

January 4, 2006

RE: Response to Comments to MRDP Working Version - September 20, 2005

Dear interested party:

Thank you for providing insightful and thoughtful comment to the September 20, 2005 Working Version of the Marine Resources Development Plan (MRDP). We received many and varied comments, all of which have been looked at thoroughly and discussed at length.

We, of course, are pleased with the many comments that acknowledge and commend the Council for developing an MRDP and its “alluring vision for the future” of marine resource management in our state. Some thought that the MRDP deserved credit for being “thought-provoking, with “good vision” that addresses “many issues important to the future of...the State.”

Additionally, we received many comments that offered much constructive criticism, such as that there “appears to be little thought given to urban areas” and that not enough specific goals and quantifiable performance measures were included in the MRDP.

We thank everyone for these comments.

What follows is a single agency response to all comments received, generally grouped by comment topic(s). At the end of our response is the distribution list of commentators that this response has been issued to.

Thank you for taking the time and effort to develop these comments.

Sincerely,

Grover J. Fugate, Executive Director
Coastal Resources Management Council

Balance, Boundaries and Collaboration

Comments received mention that the Marine Resources Development Plan (MRDP) does not emphasize the critical roles that other agencies have in ecosystem preservation and restoration, and that economic and recreational use recognition surpasses preservation and restoration recognition. Additionally, comments were received about the scope of the MRDP relative to the overall tone and jurisdiction of the document, the interaction among the “four key actors” and confusion with various initiatives occurring in the upper bay.

In developing the MRDP, the Council had (and has) no intention of directing the duties of other agencies in their roles and authorities for natural resource management. The MRDP is trying however to position the Council – and those that interact with the Council – with a broader view of its role in natural resource management. The Council is simply trying to better educate itself in the wide range of issues that are very much connected to each issue it addresses so that its decision-making processes are carried out with an understanding of the potential influences each may have. The Council will continue to coordinate and collaborate with its partners while it also matures into a more visionary, policy-setting group that looks to better understand the myriad of disciplines that make coastal resources management a success.

As for economic development v. environmental management, the MRDP sets out the fact that economic development is a reality that must be recognized so that its impacts can be incorporated into decision-making. Environmental management, as embodied in coastal zone management, insists on the recognition of a balance of competing uses, and then taking that reality to develop programs to address it. The MRDP recognizes economic development (in fact, it is required to) and directs the Council to ensure management such that coastal resources are protected while fostering economic development as appropriate.

Also, providing consistency with municipal plans and regulations was brought up as lacking focus. To gain such consistency, the Memorandum of Understanding that the Council has with the Capitol Center Commission was noted to be a reference to follow. However, while this MOU is in effect, its development was not to have Council programs conform to those of the CCC, but rather to recognize the uniqueness of each programs’ objectives and embody them in one document. The MRDP, through its implementation mechanisms (primarily a special area management plan, or SAMP) will achieve this consistency. Additionally, as the Council will be working with the State Planning Council to have the MRDP become an element of the State Guide Plan, municipal plans and regulations will need to seek consistency with the MRDP.

Watersheds were also recognized as an important element to the development of the MRDP. This recognition is already embodied in the Council’s and others programs.

As part of a national effort, the state Coastal Zone Management (CZM) and 319 programs were required by their federal counterparts to develop a coastal nonpoint pollution control program for each state. Commonly referred to as 6217 (referencing the section of the federal act), the Council and DEM jointly developed and submitted the very first state program to NOAA and

EPA for federal approval. The Rhode Island program received federal approval in 2000, the first in New England. Because the 6217 program – for nonpoint source pollution purposes – encompasses the entire state, the Council's and DEM's programs, policies and regulations currently address watershed activities and their impacts and issues to resource management.

Additionally, it was noted that Figure 1 does not accurately represent the state's territorial waters. To address this, the MRDP was revised to reflect the proper citation from the General Laws and included with the appropriate figure.

Procedurally, the MRDP does not replace nor supersede Council programs and polices; it is not a regulatory document nor will it be an amendment to any Council plan or program. Existing duly-adopted programs will remain in place.

Lastly, the fact that there are various planning initiatives occurring in the upper bay emphasizes the leadership role that the Council needs to take vis-à-vis the management of coastal resources and the implementation of the MRDP. The Council, embodied through the MRDP, needs to become more of a leader in coastal resources management by better understanding the various planning efforts being made and offering policies and programs that can help guide these efforts toward consistent resource management. Protection, management, restoration and development of the state's marine resources will require the coordinated and effective involvement of state government, as well as the engagement of local resource agencies and the private sector. The Council sees this statement as very important to successful marine resource management and has tried to bring this design to the forefront, through the MRDP.

Communication

Transparency was specifically mentioned as a weak point of the Council's and that the MRDP does not adequately address this issue. While the fact that this comment was even brought up suggests that transparency needs to be better highlighted, discussed and made clear as to Council actions through the MRDP. The statement in and of itself, however, is not entirely accurate.

Transparency is important. And now is the time for the Council to be transparent about the MRDP. Now is the time to begin to explain the MRDP to as many and various groups and individuals as necessary to build support for the Council at a higher level.

Prior to this point in time, the Council was wrestling with how to meet the legislative intent for an MRDP; what should the primary focus of the Council be under an MRDP scheme; how should it structure itself to address this; how should it best position itself to meet that intent; and lastly, how to best implement these ideas. We discussed the issues at length and developed the September 20, 2005 Working Version of the MRDP to begin the process of being transparent. Prior to the September 20, 2005 Working Version of the MRDP we did meet with the agencies and institutions that must be collaborated and coordinated with to make the MRDP successful. Albeit one-on-one interviews with various groups and/or individuals, those meetings were

transparent. Maybe by having those meetings, a certain amount of confusion was created to suggest that the Council was developing its MRDP without a larger-scale public input method. However, as has been shown, that was not the case and would never be the case.

The process that was undertaken from the September 20, 2005 draft to now was to reach out to the public at large; to listen and collect ideas and criticisms that will make the MRDP successful; and to incorporate those comments such that their implementation makes the MRDP a strong leadership tool for the Council for coastal resources management.

Lastly, now that the MRDP has been released for public consumption, the Council will be employing all available communication tools. The MRDP website is up and running (<http://www.crmc.state.ri.us/projects/mrdp.html>), with much more information on the way; and, a listserv is being set up, similar to the listserves that the Council used when it developed the Greenwich Bay SAMP (which is still active) and uses for the MetroBay SAMP.

Fisheries

Some comments received indicated that the Council, through the MRDP, is positioning itself to manage fisheries. However, the MRDP is only trying to direct the Council toward developing policies and actions that drive the protection of habitats, which in turn protect and manage fisheries. Statements throughout the MRDP that speak to fisheries management are only meant to direct how the Council needs to manage activities and protect resources that will assist in fisheries management. No direct management of fisheries is intended by the Council.

Specifically, a comment was made to the statement “Marine waters are also to be managed as a natural food factory” (MRDP 9/20/2005 pg 11). To better reflect the intention that the MRDP has for fisheries and fisheries management, the MRDP will be revised so that the sentence reads “Marine waters and habitats are also to be managed as a natural provider of food factory and protein.” Thus, the MRDP is attempting to achieve a managed environment for the productivity of resources, upon which fisheries depend.

Also, the Council will look to strengthen its fisheries policies by affirming its broader concerns to fisheries management that include the preservation and restoration of fisheries resources and habitats. The Council recognizes the Rhode Island Marine Fisheries Council’s authority to promulgate regulations governing fishing gear, seasons, size and catch limits, and the closure of fishing grounds. And for this area of concern – fisheries - the Council will continue to coordinate with the RIMFC to work to preserve and where possible restore the marine fishery resources of the state by managing important habitats and fishing grounds

Vision and Goals

Comments were made regarding vision, goal-setting and setting-out an implementation program in the MRDP. While the MRDP does set for the Council a number of goals, the statutory provisions are the goals that the Council will meet when implementing the MRDP. Furthermore,

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the federal CZMA sets out similar types of goals. Additionally, the implementation program that will most visibly implement the MRDP is the Council's special area management plan program. Currently, there are five SAMPs. While the MRDP sets out higher-level aspirations for the Council to meet when developing policies and programs for coastal resources management, the SAMPs, developed as necessary, will project those goals and implementation plans called for in the MRDP statute.

The MRDP also speaks to "design" and many of the comments received reflected that the MRDP was to engage in design as it pertains to project-by-project vision and development, or better put, design as it pertains to a project's architecture. This is not what the MRDP intends to do. Design to the Council, through the MRDP, means to develop programs and policies that by their definition and implementation create waterfronts and waterfront areas that are design-oriented and allow place-making to occur by a project's proponent. By meeting the goals and objectives for a particular managed area of the MRDP, a project (or projects) will be creating places that are instrumental to the overall success of waterfront design.

Thank you again for taking the time to provide the Council with your comments. Please know that they were well-received, deliberated upon and incorporated as appropriate into the subsequent version of the MRDP. Together with these comments, the MRDP will better guide the Council toward in its growth as a leader for the management of the state's marine resources.

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