



Ian A. Bowles, Secretary
Executive Office of Environmental Affairs
100 Cambridge St., 9th Floor
Boston, Massachusetts 02114

February 15, 2007

Dear Secretary Bowles:

We are writing to you to underscore our collective interest in advancing comprehensive ocean management in Massachusetts this year and to urge you to make this critical environmental challenge a priority for the Executive Office of Environmental Affairs.

Massachusetts is poised to become the first state in the nation to mandate the development and implementation of comprehensive, area-based ocean management to protect state ocean waters and promote ecologically sustainable development. This effort needs strong leadership from you and the Patrick Administration. We urge you to make improved ocean management a central issue for EOEI and to lead the nation in developing effective, coordinated and comprehensive management for the Commonwealth's ocean waters.

Managing the Commonwealth's ocean waters

Massachusetts' ocean waters comprise some 1.6 million acres of sub-tidal lands extending along a coastline of more than 1500 miles. These waters are an integral part of the Gulf of Maine – one of the most biologically productive marine ecosystems in the world. A wooden carving of the Atlantic cod, affectionately known as the "sacred cod", hangs in the House chambers of the Massachusetts State House – testimony to the great importance of marine resources to the state's culture, history, and economy.

Pollution of marine waterways, climate change, coastal and marine habitat destruction, and overfishing are compromising the state's public trust ocean resources in ways that threaten the coastal communities and ocean industries that depend upon these resources. Recent proposals for liquefied natural gas terminals, sand and gravel mining, desalinization plants, gas pipelines, telecommunication cables, and wind and tidal energy facilities have raised serious concerns among local, state, and federal agencies, coastal communities, ocean user stakeholders, and the general public about how best to manage the diversity of uses and the impacts of this intensified development pressure on the ocean ecosystem while also capitalizing on the opportunities that the ocean holds for energy and food production, recreation, and transportation. These new uses and pressures were never envisioned by existing statutes and the current system is ill equipped to deal with them. The Commonwealth's *ad hoc* case-by-case reactive approach to ocean management is threatening our great ocean waters with the very same kind of development sprawl that currently plagues Commonwealth lands.

Growing tensions between existing and proposed uses of the Bay State's ocean for food and energy production, transportation, and recreation were catalysts that led to the formation of the Massachusetts Ocean Management Task Force in June 2003. The Task Force comprised 23 individuals including state and local elected officials, and representatives of state and federal agencies, conservation organizations, fishing associations, other marine trade organizations and academic institutions. After lengthy consideration of the issues relating to ocean use, protection, and management, the Task Force recommended that new comprehensive ocean management legislation was needed to give public agencies clear direction and stronger authority for managing activities within the state waters of the Commonwealth. The United States Commission on Ocean Policy and the Pew Ocean Commission have issued similar recommendations for action at the federal level.

In July 2006, the Massachusetts Senate unanimously passed the Massachusetts Oceans Act. The bill would provide for the following:

- *Clear Authority:* The bill would give the oversight, coordination, and planning authority of the ocean resources of Massachusetts with the Secretary of the Executive Office of Environmental Affairs. This authority would be exercised through an ocean management plan, as advised by a broad-based, 16-member ocean management commission, including state agency representatives, state legislators, municipal officials, and environmental, fishing, and marine industry stakeholders.
- *Best Available Science:* In designing the ocean resources management plan, the Secretary would be required to incorporate the best available scientific understanding of marine and ocean resources, as provided through research, mapping, monitoring, and other data collection activity. A 9-member ocean science advisory council, including marine scientists from academic institutions, nonprofit organizations, and government agencies, would assist the Secretary in gathering and analyzing the best available scientific understanding of ocean resources.
- *Consistency:* All agencies, departments, divisions, units, commissions, boards, and authorities of the Commonwealth would be required to administer programs, issue permits, and conduct all other activities in conformity with the applicable provisions of the ocean management plan.

Guided by the best available scientific understanding of ocean resources and ecosystems, as provided through research, mapping, monitoring, and other data collection, state decision makers will be able to identify and capitalize on opportunities to encourage desirable development in locations that are well suited for it, while discouraging inappropriate and wasteful development that harms the marine ecosystem.

Massachusetts Can Lead the Nation in Ocean Management

We urge you and your staff at EOEA to work to develop a strong Massachusetts Oceans Act and to support its swift passage and prompt implementation to establish comprehensive, area-based management for the ocean as the policy of the Commonwealth and to promote protection of critical ocean habitats and marine wildlife while providing opportunities for ecologically sustainable

development in ocean areas. Until that legislation becomes law and is implemented, EOEPA should take all necessary steps within its jurisdiction to advance these objectives through its activities.

Conservation Law Foundation, Mass Audubon, and The Ocean Conservancy stand ready to assist you in advancing comprehensive, area-based ocean management in the Bay State and in making Massachusetts a national leader in ocean management. We would be pleased to meet with you and brief you on this critical environmental initiative and will contact your office to request a meeting.

Sincerely,

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