Nation’s ocean, coastal, and Great Lakes resources and ensure resilient ecosystems and their ability to provide sustained delivery of ecosystem services;
3. Provide for and maintain public access to the ocean, coasts, and Great Lakes;
4. Promote compatibility among uses and reduce user conflicts and environmental impacts;
5. Improve the rigor, coherence, and consistency of decision-making and regulatory processes;
6. Increase certainty and predictability in planning for and implementing new investments for ocean, coastal, and Great Lakes uses; and
7. Enhance interagency, intergovernmental, and international communication and collaboration.

The *Final Recommendations* also includes the following national guiding principles to inform our regional ocean planning efforts:

1. [MSP] “would use an ecosystem-based management approach that addresses cumulative effects to ensure the protection, integrity, maintenance, resilience, and restoration of ocean, coastal, and Great Lakes ecosystems, while promoting multiple sustainable uses.
2. Multiple existing uses (e.g., commercial fishing, recreational fishing and boating, subsistence uses, marine transportation, sand and gravel mining, and oil and gas operations) and emerging uses (e.g., off-shore renewable energy and aquaculture) would be managed in a manner that reduces conflict, enhances compatibility among uses and with sustained ecosystem functions and services, provides for public access, and increases certainty and predictability for economic investments.

3. [MSP] development and implementation would ensure frequent and transparent broad-based, inclusive engagement of partners, the public, and stakeholders, including with those most impacted (or potentially impacted) by the planning process and with underserved communities.
4. [MSP] would take into account and build upon the existing marine spatial planning efforts at the regional, State, tribal, and local level.
5. Marine Spatial Plans and the standards and methods used to evaluate alternatives, tradeoffs, cumulative effects, and sustainable uses in the planning process would be based on clearly stated objectives.
6. Development, implementation, and evaluation of Marine Spatial Plans would be informed by sound science and the best available information, including the natural and social sciences, and relevant local and traditional knowledge.
7. [MSP] would be guided by the precautionary approach as reflected in Principle 15 of the Rio Declaration, "Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."
8. [MSP] would be adaptive and flexible to accommodate changing environmental conditions and impacts, including those associated with global climate change, sealevel rise, and ocean acidification; and new and emerging uses, advances in science and technology, and policy changes.
9. [MSP] objectives and progress toward those objectives would be evaluated in a regular and systematic manner, with public input, and adapted to ensure that the desired environmental, economic, and societal outcomes are achieved.
10. The development of Marine Spatial Plans would be coordinated and compatible with homeland and national security interests, energy needs, foreign policy interests, emergency response and preparedness plans and frameworks, and other national strategies, including the flexibility to meet current and future needs.
11. Marine Spatial Plans would be implemented in accordance with customary international law, including as reflected in the Law of the Sea Convention, and with treaties and other international agreements to which the U.S. is a party.
12. Marine Spatial Plans would be implemented in accordance with applicable Federal and State laws, regulations, and Executive Orders.

Our overall plan is for the Mid-Atlantic RPB to develop:

- A **vision** for the Mid-Atlantic region's relationship with the ocean into the future;
- Regional ocean planning **goals** that are high-level, substantive and clear;
- A set of **principles** for achieving the goals (e.g., enhance government coordination and efficiency; use the best available data and information); and
- Specific **objectives and actions** for achieving goals and principles.

The definitions we will use for these planning terms are:

- Vision – A desired future state.
- Goal – A goal is a statement of general direction or intent. They are high-level statements of the desired outcome that you hope to achieve.
- Principle -- A principle is a basic or essential quality or element determining the intrinsic nature of characteristic behavior of regional ocean planning.
- Objective -- An objective is a statement of desired outcomes or observable behavioral change that represent the achievement of a goal.

Topic for future discussion: *What should be the vision for regional ocean planning in the Mid-Atlantic? What is the future state that the RPB should be striving for in our planning efforts?*

An initial step for the MidA RPB is to develop goals for our regional ocean planning efforts.

We wish to identify goals that:

- Benefit the entire region (not just specific geographic areas or sectors).
- Consider the values of both existing and proposed uses of the ocean.
- Are potentially achievable through this process.
- Maximize compatibility and minimize conflicts.

Stakeholders at an April 2013 MARCO meeting providing the following input to our thinking about goals:

- Improve government efficiency and function
- Improve stakeholder engagement/involvement
- Maintain access for fishermen and recreational users
- Protect ecosystem health
- Resolve ocean space use/conflicts
- Improve shipping efficiency and navigation
- Facilitate responsible offshore energy development
- Military readiness
- Adapting to changing conditions
- Scientific basis for ocean planning
- Establish metrics of success

Initial Draft Goals: Draft Mid-Atlantic regional ocean planning goals that are being offered for public and RPB consideration include:

- Facilitate responsible renewable energy development.
- Protect habitats and ecosystem functionality.
- Ensure access for existing and traditional uses (e.g., fishing, recreation).
- Ensure sufficient access to ports.
- Retain areas for military testing, training and operations.

Questions for public and RPB consideration:

- *Do any of these draft goals for ocean planning in the Mid-Atlantic need to be modified? If yes, what modifications would you propose?*

- *Are there additional goals for the Mid-Atlantic that should be added to this list?*

The Mid-Atlantic RPB will also develop principles that will guide how we achieve our goals. Here are some initial ideas for principles, which are “. . . a basic or essential quality or element determining the intrinsic nature of characteristic behavior of regional ocean planning:”

- Increase government coordination and efficiency
 - Includes: enhancing efficiencies in renewable energy siting; promote adaptive management; and leverage resources
- Improve stakeholder engagement
 - Includes: take full range of interest into account, identify and reach out to existing and new users.
- Adapt to a changing climate
- Provide for past, current and future ocean uses
- Use best existing and new ocean data to provide shared scientific foundation for ocean planning and improve decision-making.

Objectives and Actions will be developed after we reach consensus on goals and principles.

Questions for public and RPB consideration:

- *Do any of these draft principles for ocean planning in the Mid-Atlantic need to be modified? If yes, what modifications would you propose?*

- *Are there additional principles for the Mid-Atlantic that should be added to this list?*

Developing a Geographic Focus

Background: The *Final Recommendations for the Interagency Ocean Policy Task Force*, released by the White House Council on Environmental Quality on July 19, 2010, identifies regional marine planning areas across the nation.¹ The Framework states: “The geographic scope of the planning area . . . includes the territorial sea, the EEZ [Exclusive Economic Zone], and the Continental Shelf. The geographic scope of the planning area would extend landward to the mean high-water line. . . The geographic scope would include inland bays and estuaries in both coastal and Great Lakes settings. . . Additional inland areas may be included in the planning area . . . consideration of inland activities would be necessary to account for the significant interaction between upstream activities and ocean, coastal, and Great Lakes uses and ecosystem health. Likewise, consideration would also be given to activities occurring beyond the EEZ and continental shelf that may influence resources or activities within the planning area.” In summary, the Mid-Atlantic region includes:

- From North to South: At a minimum, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia.
- From West to East: The ocean waters from the edge of land (mean high-water line) to the edge of the Exclusive Economic Zone (200 nautical miles), where the United States’ jurisdiction ends. (*See attached map*)

Within those boundaries, the MidA RPB can choose the area and scope of planning efforts. Given resource constraints (e.g., staff, funding, time), the MidA RPB is considering focusing on a more limited geography that would benefit the most from new inter-governmental ocean planning efforts. Other considerations include the need to:

- Recognize ecological integrity
- Be consistent with current jurisdictional boundaries
- Leverage and build on existing planning efforts
- Identify a manageable size and level of complexity

Areas of Special Concern (from April MARCO stakeholder meeting)

- Offshore canyons
- Cold water corals
- Areas where energy facilities are or may be located in the future
- Areas where artificial reefs are or may be located in the future
- Migratory pathways
- Navigation areas
- Military areas
- Cultural and historic areas
- Habitats for trust resources (e.g., fish, birds)

Question for public and RPB consideration: *How do we ensure that areas of special concern are considered in our discussion of a geographic focus?*

Initial Ideas:

- **Include State and Federal waters** out to the Exclusive Economic Zone (which extends 200 nautical miles from the shore).
- Do **not** include nearshore estuarine areas (e.g., large bays.)
- Extend from the **Virginia/North Carolina border** in the south to the **New York/Connecticut/Rhode Island border** in the north.
- Do **not** include **terrestrial (land) areas**, even though we recognize that activities there influence the coastal and ocean environment.

Questions for public and RPB consideration:

- *Are there additional considerations we should use in developing geographic focus?*
- *Do you agree with the initial geographic focus described above? If not, please explain how you would modify the geographic focus and why?*

Appendix A5

Important note: This material was produced by an informal, ad hoc RPB workgroup. The full RPB will be discussing these ideas in detail for the first time during the September 24-25 meeting. Public input is welcome before the meeting (by sending an email to MidAtlanticRPB@boem.gov) and during public input sessions at the meeting.

Mid-Atlantic RPB Stakeholder Engagement: Current mechanisms and options for the future

Robust, transparent, and effective stakeholder engagement has been a critical component of the regional ocean planning processes kicked off by the Mid Atlantic Regional Council on the Ocean (MARCO), and will continue to be a critical component of the MidA Regional Planning Body's (RPB) ocean planning process. To date, RPB stakeholder engagement activities have largely focused on developing tools and mechanisms for information exchange and ensuring that stakeholder input opportunities occur at hosted RPB meetings. The RBP Ad-hoc Stakeholder Engagement Workgroup believes there are opportunities to improve on the stakeholder engagement work that has been completed thus far and move us toward a vision where the stakeholder engagement process is not a specific separate task but is instead embedded in all RPB processes. In addition, the RPB Ad-hoc Stakeholder Engagement Workgroup feels that its ability to capture and understand the views of stakeholders will be bolstered if stakeholders self-organize both within their sectors and between sectors with shared interests such as data needs, geographic interests, and mutually beneficial actions. As such the RPB Ad-hoc Stakeholder Engagement Workgroup recommends that the RPB facilitate stakeholder self-organization where possible.

Progress to date and current mechanisms for information exchange:

To date, RPB stakeholder engagement activities have largely focused on developing tools and mechanisms for information exchange and ensuring that stakeholder input opportunities occur at hosted RPB meetings. Those activities and tools include the following, several of which are currently managed by the Bureau of Ocean Energy Management (BOEM) in its role as federal Co-Lead:

- RPB website: <http://www.boem.gov/Environmental-Stewardship/Mid-Atlantic-Regional-Planning-Body/index.aspx>
 - BOEM is currently hosting an RPB webpage within the BOEM website. It allows for dissemination of information to stakeholders, including RPB materials, draft ideas for public review, RPB contact information, and announcements.
- Email: MidAtlanticRPB@boem.gov

- This email address is listed on the RPB website, and is available for stakeholders to provide input and ask questions. It is monitored frequently by BOEM staff and input received is shared regularly with the full RPB.
- Stakeholder Contact Database:
 - This database of over 1000 stakeholder contacts has been developed through the compilation of contacts from MARCO, the April 2013 Mid-Atlantic Regional Ocean Planning Workshop, and the August 2013 RPB webinar, and individual requests to be added to RPB distribution lists since the formal establishment of the RPB in April 2013.
 - The database is used to create a distribution list to disseminate information about RPB activities and announcements to stakeholders
- Constant Contact to send out announcements
 - This is another tool supported by BOEM that allows the RPB to send announcements via email to contacts included in the MidA RPB Stakeholder Contact Database
- Hosted in person and web-based meetings that include public comment opportunities
 - April 2013 Mid-Atlantic Regional Ocean Planning Workshop (hosted by MARCO)
 - The RPB was formally established at this stakeholder workshop, allowing for stakeholder engagement early in the development of the ocean planning process.
 - August 2013 Webinar
 - This webinar was held in response to stakeholder requests that the RPB provide frequent updates on progress as the RPB establishes itself and conduct business in an open and transparent manner.
 - The webinar featured presentations about the early thinking of RPB informal, ad hoc workgroups to allow stakeholder to provide input on these ideas early in the process (in advance even of the first RPB meeting on September 24-25). It also included a number of opportunities for participating members of the public to pose questions and offer comments.
 - September 24-25, 2013 Inaugural RPB Meeting (planned)
 - The first in-person RPB business meeting will include numerous opportunities for stakeholder input before and/or after RPB discussion and deliberation.

Short-term stakeholder engagement goals:

The RPB Ad-hoc Stakeholder Engagement Workgroup recommends building upon current stakeholder engagement work to further improve its interaction with stakeholders. While mechanisms now exist to disseminate and receive information between the RPB and stakeholders, opportunities to have meaningful, back-and-forth conversations remain limited. Future work in the short term will focus on improving our ability to have better conversations with stakeholders and to include their input throughout the ocean planning process. Actions that the RPB Ad-hoc Stakeholder Engagement Workgroup recommends the RPB initiate and/or complete are listed below (please note that actions requiring RPB discussion and approval are marked with a star):

- Improve capacity for communication between RPB and MA RPB stakeholders.
 - Build on the current RPB stakeholder distribution list to associate contacts with sectors. This will:
 - Allow the RPB to formalize its understanding of sectors that are participating; and
 - Allow the RPB to look for and address gaps in participating sectors, geographies, and leaders.
- ★ Encourage and empower stakeholders to self-organize.
 - While critical to the success of the RPB, effective stakeholder engagement will likely require resources beyond the RPB's capacity. As such, the RPB Stakeholder Engagement Workgroup recommends that the RPB encourage stakeholders to self-organize so that stakeholder input can be efficient and effective. This will benefit both stakeholders and the RPB. The RPB encourages stakeholders to identify common interests, such as specific geographies or ocean activities, and will facilitate self-organization when possible. Actions the RPB may take to facilitate self-organization may include:
 - a. Making participant lists of RPB activities available to the public (will require disclaimers during registration so that contact information can be shared).
 - b. Providing meeting space and opportunities for discussions before, during or after RPB events.
- ★ Develop effective processes to incorporate stakeholder input into RPB decision making.

- ★ The RPB Ad-hoc Stakeholder Engagement Workgroup recommends that the RPB develop processes to incorporate stakeholder input into RPB decisions. It is especially important to develop these processes early in the RPB's evolution, while ideas like geographic focus, regional ocean planning goals and objectives, and the charter are being developed. The input process will continue to be important as new issues are addressed in the future. There may be more than one process for different kinds of decisions, and the processes identified could be formal or informal in nature. Specifically, the RPB may wish to:
 - Conduct surveys to gather stakeholder input
 - Ensure that traditional engagement methods such as letter writing and position papers are incorporated into information collection and decision making
 - Develop and institute a clear process for public review of options and draft materials being considered by the RPB.
 - Convene sub-regional in-person public listening sessions on key topics being considered by the RPB (this would require additional fiscal resources).
- ★ Decide if and how a formal stakeholder advisory committee should be developed to incorporate into the RPB's stakeholder engagement process, considering Federal Advisory Committee Act (FACA) constraints.
 - As a temporary solution, MARCO recommends implementing a Stakeholder Liaison Committee. The RPB must consider pros and cons of this strategy and others, and decide how to proceed. (See appendix).
 - Because the RPB does not currently have the capacity to support a formal Federal Advisory Committee, the RPB must ensure that the stakeholder engagement strategy chosen does not trigger FACA. This will require legal guidance.
 - If the Stakeholder Liaison Committee is the chosen strategy, then the RPB must make a formal request to MARCO accepting their assistance.
 - a. The RPB will then work with MARCO to ensure a process is developed to carry out the stakeholder engagement through the Stakeholder Liaison Committee.
 - b. One initial step may be to follow up with stakeholder sector leaders who offered to serve as a conduit for

information sharing at the April 2013 Mid-Atlantic Regional Ocean Planning Workshop.

Long term aspirations:

Ultimately, the RPB Stakeholder Engagement Workgroup would like to integrate strong, robust, effective, and transparent stakeholder engagement practices into all aspects of the RPB. This will require the development of long-term engagement mechanisms and processes that may be beyond the capacity of the RPB as it currently stands. Long term aspirations identified by the RPB Ad-hoc Stakeholder Engagement Workgroup are listed below (please note that aspirations requiring RPB discussion and approval are marked with a star):

- ★ Identify and utilize self-sufficient web-based tools (website, email addresses, announcements)
 - Currently the web-based tools that have been developed for the RPB are supported by the federal co-lead's home agency (BOEM). Given that co-leadership will change over time, it will be important to identify and develop tools that can be sustained with consistency, regardless of leadership. This would ensure continuity in our primary communication tools.
- ★ Ensure that the integration of stakeholder engagement identified above continues with RPB evolution.
 - With sufficient resources, the RPB would like to hold topic-specific in-person meetings, listening sessions, and workshops across the region as a means to capture meaningful stakeholder input as RPB decisions are made and documents are developed.
- ★ If available resources exist, consider the development of a formal Federal Advisory Committee to replace the Stakeholder Liaison Committee proposed by MARCO.

Appendix: MARCO's Suggestion for Formal Stakeholder Engagement:

- Stakeholder Liaison Committee:

The Stakeholder Liaison Committee option involves the creation of a communication network of stakeholder liaisons who would assume responsibility to serve as conduits for input to and from MARCO. Stakeholder liaisons would be expected to bring candid input that reflects the full diversity of perspectives that may exist among their constituents. MARCO would then relay information to the RPB. This process would enable stakeholder input to reach the RPB, despite the limited resources available to the RPB, and also precludes the need to develop a formal advisory body that would otherwise be required through FACA.

The Committee would be composed of sector leaders and liaisons who would communicate directly with their sector constituencies so that more people from a variety of backgrounds, interests, and geographies get a chance to participate in the ocean planning process. With this option, liaisons would meet periodically together and with MARCO; this intermingling of sectors would give stakeholders a deeper understanding and appreciation of each other's interests and opportunities for avoiding conflict and fostering collaboration. MARCO would interact with the liaisons directly and on an ongoing basis.

- Benefits

- A balanced, voluntary group based on ideas from the April 2013 Regional Workshop stakeholder panel.
- Could be established quickly, depending on how members are appointed.
- Nimble; can adjust as needs and situations evolve.
- Participation on the Committee would not replace an individual's ability to express themselves openly at public meetings.
- Multi-sector meetings encourage sectors to identify shares interests and opportunities to avoid conflict and foster collaboration.
- The RPB is able to receive stakeholder input that would otherwise be difficult to capture given limited resources.

- Challenges

- MARCO would take on an intermediary role, and would therefore need to earn the trust of the Liaison Committee members to assure them that MARCO will relay the information accurately to the RPB>

- To ensure an effective Committee, it will be essential for sector liaisons to willingly take a leadership role in establishing two-way communication channels with their constituencies.
- The RPB would not hear the input directly from the Liaison Committee. Some information could be lost in translation and there would be no opportunity for the RPB to directly ask the Committee follow-up or clarifying questions.
- This would likely be a temporary solution for formal stakeholder engagement, as MARCO's resources are limited.

Appendix A6

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DRAFT Charter for the Mid-Atlantic Regional Planning Body

This draft Charter is provided for RPB consideration. It was composed as a high-level document affording the RPB flexibility in its conduct.

Introduction

Presidential Executive Order 13547 signed in July 2010 established our Nation's first *National Policy for Stewardship of the Ocean, our Coasts, and the Great Lakes*. The National Ocean Policy (NOP) provides an opportunity for interested coastal and ocean regions to engage in marine planning. Marine planning is a science- and information-based tool that can help advance local and regional interests, such as management challenges associated with the multiple uses of the ocean, economic and energy development priorities, and conservation objectives. To develop marine plans, representatives from all levels of government work together, publicly and transparently, as a regional planning body. Their work is informed by the expertise and perspective of stakeholders, whose participation ensures that the planning is based on a full understanding of the range of interests and interactions in each region. The scope, scale, and content of marine plans are defined by the regions themselves, to solve problems that regions care about in ways that reflect their unique interests, capacity to participate, and ways of doing business.

Purpose

This charter describes the purpose, participants, and a preliminary delineation of roles and responsibilities for the Mid-Atlantic RPB Members as they engage in regional marine planning. It will formalize member commitments to the principles of regional marine planning and to working constructively and cooperatively toward their identified regional goals and objectives. The charter is also a helpful reference for the public and partners seeking information about the roles and functions of this planning group.

It is important to note that the RPB is not a regulatory body and has no independent legal authority to regulate or otherwise direct federal, state, tribal, or local entities; nor does membership constitute a delegation of decision-making or legal authority to RPB Members. Further, participation on the RPB does not commit any non-Federal RPB Members to adopt resulting products or plans.

Mission and Scope

The mission of the Mid-Atlantic RPB is to implement and advance marine spatial planning in the region by coordinating with stakeholders, scientific, business, and technical experts, and members of the public to identify and address issues of importance to the region. The Mid-Atlantic RPB provides a forum for information sharing and coordination of regional marine planning activities that affect the states of Delaware, Maryland, New Jersey, New York, Pennsylvania, and Virginia, and adjacent federal waters. The RPB will agree on a manageable geographic scope consistent with a set of regional goals and will establish measurable objectives that provide clear direction, outcomes, and timeframes for completion. The RPB will also develop a regional work plan that describes an agreed upon strategy for pursuing regional marine planning and delivering products. Through a capacity assessment, the RPB will identify existing activities and expertise that should be the starting point for subsequent planning efforts in the region. This work should be leveraged and expanded to advance a regional approach while not duplicating or hindering existing efforts.

The RPB will consult subject matter experts and those with traditional knowledge of or expertise in coastal and marine sciences and other relevant disciplines to ensure that regional marine planning is based on sound science and the best available information. The RPB will also ensure frequent and regular engagement of partners and the public throughout the process, including development, adoption, implementation, evaluation, and adaptive management phases of its work.

RPB Members and Roles

The membership of the Mid-Atlantic RPB includes Federal, State, and Tribal authorities relevant to marine planning for the region, and the Mid-Atlantic Fisheries Management Council. Federal, State, and Tribal authorities in the region will determine their own representation, identifying staffs that have professional responsibilities related to the use and management of ocean and coastal resources.

RPB members will provide data, resources, and tools that may be applicable to regional planning challenges and help identify legal authorities relevant to their participation. They will also work to ensure coordination of federal agency actions in support of Mid-Atlantic ocean planning goals and objectives.

RPB members may identify an individual with the authority to serve as alternates during RPB deliberations. An alternate must be a government official, authorized by the RPB member to act on his or her behalf, and stands in when the RPB member is not available. In addition to these alternates, RPB members may identify individuals to serve on working

groups and support the RPB, as needed. Each RPB member shall submit the names of their alternate and other representatives to the RPB co-leads.

State Members

State participants will represent their respective state interests, mandates, and goals in the overall regional planning process. The state member is typically an elected official, or the elected official's designated employee with the authority to act on his or her behalf on RPB matters. Each state Governor retains the authority to designate up to two representatives to serve as official representatives on the RPB from each Mid-Atlantic state.

States within the Mid-Atlantic region are:

- State of Delaware
- State of Maryland
- State of New Jersey
- State of New York
- Commonwealth of Pennsylvania
- Commonwealth of Virginia

Tribal Members

The RPB structure acknowledges the sovereign status of Mid-Atlantic federally-recognized American Indian Tribal Governments and recognizes the principle of government-to-government consultation. Each federally-recognized tribe is invited to have its own seat on the RPB and represent their respective tribal interests, mandates, and goals in the regional marine planning process. Tribal representatives must be an elected or duly appointed tribal official, or the tribal official's designated employee with the authority to draw on other tribal expertise and act on his or her behalf on RPB matters. The participation of federally recognized tribes as members of the regional planning body does not supplant the obligation of the Federal Government (in this case, the Federal agency members of the regional planning body) to conduct government-to-government consultation with potentially affected federally recognized tribes.

The National Ocean Policy explicitly recognizes the importance of enhanced coordination with federally-recognized tribal governments, specifically as it pertains to preservation of the Nation's heritage, including historical and cultural values. As partners in the regional planning process, tribes will be called upon to share their traditional knowledge and natural resource management expertise. Through this partnership, tribes can help all participants better understand treaty rights, traditional knowledge of marine ecosystems, and tribal scientific capacity.

Interest has been expressed by the following federally-recognized tribes:

- Shinnecock Indian Nation

Federal Members

Federal agencies will identify one representative to serve as their agency's official representative to the RPB. Federal members are subject-matter experts with sufficient seniority and expertise to enable them to represent their agencies on the RPB. While it is recognized and agreed by all parties to this charter that Federal representatives do not have authority to direct all relevant actions in their respective agencies, they will be responsible for encouraging regional consistency with national programs and activities. As the RPB gets more specific with the development of its work plan, it is expected that federal members will bring the full capacity of their agencies to the initiative by involving additional appropriate federal colleagues with needed expertise.

Entities include:

- Department of Agriculture
- Department of Commerce
- Department of Defense
- Department of Energy
- Department of Homeland Security
- Department of the Interior
- Department of Transportation
- Environmental Protection Agency
- Joint Chiefs of Staff

Mid-Atlantic Fisheries Management Council (MAFMC) Member

Membership of one MAFMC representative on the RPB provides a formal mechanism to incorporate fishery related issues, which is important given the Council's unique statutory responsibilities of Regional Fishery Management Councils under the Magnuson-Stevens Fishery Conservation and Management Act. The MAFMC member will have specific knowledge of fishery marine resources and management in Mid-Atlantic waters. Officials identified by the MAFMC to serve as RPB members shall represent the fishery management council in his/her capacity as federal, state, tribal, or local government officials.

Ex-Officio Members

The role of ex-officio members is to participate in discussions, share perspectives, and offer expertise, but an ex-officio member cannot participate in regional planning body decision-making. Given that activities in the Mid-Atlantic planning area may affect other regions and vice-versa, ex-officio memberships may be extended by letter of invitation to representatives from adjacent states. It is desirable that State members from adjacent regional planning bodies also sit on the Mid-Atlantic regional planning body as ex-officio members to help integrate and enhance consistency across regional marine planning efforts. The RPB may also extend ex-officio status to additional federal agencies (e.g., U.S. Army Corps of Engineers and the Federal Energy Regulatory Commission) and federally-recognized tribes with interests in the Mid-Atlantic.

Local Government Participation

The RPB will provide mechanisms for meaningful local government input into the regional marine planning process through its state and tribal RPB members. State and tribal members will work with existing local entities to identify issues and communicate ideas back to the full RPB by establishing new forms of two-way communication or using existing consultative bodies that include but are not limited to local authorities. This approach recognizes that mechanisms for participation may evolve through time as local representatives are further engaged in the regional marine planning effort.

RPB Member Commitments

RPB members commit to participating in Mid-Atlantic regional marine planning to the extent practicable and consistent with their existing authorities. RPB members agree to participate in the development of a process to create and implement regional marine planning products and build a framework for improved coordination and decision making. This cooperative regional approach will build partnerships that encourage sharing of information and best practices, help foster mutually agreed upon goals and objectives, and make more effective use of scarce resources by focusing those resources on the highest regional priorities and reducing duplication of effort. Specifically, members (on behalf of the entity they represent) will commit in good faith to:

- Fulfill the role of representing their agency, Governors, or tribe on the RPB
- Participate in and attend RPB meetings, or ensure a proxy represents their interests
- Build a cooperative, open, and transparent process
- Participate in development of a process, timeline, goals, and work plan
- Incorporate the National Ocean Policy goals, principles, and objectives into the planning process as outlined in the National Ocean Council's Marine Planning Handbook
- Consider providing additional support (e.g., technical assistance, data, and information) to ensure RPB functions can be fulfilled

The Members agree, to the extent practicable and consistent with their underlying authorities, to participate in the process for marine planning as described in Executive Order 13547. This charter reflects an agreement for planning and coordination purposes and is not binding on the members. Members agree that the commitments contained in this charter are not enforceable and do not create financial or legal obligations or affect existing rights beyond those created by existing statute or regulation.

The Executive Secretariat

The Mid-Atlantic RPB includes Federal, State, and Tribal representatives. The RPB has three co-leads: Federal, State, and Tribal. Federal, State and Tribal RPB members will select their respective co-leads independently. The three co-leads form the Executive Secretariat. These

co-leads do not have decision-making authority over regional planning work; instead, their shared role is to facilitate and guide the regional planning process.

Co-leadership will be rotational and based on a two-year term. The State and Tribal co-leads have no financial obligation to support the operations of the RPB. The Federal co-lead provides the staffing and resources necessary to administer its role, to the extent resources allow.

Note to reviewers: In the *Marine Planning Handbook*, the NOC recommends 2-year terms of office for each co-lead. The RPB may extend the terms or identify new co-leads. The RPB needs to consider whether or not to limit the number of successive terms a co-lead may have and include this in this charter.

In consultation with RPB members, co-leads may consider and decide how to fulfill the following roles and responsibilities:

- Guide, facilitate, and provide professional capacity to support timely regional work;
- Perform Executive Secretariat functions for the Regional Planning Body, such as calling meetings, developing meeting agendas, taking and distributing meeting minutes, record keeping, communicating with the National Ocean Council, and performing other administrative duties, as appropriate and necessary;
- Communicate, coordinate, and when practical, establish partnerships with existing regional bodies such as the Mid-Atlantic Regional Council on the Ocean (MARCO), Mid-Atlantic Regional Association for Coastal Ocean Observing Systems (MARACOOS), and others;
- Coordinate with the RPB members to establish working groups;
- Promote collaboration among RPB members and seek consensus;
- Coordinate public outreach and stakeholder engagement as part of the regional planning process; and
- Facilitate development of a series of marine planning products as determined by the RPB.

Relationship with Existing Authorities

The RPB is not a regulatory body and has no independent legal authority to regulate or otherwise direct Federal, State, tribal entities, local governments, or the MAFMC. Agencies involved in this effort administer a range of statutes, regulations, and authorized programs that provide a basis to implement regional marine planning. The process and decision-making for regional marine planning will be carried out consistent with and under the authority of these existing statutes, regulations and authorized programs.

While regional marine planning cannot supersede existing laws and agency authorities, it is intended to provide a better framework for application of these existing laws and authorities. Marine planning is intended to guide agency decision-making, and agencies

would adhere to the plan and/or other products to the extent possible, consistent with their existing authorities

Procedural Elements

The basic procedural elements for how the RPB will conduct business, decision making, and dispute resolution are identified below:

Conduct of Business

The RPB will meet at the call of the Executive Secretariat in person, by phone, or other electronic means. The Executive Secretariat shall seek input on meeting agenda topics from its members. The RPB will establish procedures, based on a consensus approach, to consider and address new issues, regularly report out findings or progress made at regular meetings, and receive public comment throughout the process.

Decision-Making

Regional planning bodies will make a number of decisions to guide development of marine plans. Decisions of the regional planning body are not made by vote, but through discussion and agreement—general consensus—among the members. General consensus means the absence of express disagreement by a member, but does not require unanimous concurrence. This approach ensures that all members of the regional planning body have an equal voice in decision-making.

There may be times when regional planning body members cannot come to agreement on a particular issue. In an instance where express disagreement by a member on a particular issue prevents general consensus, the co-leads will facilitate discussion to develop a solution that addresses the member's concern. This may entail providing more information, modifying a proposed action, or developing an entirely new approach to address the issue. If an issue between Federal agencies prevents the regional planning body from achieving general consensus, and discussion at the regional planning body level cannot resolve the issue, it can be raised to the National Ocean Council for resolution. The National Ocean Council will not seek to resolve issues between Federal and non-Federal members. However, it is available as a collaborative resource to suggest possible solutions to specific issues if non-Federal members want to raise an issue for consideration.

Administrative Provisions

By signing this charter, members agree to participate in the Mid-Atlantic regional marine planning process to the extent practicable and consistent with their existing authorities.

1. This charter shall take effect on the date of the last approving signature.
2. The members may modify this charter by developing and agreeing to a written amendment.

3. When individuals that represent an RPB entity change, a new charter is not required and the individual will be asked to sign.
 4. A Federal agency, State, tribe, or any other entity based upon the guidance of the National Ocean Council joining the RPB as member after the execution of this charter will be asked to sign.
 5. A non-Federal member may withdraw from this charter by providing written notice to the RPB co-leads. Withdrawal from this charter by a Federal member requires notice to the federal co-lead, and subsequent concurrence by the NOC.
-

Signatories

[Signatures of RPB members -- each signature by an RPB member is provided on behalf of the agency/entity their membership represents]

Appendix A7

Mid-Atlantic Regional Ocean Planning Inaugural Regional Planning Body (RPB) Meeting Participant List

September 24-25, 2013 • Wilson Hall Auditorium, Monmouth University

Regional Planning Body Members/Alternates

Kate Anderson (Alternate)

Chief, Clean Water Regulatory Branch
Clean Water Division, Region 2,
U.S. Environmental Protection Agency
Email: anderson.kate@epa.gov

Jose Atangan

Physical Scientist, U.S. Fleet Forces
Command, U.S. Navy, Chairman Joint
Chiefs of Staff
Email: joe.atangan@navy.mil

Tom Bigford

Chief, Habitat Protection
Department of Commerce, National
Oceanic and Atmospheric
Administration, National Marine
Fisheries Service
Email: thomas.bigford@noaa.gov

Maureen Bornholdt (Federal Co-Lead)

Renewable Energy Program Manager
Bureau of Ocean Energy Management,
Department of the Interior
Email: maureen.bornholdt@boem.gov

Leann Bullin (Alternate)

Program Manager
Bureau of Ocean Energy Management,
Department of the Interior
Email: leann.bullin@boem.gov

Greg Capobianco (Alternate)

Director, Ocean and Great Lakes
Program, Department of State
New York
Email: gregory.capobianco@dos.ny.gov

Karen Chytalo (Alternate)

Assistant Bureau Chief
New York State Department
Environmental Conservation
Email: knchytal@gw.dec.state.ny.us

Sarah Cooksey

Administrator, Coastal Programs
State of Delaware
Email: sarah.cooksey@state.de.us

Darlene Finch (Alternate)

Planner, Coastal Services Center,
National Oceanic and Atmospheric
Administration, Department of
Commerce
Email: darlene.finch@noaa.gov

L. Frank Mach

Director Mid-Atlantic Gateway Office
Maritime Administration,
U.S. Department of Transportation
Email: frank.mach@dot.gov

Laura McKay

Program Manager
Virginia Coastal Zone Management
Program
Email: laura.mckay@deq.virginia.gov

W. David Noble

Director of Environmental Planning and
Conservation
U.S. Navy, Department of Defense
Email: william.d.noble@navy.mil

Douglas Pabst

Acting Chief, Region 2
U.S. Environmental Protection Agency
Email: pabst.douglas@epa.gov

Pedro Ramos (Alternate)

Acting State Conservationist, Maryland
U.S. Department of Agriculture, Natural
Resources Conservation Service
Email: pedro.ramos@ut.usda.gov

Martin Rosen (Alternate)

Manager, Office of Coastal & Land Use
Planning, Department of Environmental
Protection, New Jersey
Email: martin.rosen@dep.state.nj.us

Salvatore Ruggiero (Alternate)

Advisor
Shinnecock Indian Nation
Email: Sal_ruggiero@live.com

Gwynne Schultz (State Co-Lead)

Senior Coastal and Ocean Policy
Advisor
Maryland Department of Natural
Resources
Email: gschultz@dnr.state.md.us

Gerrod Smith (Tribal Co-Lead)

Chief Financial Officer/Natural Resource
Advisor
Shinnecock Indian Nation
Email: wabush1@aol.com

John Walters

Chief, Waterways Management Section
5th District, U.S. Coast Guard,
Department of Homeland Security
Email: john.r.walters@uscg.mil

Andrew Zemba

Director, Interstate Waters Office
Department of Environmental
Protection, Pennsylvania
Email: azemba@pa.gov

Public Registrants

*Current as of September 25, 2013 based on onsite registrations**

Sheldon Abrams

Trustee
American Littoral Society
Email: abramsdon@verizon.net

Carl Alderson

Marine Resources Specialist
National Oceanic and Atmospheric
Administration
Email: Carl.Alderson@noaa.gov

Robert Alpern

Member
Hudson Estuary Program
Email: bobalp140@aol.com

Vince Bacalan

Program Assistant
Mid-Atlantic Regional Council on the
Ocean
Email: vbacalan@dnr.state.md.us

James Benton

Executive Director
NJ Petroleum Council
Email: bentonj@api.org

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Michael Bolt

National Ocean Council
Governance Coordinating Committee
Email: michbolt@nc-cherokee.com

William Broadley

Captain
Mariners' Advisory Committee for the
Bay & River Delaware
Email: billpilot@hughes.net

Oakley Brooks

Senior Media Manager
Ecotrust
Email: obrooks@ecotrust.org

Megan Callus

Advaita
Email: mcallus@comcast.net

Matthew Campo

Senior Research Specialist
Rutgers University
Email: mcampo@ejb.rutgers.edu

Don Chapman Senior

Strategist National
Ocean Council
Email: don.chapman1@verizon.net

Ashley Chappell

IOCM Coordinator
National Oceanic and Atmospheric
Administration
Email: ashley.chappell@noaa.gov

Ali Chase

Policy Analyst
National Resources Defense Council
Email: achase@nrdc.org

Sarah Chasis

Director, Ocean Initiative
National Resources Defense Council
Email: schasis@nrdc.org

Sean Cosgrove

Director of Campaigns
Conservation Law Foundation
Email: scosgrove@clf.org

Gwynn Crichton

Senior Project Scientist
The Nature Conservancy
Email: grichton@tnc.org

Amardeep Dhanju

Sr. Ocean Policy Analyst
Bureau of Ocean Energy Management
Email: amardeep.dhanju@boem.gov

Gregory DiDomenico

Executive
Garden State Seafood Association
Email: gregdi@voicenet.com

Tim Dillingham

Executive Director
American Littoral Society
Email: tim@littoralsociety.org

Kate Fleming

NOAA Coastal Management Fellow
Delaware Coastal Programs
Email: Kate.Fleming@state.de.us

Scott Fletcher

Software Developer
Ecotrust
Email: sfletcher@ecotrust.org

Dorina Frizzera

Environmental Scientist I
New Jersey Department of
Environmental Protection,
Office of Science
Email: dorina.frizzera@dep.state.nj.us

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John Fullmer

Legislative Committee Chairman
NJ Council Diving Clubs
Email: jf2983182@msn.com

Morgan Gopnik

Principal
Ocean Policy Consulting
Email: morgan.gopnik@gmail.com

Jennifer Gorini

Environmental Planner
Tetra Tech
Email: jennifer.gorini@tetrattech.com

Matt Gove

Mid-Atlantic Policy Manager
Surfrider Foundation
Email: mgove@surfrider.org

Karen Greene

Fishery Biologist/EFH Coordinator
National Oceanic and Atmospheric
Administration Fisheries
Email: karen.greene@noaa.gov

Brent Greenfield

Executive Director
National Ocean Policy Coalition
Email: brent.greenfield@oceanpolicy.com

Stan Hales

Director
Barnegat Bay Partnership
Email: shales@ocean.edu

Kevin Hassell

Environmental Specialist 3
New Jersey Department of
Environmental Protection, Coastal &
Land Use Planning
Email: kevin.hassell@dep.state.nj.us

Addie Haughey

Government Relations Manager
Ocean Conservancy
Email: ahaughey@oceanconservancy.org

Arlo Hemphill

Watershed Coordinator
Maryland Coastal Bays Program
Email: ahemphill@mdcoastalbays.org

Jeanne Herb

Associate Director
Rutgers University
Email: jherb@ejb.rutgers.edu

Susan Holmes

Marine Resources Planning Specialist
National Oceanic and Atmospheric
Administration
Email: susan.holmes@noaa.gov

Daniel Hubbard

Chief of Maritime Energy
U.S. Coast Guard
Email: daniel.l.hubbard@uscg.mil

Sandra Huber

Executive Director
New Jersey Clean Communities Council
Email: jowens@njclean.org

Eric Johansson

Captain
Tug and Barge Committee Port of New
York and New Jersey
Email: safemariner@me.com

Mary Krueger

Renewable Energy Specialist
National Park Service
Email: mary_c_krueger@nps.gov

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Gerhard Kuska

Executive Director
MARACOOS
Email: kuska@maracoos.org

Joseph Lasprogata

Vice President
Samuels and Son Seafood
Email: joe@samuelsandsonseafood.com

Michelle Lennox

Program Manager
Mid-Atlantic Regional Council on the
Ocean (MARCO)
Email: mlennox@MidAtlanticOcean.org

Alfonso Lombana

The Nature Conservancy
Email: alombana@tnc.org

Tony MacDonald

Director
Urban Coast Institute Monmouth
University
Email: amacдона@monmouth.edu

Zach McCue

Citizen Action Coordinator
Clean Ocean Action
Email: citizens@cleanoceanaction.org

Sherilyn Morgan

Environmental Scientist
Environmental Protection Agency
Email: morgan.sherilyn@epa.gov

Stephanie Moura

Executive Director
SeaPlan
Email: smoura@seaplan.org

Nick Napoli

Ocean Planning Project Manager
Northeast Regional Ocean Council
Email:
nnapoli@northeastoceancouncil.org

Jay Odell

Mid-Atlantic Marine Program Director
The Nature Conservancy
Email: jodell@tnc.org

Kris Ohleth

Director of Permitting
Atlantic Wind Connection
Email:
KOhleth@AtlanticWindConnection.com

Margo Pellegrino

Project Manager, Blue Frontier;
Consultant, Ocean Conservancy
Email: outriggerone@mac.com

Doug Pfeister

Senior Vice President
Offshore Wind Development Coalition
Email: doug@OffshoreWindDC.org

Ronald Rapp

Director, Industry and Marine Liaison
TE SubCom
Email: rrapp@subcom.com

Renee Searfoss

Ocean and Dredge Disposal Team Lead
U.S. Environmental Protection Agency,
Region 3
Email: searfoss.renee@epa.gov

Charles Steinback

Director of Marine Planning
Ecotrust
Email: charles@ecotrust.org

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Mark Swingle

Director of Research & Conservation
Virginia Aquarium & Marine Science
Center
Email: mswingle@virginiaaquarium.com

Catie Tobin

Ocean Advocacy and Education Fellow
Clean Ocean Action
Email: education@cleanoceanaction.org

Megan Trembl

Geospatial Specialist
National Ocean and Atmospheric
Administration
Email: megan.trembl@noaa.gov

Amy Trice

Policy Analyst
Ocean Conservancy
Email: atrice@oceanconservancy.org

Margot Walsh

Executive Director
Jersey Shore Partnership
Email: mwalshjspf@gmail.com

John Williamson

Fishery Outreach Consultant
Ocean Conservancy
Email: john@seakeeper.org

Sarah Winter Whelan

Director
Regional Marine Conservation Project,
American Littoral Society
Email: sarah@littoralsociety.org

Cindy Zipf

Executive Director
Clean Action Ocean
Email: zipf@cleanoceanaction.org

Meridian Institute Staff**Laura Cantral**

Partner
Meridian Institute
Email: lcantral@merid.org

Danielle Youngblood

Project Coordinator
Meridian Institute
Email: dyoungblood@merid.org

Ingrid Irigoyen

Mediator and Program Manager
Meridian Institute
Email: irigoyen@merid.org

Tim Mullin

Project Assistant
Meridian Institute
Email: tmullin@merid.org

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Appendix B1

Mid-Atlantic Regional Planning Body

MidA RPB Co-Leads
 Gerrod Smith, Shinnecock Indian Nation
 Gwynne Schultz, State of Maryland
 Maureen A. Bornholdt, Department of the Interior

Important Considerations

- The Mid-Atlantic Regional Planning Body will coordinate with stakeholders, scientific, business, and technical experts, and members of the public to identify and address ocean and coastal issues of importance to the region.
- The RPB will not supersede existing authorities; it will operate within the boundaries of its members' responsibilities.

- 4 -

Opportunities and Challenges

- Our Mid-Atlantic ocean waters and ecosystems are economic engines and cultural treasures.
- Ocean activities and ecosystem components are managed separately by many jurisdictions. But they are interconnected!
- Key opportunities and challenges to address now:
 - Existing users have strong interests (fishing, recreation, etc.)
 - Expansion of commercial shipping
 - Nationally-important military bases
 - Marine resources under stress, exacerbated by warming waters
 - Renewable energy proposals (offshore wind)
 - Many more...

- 2 -

MidA RPB Activities to Date

- Since its establishment in April 2013:
 - Members have been working in informal workgroups to develop initial ideas on:
 - Stakeholder Engagement
 - Regional Ocean Planning Goals and Geographic Focus
 - Data and Information
 - Operational and Administrative Procedures
 - Established a webpage on www.boem.gov and email address (MidAtlanticRPB@boem.gov) to communicate with stakeholders
 - Conducted a webinar on August 1 to update stakeholders on progress and provide an opportunity for public input
 - Holding this inaugural in-person September meeting and shared initial draft materials for public review

- 5 -

Mid-Atlantic RPB Purpose

- Coordinate among State, Federal, Tribal, and Fishery Management Council representatives to:
 - Plan for new and expanding uses in the Mid-Atlantic ocean
 - Make better, more informed decisions about the use of ocean space
 - Improve efficiency and leverage constrained resources
 - Work together and with stakeholders to share and vet ocean data
 - Engage stakeholders and the public in creating a vision and achieving that vision
 - Provide ocean stewardship

- 3 -

Proposed 5-Year Timeline

- Mid-Atlantic RPB regional ocean planning draft five-year timeline:
 - *2013-2014*: Organize and identify goals/products
 - *2015-2016*: Complete first iteration products and implement actions
 - *2017-2018*: Implement, adapt, and iterate
- Continuous stakeholder engagement, data collection/sharing/integration, and adaptation of planning products throughout this timeline

- 6 -

Appendix B2

Mid-Atlantic Regional Council on the Ocean (MARCO)

- Established in 2009 by the Governors of New York, New Jersey, Delaware, Maryland and Virginia to work on shared regional ocean issues that benefit from interstate collaboration and coordinated problem solving.
- This regional ocean partnership:
 - Provides a valuable forum to pursue mutual goals shared by the Mid-Atlantic states;
 - Improves responses to ocean management challenges and opportunities; and
 - Collaborates with agencies, key partners, and stakeholder groups to jointly address the region's needs.

- 1 -

MARCO and the MidA RPB: Stakeholder Engagement




- MARCO has engaged stakeholders to help inform its activities and support regional ocean planning.
- MARCO will assist with stakeholder engagement activities and help to create a strong communication network.
- Insights and information gained will be shared with the MidA RPB on a regular basis



MARCO and the MidA RPB: Regional Collaboration

Together, MARCO and the MidA RPB can promote greater, more effective governmental and private investment, and generate more attention on priority Mid-Atlantic issues.

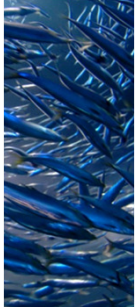
MARCO offers the following products to the MidA RPB to advance ocean planning:

-  Mid-Atlantic Ocean Data Portal
-  Stakeholder Engagement
-  Preliminary Regional Ocean Assessment

- 2 -

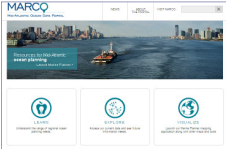
MARCO and the MidA RPB: Regional Ocean Assessment

- An assessment would use maps and information to describe the ocean environment and human activities.
- It should leverage work by states, federal agencies and the MidA RPB.
- An assessment should be coordinated with and use spatial data and information from the Portal.
- Regional partners will work collectively to *initiate work on a preliminary Mid-Atlantic Regional Ocean Assessment* (or components of one).



MARCO and the MidA RPB: MARCO Ocean Data Portal

- The MidA RPB will need relevant and credible data and maps to undertake regional ocean planning.
- To accomplish this objective, MARCO offers the Portal for use. To the extent practicable, MARCO will work to:
 - Ensure data quality criteria are developed and adhered to,
 - Add additional data relevant for regional ocean planning, and
 - Make the Portal and associated visualization tools available to stakeholders.



- 3 -

Appendix B3

Developing Regional Ocean Planning Goals

Regional Ocean Planning Goals and
Geographic Focus Work Group

Douglas Pabst, EPA Region 2
Presenter

Questions for Later Discussion

- *Does the RPB wish to articulate a high-level vision for the future that the RPB is hoping to achieve through regional ocean planning?*
- *If so, does the RPB want to commit to crafting a vision statement as a next step?*

- 4 -

Planning Terminology

- **Vision** – A desired future state.
- **Goal** – A goal is a statement of general direction or intent. They are high-level statements of the desired outcome that you hope to achieve.
- **Principle** -- A principle is a basic or essential quality or element determining the intrinsic nature or characteristic behavior of regional ocean planning.
- **Objective** -- An objective is a statement of desired outcomes or observable behavioral change that represent the achievement of a goal.

- 2 -

Thoughts about MidA RPB Goals

- Identify initial draft goals that:
 - Benefit the entire region (not just specific geographic areas or sectors).
 - Consider the values of both existing and proposed uses of the ocean.
 - Are potentially achievable through this process.
 - Maximize compatibility and minimize conflicts.

- 5 -

Possible Next Steps

- A **vision** for the Mid-Atlantic region's relationship with the ocean into the future;
- Regional ocean planning **goals** that are high-level, substantive and clear;
- A set of **principles** for achieving the goals (e.g., enhance government coordination and efficiency; use the best available data and information); and
- Specific **objectives and actions** for achieving goals and principles.

- 3 -

Stakeholder Input on Goals

- At an April 2013 MARCO Meeting we heard:
 - Improve government efficiency and function
 - Improve stakeholder engagement/involvement
 - Maintain access for fishermen and recreational users
 - Protect ecosystem health
 - Resolve ocean space use/conflicts
 - Improve shipping efficiency and navigation
 - Facilitate responsible offshore energy development
 - Military readiness
 - Adapting to changing conditions
 - Scientific basis for ocean planning
 - Establish metrics of success

- 6 -

National Goals for Ocean Planning

- Support sustainable, safe, secure, efficient, and productive uses of the ocean, our coasts . . .
- Protect, maintain, and restore the Nation's ocean, coastal, and Great Lakes resources . . .
- Provide for and maintain public access . . .
- Promote compatibility among uses and reduce user conflicts and environmental impacts
- Improve the rigor, coherence, and consistency of decision-making and regulatory processes
- Increase certainty and predictability in planning for and implementing new investments . . .
- Enhance interagency, intergovernmental, and international communication and collaboration

- 7 -

Hazard Resilience

- Mid-Atlantic region is acutely aware of the need to increase our resilience to coastal hazards, including climate change.
- Climate change will affect how all government entities implement their responsibilities. We will need to work across all levels of government to increase our resiliency.

- 10 -

Initial Draft MidA RPB Goals

- Facilitate responsible renewable energy development.
- Protect habitats and ecosystem functionality.
- Ensure access for existing and traditional uses (e.g., fishing, recreation).
- Ensure sufficient access to ports.
- Retain areas for military testing, training and operations.

A goal is a statement of general direction or intent. They are high-level statements of the desired outcome that you hope to achieve.

- 8 -

MidA RPB Draft Principles

- Increase government coordination and efficiency
- Improve stakeholder engagement
- Provide for past, current and future ocean uses
- Use best existing and new ocean data to provide shared scientific foundation for ocean planning and improve decision-making.

A principle is a basic or essential quality or element determining the intrinsic nature of characteristic behavior of regional ocean planning.

- 11 -

Questions for Later Discussion

- *Looking at the definitions offered for planning terminology and the list of "initial draft goals", is the RPB comfortable with regional ocean planning goals at this scale and level of detail?*
- *Do any of the "initial draft goals" need to be modified? If so, how?*

- 9 -

Questions for Later Discussion

- *Do any of the draft principles need to be modified?*
 - *If so, how?*

- 12 -

Appendix B4

Developing a Geographic Focus

Regional Ocean Planning Goals and Geographic Focus Work Group

Doug Pabst, EPA Region 2
Presenter

Initial Draft Geographic Focus Area

- **Include State and Federal waters** out to the Exclusive Economic Zone
- Do **not** include nearshore estuarine areas (e.g., large bays.)
- Extend from the **Virginia/North Carolina border** in the south to the **New York/Connecticut/Rhode Island border** in the north.
- Do **not** include **terrestrial (land) areas**, even though we recognize that activities there influence the coastal and ocean environment.

- 4 -

Scope of the Mid-Atlantic Region?

- Generally defined in the Final Recommendations of the Interagency Ocean Policy Task Force
- From North to South: States of New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia.
- From West to East: The ocean waters from the edge of land to the edge of the Exclusive Economic Zone (200 nautical miles), where the United States' jurisdiction ends.

- 2 -

Questions for Discussion

- *Do you agree with the initial geographic focus described above? If not, please explain how you would modify the geographic focus and why?*
- *Are there additional considerations we should use in developing geographic focus?*

- 5 -

Initial Considerations for Geographic Focus

- Recognize resource constraints (e.g., staff, funding, time)
- Focus on area(s) that would benefit the most from new inter-governmental ocean planning efforts
- Ensure coordination with areas outside the focus area
- Recognize ecological integrity
- Be consistent with jurisdictional boundaries
- Leverage and build on existing planning efforts
- Identify a manageable size area and level of complexity

- 3 -

Appendix B5

**RPB Stakeholder Engagement:
Current mechanisms and options
for the future**

RPB Stakeholder Engagement Work Group
Tom Bigford, National Oceanic and Atmospheric
Sarah Cooksey, Delaware Coastal Programs

Short-term Goals:

- ★ Develop effective processes to bring stakeholder input into RPB discussions
 - Options:
 - Surveys
 - Review of letters and position papers
 - Facilitate public review of RPB documents/materials
 - Public listening sessions (given resources)
 - State-led Stakeholder Liaison Committee
 - Other Ideas?

- 4 -

Current Work

- Tools/mechanisms for information exchange
 - Website, email, contact database, announcements
- Stakeholder input opportunities
 - April 2013 MidA Regional Ocean Planning Workshop (hosted by MARCO)
 - August 2013 RPB Webinar
 - September 2013 Inaugural RPB Meeting
 - Posted materials on website for review
 - Public comment opportunities during and after meeting

- 2 -

Short-term Goals:

- ★ Develop effective processes to bring stakeholder input into RPB discussions
 - Options:
 - Surveys
 - Review of letters and position papers
 - Facilitate public review of RPB documents/materials
 - Public listening sessions (given resources)
 - State-led Stakeholder Liaison Committee
 - Other Ideas?

- 5 -

Short-term Goals:

- Improve capacity for communication between RPB and stakeholders
- Improve distribution list to include sectors
 - Allow RPB to formalize participating sectors
 - Allow RPB to address gaps in participating sectors, geographies, leaders
- Encourage and empower stakeholders to self-organize
 - Make participant lists available
 - Provide opportunities for discussion at RPB events
 - Ask stakeholders

- 3 -

Short-term Goals:

- ★ State-led Stakeholder Liaison Committee
 - MARCO would:
 - Identify liaisons to represent sectors (e.g. ports, fishing)
 - Establish a standing committee of those liaisons
 - Convene/communicate with liaisons (pending resources)
 - Collect consolidated input from liaisons and provide relevant information to the RPB
 - Liaisons would:
 - Communicate with a range of sectoral interests
 - Provide input on issues relevant to Mid Atlantic ocean planning efforts

- 6 -

Short-term Goals:

- ★ State-led Stakeholder Liaison Committee
 - Benefits of this approach:
 - Can be established quickly
 - Doesn't preclude individual participation in public meetings
 - Encourage cross-sectors dialogue to identify shared interests and opportunities
 - Provides an organized approach to gathering diverse stakeholder input

- 7 -

Long-term Aspirations:

- ★ Identify and utilize self-sufficient web-based tools
- ★ Ensure that integration of stakeholder engagement continues with RPB evolution
- ★ Consider the development of a formal FACA in the future to replace/compliment Stakeholder Liaison
- ★ Committee proposed by MARCO if resources are available
 - Other ideas?

- 10 -

Short-term Goals:

- ★ State-led Stakeholder Liaison Committee
 - Challenges of this approach:
 - MARCO would serve as the intermediary between stakeholders and the MidA RPB
 - Relies on sector liaison being willing to take on leadership role
 - MARCO resource constraints will limit level of effort that can be invested in the Liaison Committee
 - Relationships/use with this Committee may also raise FACA issue

- 8 -

Short-term Goals:

- ★ Does the RPB want to move forward with a Stakeholder Liaison Committee?
- ★ Ideas for how the process could be structured in a way that doesn't invoke FACA?

- 9 -

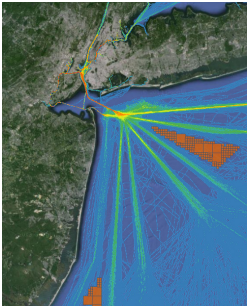
Appendix B6

Ocean Planning: Importance of Data

Data and Information Work Group
Laura McKay, VA Dept. of Environmental Quality,
Presenter

Mid-Atlantic Ocean Data Portal Update: Data Development Highlights


- 2011 Ship traffic data (AIS) now with separate layers:
 - Cargo
 - Tanker
 - Tug & Tow
 - Passenger
 - Combined
- Data analysis & cartography by USCG, NOAA and Monmouth Team




MARCO
Mid-Atlantic Ocean Data Portal

NEWS ABOUT THE PORTAL VISIT MARCO


Resources for Mid-Atlantic ocean planning
Launch Marine Planner >



LEARN
Understand the range of regional ocean planning needs.




EXPLORE
Access our current data and see future information needs.



VISUALIZE
Launch our Marine Planner mapping application along with other maps and tools.

Mid-Atlantic Ocean Data Portal Update: Data Development Highlights

- Recreational use data: participatory workshops + two online surveys
- Commercial fishing data: Analysis in preparation for fall/winter workshops
- Compiling data on offshore discharge sites and sand resources
- Working with telecommunications industry on new cable layer



- 5 -

Teach Us About Your Ocean: We Are Listening

Participatory mapping workshops for recreational ocean users in each state; additional outreach planned this year & next.

Meetings with 4 major Port Authorities, Sept./Oct 2013

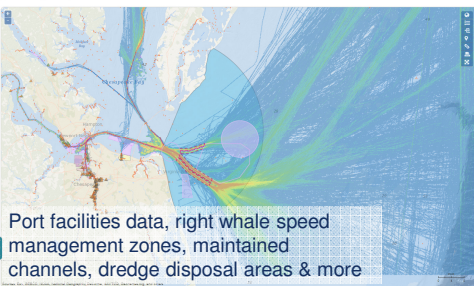
Meetings with commercial fishing interests in key Mid-Atlantic port communities planned for late 2013.

Webinars for environmental interests & wind energy developers held 2012 & 2013

We are just getting started – Additional outreach for these groups and several others will be ongoing through 2014!

Mid-Atlantic Ocean Data Portal Update: Ports & Shipping Data Group

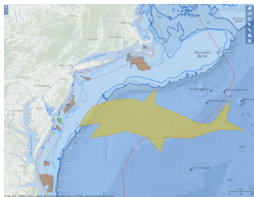
MARCO



Port facilities data, right whale speed management zones, maintained channels, dredge disposal areas & more

Mid-Atlantic Ocean Data Portal Update: Feature Development Highlights

- Drawing feature allows registered users to create their own map shapes.
- Participatory mapping to fill Portal data gaps
- Annotate or improve existing map data
- Describe or comment on proposals
- A new feature in development will allow stakeholders and managers to share custom map views with their groups.



- 7 -

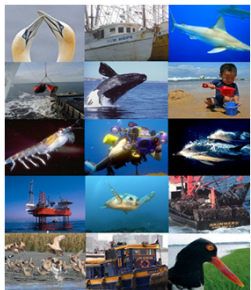
Regional Ocean Assessment: New NOAA Grant to Monmouth Team

- RFP (\$75K) under development. Proposals may include:
 - Key ROA elements and timeline
 - Identify partners (industry, academia, government, NGO) and additional resources
 - Coordination with related projects to increase efficiency and avoid duplication
 - Assess data gaps, including ecological and economic condition measures
 - Deliverables beyond "a plan for a plan" – substantive progress on one or more ROA components.

- 10 -

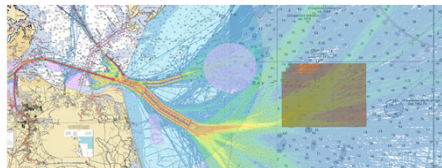
Mid-Atlantic Ocean Data Portal: Next NOAA Grant Supporting Portal Development

- Continue data improvement for commercial and recreational fishing and other human uses with NE Region
- Enhance reporting and analysis features
- Provide training and assistance to stakeholders and managers
- Launch Regional Ocean Assessment
- Support MARCO/RPB stakeholder engagement efforts



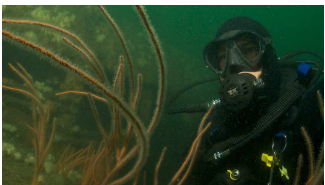
Questions for Discussion

- How does the RPB hope to use the MARCO Portal?
- What would the RPB like to see covered in a Regional Ocean Assessment?



Regional Ocean Assessment: National Guidance

- Baseline conditions:
 - Geophysical
 - Biological
 - Human uses & Economics
 - History and Culture
- Analysis options could include forecasts and models for cumulative impacts, indexes and measures of success
- Other elements?



- 9 -

Appendix B7
Refined draft framework
(revised based on Day 1 discussions)

Laura Cantral, Meridian Institute

What we heard about draft goals
with some possible example objectives
 (based on discussions day 1)

- Take advantage of traditional and new economic opportunities. Range of views about ocean energy. "Responsible" key concept.
- Protect, restore, improve ecosystem health.
- Resiliency and changing climate (including offshore sand). Question for discussion: How does the RPB wish to account for this in the framework?

- 4 -

Possible pieces
of a vision statement
 (based on discussions day 1)

1 page maximum, focus on a vision for 2025:

- Ocean ecosystems are healthy and able to support vibrant and resilient coastal and ocean economies.
- Compatibilities among current and emerging uses are maximized and conflicts minimized.
- Public resources are leveraged across jurisdictions and used efficiently and effectively.
- States, federal agencies, and tribes make good decisions efficiently and in a coordinated manner under their existing authorities.
- Stakeholders are engaged in management decisions that affect their lives and livelihoods.
- Data is high quality and coordinated and used to inform decisions.

- 2 -

Possible revised goals
with some possible example objectives
 (based on discussions day 1)

(1) Stewardship, protect and restore ecosystem health and functionality, account for key habitat.

- Possible objectives: account for ecosystem value of the canyons, migratory corridors, wildlife, climate change.

(2) Take advantage of traditional and new economic opportunities to create jobs in a way that is responsible and accounts for future generations

- Possible objectives: efficient and safe port access, facilitate responsible offshore wind development, ensure access to key fishing grounds, retain areas for military testing, training, and operations.

- 5 -

Key lenses we heard

- Focus on shared interests and RPB value add
- High-level goals, details about specific sectors in objectives.
- Achievable and measurable.

- 3 -

Geographic focus for now
 (based on discussions day 1)

- Primary focus: state and federal waters to edge of EEZ; not include estuaries, bays, and terrestrial land; north and south borders at state lines.
- Key connections to make when needed and practical: estuaries, coast, terrestrial land.
- Iterative and may adjust with development of goals and evolving circumstances.

- 6 -

Timeline for Goals

(based on discussions day 1)

- Prepare for public review: draft vision, draft goals, example objectives and actions by January 2014. (product: one document)
- Robust public input and targeted stakeholder engagement about these ideas in January – March 2014.
- Revised suite of ideas for RPB review at a second RPB meeting in April 2014.
- Aim to finalize the vision and goals at the RPB meeting in April, and continue developing detailed objectives and actions as part of a draft workplan (seeking additional stakeholder input along the way) through the summer 2014.
- Draft workplan for RPB review at a third RPB meeting) in September 2014.

- 7 -

Appendix B8

**Draft Regional Planning Body
Charter Development**

Administrative / Operational
Procedures Work Group

Joe Atangan, Joint Chiefs of Staff,
Presenter

Discussion: Mission

- Mission statement
 - "...to implement and advance spatial planning in the region" or
 - "...to coordinate with stakeholders, scientific, business, and technical experts, and members of the public to identify and address issues of importance to the region" or
 - "...to implement and advance marine spatial planning in the region by coordinating with stakeholders, scientific, business, and technical experts, and members of the public to identify and address issues of importance to the region"

- 4 -

Charter Vision

- High level, streamlined document
- Identifies membership and shared commitments
- Identifies mission and scope
- Provides flexibility

- 2 -

Discussion: Commitments

- Commit to participating in Mid-Atlantic regional marine planning to the extent practicable and consistent with their existing authorities
- Agree to participate in the development of a process to create and implement regional marine planning products and build a framework for improved coordination and decision making
- Build partnerships that encourage sharing of information and best practices, help foster mutually agreed upon goals and objectives, and make more effective use of scarce resources by focusing those resources on the highest regional priorities and reducing duplication of effort
- Charter reflects an agreement for planning and coordination purposes and is not binding on the members
- Commitments not enforceable and do not create financial or legal obligations or affect existing rights beyond those created by existing statute or regulation

- 5 -

Approach

- Blends Northeast RPB Charter and Model Charter from the National Ocean Policy Implementation Plan
- Initial review of Draft Charter by Working group
- Additional RPB guidance required on some areas
- Inputs welcome
- Final Draft for RPB approval – November 2013

- 3 -

Discussion: Exec Secretariat

- Co-leads
 - Independently elected
 - Two-year terms?
 - Consecutive terms?
 - Staggered rotation for continuity?
- Federal Lead Agency responsibilities
 - Provides "staffing and resources necessary to administer its role, to the extent resources allow"
 - Charter cannot authorize or obligate members to expend funds

- 6 -

Expected Appendices to Charter

- Operations and Procedures
- Decision Making and Dispute Resolution

- 7 -

Next steps....

- Consolidate comments received from public and Members – 15 Oct
- Provide Final Draft for review – 1 Nov
- Distribute for signatures – 15 Nov

- 8 -