



The International Business Alliance
for Corporate Ocean Responsibility

Ocean Industries and Marine Planning 2016

Abstract

Marine planning (marine spatial planning/MSP) is under development as a viable tool to address potential user conflicts in the oceans and allow for better management of ocean uses and resources. With marine planning developing in many parts of the world, especially the E.U., U.S. and Australia, it is important for industry to be part of the creation of a shared vision for a marine area, the discussion regarding whether or not to pursue a planning or other improved management effort, and the necessary elements (e.g., outreach, funding, boundaries) of such an effort. World Ocean Council, with funding from the Gordon and Betty Moore Foundation, undertook a project to inform and, as appropriate, engage a diverse range of ocean industries on marine planning and encourage the use of credible science and risk assessment. With information gathered through literature reviews, case studies, interviews, and outreach, this paper presents potential benefits of and concerns regarding marine planning from the ocean business perspective. It also offers considerations for industry to consider its role in marine planning and for planners on how and why to engage the private sector.

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Introduction

Balancing multiple uses of the ocean requires addressing the cumulative impacts of a diverse range of activities. Understanding the cumulative pressures resulting from the various uses and how these will evolve in the future is important, as these pressures will have impacts in specific areas of the ocean, may create conflicts among users, and may affect the suite of benefits humans can expect from the ocean.

Marine planning (also called marine spatial planning, maritime spatial planning, ocean planning and MSP) is under development as a viable tool to address these potential conflicts and allow for better management of uses and resources. While marine planning can mean different things to different user groups and in various contexts, it is generally defined as a process of identifying and analyzing the spatial and temporal distribution of human activities in specific marine areas to achieve ecological, economic, and social objectives.¹ The use of “marine planning” in this paper includes both statutory and voluntary processes to address specific conflicts and space challenges or to implement an overall vision for the long-term use of ocean space. These processes are usually, but not always, led by government and often are driven by non-government interests.

With marine planning developing in many parts of the world, especially the E.U., U.S. and Australia, it is important for industry to be part of the creation of a shared vision for a marine area, the discussion regarding whether or not to pursue a planning or other improved management effort, and the necessary elements (e.g., outreach, funding, boundaries) of such an effort. World Ocean Council,² with funding from the Gordon and Betty Moore Foundation, undertook a project to inform and, as appropriate, engage a diverse range of ocean industries on marine planning and encourage the use of credible science and risk assessment.³ The project identified industry sectors and business categories⁴ and researched the effect of marine planning on ocean businesses and how the private sector may engage in marine planning.⁵ With information gathered through literature reviews, case studies, interviews, and outreach, this paper presents potential benefits of and concerns regarding marine planning from the ocean business perspective. It also offers considerations for industry to consider its role in marine planning and for planners on how and why to engage the private sector.

¹ UNESCO Marine Spatial Planning Initiative (2015), available at http://www.unesco-ioc-marinesp.be/marine_spatial_planning_msp.

² The World Ocean Council brings together the multi-sectoral ocean business community to catalyze global leadership and collaboration in ocean sustainability and corporate ocean responsibility. More information is available at <http://www.oceancouncil.org/>. WOC thanks its members, especially those on the WOC Marine Spatial Planning Working Group, and its partners who contributed time, information, and reviews of this document.

³ The Gordon and Betty Moore Foundation had no role in the research, interviews or analysis, nor in the writing of this paper. More information on the Foundation is available at <https://www.moore.org/>.

⁴ See Table of Industry Sectors and Business Categories in Appendix 1, page 19. This table was used solely as a reference when working in regions to assist in identifying key industry sectors and businesses.

⁵ Information contained herein is for informational purposes only and has been compiled in good faith. Reference to a document or statement does not indicate WOC endorsement.

Setting Context

When it comes to the relationship of marine planning to industry, it is more complex than a list of pros and cons. The diverse nature of ocean industries yields a variety of perspectives on marine planning, some based on participation in marine planning and others based on experiences with management and regulatory regimes, trying to establish a new industry or trying to maintain a traditional one. In addition, most industries have a variety of experiences with governmental processes and with other stakeholders or private sector users. There is no silver bullet answer to private sector engagement in marine planning; like other processes and users, developing trust in the process and parties, creating and maintaining transparency, and finding common ground takes time, effort, and resources.

This paper does not attempt to cover the perspective of every ocean business in every region across the globe; rather, it offers considerations across a broad spectrum to present a range of potential benefits to industry to become involved in marine planning and to offer marine planners a greater awareness of the interests and concerns of private sector ocean users. Given the diversity of uses and users, the size and interconnectedness of ocean companies, the scales at which they operate, and differing lengths of time operating in the marine environment, industry perspectives on MSP differ greatly. Some regions and sectors prefer the use of marine planning while others use marine spatial planning or maritime spatial planning and MSP. International businesses operating in many oceans and seas may approach MSP differently in one region than another; e.g., a business may be part of an MSP approach in Europe but cautious about the evolution of MSP in other parts of the world.

This paper does offer some management practices based on discussions and simulations;⁶ however, it does not attempt to replace the wealth of academic research which analyzes marine planning and offers step-by-step guides for marine planning processes.⁷ Rather, the paper intends to add value to the existing research by presenting information gleaned from existing marine planning processes and private sector discussions that can be of use to marine planners and ocean users.

⁶ See Appendix 2, page 20, for management practices developed as part of a U.S. South Atlantic Simulation (2015) and Appendix 3, page 23, for considerations developed as part of an MSP in the North Sea Region webinar (2016).

⁷ For a series of perspectives that also show the broad nature of academic research, see Wesley Flannery, Geraint Ellis, Geraint Ellis, Wesley Flannery, Melissa Nursey-Bray, Jan P. M. van Tatenhove, Christina Kelly, Scott Coffen-Smout, Rhona Fairgrieve, Maaïke Knol, Svein Jentoft, David Bacon & Anne Marie O'Hagan, *Exploring the winners and losers of marine environmental governance/Marine spatial planning: Cui bono?/"More than fishy business": epistemology, integration and conflict in marine spatial planning/Marine spatial planning: power and scaping/Surely not all planning is evil?/Marine spatial planning: a Canadian perspective/Maritime spatial planning – "ad utilitatem omnium"/Marine spatial planning: "it is better to be on the train than being hit by it"/Reflections from the perspective of recreational anglers and boats for hire/Maritime spatial planning and marine renewable energy*, PLANNING THEORY & PRACTICE, 17:1, 121-151 (2016), available at <http://dx.doi.org/10.1080/14649357.2015.1131482>.

Establishing what Marine Planning is... and isn't

Marine planning means different things to different user groups: e.g., it may be statutory or voluntary and it may focus on high-level objective and vision setting or it may be spatially prescriptive. It is important to define an effort with stakeholder involvement early in its process. Whatever approach is taken should be fit for the purpose and the environment (cultural, political, environmental) in which it is to be applied.

A number of entities (public and private) state that they have been conducting marine planning/MSP for years or even decades. For example, is Integrated Coastal Zone Management (ICZM) the equivalent of marine planning as it is being designed and implemented today? Or, is it an evolution of ICZM with cutting-edge technology? Is any good planning process that happens to occur in the marine area included as marine planning or MSP? These questions may be more relevant to some users than others; however, it does highlight the need to define marine planning from the beginning of a process to build a united planning effort and to avoid these questions plaguing the process throughout.

Finally, marine planning - or a finalized/adopted marine plan - cannot eliminate all conflicts. Even when a planning process is undertaken with industry as a partner, using existing entities and management tools, conflict and overlapping interests in ocean space will continue. Rather, marine planning provides a mechanism for addressing conflicts as a tool that can evaluate trade-offs among competing uses, users and finite resources and show trade-offs made during the decision making process. Marine planning may anticipate positive or negative consequences of a plan's implementation such as displacing fisheries, adding costs for industrial users or reducing user conflicts. A thorough planning process can be designed to include methods to mitigate those consequences through trade-off analysis, scenario development and/or stakeholder engagement.⁸

Potential Value of Marine Planning to Ocean Businesses

As marine planning has evolved in recent years, there has been increased discussion of the potential benefits of marine planning for the private sector. For example, the Coral Triangle Initiative identified the following hypothetical economic, environmental, social and administrative benefits of marine planning for its region.⁹

⁸ Charles N. Ehler, A GLOBAL REVIEW OF MARINE SPATIAL PLANNING (2012).

⁹ Coral Triangle Initiative, AN INTRODUCTION TO MARINE SPATIAL PLANNING at 23 (2013), available at http://www.coraltriangleinitiative.org/sites/default/files/resources/6_An%20Introduction%20to%20Marine%20Spatial%20Planning.pdf.

Table I. Examples of the Potential Benefits of MSP in the Coral Triangle

Economic	• Increased certainty of access to desirable areas for new private sector investments, where infrastructure is frequently amortized over 20-30 years
	• Identification and early resolution of conflicts among incompatible uses through planning instead of litigation
	• Streamlined and more transparent permit and licensing procedures
	• Improved capacity to plan for new and changing human activities, including emerging technologies and their associated effects
Environmental	• Identification of ecologically and biologically significant areas as a basis for space allocation
	• Establish context for planning a network of marine protected areas
	• Identification and reduction of the cumulative effects of human activities on marine ecosystems
Social	• Improved opportunities for local community and citizen participation in planning
	• Identification of effects of decisions on the allocation of ocean space (e.g., closure areas for certain uses, protected areas) on communities
	• Identification and preservation of social, cultural and spiritual values related to use of ocean space
Administrative	• Improve speed, quality, accountability, and transparency of decision making and reduction of regulatory costs
	• Improve consistency and compatibility of regulatory decisions
	• Improve information collection, storage and retrieval, access and sharing

Similarly, the East Inshore and East Offshore Marine Plans,¹⁰ the first marine plans to be developed in the U.K., included a 2014 report presented anticipated impacts on various uses in the region.¹¹ Overall, the Marine Management Organisation noted that the plan would “enable sector growth that would not occur at the same levels in the absence of marine plans by”:

- Increasing certainty in what sort of developments are likely to gain consent and where, making potential developments more attractive to investors;
- Reducing transaction costs incurred by businesses that may arise in the absence of the clarity afforded by the marine plans;
- Signposting to help ensure that developments mitigate negative impacts on each other thus avoiding the administrative and frictional costs that arise from conflict between sectors;
- Signposting the need to consider activities which fall outside of existing licensing or management measures (e.g. some marine recreation activities) by highlighting the

¹⁰ Marine Management Organisation, *EAST INSHORE AND EAST OFFSHORE MARINE PLANS* (2014), available at <https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans>.

¹¹ Marine Management Organisation, *Analysis of the East Inshore and East Offshore Marine Plans* (2014), available at http://www.marinemanagement.org.uk/marineplanning/areas/east_plans.htm.

importance of co-location and the issue of displacement, contributing to the growth of these smaller sectors alongside the larger industries; [and,]

- The inclusion of policies signposting fledgling sectors/technologies and encouraging consideration by other sectors of areas which might be needed for these fledgling sectors/technologies in the future (e.g. Carbon Capture Storage and Wave Energy).

While many planning efforts anticipate benefits, there are only a few planning processes or plans that are mature enough to evidence significant industry-focused benefits.¹² At this time, the potential values of marine planning to industry are speculative for several reasons. First, marine planning can take years (or decades) to be implemented and evaluated. There are few examples of marine planning efforts that have made the transition to implementation and fewer still that have been sustained long enough to generate social, economic and environmental impacts at a significant scale. Evidence of benefits may increase over time as plans mature and plan implementation is evaluated. Second, implementation differs across industries. What might be a benefit to a traditional industry that has been operating for decades in the ocean may be a hindrance to the emergence of a new industry.

Also, the range of opportunity costs for different sectors can be difficult to identify and analyze. The marine environment provides some benefits to specific sectors that can be easily valued (e.g., shipping, oil and gas, fisheries, recreation, etc.). Other benefits from oceans reach a broader group of people, often through indirect pathways not as easily valued (e.g., provision of life support systems, climate regulation, protection of coastal communities from storms and sea level rise, biodiversity, and cultural and aesthetic values).

Finally, in complex environmental and social systems where marine planning is used, it is difficult to distinguish what outcomes result from a single initiative, such as a marine plan or planning process, because other factors are at play. As such, marine planning is likely to be a contributor to a set of outcomes rather than the sole source of results. Even with these caveats, potential values have emerged over the last 10-15 years of marine planning that have shown to be of some benefit to industry either at the planning stage or implantation stage. This paper offers the following values as potential benefits of an integrated marine planning approach to ocean industries and, in turn, marine regions:

- Identify and develop data sources
- Streamline regulatory/permitting processes
- Address User and Resource Conflicts
- Increase balanced management approach
- Reduce investor uncertainty
- Efficiently use public and private funds

The following sections elaborate on these potential benefits.

¹² A 2015 study noted “Of the 59 possible case study plans, fewer than half have been approved and implemented and the vast majority of those that have only have a few years of results.” Jason Blau and Lee Green, *Assessing the Impact of a New Approach to Ocean Management: Evidence to Date from Five Ocean Plans*, 56 *Marine Policy* at 7 (2015), available at <http://www.sciencedirect.com/science/article/pii/S0308597X15000299>.

Identify and Develop Data Sources

With significant technological advances, tools such as data portals or marine planning data registries can make data easier to access and more reliable for stakeholders and governments. During marine planning or a similar effort, existing spatial data can be compiled and shared and stakeholders can collectively identify data gaps to establish a baseline from which to work. While marine planning is not just about producing maps, maps help recognize and visualize the patterns and processes that occur in time and space. Marine planning may encourage the mapping of important biological or ecological areas in time and space (such as fish spawning areas) and areas of special economic interest to human activities (such as areas of sustained winds or mineral deposits). While geospatial information systems and decision support technologies are only tools for analysis and planning - not ends in themselves - having a summary of existing information in geospatial form can enable planners and stakeholders to look at multiple layers and recognize overlaps in resources, demands, and products.¹³ This type of information can reveal existing data and information gaps and also direct and inform research and development in both the public and private sectors.

Other potential benefits related to data can include an agreement to further develop, improve and maintain data sharing platforms and initiatives, improve standardization in data sharing and provide access to data needed for users and other stakeholders.¹⁴ For example, the EU Marine Strategy Framework Directive includes a number of requirements to collect information on habitats and pressures impacting on them. It calls for comparability of special data including the ranking and prioritization of data collection.¹⁵ Similarly, in preparation for the development of marine planning in Scotland, the Scottish government piloted the Scottish Sustainable Marine Environment Initiative. The Shetland Islands' Marine Spatial Plan was the first plan developed. It incorporated spatial data on environmental, socio-economic and cultural features and activities into the decision making process. This required collecting and collating 127 data sets from a range of data sources and utilized local users to verify information. The data was used by the government to develop spatially-specific policies to guide future development and by developers and decision makers in planning and assessing areas for development, minimizing potential conflicts.¹⁶

¹³ World Ocean Council, The Nautical Institute, and The International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA), *THE SHIPPING INDUSTRY AND MARINE SPATIAL PLANNING: A PROFESSIONAL APPROACH* available at <http://www.nautinst.org/en/forums/msp/>.

¹⁴ Emiliano Ramieri, Elisa Andreoli, Angiola Fanelli, Giovanni Artico, Roberto Bertaggia, *METHODOLOGICAL HANDBOOK ON MARITIME SPATIAL PLANNING IN THE ADRIATIC SEA* (2014), available at <http://www.shape-ipaproject.eu/download/listbox/WP4%20action%204.5/Methodological%20Handbook%20on%20Maritime%20Spatial%20Planning%20.pdf>.

¹⁵ Mette Blaesbjerg, Janet Pawlak, Thomas Kirkorensen, Ole Vetergaard, *MARINE SPATIAL PLANNING IN THE NORDIC REGION: PRINCIPLES, PERSPECTIVES AND OPPORTUNITIES* at 34 (2009).

¹⁶ Rachel Shucksmith, Lorraine Gray, Christina Kelly, Jacqueline F. Tweddle, *Regional Marine Spatial Planning – The Data Collection and Mapping Process*, 50 *Marine Policy* 1 – 9 (2014), available at <http://www.sciencedirect.com/science/article/pii/S0308597X14001420>.

Streamline Regulatory/Permitting Processes

Ideally, marine planning should not lead to more "blue tape."¹⁷ In many planning processes, the goal may be to reduce regulations and/or make regulatory processes more efficient. Some recent examples of marine planning reveal that existing entities and regulations are sufficient and enable planners and users to work with familiar entities and regulations. Rather than developing new regulations, the planning processes sought out ways to identify and reduce redundant requirements for data collection and environmental impact reviews.

Rhode Island's Ocean Special Area Management Plan (SAMP) provides an example of a streamlined regulatory approach resulting from marine planning.¹⁸ Near the end of the planning process, the federal agency NOAA approved the state's extended consistency review over federal waters under the Coastal Zone Management Act.¹⁹ As a result, the SAMP is applied out to 30 miles off the coast and users know what regions are zoned for their proposed use. By following the SAMP, specific uses receive expedited reviews through the state's Coastal Management Plan. Because SAMPs had been in use in Rhode Island for thirty years, the process was familiar to agencies and stakeholders. Use of existing planning tools like this has advantages; to use the existing range of well-understood, and statutorily-authorized planning tools available to governmental agencies allows the planning process to proceed on an existing foundation of trust in a process. This must be balanced with understanding the history of conflict with existing mechanisms or agencies and accentuating transparency in the planning process.

In addition, Portugal, one of the first EU states to have legally binding MSP instruments, is using a new simplified licensing strategy and developing an online "one-stop-shop" similar to the United Kingdom.²⁰

Address User and Resource Conflicts

It is important to be realistic that marine planning cannot always produce "win-win" results.²¹ Many marine plans allocate marine spaces to specific uses (wind farms, marine reserves, pipeline corridors) or goals (development areas, protected areas, security areas). As space is allocated, some uses may be compatible with others while some uses will preclude others. It is important to users that planning measures are evaluated for their effectiveness in achieving management objectives, their efficiency and their equity before implementation. For example, there are discussions regarding marine planning in the EU as a result of it

¹⁷ Charles N. Ehler, *13 Myths of Marine Spatial Planning*, 5:5 Marine Ecosystems and Management at 5 (Apr-May 2012), available at <http://depts.washington.edu/meam/MEAM24.pdf>.

¹⁸ The text of the Ocean SAMP is available at <http://seagrant.gso.uri.edu/oceansamp/>.

¹⁹ 16 USC §§ 1451-1465 (2015).

²⁰ See Vasco Becker-Weinberg, *Portugal's Legal Regime on Marine Spatial Planning and Management of the National Maritime Space*, 61 Marine Policy 46-53 (2015).

²¹ Charles N. Ehler, *13 Myths of Marine Spatial Planning*, 5:5 Marine Ecosystems and Management at 5 (Apr-May 2012), available at <http://depts.washington.edu/meam/MEAM24.pdf>.

prioritizing the development of the North Sea Supergrid²² and noting it as a top priority.²³ The Supergrid has the technology and scale to harness Europe's offshore wind in the North Sea and deploy that energy on land where there are gaps in a country's or continent's energy capacity. A group of industry leaders joined together in 2010 to form The Friends of the Supergrid to promote the policy agenda for a Supergrid in Europe. By joining together, industries that represent the entire supply chain for this energy can help to shape the marine planning conversation going forward.²⁴

Increase Balanced Management Approach

By most definitions, marine planning is multi-objective planning: it typically seeks to integrate and balance economic, social, and environmental objectives through its integrated plan. To achieve the necessary balance among goals and objectives, active stakeholder participation is necessary throughout the process. Without the presence of industry, a marine plan will likely emerge as an unbalanced approach. As shown in the Oregon Territorial Sea Plan, given the significant economic contribution of the fishing industry to the state and its coastal communities, Oregon planners acknowledged the importance of ensuring the fishing community's participation.²⁵ Similarly, devising a plan to develop the North Sea Supergrid without the energy and cable companies involved would not yield the desired well-informed and balanced process.²⁶

The timing of stakeholder engagement can be an important factor in a marine planning process. Industries often rely on associations to monitor planning and regulatory activities; thus, associations are ideal to engage early in the process. However, when the time comes that more specific discussions are taking place or when there may be specific regulatory impacts, individual companies need the opportunity to represent their specific interests.²⁷

²² The Supergrid is a pan-European transmission network facilitating the integration of large-scale renewable energy and the balancing and transportation of electricity with the aim of improving the European market. The political declaration of the North Seas Countries Offshore Grid Initiative was signed on December 7, 2009 at the European Union Energy Council. The declaration was signed by Germany, United Kingdom, France, Denmark, Sweden, Netherlands, Belgium, Ireland and Luxembourg. For an industry perspective on the Supergrid, Friends of the Supergrid is available at <http://www.friendsofthesupergrid.eu/about/what-is-the-supergrid/>.

²³ Mark Latham, *EU Set to Pledge Billions in Support of 'Top Priority' North Sea Supergrid*, The Herald Scotland, July 18, 2015 available at http://www.heraldscotland.com/business/13463812.EU_set_to_pledge_billions_in_support_of_top_priority_North_Sea_supergrid/.

²⁴ For more information on considerations in the North Sea Region, see Appendix 3, page 23.

²⁵ Email with Paul Klarin, Oregon Department of Land Conservation and Development, Nov. 26, 2014.

²⁶ Ken Connell and Phil Osborne, *Industry Led/Community Based Marine Spatial Planning in the Southwest Washington*, presented at NATIONAL BUSINESS FORUM ON MARINE SPATIAL PLANNING (2011), available at <http://www.oceancouncil.org/site/pdfs/2.1d%20Connell%20WEST%20COAST.pdf>. The Forum Summary document is available at <http://www.oceancouncil.org/site/pdfs/WOC%20National%20MSP%20Forum%20July%202011%20-%20Report%20FINAL.pdf>.

²⁷ See outcomes from the South Atlantic Simulation, Appendix 2, at page 20 and the MSP in the North Sea webinar, Appendix 3, at page 23.

Reduce Investor Uncertainty

A long-term view is essential to provide certainty and confidence to marine industries, particularly where significant long term capital investment is required. In the United Kingdom, the marine aggregate sector, whose materials are used for construction and coastal defense, supports the adoption of marine plans for particular areas.²⁸ The industry's rationale is based on the fact that replacement value for the British marine aggregate dredging fleet is >£1 billion and significant investment will be required over the next decade. As access to and security of commercially suitable marine sand and gravel resources is central to the sector's long-term viability, the confidence and certainty provided by a robust and fair marine planning regime can support these investment decisions. A caveat is that the certainty only lasts over the time period of the plan (for example, five years) after which it is usually reviewed. While this is an effective adaptive management part of planning, it can lead to uncertainty for industry and investors. Thus, a well-formed and implemented plan can bring strategic and economic certainty for areas where particular activities may take place where conditions have been met to make that happen.

Efficiently Use Private and Public Funds

Given the youth of marine planning, little data exists in terms of its overall cost. However, in comparing the cost of planning to the cost of delay and litigation as a result of user conflicts, several examples show that planning can provide a more efficient use of government and private sector funds. Planning efforts by single-sector agencies often carry out duplicative research and data collection with each other that could be reduced through integrated planning across agencies. With agreement reached in Rhode Island about the placement of wind farms, funds were focused on data gathering and stakeholder outreach rather than redundant permit applications and reviews. This is compared to the multi-year litigation that stifled renewable energy development next-door in Massachusetts.²⁹ Similarly, in Germany, an environmental assessment for a wind farm permit costs about U.S. \$1.4 million to prepare. Because the national government prepared a "strategic environmental assessment" for its marine spatial plans that includes the designation of priority areas for wind farms, costs of preparing and reviewing permits proposed in a pre-approved area have been reduced or eliminated.³⁰

Some research indicates that the biggest gains in economic terms went to new users.³¹ For example, wind farms, especially in Belgium and Rhode Island, saw an economic gain because space was carved out for them. According to this study, incumbent industries retained annual economic returns but did not significantly increase them. The study found that losses were concentrated in the fisheries sectors; in general, plans with negative impacts compensated fisheries. For example, in Australia, \$210 million was allocated for

²⁸ Mark Russell, *Marine Plans: A Marine Aggregate Industry Perspective* in Marine Developments Blog (Apr. 2, 2014) available at <https://marinedevelopments.blog.gov.uk/2014/04/02/marine-plans-aggregate-industry/>.

²⁹ A summary of the 10+ year Cape Wind Energy Project application process is available at <http://www.boem.gov/Renewable-Energy-Program/Studies/Cape-Wind.aspx>.

³⁰ Jason Blau and Lee Green, *Assessing the Impact of a New Approach to Ocean Management: Evidence to Date from Five Ocean Plans*, 56 Marine Policy at 2 (note 30) (2015), available at <http://www.sciencedirect.com/science/article/pii/S0308597X15000299>.

³¹ Id. pp. 1 – 8.

compensation and training for new skills.³² Finally, another study assessed potential conflicts among offshore wind energy, commercial fishing and whale watching sectors in Massachusetts and analyzed the potential value of wind farm designs that minimized conflict among these sectors.³³ According to the model, it would be possible to develop plans that saved the fishing and whale watching sectors significant resources while also generating extra value for the energy sector over 27 years.

In addition, the eleven countries of the Baltic region do not have the same economic strengths and need help in attracting and securing investments. In this situation, an effective planning process can encourage cooperation between countries in order to secure sufficient funding. Coordination between regional policy makers such as the HELCOM (Baltic Marine Environment Protection Commission – Helsinki Commission) secretariat and funding institutions such as European Investment Bank (EIB) are an example of public-private partnerships. Similarly, the Baltic Sea Action Plan Fund provides grants to projects that support the implementation of the HELCOM Baltic Sea Action Plan (BSAP).³⁴

Industry Concerns regarding Marine Planning

As noted above, there are few marine planning processes or plans that are mature enough to provide clear costs or benefits. Some claimed benefits of marine planning come from efforts that do not meet the standard definition; rather, they come from good planning efforts that happen to be located in the marine environment. Caution needs to be employed in research and analysis of marine planning to ensure that cases in which an ineffective process is replaced with a more effective process is not automatically defined as marine planning. While these examples may apply to a specific geographic area, it is not clear that they were “marine planning” processes as the field uses the term. When good planning in the oceans occurs, it may not necessitate the label of marine planning after the fact. The label itself may inject uncertainty and potentially unnecessary controversy (especially in the U.S. where the term can be divisive), distracting from otherwise good planning efforts.

With that backdrop, this section provides some limits to and private sector concerns regarding marine planning including:

- Increased Regulatory Complexity/Burden
- Authority
- Scale of Decision-Making

³² Id. at 3-4 (see Figure 1).

³³ Crow White, Benjamin S. Halpern and Carrie V. Kappel, *Ecosystem Service Tradeoff Analysis Reveals the Value of Marine Spatial Planning for Multiple Ocean Uses*, 109:12 Proceedings of the National Academy of Sciences (Mar 20, 2012), available at <http://www.pnas.org/content/109/12/4696.full.pdf>.

³⁴ Information on the Baltic Sea Action Plan is available at <http://helcom.fi/baltic-sea-action-plan>.

- Stakeholder Engagement
- Discrimination in Uses
- Data and Mapping
- Conflicts

Increased Regulatory Complexity/Burden

A significant driver of concerns regarding marine planning is the possibility of significant change in current regulatory or policy structures or an increased regulatory burden. The introduction of a new decision-making body or complex process can introduce uncertainty, delay, and negative economic effects for businesses and communities. During a marine planning process, which can last many years, industry must also engage in existing sectoral processes; this requires an up-front commitment of funds, time and effort to meet existing requirements while also participating in a process with speculative future benefits. Industries (as well as other stakeholder groups) already are engaged in robust notice and coordination processes with international bodies, Federal and state governments and the public. Thus, it is important to clarify the relationship of a planning or similar process within the existing regulatory structure. For example, if a permit application is submitted to an agency currently engaged in marine planning but prior to the completion of a plan, how might the marine planning process affect the agency's decision? Also, if a plan is adopted prior to the permitting decision, how might the plan affect the agency's decision? As businesses are often planning years to decades ahead, understanding the impact of a marine planning process or the adoption of a plan is important.

Similarly, new or increased regulations as a result of marine planning are a concern for ocean industries. For example, in the U.S., pursuant to the National Ocean Policy,³⁵ regional ocean planning efforts under the Policy and Regional Planning Bodies are to be implemented by federal agencies to the maximum extent, including through regulations where necessary.³⁶ While new regulations may not be a stated goal of a marine planning

³⁵ Executive Order for Stewardship of the Ocean, Our Coasts, and the Great Lakes, July 19, 2010, available at <http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf>.

³⁶ See Executive Order for Stewardship of the Ocean, Our Coasts, and the Great Lakes, July 19, 2010, available at <http://www.whitehouse.gov/files/documents/2010stewardship-eo.pdf>, Section 6 ("All executive departments, agencies, and offices that are members of the [National Ocean] Council and any other executive department, agency, or office whose actions affect the ocean, our coasts, and the Great Lakes shall, to the fullest extent consistent with applicable law...[p]articipate in the process for coastal and marine spatial planning and comply with Council certified coastal and marine spatial plans, as described in the Final Recommendations and subsequent guidance from the Council."); Final Recommendations of the Interagency Ocean Policy Task Force, July 19, 2010, available at http://www.whitehouse.gov/files/documents/OPTF_FinalRecs.pdf, Pages 47, ("Where pre-existing legal constraints, either procedural or substantive, are identified for any Federal agency, the NOC would work with the agency to evaluate necessary and appropriate legislative solutions or changes to regulations to address the constraints. In the interim, agencies would comply with existing legal requirements but should endeavor, to the maximum extent possible, to integrate their actions with those of other partners to a CMS Plan."); 61-62 ("...State and Federal regulatory authorities would adhere to, for example, the processes for improved and more efficient permitting, environmental reviews, and other decision-making identified in the CMS Plan to the extent these actions do not conflict with existing legal obligations. State and Federal authorities with programs relevant to the CMS Plan would in a timely manner review and modify programs, as appropriate, to ensure their respective activities, including discretionary spending (e.g., grants and cooperative agreements), adhere to the CMS Plan to the extent possible. State and Federal agencies would also be expected to formally incorporate relevant components of the CMS Plan into their ongoing operations or activities

effort, it is a reality that governmental agencies may need to update regulations or conform new regulatory actions in order to be consistent with a marine plan. Whether those new or updated regulations contain additional burdens will depend upon the industry, region, process and plan. Given the consequences a marine plan may have on regulation, without authority from the relevant legislative body or conformity with other regulatory processes, any subsequent regulations would invite significant legal risk and uncertainty.

Authority

From the start, planners, users and other stakeholders need to understand the legal authority that is the basis for a marine planning or similar effort. For example, in the U.S. a significant concern for industry is that marine planning, as designated under the National Ocean Policy, lacks congressional authorization. It is mandated for federal agencies through a 2010 Executive Order.³⁷ Concerned stakeholders note that statutory authority would create and maintain a more sustainable management approach to ocean and coastal policy and planning.³⁸

In marine regions that are subject to jurisdictions of many nations, such as the North Sea, understanding and acknowledging legal structures at both a domestic and international level is essential.³⁹ The North Sea has seven bordering countries, “each with their own spatial claims, cross-cutting ecosystem boundaries, an array of user groups, different governing systems, a shortage of cross-boundary mechanisms for settling disputes, and pressing demands for environmental protection.”⁴⁰ Except for Norway, all of the countries are within the European Union and have existing institutional frameworks, such as the OSPAR Convention and the Marine Strategy Framework Directive, under which to work.⁴¹ Many industries that work in the North Sea are international and must also work under these frameworks. Ensuring a marine planning or similar initiative is consistent with these international frameworks *and* domestic laws is essential.

consistent with existing law. This may be implemented in a variety of ways. For example, agencies could enter into memoranda of understanding (MOUs) to coordinate or unify permit reviews and decision-making processes. Where existing regulatory or statutory requirements impose constraints on the ability of an agency to fully implement the CMS Plan, the agency would seek, as appropriate, regulatory or legislative changes to fully implement the CMS Plan.”).

³⁷ Stewardship of the Ocean, Our Coasts, and the Great Lakes, Exec. Order No. 13,547, 75 Fed. Reg. 43023 (July 19, 2010), available at <https://www.whitehouse.gov/the-press-office/executive-order-stewardship-ocean-our-coasts-and-great-lakes>.

³⁸ H. Torres, F. Muller-Karger, D. Keys, H. Thornton, M. Luther and K. Alsharif, *Whither the U.S. National Ocean Policy*, 53 Marine Policy pp. 198-212 (March 2015), available at <http://www.sciencedirect.com/science/article/pii/S0308597X14003145>.

³⁹ S. Jay, Marine Space: Maneuvering Towards a Relational Understanding, 14:1 Journal of Environmental Policy and Planning 81–96 (2012).

⁴⁰ Svein Jentoft and Maaike Knol, *Marine Spatial Planning: Risk or Opportunity for Fisheries in the North Sea*, 13:1 Maritime Studies (2014), available at <http://www.maritimestudiesjournal.com/content/13/1/1>.

⁴¹ See OSPAR REGIONAL PLAN TO IMPROVE ADEQUACY AND COHERENCE OF MSFD IMPLEMENTATION 2014-2018 (November 18, 2014), available at http://www.ospar.org/site/assets/files/33141/ospar_regional_plan_action_msfd_imp-1.pdf.

Scale of Decision Making

Marine planning discussions are taking place at strategic levels on an international, regional and national basis. However, the ultimate decision of where to place a wind farm, marine protected area or shipping lane often depends on local debate. Determining the scale at which marine planning or a similar effort can operate is vital to its effectiveness. Most competing uses occur in nearshore waters (including state waters) whereas larger areas of the outer continental shelf are utilized by fewer stakeholders and may have few conflicts as a result. Some industry sectors question the need to create a system of governance for an area that does not have significant user conflicts, especially when law provides for an existing public process that allows input from the general public and industry.⁴²

Stakeholder Engagement

Some user groups have concerns over whether, when and how they will be invited to participate in the development and design of the marine planning process and in the process itself. When industries' concerns are solicited, there should be ample opportunity for comment and opportunities in the planning process for diverse perspectives to be heard and considered. Even though designing a robust stakeholder engagement process is challenging, many users (industry and others) see stakeholder engagement as the necessary starting point for marine planning. Stakeholders will be more invested in a process that begins with engaging stakeholders as partners to determine the need for and scope of a shared vision for the future of a marine region.⁴³ This requires thorough research to create a diverse and inclusive stakeholder group including existing, emerging, and future user groups. Establishing mechanisms for meaningful user group engagement (including but not limited to an advisory body or a role as equal partners) and a comprehensive stakeholder engagement and accountability strategy increases the likelihood that the process will occur with invested stakeholders. Specific skills and adequate time and funding are necessary to create opportunities and carry out effective stakeholder engagement.

Stakeholder engagement is a hallmark of effective marine planning but often is difficult to implement. Existing planning efforts and marine planning research consistently report that the participation of stakeholders is fundamental to marine planning to gather relevant environmental, economic, security, social, and cultural information.⁴⁴ Comprehensive stakeholder participation can inform marine plans through stakeholder expertise and perspectives, bring the best available science and information to the process, and ensure a full

⁴² See perspective of the National Ocean Industries Association: Randall Luthi, *U.S. Policies: Raising Red Flags Offshore*, Marine News (Oct. 16, 2013), available at <http://www.marinelink.com/news/policies-offshore-raising359866.aspx>

⁴³ See Comments of the National Ocean Policy Coalition submitted to the Mid-Atlantic Regional Planning Body, November 20, 2014, available at https://gallery.mailchimp.com/6bb66fed099f6eb4e4253667e/files/NOPC_Comments_to_MidA_RPB_11_20_14_.pdf.

⁴⁴ For more thorough analysis and guidance on designing a stakeholder engagement process, see: Intergovernmental Oceanographic Commission (Rachel Dahl, Ed.), *MARINE SPATIAL PLANNING: A STEP-BY-STEP APPROACH TOWARD ECOSYSTEM-BASED MANAGEMENT*, pp. 43-47 (2009), available at <http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf>; and, National Ocean Council, *MARINE PLANNING HANDBOOK*, pp. 8-11 (2013), available at https://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf.

understanding of the range of interests and interactions in each region. Stakeholder engagement also can inform those with an interest in the ocean about work in a region and offer opportunities to engage and comment on the direction, process, materials, and products involved.⁴⁵

For engagement to be as efficient as possible, planning entities seek to coordinate with existing regional governance, business and industry, academic, general public and other stakeholder organizations and networks. Existing models for stakeholder engagement show a variety of methods. For example, stakeholder engagement models from the U.S. Gulf of Mexico, Northeast, and Mid-Atlantic reveal the following.⁴⁶

- Industry engagement models include industry as part of an overall stakeholder group (such as the Mid-Atlantic Stakeholder Liaison Committee) or in its own group (such as the Gulf of Mexico Alliance Business Advisory Council).
- With any model, clear and consistent communications with the stakeholder group(s) is essential. Outreach to stakeholders without follow-up can create doubt in the planning entity and the overall process.
- Individual outreach in addition to more formal engagement mechanisms (as shown in the Northeast) may lend itself to building a solid foundation with industry, maintaining open lines of communication, and encouraging investment into the process.

While engagement will differ depending on the stakeholders and the region, engagement needs to be consistent with existing regulatory and public notice/comment processes. The more streamlined engagement can be, the more efficient the process will be for planners and stakeholders.

Discrimination in Uses

Many ocean industry sectors also seek a marine planning or similar process that is designed to avoid discrimination of uses; in other words, the process should provide opportunities for all users to have a “fair say.” It is possible that one or two uses can dominate the process, thereby defeating the goal of marine planning.

Individual uses and activities do not occur in a vacuum and decisions as to one use or a limited set of uses will invariably impact other uses. Thus, simultaneous consideration of all uses and resources is necessary and must remain a dynamic process in order to capture emerging and future uses. Industry may be more likely to constructively engage in planning processes that clearly recognize and value all existing and foreseeable potential future uses and resources in a non-discriminatory manner. The development of any ocean plan content should include fishing, boating, shipping, tugs and barges, oil and gas, renewable energy, pipelines,

⁴⁵ Planners also must take care to prioritize engagement of relevant stakeholders while not falling victim to a commitment to respond to all stakeholder queries in the age of “clicktivism” which can result in millions of automatically-generated emails being delivered in response to a proposal. See New South Wales Government Correspondence and Email Policy (2015), available at <http://www.nsw.gov.au/correspondence-and-email-policy>. The policy notes “the large volume of... email correspondence and not all correspondence requires a response.”

⁴⁶ See Appendix 4, page 26, for summaries of these regions’ outreach models.

ports, military, undersea cables, mining, and sand and gravel, among other uses leading to successful co-location of activities when possible.⁴⁷ A process that does not recognize the wider interaction of activities will miss potential benefits such as structures used in energy development and production creating habitat for coral and fish species.

Data and Mapping

Data and information is vital to marine planning and must be developed in the most comprehensive manner possible by analyzing ecological and economic resources and existing and potential future uses and opportunities in the marine area under consideration. To provide clarity in the collection and interpretation of data and preparation of maps, a planning process must accurately communicate the source of data and methodology used. In compiling and providing any data and information, a planning entity or agency can work closely with users to ensure that resources and existing and potential future uses are accounted for. Stakeholders must also trust that such data and information is based on sound science and compliant with applicable data and information quality laws, standards, and protocols. Industry and other user groups can be included in continuous opportunities to update the plan and incorporate new data and information, including on a real-time basis if appropriate.

Conflicts

User groups understand that marine planning will never accommodate every use in every location; there will be winners and losers. Presenting marine planning as solely “win-win” is not realistic and undermines trust between decision-makers and users. Marine planning can be used as a tool to quantify and evaluate trade-offs among competing uses, users and finite resources; in this way, marine planning can illustrate the effects of trade-offs made during the decision-making process and anticipate positive or negative consequences of a plan’s implementation such as displacing fisheries, adding costs for industrial users or reducing user conflicts. Processes can be included to identify ways to mitigate those consequences through trade-off analysis, scenario development, stakeholder engagement or dispute resolution.⁴⁸

Even with these concerns, many industry sectors recognize the need to engage in marine planning. For example, recognizing that marine planning is becoming an increasingly important issue for the shipping sector in recent years, The Nautical Institute and World Ocean Council published an operational guide to the risks and rewards connected with the shipping industry to be considered during a marine planning process. It encourages maritime professionals to engage with other users of ocean space from both a sea and shore perspective, and to take part in international, regional and local marine planning discussions to ensure the needs of the sector are considered.⁴⁹

⁴⁷ Randall Luthi, *U.S. Policies: Raising Red Flags Offshore*, Marine News (Oct. 16, 2013), available at <http://www.marinelink.com/news/policies-offshore-raising359866.aspx>.

⁴⁸ Charles N. Ehler, *A GLOBAL REVIEW OF MARINE SPATIAL PLANNING* (2012).

⁴⁹ The Nautical Institute and World Ocean Council, *The Shipping Industry and Marine Spatial Planning: A Professional Approach* (2013), available at <http://www.nautinst.org/en/forums/msp/>.

Conclusion

Marine jurisdictions are complex and can present a mix of local, provincial, national and international issues and sensitivities. While in most cases, the final decision on a marine plan will rest with the planning authorities who are responsible for balancing competing demands, industry has the power and capacity to address management if it is proactive in the process.

Within the diverse group of the world's ocean industries, there are a variety of perspectives on marine planning – its definition, need, use, evolution and implementation. Just as with the nonprofit ocean community or states/provinces/municipalities in a region, it is impossible to characterize a single set of recommendations or viewpoints. But, understanding the range of perspectives and considerations can help to move toward a shared vision, integrated planning process, or other similar effort that is more diverse, comprehensive and instrumental. Whatever form such a process may take, engaging business early within a clear and organized process is most useful, while using existing entities and management tools that are trusted.

More information on the WOC MSP Program is available at <http://www.oceancouncil.org/site/planning.php>.

Appendix 1:

Table of Ocean Industry Sectors and Business Categories

World Ocean Council - Ocean Industry Sectors & Business Categories							
Business Support and Professional Services	Energy and Mining	Marine Construction and Facilities	Marine Technology	Marine Transportation	Renewable Living Resources	Ship and Boat Building	Tourism and Recreation
Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)	Industry/Bus Ass'n (related to business categories below)
Classification Societies	Offshore Energy Service and Supply	Beach Renourishment	Instrumentation and Electronics	Charting / Hydrography	Aquaculture	Boat Building and Repair	Coastal Hotels / Resorts
Consulting Firms	Offshore Renewable-Wave and Tidal	Cable / Pipelines / Telecommunications	Marine Pollution Abatement	Deep Sea Freight	Commercial Fishing	Boat and Vessel Manufacturing	Cruise Tourism
Finance	Offshore Renewable-Wind	Coastal Restoration	Monitoring and Research Equipment	Marine Transportation Services	Data Management	Ship Building and Repair	Marinas
Insurance / Reinsurance	Oil and Gas	Desalination Construction	Navigation	Passenger Ferry	Desalination Production		Marine Sports / Sporting Goods
Law / Regulatory Planning	Onshore Power Plants / Power Plant Cooling	Dredging	Robotics	Ports and Harbors	Fishing, Charter / Party		Marine Tours / Expeditions
Mapping / Geospatial Analysis / Data Management	Seabed Mining and Minerals Extraction	Ocean Engineering		Search and Rescue	Pharmaceuticals / Biotechnology		Recreational / Tourist Charters
Marine Technology / Instrumentation / Software / Hardware		Port Development		Shipping	Scientific Management		Recreational Boating Equipment, Service, Supplies
Media and Journals (Industry or Trade)		Shoreline Structures and Protection		Warehousing	Seafood Restaurants / Food Service		Recreational Fishing Equipment, Service, Supplies
Oceanographic and Geotechnical Surveys					Seafood Retailers		Wildlife Viewing
Publications / News (Not Industry/Trade)					Seafood Wholesalers / Processors		Zoos / Aquaria

Appendix 2

Planning Considerations from U.S. South Atlantic Simulation

During 2014 and 2015, the World Ocean Council (WOC) and the Governors' South Atlantic Alliance (GSAA) co-hosted two webinars for marine industry stakeholders in the South Atlantic region as part of a marine planning simulation. Goals for the South Atlantic MSP Simulation Exercise⁵⁰ were to identify potential management practices for ocean planning that can be used in the South Atlantic region with a focus on:

1. Streamlined responses/permitting processes
2. Data and information needs
3. Communications pathways with industry

The following practices emerged as potential management practices from the perspective of industry and agency representatives who participated in the webinars.⁵¹ For simplicity, these considerations presume such an effort will be considered or will occur at a regional level.

- I. **Determine whether there is a need to establish a shared vision for the future of the region's marine economy and marine environment based on the results and consensus of discussion among stakeholders and partners, including user group communities.**

If such a need is found to exist, work with industry and other stakeholders as partners to determine through consensus what the establishment of a shared vision could or should involve, including by doing the following:

- Identify potential goals, mechanisms, specific and measurable objectives, and context and authorities for any suggested approaches.
- Utilize existing policies, process mechanisms, and entities in the planning process (from design to implementation) when they exist and are trusted. Before utilizing existing policies or processes or creating new ones, ensure legal authority, user group buy-in and consensus exists. Do not assume a new entity to be necessary. Pursued mechanisms should minimize the introduction of new regulatory burdens or hurdles. Ensure there is not conflict with the letter and intent of existing applicable authorities.

⁵⁰ Instructions to participants and full scenario details are available at <http://files.ctctcdn.com/e7868fa3401/0805cf33-f82f-450d-830b-55157a1adab9.pdf>.

⁵¹ While each participant had opportunities to contribute to the development of this document and may agree with certain elements of the content herein, their participation should not be interpreted as an endorsement of every item discussed below.

- II. When a shared vision for the future of a region's marine economy and environment is identified and a process will be used to move forward:**
- 1. Identify costs and determine availability of financial support for the approaches.**
 - 1.1 Conduct a thorough assessment of costs including research and data gathering and analysis, coordination, implementation, monitoring and evaluation, and staff time.
 - 1.2 Consider innovative financial mechanisms including public-private partnerships.
 - 2. Establish an organized stakeholder participation process that reduces duplication and allows various times and levels of engagement for stakeholders as partners.**
 - 2.1 In setting up the "who, when and how" for stakeholder engagement, existing opportunities to engage the industry should be used such as existing industry meetings or existing professional meetings in which the industry generally attends.
 - 2.2 Stakeholder engagement should allow for individual meetings whenever possible. The process can run more efficiently and smoothly when one agency facilitates meetings with other permitting agencies.
 - 2.3 Industries often rely on associations to monitor planning and regulatory activities, but where there may be specific regulatory impacts, individual companies need the opportunity to be represented "at the table."
 - 3. Create information sharing pathways from agencies to stakeholders/partners and vice versa.**
 - 3.1 Create opportunities to share relevant scientific or other studies among stakeholders and partners.
 - 3.2 Make any data or information readily available online. Use existing mechanisms when possible. Cite the sources of data to allow for validation and quality assurance.
 - 3.3 Plan for ways to actively publicize engagement opportunities and encourage engagement from diverse stakeholders in all elements of implementation. If a critical mass of affected public user groups and regulated entities do not become engaged, be willing to suspend efforts and utilize different methods for engagement.
 - 4. Identify areas for improved efficiencies.**
 - 4.1 Work with regulated entities to identify any areas for improvement and potential solutions, recognizing that solutions are often as simple as better communication.
 - 4.2 Create a better understanding and working relationship among users and businesses stakeholders, partners and management agencies.
 - 4.3 Ensure existing networks are used effectively and efficiently.
 - 4.4 Explore how the information that is coordinated among agencies can be shared efficiently with businesses as well.
 - 4.5 Identify the relationship of the plan to existing licensing and permitting processes.
 - 4.6 Within the boundaries of the text and intent of existing authorities, government agencies should address internal disconnects to prevent duplication of processes or conflicting procedures or policies. Creating internal efficiencies contributes to more streamlined decision-making.

- 4.7 Clarifying the agency application and approval process is critical to developing trust with stakeholder groups and ensuring efficiency for users and managers.
 - 4.8 As a general rule, agencies involved in permitting or consulting on siting and permitting activities should work with regulated entities to (a) identify shortcomings in interagency coordination; and (b) work within existing authorities to improve communication and coordination between agencies and with industry.
- 5. Provide better understanding, mapping and monitoring of ocean ecosystem resources, processes and conditions, as well as economic and human use patterns and opportunities.**
- 5.1 In terms of data needs, gather and consider biological/ecological factors, physical environmental features, distribution of existing and potential future human uses, economic data for all human uses and natural resources, and environmental services as available.
 - 5.2 Identify partners in both the public and private sectors that can lend existing resources to provide better understanding, mapping and monitoring of ocean ecosystem resources, processes and conditions. To the degree that there are private sector partners, ensure that a balance of ocean-using interests are involved.
 - 5.3 Ensure that portal data is sourced and compliant with relevant government data and information quality laws, standards, and protocols and recognize and acknowledge the vulnerabilities in data.
 - 5.4 To help address and resolve any data gaps, before using the portal to implement planning, survey existing and foreseeable future user group sectors to conduct updated user assessments to take into account perspectives of existing uses as well as future uses.
- 6. Define and analyze future conditions and assess existing response capacities.**
- 6.1 Consider possible alternative futures for the region in the next 10-20 years, incorporating foreseeable future uses that may not exist today. Some industries plan 1 – 2 decades ahead and can contribute valuable perspectives to these future considerations.
- 7. If a plan results, identify limitations, weaknesses and/or uncertainties of the plan.**

Appendix 3

Planning Considerations from MSP in North Sea Webinar

Sponsored and facilitated by World Ocean Council and the Scottish Association for Marine Science, the MSP in the North Sea Region webinar engaged interested private sector parties in discussing challenges and perspectives on marine spatial planning (MSP) in the North Sea Region. Goals were:

1. Identification of opportunities and benefits for industry through MSP;
2. Identification of challenges in MSP; and,
3. Ideas for support and input by industry.

This summary provides key points from the discussion.

Potential Opportunities and Benefits for Industry through MSP

- **Early dialogue in the pre-planning stages can help to:**
 - Secure a more appropriate and balanced outcome for sectors;
 - Provide an understanding of users' needs from MSP;
 - More effectively address conflicts by clarifying actual versus perceived conflicts;
 - Facilitate multi-use of sea areas by encouraging advanced collaboration; and,
 - Provide early insight into planning implications of MSP, enabling industry input and feedback (such as a policy released for comment).
- **MSP can increase certainty for investors.**
 - Defining key areas for development provides certainty, particularly for projects which require 7+ years of lead in time for planning.
 - However, when the interaction of MSP with prevailing governance related to decision making on marine activities (e.g., EIA and licensing) is unclear, it may not provide certainty for investors.
- **MSP can address conflicts in a spatial dimension by providing clearer targets and properly defined areas.**
- **MSP can encourage co-location of uses.**
 - For example, co-locating tourism and some offshore developments (e.g. East Coast England wind farms) may have positive benefits.
 - MSP provides an integrated framework for optimizing benefits and can support multiple use.
- **MSP can offer a common information base.**
 - Different regulatory bodies and sectors can use MSP data to make decisions including biophysical and ecological information, human use aspects, distribution of activities and future planning of potential activities.

Challenges for Industry

- **Ocean industries seek clarity of the relationship between MSP and other governance mechanisms.**
 - The existence of other regulatory and management regimes complicates MSP processes. For example, fishery management councils have existing mechanisms and governance processes. MSP needs to account for these.
 - MSP needs to incorporate MPA processes when possible, rather than through separate planning. Early dialogue through MSP can help to explore appropriate locations for MPAs in relation to industry activities.
- **Sharing information and data among businesses and industries is often affected by commercial sensitivity.**
 - Private sector users will consider the proprietary nature of the information and how to remain strategic as they move forward in particular regions. This continues to be a market-based reality and planning efforts must recognise and adapt given the different timeframes of business development.
- **Gathering of data on marine activities is less mature than environmental data.**
 - The OSPAR Commission as Regional Seas Body for the Northeast Atlantic has been gathering data for a long time including trends in status of different human activities. This data is at a high-level scale at this stage which is less useful for smaller scale decision-making.
- **Data and information gathering and sharing needs to be consistent and compatible.**
 - OSPAR is looking at assessment and monitoring, agreeing templates, standardisation of formats and timeframes to enable comparisons. Even with this effort, data sharing remains problematic.
 - There also are challenges in the time lag in data to get the overall environmental and user picture.
- **Lack of funds hampers MSP efforts.**
 - Some regions will have more resources than others but reduced public funding to support MSP continues to hinder regional and national efforts.
- **Regulatory and authority gaps and uncertainties are challenges for the private sector.**
 - In the North Sea in particular, questions remain about the appropriate roles for EU Member States and the European Commission (EC). The EC has tried to initiate a number of preparatory projects for cooperation and harmonisation but there is still a question around who will lead MSP in the region. Good examples of where this works and where industry benefits would be useful to encourage cooperation.
- **MSP needs to take into account industries (like shipping) that work across jurisdictions.**
 - Consistency in the application and approach of regulations and policies is the mantra of the shipping industry. The purpose of the IMO is to set international regulations so that there is consistency for ships as they move through different jurisdictions. Disparities make it difficult for ship operators and can be expensive and unfair. MSP needs to move toward consistency as much as possible.
- **MSP processes need to be strategic to engage stakeholders.**
 - It is beneficial for stakeholders to know at which points in the MSP process are the most useful to engage. MSP can convene users but without a clear agenda or decision points, it is unclear

to users if it is a good use of their time. MSP needs to be specific about what will be achieved and the outcomes of meetings and activities.

- There may be different approaches for different stakeholders. For example, trade associations may be able to better engage early in the process to keep many sector businesses informed. When the process reaches the point of data gathering, mapping or decisions regarding use areas, planners should consider outreach to individual businesses.
- Other key points from this discussion include transparency in the MSP process and providing agenda items up front.

Opportunities for Industry Engagement

- **Industry can make great contributions to data and information gathering, sharing and analysing.**
 - The European Marine Observation and Data Network (EMODnet) (<http://www.emodnet.eu/>) consists of more than 100 organisations assembling marine data, products and metadata to make these fragmented resources more available. EMODnet is currently in its second development phase with the target to be fully deployed by 2020.
 - The European MSP Platform offers targeted information through several interactive formats. The interconnected functions offer a hub for Europe's network of MSP practitioners. (contact: David Johnson at david.johnson@seascapeconsultants.co.uk)
- **Industry can participate in formal and informal stakeholder groups.**
 - Some planning bodies maintain stakeholder liaison groups that enable stakeholders to attend pre-planning events, receive information quickly, and pursue opportunities to network with other stakeholders.
 - Some groups that currently exist:
 - MSP Research Network – <http://www.msprn.net/> - an informal grouping of scientists, policy-makers and practitioners who wish to contribute to the development of marine spatial planning through academic-based research.
 - ICES Working Group Marine Planning and Coastal Zone Management - <http://www.ices.dk/community/groups/Pages/WGMPCZM.aspx> - ICES Working Group Marine Planning and Coastal Zone Management (WGMPCZM) discusses current developments around Marine Spatial Planning (MSP) and Coastal Zone Management (CZM) in the ICES area.
 - UK Marine Industries Alliance - <http://www.ukmarinealliance.co.uk/>

Appendix 4

Outreach Models from U.S. Regional Ocean Partnerships

Toward Effective Marine Planning Stakeholder Engagement: Three Models of Regional Ocean Partnership Outreach

Since 2014, World Ocean Council (WOC) has worked with industries and marine planners⁵² to:

- Inform WOC members and other ocean industry representatives about marine planning⁵³ activities around the world;
- Help ocean industries understand opportunities to engage in the marine planning process in the key countries/regions; and,
- Help marine planning practitioners take into account the needs and interests of ocean businesses and engage them.⁵⁴

Stakeholder engagement is a hallmark of effective marine planning but often is difficult to implement. Existing planning efforts and marine planning research consistently reports that the participation of stakeholders is fundamental to marine planning to gather relevant environmental, economic, security, social, and cultural information.⁵⁵ Comprehensive stakeholder participation can inform marine plans through stakeholder expertise and perspectives, bring the best available science and information to the process, and ensure a full understanding of the range of interests and interactions in each region. Stakeholder engagement also can inform those with an interest in the ocean about work in a region and offer opportunities to engage and comment on the direction, process, materials, and products involved.

For engagement to be as efficient as possible, planning entities seek to coordinate with existing regional governance, business and industry, academic, general public and other stakeholder organizations and networks. As part of its marine planning work, WOC has worked with ocean businesses and regional and state partners in the US Caribbean (Puerto Rico and U.S. Virgin Islands), Mid-Atlantic (New York, New Jersey, Delaware, Maryland, Virginia) and South Atlantic (North Carolina, South Carolina, Georgia, Florida) to map

⁵² Work was supported by funding from the Gordon and Betty Moore Foundation.

⁵³ Marine planning is also referred to as marine spatial planning, maritime spatial planning, MSP and ocean planning. For purposes of this paper, marine planning is the process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives.

⁵⁴ Information on the WOC MSP Program is available at <http://www.oceancouncil.org/site/planning.php>.

⁵⁵ For more thorough analysis and guidance on designing a stakeholder engagement process, see: Intergovernmental Oceanographic Commission (Rachel Dahl, Ed.), MARINE SPATIAL PLANNING: A STEP-BY-STEP APPROACH TOWARD ECOSYSTEM-BASED MANAGEMENT, pp. 43-47 (2009), available at <http://www.unesco-ioc-marinesp.be/uploads/documentenbank/d87c0c421da4593fd93bbee1898e1d51.pdf>; and, National Ocean Council, MARINE PLANNING HANDBOOK, pp. 8-11 (2013), available at https://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf.

existing stakeholders from multiple business sectors and categories and assist in more effective engagement of industry in marine planning. In order to show the variety of models for stakeholder engagement, especially for ocean industries, WOC created the following summaries of engagement techniques from three Regional Ocean Partnerships in the US.

The stakeholder engagement models from the US Gulf of Mexico, Northeast, and Mid-Atlantic reveal the following.

- Industry engagement models include industry as part of an overall stakeholder group (such as the Mid-Atlantic Stakeholder Liaison Committee) or in its own group (such as the Gulf of Mexico Alliance Business Advisory Council).
- With any model, clear and consistent communications with the stakeholder group(s) is essential. Outreach to stakeholders without follow-up can create doubt in the planning entity and the overall process.
- Individual outreach in addition to more formal engagement mechanisms (as shown in the Northeast) may lend itself to building a solid foundation with industry, maintaining open lines of communication, and encouraging investment into the process.
- Stakeholder engagement should be consistent with existing regulatory and public notice/comment processes. The more streamlined engagement can be, the more efficient the process will be for planners and stakeholders.

ROP Outreach: Gulf of Mexico Alliance (GOMA)

Background

Website: www.gulfofmexicoalliance.org

Date created: 2004

State Members: Alabama, Florida, Louisiana, Mississippi, Texas

Organization

GOMA Management consists of:

- **Alliance Management Team (AMT)**⁵⁶ which serves as the governing body for the organization;
- **Alliance Coordination Team** to report on progress of the Priority Issue Teams to the AMT; and
- **Headquarters Office** to run the organization and maintain the requirements of the 501(c)3 organization.

Representation on the AMT consists of all five Gulf States and federal partners including the Environmental Protection Agency, National Oceanic and Atmospheric Administration and the Department of the Interior. The AMT determines the priority issues that will enhance the ecologic and economic health of the Gulf region on behalf of the Gulf State Governors. The AMT is led by a series of rotating chair persons from each of the Gulf States. Other committees that support the way the Gulf of Mexico Alliance operates includes a Federal Working Group,⁵⁷ a Public Relations Committee, and a Business Advisory Council.⁵⁸

Stakeholder Opportunities: Priority Issue Teams

The five Gulf States identified six priority issues that benefit from regional collaboration. Each issue has a Priority Issue Team that is coordinated by a sponsoring organization, providing funding assistance to further the goals and objectives of that priority. Stakeholders may be a part of the following Priority Issue Teams:

- Coastal Resilience – coordinated by the Mississippi Department of Marine Resources⁵⁹
- Data & Monitoring – coordinated by the Florida Department of Environmental Protection⁶⁰
- Education & Engagement – coordinated by the Dauphin Island Sea Lab⁶¹ (located in Alabama)
- Habitat Resources – coordinated by the Louisiana Coastal Protection & Restoration Authority⁶²

⁵⁶ <http://www.gulfofmexicoalliance.org/about-us/organization/alliance-management-team/>

⁵⁷ <http://gulfofmexicoalliance.org/about/alliance-partnerships/federal-partners/>

⁵⁸ <http://gulfofmexicoalliance.org/about/alliance-partnerships/other-partners/#business>

⁵⁹ <http://www.dmr.ms.gov/>

⁶⁰ <http://www.dep.state.fl.us/>

⁶¹ <http://www.disl.org/>

⁶² <http://coastal.la.gov/>

- Wildlife & Fisheries – coordinated by the [Harte Research Institute](#)⁶³ (located in Texas)
- Water Resources – coordinated by the [Mississippi Dept. of Environmental Quality](#)⁶⁴

With support from state and federal agencies, academic organizations, non-profits, and businesses in the region, Gulf of Mexico Alliance Partners work collaboratively on these teams to address the region's priorities in ways that a single entity cannot.

Stakeholder Opportunities: [Business Advisory Council](#)⁶⁵

According to the GOMA website, the Gulf of Mexico Alliance Business Advisory Council facilitates communication between Alliance Management and the diverse group of industries that are dependent upon the common resources of the Gulf of Mexico.⁶⁶ Sectors represented on the Council include:

- Tourism
- Oil & Gas
- Manufacturing
- Utilities/Energy (including power generation and alternative sources)
- Commercial & Recreational Fishing
- Transportation (including shipping and harbors)
- Seafood Processing
- Agriculture

View the Business Advisory Council [membership list](#).⁶⁷

Stakeholder Opportunities: [Gulf of Mexico Regional Research Funders Forum](#)⁶⁸

The Gulf of Mexico Alliance facilitates the Gulf Regional Research Funders Forum, an open platform for funding programs to increase collaboration and coordination of science and research. This Forum includes, but is not limited to, the science and research programs resulting from the settlements of the Deepwater Horizon oil spill in 2010. Any group that financially supports research or issues research grants, contracts or cooperative agreements is eligible to participate in the Forum. The Forum may include governmental, industry, academic, foundation and other programs that either fund research that is conducted within their organization or fund research that is conducted outside of their organization.

⁶³ <http://www.hartheresearchinstitute.org/>

⁶⁴ <https://www.deq.state.ms.us/>

⁶⁵ <http://www.gulfofmexicoalliance.org/about-us/alliance-partnerships/other-partners/>

⁶⁶ <http://www.gulfofmexicoalliance.org/about-us/alliance-partnerships/other-partners/>

⁶⁷ http://www.gulfofmexicoalliance.org/wp-content/uploads/2013/10/BAC-Members_contact-information_for-website-rev.pdf

⁶⁸ <http://www.gulfofmexicoalliance.org/about-us/gulf-of-mexico-regional-research-funders-forum/>

The Research Funders Forum meets on a semi-annual basis at meetings of opportunity. A [Forum listserv](#) is maintained and partners stay in communication by periodic email updates.⁶⁹

Meetings Schedule:

GOMA has held an annual meeting each year since 2004:

- View information on GOMA's [11th Annual Meeting in 2015](#).⁷⁰
- View information on GOMA's upcoming [16th Annual Meeting in 2016](#).⁷¹

In addition, the thirteen federal agencies comprising the [Federal Working Group](#)⁷² [meets each month](#)⁷³ to support the Gulf States and coordinate an integrated federal response to priority regional issues identified by the Alliance.

⁶⁹ <http://www.gulfofmexicoalliance.org/about-us/gulf-of-mexico-regional-research-funders-forum/join-the-gulf-of-mexico-regional-research-funders-forum-listserv/>

⁷⁰ <http://www.gulfofmexicoalliance.org/tools-and-resources/meeting-materials/>

⁷¹ <http://www.gulfofmexicoalliance.org/events/gulf-of-mexico-alliance-2016-all-hands-meeting/>

⁷² <http://gulfofmexicoalliance.org/about/alliance-partnerships/federal-partners/>

⁷³ <http://www.gulfofmexicoalliance.org/about-us/alliance-partnerships/federal-partners/meeting-and-presentations/>

ROP Outreach: Northeast Regional Ocean Council (NROC)

Background

Website: northeastoceancouncil.org

Date created: 2005

State Members: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island

Organization

NROC was formed by the Governors of the New England states to serve as a forum to address regional coastal and ocean management challenges with creative solutions. NROC includes federal agencies as members of the Council and works with bordering states and countries as needed. NROC is led by state and federal co-chairs who serve on an 18-month rotation.

The state co-chair rotates based on geography from north to south (i.e., Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut). The federal co-chair rotates by federal line departments (i.e., Department of Commerce, Department of the Interior, Department of Homeland Security, etc.). NROC's Executive Committee handles administrative and operational matters between Council meetings, makes certain decisions while deferring others to the full Council, and develops recommendations on agendas, projects, and partnerships.

NROC's current efforts are focused on three issue areas:

- [Ocean and Coastal Ecosystem Health](#)⁷⁴
- [Coastal Hazards Resilience](#),⁷⁵ and
- [Ocean Planning](#)⁷⁶.

These issue areas form the basis for NROC's standing committees, which define and implement specific work plans. NROC also has identified climate change as a priority and integrates it across all work plans. The Council outlines its issue areas, defines its strategic priorities, and develops and implements two-year work plans detailing specific strategies and activities. Committees for these issue areas are composed of members from NROC agencies as well as non-government, academic, and private-sector subject matter experts. The committees define and implement specific two-year work plans for their issue area. In addition, NROC may

⁷⁴ <http://northeastoceancouncil.org/committees/ocean-and-coastal-ecosystem-health/>

⁷⁵ <http://northeastoceancouncil.org/committees/coastal-hazards-resilience/>

⁷⁶ <http://northeastoceancouncil.org/committees/ocean-planning/>

convene working groups to take on specific projects and develop recommendations for approval by the Council. Working groups form as needed and disband upon completion of a project.⁷⁷

Meetings

NROC meets three to four times per year; these meetings are open to the public and announced ahead of time via an email list and online postings. The Executive Committee holds regular meetings, every 2-3 weeks, via conference call. Committees and working groups will meet as necessary.⁷⁸ Briefing packets for recent meetings are available online.

- [Briefing Packet](#)⁷⁹ for the NROC meeting on November 5, 2015 in Portsmouth, NH
- [Briefing Packet](#)⁸⁰ for the NROC meeting on October 30, 2014 in Portsmouth, NH
- [Briefing Packet](#)⁸¹ for the NROC meeting on June 4, 2014 in Gloucester, MA
- [Briefing Packet](#)⁸² for the NROC meeting on March 14, 2014 in Portsmouth, NH
- [Briefing Packet](#)⁸³ for the NROC meeting on November 12, 2013 in Narragansett, RI

Stakeholder Opportunities: Standing Committees

The three standing committees include opportunities for stakeholder engagement.

- Ocean Planning
 - The committee's goals are to assist in the development of a regional ocean plan to support ecosystem-based management of the Northeast's marine environment and its human uses by working collaboratively with federal, state and tribal government, Northeast Fisheries Management Council, and stakeholders.⁸⁴
 - [Ocean Planning Committee Members](#)⁸⁵
 - [Ocean Planning Work Plan](#)⁸⁶
- Coastal Hazards
 - The committee's goals are to build resilience to impacts of coastal erosion, flooding, storms,

⁷⁷ <http://northeastoceancouncil.org/about/council-policies/>

⁷⁸ <http://northeastoceancouncil.org/about/council-policies/>

⁷⁹ http://northeastoceancouncil.org/wp-content/uploads/2015/11/NROC-Council-Meeting_Nov2015_BP.pdf

⁸⁰ http://northeastoceancouncil.org/wp-content/uploads/2014/10/NROC-Council-Meeting_Oct2014_agendaBP.pdf

⁸¹ http://northeastoceancouncil.org/wp-content/uploads/2014/05/NROC-Council-Meeting_June2014_AgendaBP.pdf

⁸² http://northeastoceancouncil.org/wp-content/uploads/2014/03/NROC-Council-Meeting_briefingpacket_March2014.pdf

⁸³ http://northeastoceancouncil.org/wp-content/uploads/2013/11/NROC-Council-Meeting_briefingpacket_November2013.pdf

⁸⁴ <http://northeastoceancouncil.org/committees/ocean-planning/>

⁸⁵ <http://northeastoceancouncil.org/committees/ocean-planning/>

⁸⁶ <http://northeastoceancouncil.org/wp-content/uploads/2015/02/NROC-OP-workplan-2015-2016.pdf>

and climate change through region-wide dissemination of data, tools, and case studies, as well as fostering collaborative actions.⁸⁷

- [Coastal Hazard Committee Members](#)⁸⁸
- [Coastal Hazard Committee Work Plan](#)⁸⁹
- Ocean and Coastal Ecosystem Health
 - The committee's goals are to enhance region-wide coordination and collaborative actions on shared ocean and coastal ecosystem health priorities including those affecting water quality, habitats, and living resources and their derived social and economic benefits.⁹⁰
 - [Ocean and Coastal Ecosystem Health Committee Members](#)⁹¹
 - [Ocean and Coastal Ecosystem Health Work Plan](#)⁹²

Industry Involvement:

The Northeast Regional Ocean Council (NROC), especially through its Ocean Planning Committee, supports the efforts of the Northeast Regional Planning Body, which has the responsibility of developing an ocean management plan for New England.⁹³ NROC has conducted the following work in support of that effort.

- Commercial Fishing
 - September 2013: [Commercial Fisheries Spatial Characterization, Final Report to the Northeast Regional Ocean Council \(PDF\)](#)
 - [Commercial Fisheries Spatial Characterization, Appendices B-C \(PDF\)](#)
 - [Commercial Fisheries Spatial Characterization, Appendices D-G \(PDF\)](#)
 - [Mapping Commercial Fisheries Factsheet \(PDF\)](#)
- Energy
 - [Energy and Infrastructure maps on the Northeast Ocean Data viewer](#)
 - December 2012: [Summaries from November and December 2012 working sessions](#)
 - February 2013: [White paper summarizing the state of the energy sector in the region \(PDF\)](#)
 - May 2015: [2015 Energy Sector Update \(PDF\)](#)
- Marine Life and Habitat
 - [MDAT Final Work Plan – Avian Species \(PDF\)](#)
 - [MDAT Final Work Plan – Fish Species \(PDF\)](#)
 - [MDAT Final Work Plan – Mammals & Sea Turtles \(PDF\)](#)
 - August 2014: [August 27 Marine Life Webinar](#)
 - June 2014: [June 25, 2014 Marine Life Workshop](#)
 - June 2014: [Marine Life Assessment Inventory–Draft for Workshop \(PDF\)](#)
 - [Northeast Ocean Data Portal–Marine Mammals](#)
 - [Northeast Ocean Data Portal–Fish & Shellfish](#)
 - [Northeast Ocean Data Portal–Other Marine Life](#)

⁸⁷ <http://northeastoceancouncil.org/committees/coastal-hazards-resilience/>

⁸⁸ <http://northeastoceancouncil.org/committees/coastal-hazards-resilience/>

⁸⁹ <http://northeastoceancouncil.org/wp-content/uploads/2015/02/NROC-CHR-workplan-2015-2016.pdf>

⁹⁰ <http://northeastoceancouncil.org/committees/ocean-and-coastal-ecosystem-health/>

⁹¹ <http://northeastoceancouncil.org/committees/ocean-and-coastal-ecosystem-health/>

⁹² <http://northeastoceancouncil.org/wp-content/uploads/2015/03/NROC-OCEH-2015-2016-Work-Plan.pdf>

⁹³ <http://northeastoceancouncil.org/committees/ocean-planning/>

- Aquaculture
 - November - December 2014: [Summaries from November and December 2012 working sessions \(PDF\)](#)
 - March 2013: [White paper summarizing the state of aquaculture in the region \(PDF\)](#)
- Recreation and Tourism
 - October 2015: [Final Report: Characterization of Coastal and Marine Recreational Activity in the U.S. Northeast](#)
 - [Recreational use maps on the Northeast Ocean Data Portal](#)
 - October 2013: [Recreational Boating Industry Engagement in New England, Final Report \(PDF\)](#)
- Maritime Commerce
 - July 2015: [White Paper: Overview of the Maritime Commerce Sector in the Northeastern United States, July 2015 \(PDF\)](#)
 - [Maritime Commerce on the Northeast Ocean Data Portal](#)
 - November 2014: [Tug and Barge Industry Meeting Summary \(PDF\)](#)
 - [Maritime Commerce Factsheet \(PDF\)](#)
 - November - December 2012: [Summaries from November and December 2012 working sessions \(PDF\)](#)
 - February 2013: [White paper summarizing the state of the maritime commerce in the region \(PDF\)](#)

Industry involvement utilizes these more formal outreach mechanisms, through techniques such as public meetings and published documents. However, more informal conversations and one-on-one contact is just as, if not more, important. Though these correspondences may not be as well documented, NROC recognizes them as valuable. NROC staff notes that it has to seek out the right individuals - trade associations can help, sub-regional meetings can help, etc.⁹⁴

⁹⁴ Email conversation with John Weber, NROC Coordinator, Dec. 11, 2015. On file with WOC.

ROP Outreach: [Mid-Atlantic Regional Council on the Ocean \(MARCO\)](#)

Background

Website: midatlanticocean.org

Date created: 2009

State Members: Delaware, Maryland, New Jersey, New York, Virginia

Organization

To address the new era of ocean challenges and opportunities, the Governors of New York, New Jersey, Delaware, Maryland, and Virginia signed the [Mid-Atlantic Governors' Agreement on Ocean Conservation](#)⁹⁵ in [2009](#). The Agreement established the Mid-Atlantic Regional Council on the Ocean (MARCO) as a partnership to address shared regional priorities and provide a collective voice.⁹⁶

The Mid-Atlantic Regional Council on the Ocean (MARCO) Management Board consists of one senior coastal manager or policy advisor from each of the five coastal Mid-Atlantic States with the position of Management Board Chair rotating among the states biennially.⁹⁷ The Agreement identified four regional priorities for shared action to improve ocean health and contribute to the high quality of life and economic vitality of the region. The Board leads MARCO's efforts to address regional ocean priorities of [climate change adaptation](#),⁹⁸ [marine habitats](#),⁹⁹ [renewable energy](#),¹⁰⁰ and [water quality](#),¹⁰¹ coordinates associated activities; and develops organizational policies.

MARCO collaborates with private and public-sector partners throughout the region by building partnerships among local, state, regional, and federal entities, tribes, academic and research institutions, industry and other stakeholder groups. The goal of MARCO's [Stakeholder Liaison Committee](#)¹⁰² is to strengthen its communication network and foster ongoing stakeholder involvement in the Mid-Atlantic's regional ocean planning process.

⁹⁵ <http://midatlanticocean.org/wp-content/uploads/2013/11/MidAtlantic-Governors-Agreement.pdf>

⁹⁶ <http://midatlanticocean.org/about/marco-overview/>

⁹⁷ <http://midatlanticocean.org/about/management-board/>

⁹⁸ <http://midatlanticocean.org/shared-regional-priorities/climate-change-adaptation/>

⁹⁹ <http://midatlanticocean.org/shared-regional-priorities/marine-habitats/>

¹⁰⁰ <http://midatlanticocean.org/shared-regional-priorities/renewable-energy/>

¹⁰¹ <http://midatlanticocean.org/shared-regional-priorities/water-quality/>

¹⁰² <http://midatlanticocean.org/ocean-planning/stakeholder-liaison-committee-slc/>

MARCO is supporting a portion of stakeholder outreach on behalf of the Mid-Atlantic Regional Planning Body.¹⁰³

Stakeholder Opportunities: [Stakeholder Liaison Committee](#)¹⁰⁴

MARCO's Stakeholder Liaison Committee (SLC) serves as a forum for the exchange of information and ideas among SLC participants and creates an opportunity for participants to reach out to their industry, interest group, or sector to ensure that all interested constituents are informed and engaged in the regional ocean planning process.

The objectives of the SLC are to tap into the leadership role and communication networks of SLC members to:

- Provide direct input and feedback to MARCO about design and implementation of regional ocean planning in the Mid-Atlantic;
- Act as a conduit for information between stakeholders in the region and MARCO about regional ocean planning; and,
- Serve as a venue for increasing dialogue, understanding, and communication among stakeholders.¹⁰⁵

Sectors included on the SLC are:

- Ocean Industries
 - Including: Offshore Wind, Marine Trades, Cruise Lines, Submarine Cables, Maritime Navigation, Ports, and Shipping
- Commercial fishing
- Recreational fishing
- Ocean recreation interests
- Environmental and conservation groups
- Research institutions

A membership list is available [here](#).¹⁰⁶

Recent stakeholder engagement efforts have focused on providing opportunities via workshops and meetings to foster dialogue among stakeholders and federal and state agencies to share ideas on ocean planning¹⁰⁷ and on the development of the [Mid-Atlantic Ocean Data Portal](#).¹⁰⁸

¹⁰³ The Regional Planning Body's outreach information is available at <http://www.boem.gov/MidA-RPB-Meetings/>.

¹⁰⁴ <http://midatlanticocean.org/ocean-planning/stakeholder-liaison-committee-slc/>

¹⁰⁵ <http://midatlanticocean.org/ocean-planning/stakeholder-liaison-committee-slc/>

¹⁰⁶ <http://midatlanticocean.org/wp-content/uploads/2015/10/MARCO-SLC-Roster-October-2015.pdf>

¹⁰⁷ <http://midatlanticocean.org/ocean-planning/stakeholder-liaison-committee-slc/>

¹⁰⁸ <http://portal.midatlanticocean.org/>

MARCO reports the following gains through this multi-sector engagement effort:

- Improving the Mid-Atlantic States' increased understanding of the issues and needs of the region's marine industries, commercial and recreational fishers, other recreational interests, the offshore wind industry, and conservation interests; and,
- Sharing with federal, state, and tribal members of the Mid-Atlantic Regional Planning Body to inform their work in ocean planning.

Meetings:

[MARCO Stakeholder Liaison Committee Inaugural Meeting](#)¹⁰⁹ (March 2014)

- Summary: This meeting was held to shape the Stakeholder Liaison Committee (SLC) and to draft the Mid-Atlantic Regional Ocean Planning framework.

Industry Specific Meetings: Tug and Barge & Submarine Cable Industries

In 2014, MARCO has held two industry sector-specific meetings to discuss and clarify:

- How MARCO and the Mid-Atlantic Regional Planning Body (MidA RPB) work collaboratively;
- How the MidA RPB considers all ocean uses to coordinate with the tug and barge community;
- Authority of the MidA RPB;
- How the MidA RPB is drafting the structure and content of a regional ocean action plan; and,
- How MARCO's sector-specific meetings gather input, interests, and needs of different industries to inform MidA RPB on its regional ocean action planning process.

In July 2014, MARCO convened representatives of the submarine cable industry. The [MARCO Submarine Cable Industry Meeting Summary](#)¹¹⁰ provides an overview of the Mid-Atlantic regional submarine cables industry, including information on: cable history, installation, financing, future, laws and regulations, and routes.

In September 2014, MARCO held a meeting with the tug and barge industry sector. The [MARCO Tug and Barge Meeting Summary](#)¹¹¹ provides an overview of the tug and barge industry and next steps including helping stakeholders better understand the tug and barge industry by connecting members of the industry.

¹⁰⁹ <http://midatlanticocean.org/wp-content/uploads/2014/04/MARCO-Stakeholder-Liaison-Committee-Meeting-March-10-2014.pdf>

¹¹⁰ http://midatlanticocean.org/wp-content/uploads/2014/12/Summary-Submarine-Cables-7-15-2014_FINAL.pdf

¹¹¹ http://midatlanticocean.org/wp-content/uploads/2014/12/Summary-Tug-and-Barge-9-22-14_FINAL.pdf