

MID-ATLANTIC REGIONAL OCEAN ACTION PLAN
EXECUTIVE SUMMARY

[DRAFT]





DRAFT Mid-Atlantic Regional Ocean Action Plan
July 2016

The draft Plan can be accessed here: www.boem.gov/Ocean-Action-Plan/.
The public is encouraged to provide input on the draft Plan by the deadline of September 6, 2016.

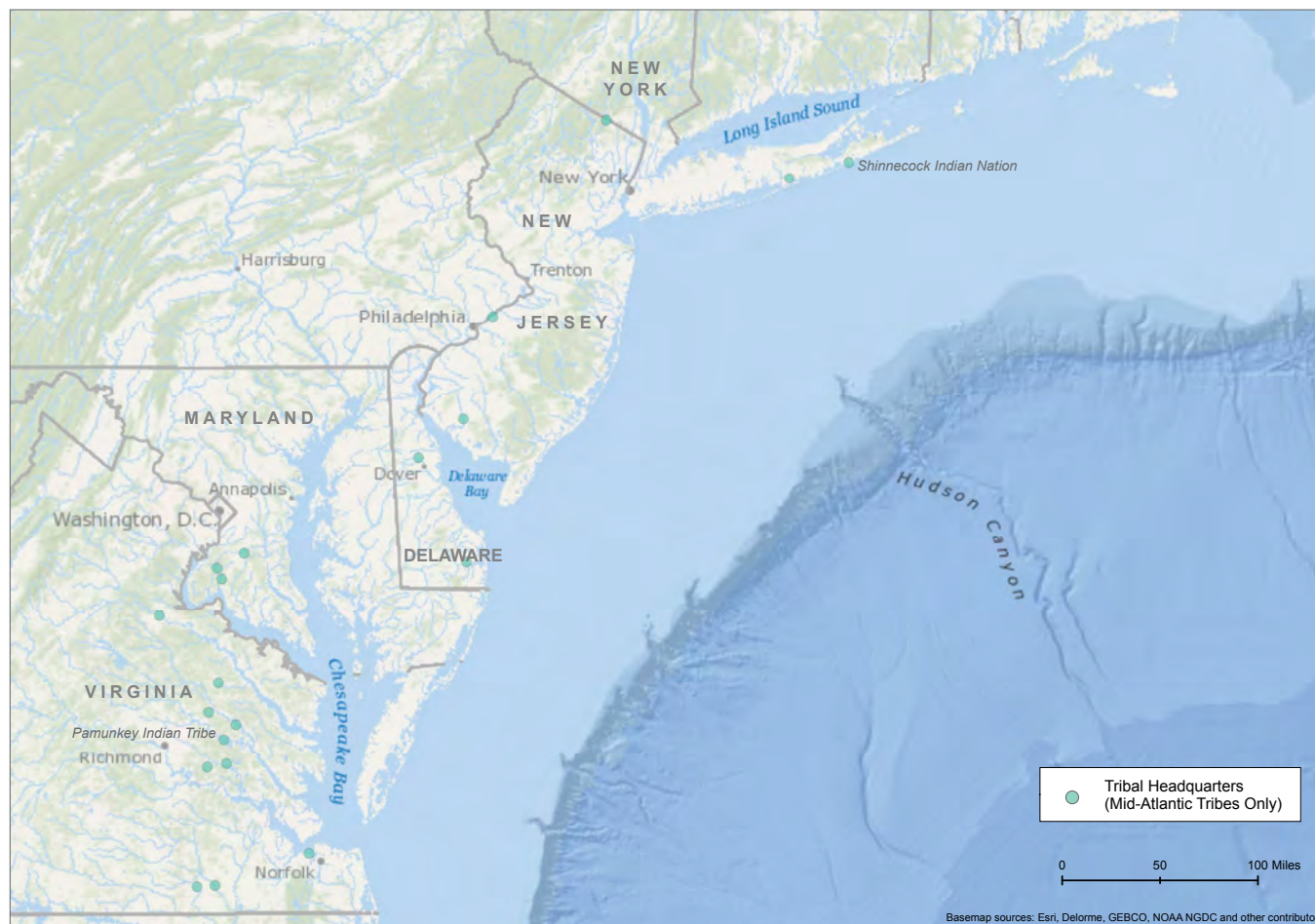
Submit your comments by one of the following methods:

EMAIL: MidAtlanticRPB@boem.gov

MAIL: Robert P. LaBelle
Federal Co-Lead, Mid-Atlantic Regional Planning Body
BOEM
45600 Woodland Road
Mailstop: VAM-BOEM DIR
Sterling, VA 20166

The Mid-Atlantic region, which encompasses the area from New York to Virginia and seaward out to 200 nautical miles,¹ is known for its sandy beaches, rich cultural and historical sites, vibrant coastal communities, and major metropolitan cities. With increasing demand for goods transported by sea, new and expanding uses on the horizon, changing physical and biological conditions, and shifting ocean dynamics due to climate change, the region is likely to experience dramatic changes in the decades to come.

Mid-Atlantic regional ocean planning provides tools, information, and processes that enhance the capacity of Federal, State, and Tribal entities, and the Mid-Atlantic Fishery Management Council to carry out their missions, work together more effectively, and serve the needs of stakeholders in the region.



Mid-Atlantic region.

FRONT COVER: Hurricane Cristobal Wave at Robert Moses State Park, Babylon, Long Island, NY.

© VICKI JAURON, BABYLON AND BEYOND PHOTOGRAPHY

INSIDE FRONT COVER: Assateague, Virginia.

© ZRFPHOTO



Members of the Mid-Atlantic Regional Planning Body discuss interagency coordination during a public listening session in Virginia Beach, Virginia. © JASON HOUSTON

There is no single management entity responsible for comprehensive, integrated stewardship of our domestic oceans. Responsibilities for ocean management are distributed among numerous Federal, State, and Tribal entities and include hundreds of laws, regulations, and policies. This distributed system poses challenges to managers striving for efficient, informed, and coordinated decision making. These challenges are increasing as society seeks to accommodate new and expanding ocean uses while simultaneously protecting the health of a rapidly changing natural system.

In recent years, there has been a growing effort to manage human interactions with complex marine systems using a holistic and coordinated approach, which often means shifting toward management on regional ecosystem scales. Because our oceans are managed by so many agencies at various levels of government, and ocean waters, marine life, and ocean users regularly move across jurisdictional boundaries, improved information sharing and coordinated planning at regional scales are particularly important for ensuring the health and sustainable use of our marine ecosystems.

Leaders in the Mid-Atlantic region have recognized the need to better coordinate ocean management across jurisdictions. Effectively doing so requires coordination among the Mid-Atlantic States, along with the many Federal agencies with jurisdiction over key aspects of ocean management, the Mid-Atlantic Fishery Management Council (MAFMC), and the federally recognized Tribes in the region. Acknowledgement of the need to address these opportunities and challenges in the Mid-Atlantic and other regions has resulted in action at the National level. In 2010, President Obama issued Executive Order 13547, which established the Nation's first

national ocean policy. Among other things, this policy establishes ocean planning as a mechanism for better coordination across jurisdictions.

In the Mid-Atlantic region, ocean planning creates a forum for Federal agencies, Mid-Atlantic States, federally recognized Tribes, and the MAFMC to collaborate through the [Mid-Atlantic Regional Planning Body \(RPB\)](#).²

The purpose of the RPB is to:

- Improve our understanding of how the ocean waters and resources of the Mid-Atlantic region are being used, managed, and conserved;
- Provide a forum for identifying coordinated actions to address regionally-important ocean management challenges and opportunities; and
- Engage stakeholders and regional partners to ensure that the full breadth of perspectives is accounted for in ocean planning.

Starting in 2013, the RPB designed and carried out a regional ocean planning process in collaboration with the general public, stakeholders, and partners such as the Mid-Atlantic Regional Council on the Ocean (MARCO).³ The main product of this collaborative effort is the Mid-Atlantic Regional Ocean Action Plan (Plan). The Plan will be the first of its kind in this region.

The Plan focuses on informing decision making under existing authorities, but the RPB itself **does not** have any regulatory authority. Therefore, coordination actions taken by RPB member entities will occur under existing regulatory and statutory authorities.

CHAPTER ONE

Ocean Planning in the Mid-Atlantic

Chapter One of the Plan includes a description of the special relationship of the Mid-Atlantic region to the ocean waters off of its shores, the history and collaborative process of Mid-Atlantic regional ocean planning, further detail about the RPB and its [membership](#)⁴ and a summary of certain foundational documents developed with public input. These foundational documents include the [Mid-Atlantic Regional Ocean Planning Framework](#)⁵ that established eleven overarching principles to guide ocean planning, two goals for the regional ocean planning process, and a series of objectives related to each goal. The goals are:

- **Healthy Ocean Ecosystems.** “Promote ocean ecosystem health, functionality, and integrity through conservation, protection, enhancement, and restoration.”

- **Sustainable Ocean Uses.** “Plan and provide for existing and emerging ocean uses in a sustainable manner that minimizes conflicts, improves effectiveness, increases regulatory predictability, and supports economic growth.”

Other foundational documents include the [RPB Charter](#),⁶ which clarifies the purpose, participants, and a preliminary delineation of roles and responsibilities; the [Approach to the Mid-Atlantic Ocean Action Plan](#)⁷ by which the RPB agreed to identify and implement the collaborative actions described in Chapter Two; and the [Regional Ocean Assessment](#),⁸ a product that develops a shared understanding of the current state of the region’s ocean resources.

CHAPTER TWO

Actions to Promote Interjurisdictional Coordination in Support of Regional Ocean Planning Goals

A key purpose of regional ocean planning in the Mid-Atlantic is to provide tools, information, and processes that enhance the capacity of Federal, State, and Tribal entities, and MAFMC to carry out their missions, work together more effectively, and serve the needs of stakeholders in the region. Interjurisdictional coordination is the process of collaboratively developing and implementing those tools, information, and processes, and is a core component of the Plan. This chapter describes

several key Plan components that are intended to work together and across levels of government, authorities, jurisdictions, and sectors to help achieve the region’s ocean planning goals and objectives. These include best practices and a series of actions to address the Healthy Ocean Ecosystem and Sustainable Ocean Uses goals. These actions are listed in Table 1 below.



A view of the Mid-Atlantic region at night from the International Space Station looking from the Atlantic Ocean landward. © NASA

BEST PRACTICES

Best practices inform coordination and the use of data and information under existing authorities. They draw on existing agency practices, lessons learned from agency and stakeholder experience with recent projects in the Mid-Atlantic, and the opportunity provided by the Plan to use regional information and coordination to enhance the decision making process. The best practices will enhance:

- The use of data and information in agency coordination
- Participation in agency coordination
- Coordination with stakeholders
- Coordination among Federal, State, Tribal, and Mid-Atlantic Fishery Management Council partners



Often multiple species of invertebrates are found co-occurring on rock ledges and canyon walls near the edge of the Mid-Atlantic's continental shelf. Here a brisingid sea star, an octopus, bivalves, and several individuals of the cup coral, *Desmophyllum*, are found in close proximity to one another. IMAGE COURTESY OF DEEPWATER CANYONS 2013 – PATHWAYS TO THE ABYSS, NOAAOER / BOEM / USGS

Best practices are a cornerstone of the Plan and directly support specific interjurisdictional coordination actions addressed in subsequent sections of this chapter. All RPB entities are strongly encouraged to use these best practices, which are voluntary for States and Tribes. Consistent with Executive Order 13547, Federal agencies will, to the extent practicable, implement best practices subject to each agency's implementation of its statutory and regulatory mandates.

CONTINUATION OF THE REGIONAL PLANNING BODY

RPB member entities commit to continuing the RPB past the development of this initial Plan in order to build on the regional collaboration fostered through the ocean planning process.

ACTIONS TO PROMOTE A HEALTHY OCEAN ECOSYSTEM

In order to specifically address the Healthy Ocean Ecosystem goal, the RPB describes six interjurisdictional coordination actions that address three objectives. The three objectives are:

- Discovering, understanding, protecting, and restoring the ocean ecosystem.
- Accounting for ocean ecosystem changes and increased risks.
- Valuing Traditional Knowledge.

The six actions to address those objectives are:

- Identify ecologically rich areas of the Mid-Atlantic ocean and increase understanding of those areas to foster more informed decision making.
- Map shifts in ocean species and habitats.
- Develop a Mid-Atlantic ocean acidification monitoring network.
- Develop a regionally appropriate strategy for marine debris reduction.
- Develop indicators of the health of the Mid-Atlantic regional ocean ecosystem.
- Incorporate Traditional Knowledge of Tribes regarding ocean health in regional ocean planning in the Mid-Atlantic.

ACTIONS TO FOSTER SUSTAINABLE OCEAN USES

The Plan also describes nine objectives and 33 interjurisdictional coordination actions that address the Sustainable Ocean Uses goal. These objectives address:

- **National security.** Account for national security interests in the Mid-Atlantic through enhanced coordination, increased transparency, and sharing of information across agencies.
- **Ocean energy.** Facilitate greater collaboration around ocean energy issues in the Mid-Atlantic.
- **Commercial and recreational fishing.** Foster greater understanding of the needs of Mid-Atlantic fishers and fishing communities in the context of the full range of ocean uses and conservation efforts.
- **Ocean aquaculture.** Inform ocean aquaculture siting and permitting in the Mid-Atlantic through greater coordination among stakeholders and management authorities to address compatibility issues.
- **Maritime commerce and navigation.** Enhance institutional awareness of the impact maritime commerce exerts on the national and Mid-Atlantic economies, and ensure that new and updated maritime commerce and navigational information is available at the local and regional levels for integration into regional ocean planning.
- **Offshore sand management.** Facilitate enhanced coordination among coastal jurisdictions, Federal and State regulatory agencies, and Tribal entities on the use of sand and gravel resources in the Mid-Atlantic in the context of coastal adaptation and resilience planning and implementation.

- **Non-consumptive recreation.** Account for the importance of nearshore and offshore non-consumptive recreational uses, and their local and regional economic contributions in the Mid-Atlantic; and in the management of other ocean uses and resources, consider impacts on non-consumptive recreational activities (e.g., surfing, boating, whale watching, birding, diving).
- **Tribal uses.** Recognize and respect the right of Tribal Nations to free, prior, and informed consent while taking into account important Tribal uses and submerged cultural resources in the planning process.
- **Critical undersea infrastructure.** Facilitate greater understanding of the current and potential future location of submerged infrastructure, such as submarine cables (e.g., for communication and electricity) and pipelines.

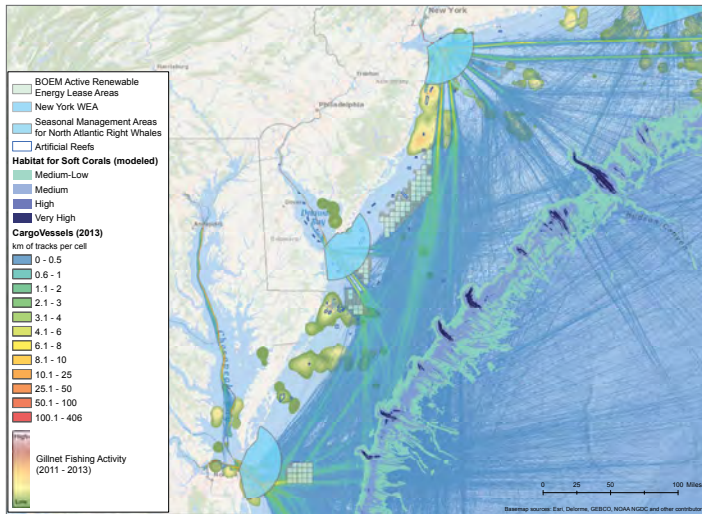
Finally, the RPB expresses interest in further exploring two options that would enable certain decisions related to the Coastal Zone Management Act (CZMA) to be more efficient, streamlined, and coordinated. The options relate to (1) providing earlier Federal notice to States and Tribes than current regulations require, where appropriate and practicable, and (2) improving States' abilities to execute the Federal Consistency provisions of the CZMA in the offshore space.



The Mid-Atlantic is home to world's largest naval station. Naval Station Norfolk supports 75 ships and 134 aircraft alongside 14 piers and 11 aircraft hangars, and houses the largest concentration of U.S. Navy forces. Military uses of the ocean are critically important for our region and the nation as a whole. It is vital they be coordinated with other ocean uses, including navigation, renewable energy, fishing, and recreation. © U.S. NAVY

CHAPTER THREE

Science, Data, and Tools to Support Decision Making



The Mid-Atlantic Ocean Data Portal provides a central, publicly accessible location for interactive ocean mapping and information focused on the Mid-Atlantic region. Access the Portal and its Marine Planner at: <http://portal.midatlanticocean.org>.

The Mid-Atlantic Ocean Data Portal (Data Portal) is a key resource informing ocean planning in the Mid-Atlantic. Launched in 2010, the Data Portal provides a central, publicly accessible location for interactive ocean mapping and information focused on the Mid-Atlantic region. The Data Portal enables Federal, State, Tribal, MAFMC, and local decision makers, as well as the general public, to visualize and analyze ocean resources and human use information such as fishing grounds, recreational areas, shipping lanes, habitat areas, and offshore energy sites, from a menu of over 150 spatial data layers. The Data Portal allows viewers to see data housed in separate locations on one platform. Viewers can combine data in ways that can be tailored to the viewer's area and topics of interest. The Data Portal's data layers have been carefully

In close partnership with MARCO and with support from the National Oceanic and Atmospheric Administration (NOAA), the Bureau of Ocean Energy Management (BOEM), and other Federal partners, the RPB has developed and continues to enhance a significant body of spatial data and other information that serves to frame and inform the interjurisdictional coordination actions the RPB has developed to achieve the region's ocean planning goals and objectives.

The Mid-Atlantic Ocean Data Portal (Data Portal) is a key resource informing ocean

selected and enhanced to inform the dialogue and decision making that is needed to advance Plan goals and objectives.

One source of information on the Data Portal was developed by the Marine Life Data and Analysis Team (MDAT), which is composed of researchers from Duke University, NOAA, and Loyola University. This team developed base layer predictive model products for 29 marine mammal species or species guilds and 40 avian species, and distribution and abundance maps for 82 fish species. The MDAT project produced over 3,000 publicly available spatial data layers, as well as several summary aggregate map products. Summary aggregate products are comprised of more than one species, and were created to allow quick access to maps of groups of species by biology, management, or sensitivity to certain stressors. All of the new marine life data products fill critical gaps and can be queried to help answer questions about the distribution and abundance of specific species in areas of interest to planners and ocean resource managers.

Human Use Data Synthesis (HUDS) products, developed as part of the planning process, are also on the Data Portal. The HUDS products depict the number of uses in a given area, based on available data, and allow users to spatially identify the intensity of human uses across the different activity types, depict different social and economic uses, highlight locations where multiple uses occur, and provide a rough measure of use intensity for maritime transportation and commercial fishing.



© JENNA ADDESSO

CHAPTER FOUR

Plan Implementation

The RPB recognizes the need for effective Plan implementation and administration going forward. To successfully carry out the actions identified in the Plan, the RPB will continue its work to ensure that:

- Progress is made in implementing the actions articulated in the Plan.
- Stakeholders are engaged in implementation of the Plan and any future updates or amendments to the Plan.
- Ongoing coordination continues among RPB entities, with partners, and with planning processes in adjacent regions.
- Expertise and resources from within and outside of governmental entities are being leveraged.

- New information and changing circumstances are accounted for through future Plan updates and amendments.
- Detailed work plans for Plan implementation are developed and updated over time to reflect new information and evolving context.

Additionally, the RPB will develop a performance monitoring and evaluation plan that will provide the RPB, stakeholders, and the public with tools to determine whether and how effectively the Plan actions implemented by the RPB are achieving the Framework goals and objectives.

Summary of RPB Actions

Table 1: Summary of specific actions in the draft Plan.

ACTIONS	
GOAL: Healthy Ocean Ecosystem	
Objectives: 1. Discovering, understanding, protecting, and restoring the ocean ecosystem 2. Accounting for ocean ecosystem changes and increased risk 3. Valuing Traditional Knowledge	Action 1 Identify ecologically rich areas of the Mid-Atlantic ocean and increase understanding of those areas to foster more informed decision making.
	Action 2 Map shifts in ocean species and habitats.
	Action 3 Develop a Mid-Atlantic ocean acidification monitoring network.
	Action 4 Develop a regionally appropriate strategy for marine debris reduction.
	Action 5 Develop indicators of the health of the Mid-Atlantic regional ocean ecosystem.
	Action 6 Incorporate Traditional Knowledge of Tribes regarding ocean health in regional ocean planning in the Mid-Atlantic.
GOAL: Sustainable Ocean Uses	
Objectives related to: 1. National Security	Action 1 Use the Plan and Data Portal to guide and inform Department of Defense programs, initiatives, and planning documents.
	Action 2 Identify Department of Defense points of contact for the range of national security data layers in the Data Portal.
2. Ocean Energy	Action 1 Identify key intersections of relevant Federal programs and authorities that affect wind energy development.
	Action 2 Develop internal Bureau of Ocean Energy Management guidance on integrating the Plan-developed best practices for using the Data Portal in management, environmental, and regulatory reviews.
	Action 3 Partner in on-going and planned studies, identify knowledge gaps, and increase access to research planning cycles related to ocean energy.
	Action 4 Use the Data Portal to enhance access to data, environmental reports, and proposed offshore wind development activities.
	Action 5 Improve consultations and communication with Tribes in the region.
	Action 6 Enhance Bureau of Ocean Energy Management engagement of fishing industries through improved data and specific interactions.

ACTIONS

3. Commercial and Recreational Fishing	Action 1	Improve the sharing of information and ideas between States, Tribes, Federal agencies, and Fishery Management Councils on fisheries science and management.
	Action 2	Continue to actively engage stakeholders in fisheries science and management, and seek ways to make fishermen’s knowledge available for planning.
	Action 3	Improve collaboration for the conservation of essential fish habitat.
4. Ocean Aquaculture	Action 1	Use data and information in the Data Portal and other information sources advanced as a result of this Plan to support aquaculture siting and permitting.
	Action 2	Improve collaboration on ocean aquaculture.
5. Maritime Commerce and Navigation	Action 1	Monitor marine commerce trends and traffic patterns to identify and address emerging commerce and navigation needs.
	Action 2	Maintain reliable ocean use data sets relevant to navigation.
	Action 3	Catalogue intersections between entities whose authorities influence marine commerce and navigation and identify opportunities for improved coordination.
	Action 4	Identify impacts to navigation and port infrastructure stemming from the Panama Canal expansion.
6. Sand Management	Action 1	Promote strategic stakeholder engagement and regional partnering initiatives.
	Action 2	Develop a comprehensive inventory of sand resources to support planned and future restoration and resilience projects, provide availability for emergency use, and manage competing use challenges.
	Action 3	Conduct studies to support sustainable management of offshore sand resources.
	Action 4	Identify and improve existing Federal-State interactions and cooperative agreements in the Mid-Atlantic.
	Action 5	Engage fishing communities in planning and environmental review of proposed activities.
	Action 6	Engage Tribes in planning and environmental review of proposed activities.
7. Non-Consumptive Recreation	Action 1	Identify, characterize, and share information about measures to maintain the recreational value of important non-consumptive recreational areas and the activities they sustain.

ACTIONS	
8. Tribal Interests and Uses	Action 1 Identify, review and, if appropriate, recommend updates to Tribal consultation policies as they pertain to ocean planning.
	Action 2 Develop Tribal and agency ocean planning contact directories.
	Action 3 Work with Tribes to develop a Tribal Ocean Planning Network to facilitate coordination between Mid-Atlantic and Northeast Tribes in the ocean planning process.
	Action 4 Enhance understanding of Tribal rights.
	Action 5 Federal and State governments meet with Tribes to discuss issues related to Tribal participation in regional ocean planning and management, including policy and technical matters and grant opportunities.
	Action 6 Account for historic resources under the National Historic Preservation Act.
	Action 7 Identify and address data gaps pertaining to Tribal use of the ocean.
9. Critical Undersea Infrastructure	Action 1 Engage the submerged pipelines and submarine cables industries to understand their current and projected needs for ocean space, and conduct an inventory of obsolete structures.
	Action 2 Ensure early consultation with relevant undersea infrastructure interests in the regulatory review of marine development projects.
Additional actions that support the goals and objectives	
Continued Regional Collaboration through the RPB	Action 1 Continue regional collaboration through the Mid-Atlantic Regional Planning Body
Mid-Atlantic Ocean Data Portal	Action 1 Develop and implement a plan to sustain Data Portal operations and maintenance.
	Action 2 Maintain operational components including web services, data development, and integration.
	Action 3 Continue to engage in agency outreach and public engagement to enhance data and Data Portal functionality to effectively support decisions related to ocean management.
Science and Research	Action 1 Identify priority applied science and research needs for the Mid-Atlantic region.
Performance Monitoring and Evaluation	Action 1 Develop Plan performance monitoring and evaluation plan.

Providing Public Comment on the Draft Plan

The Department of the Interior's BOEM, as lead Federal agency for the RPB, has published a Federal Register notice on behalf of the RPB to request public comments on the draft Plan. The Draft Mid-Atlantic Regional Ocean Action Plan may be obtained online at www.boem.gov/Ocean-Action-Plan/.

Submit comments on or before September 6, 2016 by one of the following methods:

- **Email.** MidAtlanticRPB@boem.gov; or
- **Mail.** Robert P. LaBelle, Federal Co-Lead, Mid-Atlantic Regional Planning Body, BOEM, 45600 Woodland Road, Mailstop: VAM-BOEM DIR, Sterling, VA 20166.

BOEM, on behalf of the MidA RPB, intends to make all written comments received available to the public at: <http://www.boem.gov/Written-Public-Comments-Submitted-to-the-MidA-RPB/>.

Members of the public may also attend a series of open house public listening sessions to learn more about the draft Plan from RPB representatives and share comments and questions. These will take place on the following dates and locations:

- **Virginia.** Tuesday July 12th; Virginia Aquarium and Marine Science Center, Virginia Beach, VA
- **New Jersey.** Thursday July 14th; Pozycky Hall (2nd level), Monmouth University, West Long Branch, NJ



Tribes such as the Shinnecock Indian Nation of New York have an ancestral relationship with ocean resources. © GORDON M. GRANT

- **Maryland.** Tuesday July 19th; Ocean Pines Library, Berlin, MD
- **Delaware.** Wednesday July 20th; The Virden Retreat Center, University of Delaware, Lewes, DE
- **New York.** Wednesday July 27th; Babylon Student Center, Suffolk County Community College, Selden NY Campus

After the 60-day comment period closes on September 6, 2016, the RPB will review the public comments received and consider edits to the draft Plan. A final Plan will be submitted to the National Ocean Council for concurrence in fall of 2016.



Humpback whale outside Long Beach, New York. © VICKI JAURON / BABYLON AND BEYOND PHOTOGRAPHY

ENDNOTES

- 1 This is an administrative description of the planning area for this effort; from the shoreline out to 200 nautical miles represents the Exclusive Economic Zone of the United States.
- 2 The RPB website can be found at:
<http://www.boem.gov/mid-atlantic-regional-planning-body/>
- 3 Established in 2009 by the Governors of the five coastal Mid-Atlantic states to enhance the vitality of the region's ocean ecosystem and economy, the Mid-Atlantic Regional Council on the Ocean is a partnership of Delaware, Maryland, New Jersey, New York, and Virginia.
- 4 The membership roster of the RPB can be found here:
<http://www.boem.gov/Mid-Atlantic-RPB-Roster/>
- 5 The Framework can be found here:
<http://www.boem.gov/Mid-Atlantic-Regional-Ocean-Planning-Framework/>
- 6 The Charter can be found here:
<http://www.boem.gov/MidA-RPB-Charter/>
- 7 The Approach can be found here:
<http://www.boem.gov/Approach-to-Mid-Atlantic-Regional-Ocean-Action-Plan/>
- 8 For more information, visit: <http://roa.midatlanticocean.org/>

DRAFT Mid-Atlantic Regional Ocean Action Plan

July 2016

Mid-Atlantic Regional Planning Body Co-Leads: Robert LaBelle/
Bureau of Ocean Energy Management, Kelsey Leonard/Shinnecock
Indian Nation, Gwynne Schultz/State of Maryland

Draft Plan prepared by Meridian Institute on behalf of the Mid-Atlantic
Regional Planning Body.

With additional support from the Mid-Atlantic Regional Council on the
Ocean and Mid-Atlantic Ocean Data Portal Team.

Design by Rowe Design House.



boem.gov/Ocean-Action-Plan/