

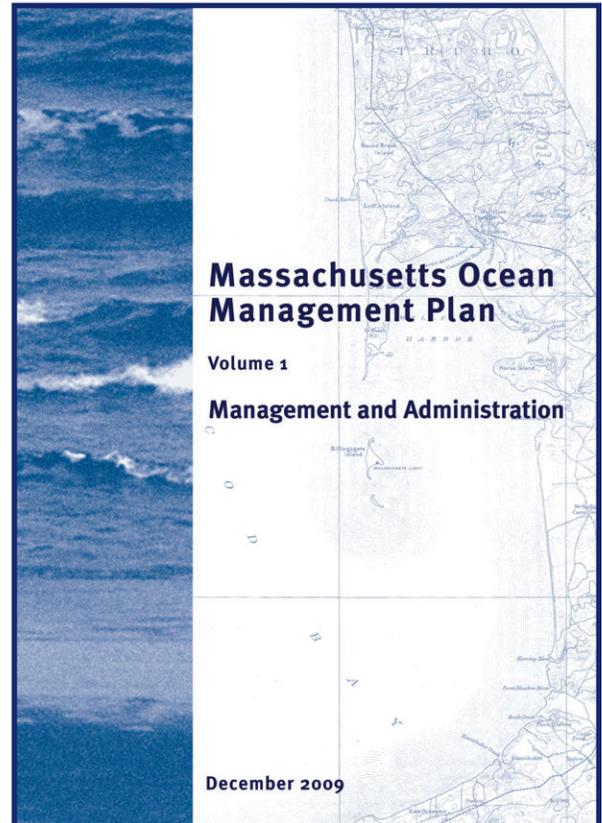
Review and Update of the Massachusetts Ocean Management Plan

Background

In December 2009, the Executive Office of Energy and Environmental Affairs (EEA) issued the Commonwealth's first ever Massachusetts Ocean Management Plan. The release of the plan was the culmination of an intensive planning process launched with the signing of the Oceans Act in May 2008 by Governor Patrick. This process was led by EEA's Office of Coastal Zone Management (CZM).

The ocean plan provides protections for critical marine habitat and natural resources in the Commonwealth's waters and sets siting and performance standards for ocean-based development. It was developed to maximize integration and coordination among state agencies and to encourage consistency and synchronization with federal, regional, and local levels of government. In addition, the plan's management framework was designed to be implemented within the existing regulatory structure, relying on a networked approach where the scope and expertise of agency authorities are coordinated in project reviews and approvals.

Since the plan's release, significant progress has been made, including the development and promulgation of regulations (301 CMR 28.00), the incorporation of the plan into the state's federally approved Coastal Management Program, and agency review of projects subject to the plan. Important advances have also been made on the science and data needs identified as priorities, including: seafloor habitat characterization, expansion of data and information on human use patterns such as recreational boating activity, and key updates in both functionality and data contents to the publicly accessible online data and mapping

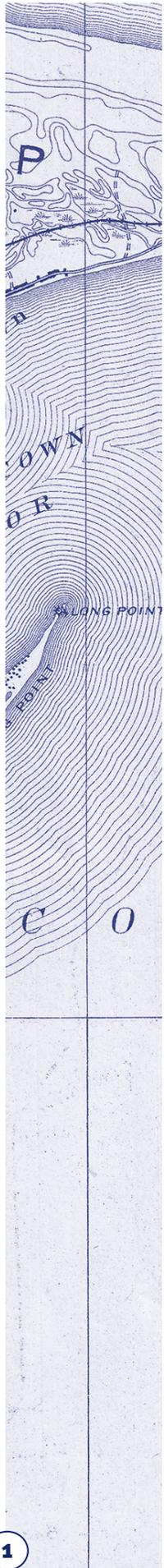


system, Massachusetts Ocean Resources Information Systems (MORIS), used to develop and continue to update the plan.

Ocean Plan Review and Update

The Oceans Act requires that EEA review the plan at least once every five years, and in January 2013, EEA initiated this review beginning with a comprehensive assessment of progress and performance to achieve the requirements and commitments established by the Oceans Act and the ocean plan. EEA released the results of this year-long assessment in *Review of the Massachusetts Ocean Management Plan*, which provides important insights into the content of the plan and reports on the progress and performance of the plan's implementation.

In June 2013, through four public meetings and a formal 60-day comment period, EEA gathered



input on the proposed scope for updates to the 2009 ocean plan. The scope includes:

Trends in the Baseline Assessment - Developed to characterize the ocean planning area, with in-depth descriptions and assessments of ecosystem components, human uses, economics, cultural and archeological aspects, and climate change, the plan's Baseline Assessment will be updated to examine and describe important trends that have been measured and/or observed since the 2009 "baseline."



Protecting critical habitat and water-dependent uses - As directed by the Oceans Act, the 2009 plan identified and established siting and management standards to protect (1) special, sensitive, and unique (SSU) marine and estuarine life and habitats and (2) concentrated

areas of important water-dependent uses. Technical and subject matter experts that assisted in the initial work on the plan will be reconvened to conduct a thorough review of available data, information, and maps to identify any changes to the spatial extent and/or condition of the mapped resources and uses as well as new science or monitoring that advances the characterization of the resources and uses.

Offshore renewable energy transmission - The 2009 plan gave special focus to ocean-based renewable energy, allowing for the development of renewable energy facilities "of appropriate scale" and delineating two Wind Energy Areas—constituting 2% percent of the planning area—designated for commercial-scale wind energy facilities. Since the issuance of the plan, significant advancements have been made in the federal process for planning, analyzing, and leasing of potential offshore wind development projects on the outer continental shelf adjacent to Massachusetts state waters. Data, information, and stakeholder engagement processes initiated by the Massachusetts Ocean Management Plan have been leveraged to support the federal process led by the Bureau of Ocean Energy Management (BOEM), which has formally designated two Wind Energy Areas. With the potential for

several different offshore energy wind projects in these areas, each with its own requirement for transmission connections, there is a critical need for the proactive siting of transmission corridor(s) to bring renewable energy from the Wind Energy Areas in federal waters across state waters to landside grid tie-in location(s). A priority component of the plan update is planning and siting work to identify the most appropriate route(s) that have the least environmental impact and fewest conflicts with existing water-dependent uses.



PHOTO BY HARVEY McDANIEL

Offshore sand for beach nourishment - The 2009 plan recognized the significant sand and gravel resources in the ocean planning area, which could support beneficial use in beach nourishment and shoreline protection. Areas of many coastal communities are vulnerable to erosion and flooding now and with accelerated rates of sea-level rise. The potential use of ocean sand resources for beach nourishment is an important and viable option for increasing the protective and many other beneficial services afforded by healthy beach and dune systems. However, sand extraction needs to be balanced with the protection of marine ecosystems—with particular attention to sensitive or vulnerable areas like critical spawning or juvenile fish habitat—and existing water-dependent uses. The plan update will advance the identification of appropriate locations for offshore sand areas, taking into account important criteria including compatible sand resources, proximity to priority nourishment areas, environmental impacts, and existing water-dependent uses.

Ocean development mitigation fee - The Oceans Act includes a requirement that any project subject to the plan shall be assessed an Ocean Development Mitigation Fee as established by the EEA Secretary. The 2009 plan provided additional guidance for the fee, and regulations to administer and implement the plan contain a “placeholder” for the development of a fee structure/schedule for ocean development projects. The plan update will include the development and vetting of a fee structure and accompanying guidance for the determination of mitigation fees for ocean development projects.

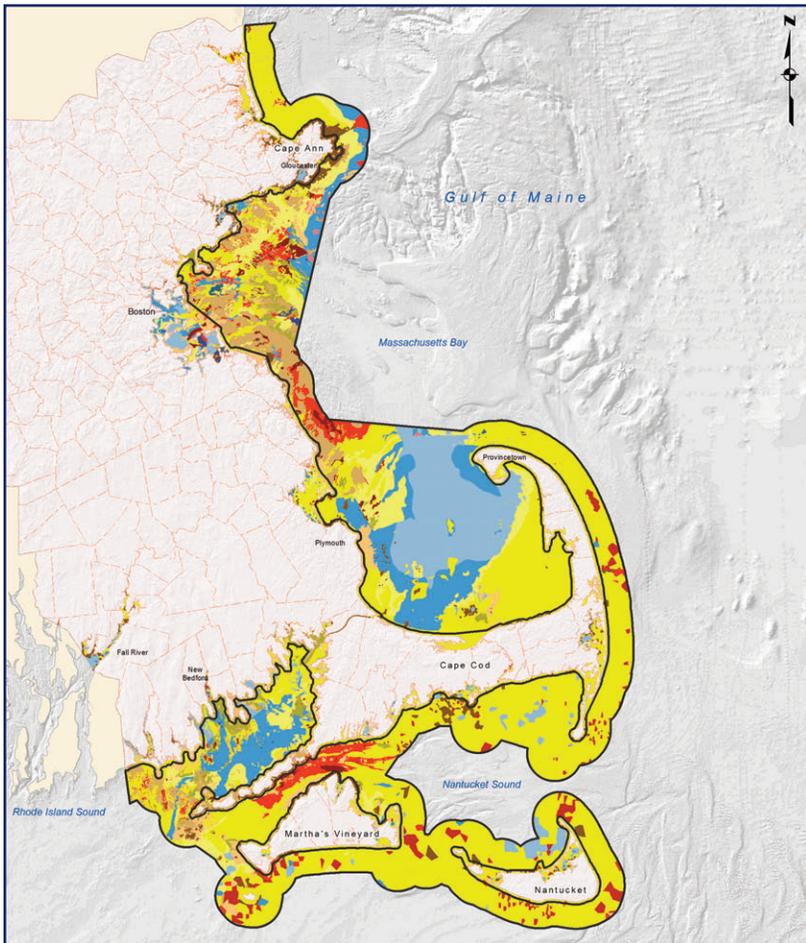
Ongoing Work and Next Steps

In June 2013, six technical work groups were convened to review scientific data and information and identify and characterize important trends in ocean resources and uses. The work groups address: habitat, fisheries, sediment resources, recreational and cultural services, transportation and navigation, and energy and infrastructure. At meetings in the fall and winter of 2013-2014, the Ocean Advisory Commission and Science Advisory Council reviewed draft

reports from each of the six technical work groups and provided comments and advice. In March 2014, CZM held two public workshops to share information and solicit input and feedback from stakeholders on the findings and recommendations of the work groups.

Over the spring and summer of 2014, EEA and CZM will continue to work with the Ocean Advisory Commission and Science Advisory Council on the development of a draft amendment to the plan. Specific steps during this period will include:

Baseline Assessment update - Based on information and findings from the six technical work groups, development of a draft update of the Baseline Assessment is underway. The document will account for and describe significant changes, qualitative and quantitative trends, and new data sources in seven chapters including: Water Column Features, Seabed Features, Habitat, Archeological and Cultural Sites, Human Uses, Economic Valuation, and Climate Change.



Offshore renewable energy transmission - Important information and context for planning and siting work for the transmission of offshore renewable energy is becoming available through a study supported by the Massachusetts Clean Energy Center (MassCEC). The report, which is expected at the end of May, will contain important details and information on key elements of transmission configurations, scenarios, land-side tie-ins, sub-station and cabling requirements, and construction considerations. In June, CZM, EEA, and MassCEC will convene community, stakeholder, and public meetings to share findings and seek feedback. Results from the MassCEC transmission report and the stakeholder meetings will be integrated with best available information and spatial data on seafloor habitat, important fish resource areas, commercial and recreational fishing, and marine navigation and transportation to begin preliminary identification of best possible route options for inclusion in a draft plan amendment.

Offshore sand resources - Within the framework of planning for potential offshore sand resources for beach and dune nourishment, there is a critical need to link the ocean area siting work to landside planning, management, and climate adaptation efforts. The work of the Coastal Erosion Commission will provide important content, guidance, and potential actions. Convened in March 2014, this special commission is charged with investigating and documenting the levels and impacts of coastal erosion in the Commonwealth and developing strategies and recommendations to reduce, minimize, or eliminate the magnitude and frequency of coastal erosion and its adverse impacts on property, infrastructure, public safety,

and beaches and dunes. Work is underway to classify the shoreline, assess erosion and shoreline change, examine sea-level rise scenarios, and characterize offshore areas including comprehensive mapping of seafloor sediments and indentifying areas of past seismic and core survey work and future data needs. The Commission will hold a series of regional workshops in May and June, providing an overview of their proposed work and seeking input from communities and stakeholders.

Ocean development fee - Promulgated in August 2013, the implementing regulations for the ocean plan call for EEA to develop a “schedule” that adopts a tiered approach for ocean development fees, reflecting differences in project scale and effects. An advisory working group has been established, with representatives from EEA agencies, the regulated community (energy, consultants), commercial fishing, and environmental interests. The advisory group is assisting in the development of a proposed fee schedule, provisions for the determination and administration of the fee, and supplemental guidance to bring to the Ocean Advisory Commission and EEA for review.



PHOTO BY KAREN YOUNG

For more information, please see the Massachusetts Ocean Plan website:
www.mass.gov/eea/mop



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