



The Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs

Deval L. Patrick
GOVERNOR

Timothy P. Murray
LIEUTENANT GOVERNOR

Ian A. Bowles
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

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Contact:

Robert Keough (617) 626-1109

robert.keough@state.ma.us

Lisa Capone (617) 626-1119

lisa.capone@state.ma.us

Patrick Administration releases draft first-in-the-nation ocean management plan for state waters

Proposes new protections for sensitive environmental resources, identifies sites for potential wind energy development, to be finalized by Dec. 31, following public review and comment

BOSTON – July 1, 2009 – Energy and Environmental Affairs Secretary Ian Bowles today released the nation’s first draft comprehensive ocean management plan for public review and comment. The draft plan for management of the state’s ocean waters provides additional protections for critical environmental resources in nearly two-thirds of the planning area – coastal waters at least 0.3 nautical miles seaward of mean high water and excluding the most developed harbor and port areas, and then extending to the three-mile limit of state control – and identifies two areas adjacent to federal waters as suitable for commercial-scale wind energy development.

“Throughout our history, Massachusetts state waters have supported an array of uses along with vital habitat for a wide variety of species,” said Governor Deval Patrick. “The draft ocean plan combines the best available science with extensive stakeholder input to present a new standard of protection and sustainable use for our oceans.”

On May 28, 2008, Governor Patrick signed the Oceans Act of 2008, which required Secretary Bowles to develop a comprehensive ocean management plan, with a draft plan due by June 30, 2009 and a final plan promulgated by December 31, 2009. Governor Patrick also appointed a 17-member Ocean Advisory Commission (OAC) to assist Secretary Bowles. In addition, Secretary Bowles appointed an Ocean Science Advisory Council (SAC) to assist him in the planning process.

“The Commonwealth’s waters today are facing an ever expanding universe of potential uses. This draft plan allows us to address these opportunities and challenges in a proactive, not reactive, fashion,” said Secretary Bowles. “We now move into the next round of public review and input and look forward hearing the public’s view of the stewardship this draft plan establishes for these shared natural resources.”

Once finalized, the ocean management plan will provide a comprehensive framework for managing, reviewing and permitting proposed uses of state waters. Up to now, development in state waters has been handled on an ad hoc basis. The plan provides a roadmap for both environmental protection and sustainable use of ocean resources going forward.

“This ocean management plan is the first of its kind in the nation, and again all eyes are on Massachusetts to see what we will put in place to manage our last great frontier,” said Senate President Therese Murray. “When we passed this legislation, we were determined that science and research would drive the recommendations and decisions made about oceans management. That is true of the work that has gone into this draft of the plan.”

The draft ocean plan establishes three management categories and applies them to Massachusetts ocean waters:

Prohibited Area

The Prohibited Area is a specific area designated by law where most uses, activities and facilities are expressly prohibited. The Prohibited Area is coincident with the Cape Cod Ocean Sanctuary, the region of state waters east of Lower Cape Cod. This area also abuts the Cape Cod National Seashore.

Multi-Use Area

The Multi-use Area comprises the majority of the ocean planning area. The draft plan creates a variety of new environmental protections for critical natural resources found in the Area. The draft plan directs that uses, activities and facilities be managed based on siting and performance standards (associated with specific mapped resources and uses) that direct development away from critical resources and potential conflicts with fishing and navigation.

The Multi-use Area is open to certain uses, activities and facilities, including but not limited to the extraction of sand and gravel for beach nourishment, aquaculture, cables and pipelines, community-scale wind energy facilities and wave and tidal energy facilities. Management in the Multi-use Area establishes a higher level of protection for special, sensitive or unique (SSU) resources. It does so by directing development away from the most significant resources and areas of existing human activity, but otherwise

allows flexibility on a project-specific basis, based on considerations such as scale and potential impacts to existing uses and marine resources.

Renewable Energy Areas

Renewable Energy Areas are locations specifically designated for commercial wind energy facilities. The draft plan recognizes the Commonwealth's statutory mandates to develop renewable energy, but designates locations for such development with careful regard for potential environmental impacts and use conflicts.

The draft ocean plan identifies two proposed designated Wind Energy Areas in the vicinity of the southern end of the Elizabeth Islands and southwest of Nomans Land. Adjacent to these areas, EEA has identified potentially suitable locations in federal waters for commercial-scale wind energy development. Comprising 2 percent of the planning area, these locations are theoretically capable of supporting 166 wind turbines of 3.6 megawatts each—roughly 600 megawatts total, or enough capacity to power up to 200,000 homes.

“The management areas and standards established by the ocean plan will guide resource users and managers and the public in the protection and wise use of our marine waters,” said Deerin Babb-Brott, Assistant Secretary for Oceans. “And, going forward, the Commonwealth will refine the ocean plan as we continue to develop and incorporate new knowledge, ensuring that it is an adaptive, living document.”

The draft plan – submitted to the Legislature yesterday and released to the public today – was developed by EEA in the context of an extensive, and ongoing, public participation process. To date, that process has included 18 public meetings held up and down the coast and across the state; 90 meetings with stakeholders such as pilots, fishermen, environmental organizations, and academic experts; and five public workshops, as well as periodic OAC and SAC meetings.

The draft plan is now subject to public review and comment. Five public hearings will be held on the plan, tentatively scheduled for the first two weeks in September, with one in each of five regions: North Shore, Boston Harbor, South Shore, Cape Cod and Islands, and South Coast. Notice of those hearings will be provided in both the Environmental Monitor and in local/regional newspapers. The hearings will be followed by a public comment period of 60 days, closing in mid to late November. The draft plan will then be revised and finalized by December 31, as required by the Oceans Act.

The two-volume draft plan and background documents are available at <http://www.mass.gov/eea/mop>, or [click here](#). It contains a vast array of information on environmental resources found in state waters, as well as data on existing uses such as navigation and fishing, both commercial and recreational. Volume 1 includes 50 maps presenting data underlying the draft plan, as well as maps of the three management areas and of SSU resources.

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