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## In US, Marine Spatial Planning Process Enters Regional Phase; Federal Role Is Reduced from Original Plans

In 2010, President Barack Obama signed an executive order establishing a national ocean policy for the US. Among other actions, the policy called for a national process of coastal and marine spatial planning (CMSP), which would be carried out on a phased basis across nine regional planning areas (MEAM 4:1). In the months since then, a federal interagency National Ocean Council - also established under the executive order - has developed a basic framework to help agencies at all government levels implement the policy, including the marine planning process.

That planning process is now entering its regional phase. Each region is tasked with building an intergovernmental planning body consisting of federal, state, tribal, and local representatives. In turn, each body will be responsible for developing its own set of regional goals, objectives, and, ultimately, regional spatial plans.

Based on the size of area involved (the US has the world's largest Exclusive Economic Zone), the nation's process of CMSP could be considered the most ambitious program of its kind. It has encountered both political and practical challenges. Political opponents of the planning process have charged it will lead to zoning of the oceans, thus limiting current activities, and have worked to eliminate federal funding for implementation. (For their part, Obama administration officials state the marine planning stops short of zoning [MEAM 4:4]). Facing funding limitations and other factors, the National Oceanic and Atmospheric Administration (NOAA), one of the lead agencies comprising the National Ocean Council, restructured its approach for a coastal and marine spatial planning program.

Although the CMSP process was viewed from the start to be primarily region-based, the reduced federal role may make the process even more decentralized than originally envisioned. Indeed, the nine regional plans could look significantly different from each other in terms of priorities and outcomes.

In this issue, MEAM talks with two planners about the process ahead:

- **Jessica Kondel**, marine planning coordinator for NOAA; and
- **Captain Eric Vogelbacher**, chief of planning and resources for the US Coast Guard Ninth District, who helps lead the Great Lakes regional planning process. (The Great Lakes region, which borders Canada, is one of the nine regions included in the US coastal and marine spatial planning process.)

### Why was NOAA's coastal and marine spatial planning program disbanded last November, and has this affected national and regional CMSP work going forward?

**Jessica Kondel:** Both the change in the fiscal outlook from just a few years ago and changing understanding of the program needs have caused NOAA to redesign its CMSP Program. Instead of a formal program, NOAA is working within existing programs, scientific capacities, and ocean management authorities to support regional marine planning efforts by integrating and providing access to ocean and coastal data for transparent, science-based decision-making. NOAA's efforts, coupled with those of other federal agencies and regional, state, local, and tribal governments - as well as stakeholders, industry, and other partners - will support marine planning as a tool to better inform and guide decision-making that affects economic, environmental, security, social, and cultural interests.

**Eric Vogelbacher:** The question mentions the disbanding of NOAA's CMSP program, but people need to realize that this was not a massive core capability - just a few staff whose management activities have been integrated effectively into existing programs. NOAA consistently has been a dedicated and vigorous champion for implementing CMSP, both nationally and regionally, and I don't see this relatively minor adjustment affecting the vital support that they provide. Federal agencies are implementing the National Ocean Policy "out of hide", or within existing appropriation levels. This is mostly because the policy is seen as an effort to better coordinate existing responsibilities, switching from reactive processing of permit applications to becoming proactive, and creating a framework or master plan in which the permit applications can be handled more easily and with better context and information.

### What does the process look like at the regional level right now?

**Vogelbacher:** CMSP is viewed as being largely in the hands of the regions, which will tailor planning efforts - in focus, form, and level of effort - to meet their specific regional needs and priorities. While the region has lots of leeway, we are eagerly anticipating the overarching program guidance that the National Ocean Council will be providing. They are wrapping up work on the National Ocean Policy Implementation Plan [released in draft form last January: [www.whitehouse.gov/administration/eop/oceans/cmstp](http://www.whitehouse.gov/administration/eop/oceans/cmstp)] and a *Handbook for Regional Coastal and Marine Spatial Planning*. The implementation plan went through extensive public comment and policy review and is set to be released in the next month or so. We also anticipate that much of the handbook will be available soon. These will provide a comprehensive framework to facilitate coordinated planning.

In the Great Lakes region, there is much excellent marine planning work going on, but as far as a comprehensive systematic CMSP approach, we are still just taking initial steps. The federal partners of the Great Lakes Regional Planning Body have been meeting by phone regularly since December 2011, discussing ongoing projects and initiatives. State and tribal governments are currently identifying their points of contact who will be able to enter the dialogue to decide how best to tailor CMSP efforts for our region, especially in leveraging the many fine collaborative groups that already exist. Everyone is concerned with workload, but since none of the existing groups deal specifically with CMSP, we are seeing real value in organizing a team with this mission at its core. Still, we hope to design the team to have low overhead, taking advantage of existing relationships.

Once the team is established, we will follow the implementation plan and the handbook as appropriate for the region. Early steps will determine the region's priorities, assess CMSP capacity, and work to close gaps in CMSP training. We have a good idea about the region's priorities, but need to hear from the state and tribal governments and stakeholders, since they are all central to this process. When we have our priority list and complete the capacity assessment, we will be able to determine the scope of what

we can and want to tackle.

### **What are the main challenges facing the CMSP implementation process at this point?**

**Kondel:** One of the current challenges we face is effectively communicating the goals and the benefits of regional marine planning in the United States. There are still concerns by many that they will not have a voice in the planning process, that the outcome will be a large-scale restriction of ocean uses, and that marine planning will create additional regulatory and permitting burdens. Because the ocean policy relies on existing authorities, we do not envision additional regulatory burdens.

Stakeholder engagement in the marine planning process will be instrumental to its success in any region. One challenge will be for each of the regions to develop mechanisms to ensure all relevant stakeholders are able to have meaningful input throughout the planning process. The handbook being developed by the National Ocean Council will provide guidance to the regional planning bodies on how they might want to approach stakeholder and public engagement to support a successful planning process.

Today's fiscal climate is challenging. This is why it is more important than ever to leverage existing resources and prioritize use of funds among projects and programs. Through regional marine planning, we will be able to identify and address regional priorities by applying and leveraging the limited resources available to address some of the key challenges facing the ocean, coasts, and Great Lakes.

### **After the CMSP process for the Great Lakes is completed, do you expect it will result in some sort of zoning system for the region's waters?**

**Vogelbacher:** Zoning is a concept that many people unnecessarily relate with overly burdensome restrictions on uses. In fact, you could have large zones of unrestricted use. Ultimately, the region will decide what approach makes sense. Whether it is called zoning or something else, it would really surprise me to see a plan that cut up the entire Great Lakes into zones that significantly limit activity. What seems more likely is the continued - but better coordinated - establishment of limited-use areas and protected areas to deal with specific concerns developed from a regional perspective.

For instance, to protect and preserve historic shipwrecks the Thunder Bay National Marine Sanctuary prohibits bottom drilling and dredging. It seems to make sense to expand the sanctuary to include the large number of additional shipwrecks that have been discovered near, but outside of, the existing boundaries. In another example, a new rule has been proposed to expand the areas where discharge of dry cargo residue is prohibited, providing an effective spatial restriction on an activity and decreasing the impact on the environment.

I also anticipate the identification of areas where offshore wind production would make sense. Sited in areas of maximum wind potential and away from conflicting uses, such as shipping lanes, such a plan would both encourage industry to make use of the sites and streamline the permitting process. In addition, dedicated areas could include consolidated transmission corridors to bring power ashore. These examples reflect the reality that as better information becomes available, we can make better management decisions about how we use different parts of the Great Lakes. As the regional CMSP effort gains momentum, we will be able to make these decisions as part of a comprehensive picture.

As we engage with the state and tribal governments and the other regional stakeholders including industry, the public, and environmental groups, we will see what other drivers need to be addressed. Dead zones due to algae blooms are a high priority for Lake Erie. Water quality, fish habitat, and wetlands are concerns in other parts of the region. Four different hydrokinetic turbine projects are being pursued and at least one group is close to submitting a request for an offshore wind farm in the Great Lakes. CMSP should be able to help with all such challenges and opportunities.

Some other uses just need to be spatially mapped out and maintained. We plan to accomplish this through the use of a geographic information system (GIS) database. Shipping, for instance, is a primary source of jobs and economic prosperity for both the US and Canada. So the areas needed for the maritime transportation system should be accounted for and fenced off, helping ensure we retain free access through the vital network of canals, shipping lanes, and ports. This does not mean that shipping would be limited to only these specific areas; rather, any attempt by other users to develop or use the shipping areas in a non-complementary manner would be scrutinized and would be unlikely to receive approval unless they include an acceptable mitigation strategy. My expectation is that most of the areas in the Great Lakes and associated waterways will not have significant restrictions on legitimate uses.

### **For more information:**

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