



Summary of Draft Ocean Management Plan Issues

1. Identification and Protection of Special, Sensitive or Unique (SSU) Marine and Estuarine Life and Habitat:

The Commonwealth has identified several categories of SSUs and proposed a new MEPA Review Standard (“Avoid or demonstrate that there is no less damaging practicable alternative, or demonstrate that data does not accurately characterize resource or use,” DMP Vol. 1, page 4-6).

- Does this provide *any* added protection beyond existing MEPA review?
- What level of protection does the Plan provide if an activity/project does not trigger the MEPA threshold?
- How are specific SSU resources brought to bear on specific uses? What is the basis for these decisions? For example, areas of hard/complex seafloor are considered as exclusionary criteria for pipelines but not for wind energy facilities.
- Did the plan capture all SSUs? What SSU information is missing or insufficient to be used? Are there other factors that should be considered in identifying SSUs? Are the SSU boundaries appropriately defined?

2. Promotion of Renewable Energy:

The Commonwealth has identified areas for commercial and community scale wind projects, provisional wind areas, proposed tidal energy project areas, and the proposed Marine Renewable Energy Center area, and the Plan proposes threshold requirements (such as local community support and direct local economic benefit) for at least some of these projects.

- How does this compare to the siting of renewable energy on land, both in terms of process and outcomes?
- How do we define “direct economic benefit” and “host community support”? (e.g., what if the local Board of Selectmen supports a project but the Planning Board or Conservation Commission is opposed)?
- How was the 10 turbine limit chosen as the factor defining commercial versus community scale wind projects?
- Is a community scale wind limit of 10 turbines per regional planning district reasonable or too limiting?
- Is 2% of the Commonwealth’s ocean territory for commercial scale wind enough to meaningfully contribute to the clean energy targets set forth in

the Green Communities Act, Patrick Administration wind energy goals, etc.?

- The draft plan identifies several “provisional wind energy areas” but indicates that these areas are not currently being proposed for wind projects. Does this make sense?
- Should the plan specify the number of test/demo/pilot renewable energy projects that will be allowable in each area at any given time? How long should such projects be permitted to be installed?

3. Role of Regional Planning Agencies (RPAs):

The draft Ocean Management Plan establishes an important role for the RPAs. For example, in the siting of community wind projects, the Plan establishes a fixed cap of 10 turbines within each coastal area represented by an RPA to be allocated in a manner to be determined by individual RPAs.

- How will RPAs control where community wind projects are located, or will this happen on a first-come, first-served basis driven by project proponents?
- Will RPAs that currently have regulatory authority play a different role in community and commercial offshore wind development than those that do not have regulatory authority?

4. Use of Data:

The Commonwealth has identified and employed a range of data used in the development of the draft Massachusetts Ocean Management Plan (for a complete list, see Vol. 1, Appendix 4).

- What data sets were excluded from the draft Management Plan and why?
- How will new data be used to update plan? The Mass Oceans Act requires the plan to be updated every five years – how will new data be integrated into plan between the five year intervals?
- How will local knowledge be incorporated into the plan? What standards will be applied to ensure its integrity?

5. Balancing Ocean Development and Environmental Protection:

The draft Plan attempts to address a fundamental challenge: “the ocean is a public trust resource, and the Commonwealth must effectively manage the protection and use of its waters on behalf of the public for the benefit of current and future generations” (Executive Summary, Vol. 1, page i).

- Does the draft Ocean Management Plan strike the right balance between ocean development and environmental protection?
- Are existing uses such as recreational and commercial fishing, recreational boating, and shipping recognized sufficiently in the plan?

6. Management Implications for Specific Activities:

The draft Ocean Management plan establishes different management requirements for all uses allowable under the Ocean Sanctuaries Act, including sand and gravel for beach nourishment, aquaculture, cables and pipelines, pilot/community scale wind energy facilities and wave and tidal energy facilities.

- How will the draft Ocean Management Plan regulate activities not included above, such as the non-pipeline related aspects of offshore LNG facilities or dredging?
- Is it sufficient for the draft Plan to manage these ocean development activities by addressing their component parts individually or should there be a cumulative impact assessment incorporated into the Plan?

7. What regulations will be needed to implement, administer and enforce the Ocean Management Plan and what is the process for developing and implementing those regulations?