



November 12, 2008

Mr. Deerin Babb-Brott  
Assistant Secretary for Oceans & Coastal Zone Management  
Executive Office of Energy & Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Dear Assistant Secretary Babb-Brott,

Thank you for inviting the Massachusetts Ocean Coalition to comment on the Massachusetts integrated ocean plan. The Executive Office of Energy and Environmental Affairs' effort to actively engage the public and solicit input from all parties is critical to creating a successful ocean plan, and sets a strong example for other states as they look to develop their own plans. Your statewide outreach to date has been impressive. The ocean is a public trust resource that belongs to all of us and, as the Act mandates, the ocean plan must, "preserve and protect the public trust". It is in our best interest, indeed our obligation, to preserve and protect the ocean for generations to come.

As we discussed at our meeting, there are six elements that a viable ocean plan must include:

- 1.] By law, the ocean plan must "identify and protect special, sensitive or unique estuarine and marine life and habitats." Any use of the ocean should not significantly alter or endanger the ecology of the ocean. The plan must protect and preserve the ocean's natural resources by ensuring that proposed activities in this ecosystem do not unduly harm the ability of the other components of the ecosystem to thrive. There is a direct link between ocean habitats and the marine life that live within those habitats. Species need healthy habitats in order to thrive, and that must be carefully considered when permitting any use in the ocean.
- 2.] The ocean plan must identify areas for locating appropriate scale renewable energy facilities. The Act mandates that the ocean plan, "shall identify appropriate locations and performance standards for activities, uses and facilities" and that the plan will, "foster sustainable uses that capitalize on economic opportunity without significant detriment to the ecology or natural beauty of the ocean". We support the development of carefully sited renewable energy facilities in Massachusetts ocean waters. "Appropriate scale" will be an important term to define and should relate specifically to the habitats and resources defining different areas within Massachusetts' ocean waters. We do not believe that there is a "one size fits all" definition of "appropriate scale" (like number of wind or tidal turbines or amount of generating capacity in megawatts) - it will be necessary to use scientific data, in each specific marine area, to determine what areas would be appropriate and not appropriate for siting any facility. While we recognize the need to embrace renewable energy to address climate change, we also recognize that its development may have adverse effects on the marine ecosystem through disruption of habitat and resources important to marine life. It is therefore important to establish protocols for site selection (including meaningful assessment of anticipated impacts on marine resources) and best management practices for operation of facilities in the ocean environment (including adaptive management protocols). We look forward to working with the state, local communities, and energy providers to determine appropriate locations and develop best management practices for renewable energy facilities in order to avoid or minimize adverse effects on marine habitat and wildlife. Thoughtfully undertaken, this process should provide critical guidance that will encourage developers to site important renewable energy projects in responsible ocean-based locations - simultaneously protecting marine resources while facilitating permitting with fewer conflicts and concerns.

3.] The ocean plan must balance the uses of the ocean with protections for marine wildlife and habitat. The Act mandates that the ocean plan will, "value biodiversity and ecosystem health" and "respect the interdependence of ecosystems". In order to determine what uses are compatible, the ocean plan must consider the impact of these uses on the unique habitats and species with which they propose to co-exist. We strongly support an ecosystem-based ocean management plan.

4.] The ocean plan must use the best available scientific understanding of the ocean and underwater habitats to make informed ecosystem-based decisions. The Act mandates that the Secretary, with the assistance of the Ocean Science Advisory Council, will compile, "the scientific information necessary for the development of the ocean management plan". The plan should develop a set of criteria, based on scientific data, which can be used to evaluate the suitability of specific regions for any proposed use. The ocean plan must take into account that some ocean areas are critical habitat for particular species, and conclude that certain types of development may not be permitted in those areas. Failure to identify and protect critical areas or to appropriately site facilities could have devastating repercussions to millions of living organisms in the ocean and the value that they represent to the people of Massachusetts.

5.] The ocean plan must develop a process for collecting and incorporating new information into the ocean management plan on an ongoing basis. The Act mandates that the ocean plan will "adapt to evolving knowledge and understanding of the ocean environment". It will therefore be essential to articulate in the ocean management plan a process for ongoing data collection, research and monitoring with which to update the plan.

6.] Lastly, we want to stress the importance of making the development of the ocean plan as open and transparent as possible. The Act mandates that the plan shall, "encourage public participation in decision making" and, "develop and implement a public outreach and information program to provide information to the public regarding the ocean management planning process". Ensuring that the public is involved at each step of this process is critical. We want to commend the state and the Massachusetts Ocean Partnership for developing the website to enable citizens to submit comments and view prior public listening sessions. This reinforces the state's commitment to make this process open and transparent. Continuing to engage and include the public as the ocean plan moves forward is critical. It is also important to make all documents and data developed throughout this process open to the public. For example, the reports developed by the Six Working Groups should be available for public review. Additionally, we also look forward to the second round of listening sessions once the draft ocean plan is developed.

As the first state in the nation to develop an ocean management plan, Massachusetts has the opportunity to lead by example, create a model for other states, and protect its ocean resources while allowing for environmentally sustainable development.

Thank you for this opportunity to provide comment. We look forward to continuing to work with the state in the coming months to bring the plan to fruition.

Sincerely,



Jack Clarke  
Mass Audubon



Warner Chabot  
Ocean Conservancy



Matthew Boger  
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Priscilla Brooks  
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Steve Long  
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