



Adoption of the Mid-Atlantic Regional Ocean Action Plan

The Mid-Atlantic Regional Ocean Action Plan (Plan) is the result of an historic collaboration among six Mid-Atlantic States, two federally recognized Tribes, eight Federal agencies, and the Mid-Atlantic Fishery Management Council, acting collectively as the Mid-Atlantic Regional Planning Body (Mid-A RPB) and informed by the extensive participation of stakeholders throughout the region and beyond.

The Plan describes a series of collaborative actions and best practices related to the use of data, interjurisdictional coordination, and stakeholder engagement that will inform and guide Federal, State, Tribal, and Mid-Atlantic Fishery Management Council activities under existing authorities. The companion Mid-Atlantic Ocean Data Portal (Data Portal) presents thousands of publicly available maps that represent components of the marine ecosystem and a wide range of human activities. The Plan and Data Portal promote healthy ocean ecosystems and sustainable ocean uses in Mid-Atlantic waters. The Plan imposes no new regulatory requirements.

The Plan was developed pursuant to Executive Order 13547 (July 19, 2010), “Stewardship of the Ocean, Our Coasts, and the Great Lakes.” The Executive Order adopted the Final Recommendations of the Interagency Ocean Policy Task Force (Council on Environmental Quality, 2010); established the National Ocean Policy; and provided for the development of regional marine plans that build upon and improve existing Federal, State, Tribal, local, and regional decision making and planning processes.

Implementation of the Mid-Atlantic Regional Ocean Action Plan

The National Ocean Council certified that the Plan is consistent with the National Ocean Policy effective December 5, 2016. The Federal members of the MidA RPB administer a wide range of statutes and programs that involve or affect the marine environment. These Federal departments and agencies carry out actions under Federal laws involving a wide range of regulatory responsibilities and non-regulatory missions and management activities throughout the Mid-Atlantic regional ocean planning area. The specific manner and mechanism each Federal agency will use to implement the Plan will depend on that agency’s mission, authorities, and activities. Each Federal MidA RPB member will use the Plan to inform and guide its planning activities and decision-making activities.

Specifically, consistent and within existing statutory authorities, Executive Order 13547 and the Final Recommendations, the Federal agencies represented on the MidA RPB hereby adopt the Plan, and will: 1) identify, develop, and make publicly available implementing instructions, such as internal agency guidance, directives, or similar organizational or administrative documents, that describe the way the agency will use the Plan to inform and guide its actions and decisions in the Mid-Atlantic ocean planning area; 2) ensure that the agency, through such internal administrative instructions, will consider the data products available from the Data Portal in its decision making and as it carries out its actions in the Mid-Atlantic ocean planning area; and 3) explain its use of the Plan and Data Portal in its decisions, activities, or planning processes that involve or affect the Mid-Atlantic regional ocean planning area.

This document does not create any right or benefit, substantive or procedural, enforceable by law or equity against any signatory or agency. This document does not substitute for or supersede any legally binding statutes or regulations. In the event of a conflict between this document and requirements under statute or regulation, the latter controls. All commitments made by agencies herein are subject to the availability of appropriated funds and agency budget priorities.

Tribal, State, and Mid-Atlantic Fishery Management Council participation in the development and implementation of the Plan is voluntary. These entities strongly value the benefits of regional collaboration and have been equal partners in the development of the Plan. By their signatures below, the Tribal and Mid-Atlantic Fishery Management Council members of the Mid-Atlantic Regional Planning Body hereby agree to adopt and assist in the implementation of the Plan. The Mid-Atlantic States support the Plan and commit to assist in its implementation as described by them in Addendum 1.

Adoption of Mid-Atlantic Regional Ocean Action Plan

Federal signatures

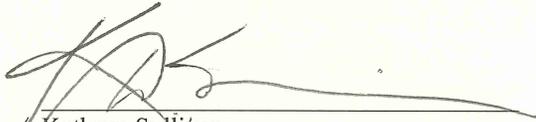
National Ocean Council Principals



Lori Faeth
U.S. Department of the Interior



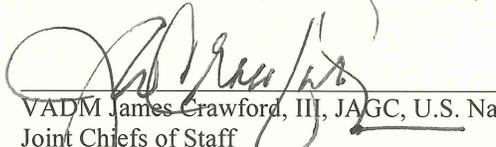
Ann Mills
U.S. Department of Agriculture



Kathryn Sullivan
U.S. Department of Commerce
Represented by the National Oceanic and Atmospheric Administration



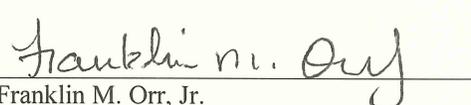
Dennis McGinn
U.S. Department of Defense
Represented by the Department of the Navy



VADM James Crawford, III, JAGC, U.S. Navy
Joint Chiefs of Staff
Represented by the DoD Representative for Ocean Policy Affairs



VADM Charles Ray, USCG
U.S. Department of Homeland Security
Represented by the U.S. Coast Guard



Franklin M. Orr, Jr.
U.S. Department of Energy

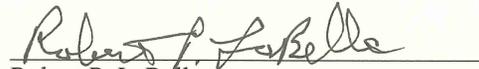


Blair Anderson
U.S. Department of Transportation

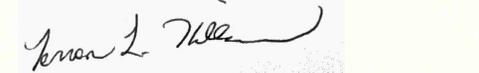


A. Stanley Meiburg
U.S. Environmental Protection Agency

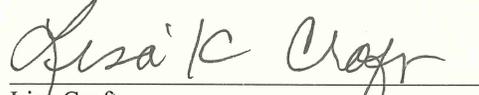
Mid-A Regional Planning Body Representatives



Robert P. LaBelle
U.S. Department of the Interior
Represented by the Bureau of Ocean Energy Management



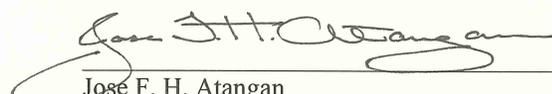
Terron Hillsman
U.S. Department of Agriculture
Represented by Natural Resources Conservation Service



Lisa Croft
U.S. Department of Commerce
Represented by the National Oceanic and Atmospheric Administration



Michael Jones
U.S. Department of Defense
Represented by the U.S. Navy



Jose F. H. Atangan
Joint Chiefs of Staff
Represented by the U.S. Navy



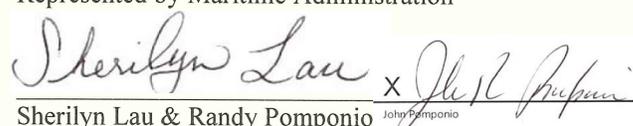
Chris Scraba
U.S. Department of Homeland Security
Represented by the U.S. Coast Guard



Hoyt Battey
U.S. Department of Energy



John Kennedy
U.S. Department of Transportation
Represented by Maritime Administration



Sherilyn Lau & Randy Pomponio
U.S. Environmental Protection Agency

Tribal Signatures



Bryan Polite, Chairman
Council of Trustees
Shinnecock Indian Nation



Robert Gray
Chief, Pamunkey Indian Tribe



Eugene E. Cuffee II, Sachem
Council of Trustees
Shinnecock Indian Nation

Fishery Management Council Signature

A handwritten signature in black ink, appearing to read "Michael Luisi". The signature is fluid and cursive, with the first name "Michael" being more prominent than the last name "Luisi".

Michael Luisi
Mid-Atlantic Fishery Management Council

Addendum 1:

Mid-Atlantic States Support for the Mid-Atlantic Regional Ocean Action Plan



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

OFFICE OF THE
SECRETARY

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE: (302) 739-9000
FAX: (302) 739-6242

December 9, 2016

Dr. John P. Holdren
Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Christy Goldfuss
Managing Director
Council on Environmental Quality
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dear National Ocean Council:

Delaware has long recognized the importance of coordination and cooperation in the management and stewardship of its coastal and ocean resources.

As a participant in the Mid-Atlantic regional ocean planning process, Delaware has contributed to and benefitted from this state, federal, and tribal initiative to collect and display regional-scale data of marine resources and ocean-based uses, the convening and engagement of diverse ocean stakeholders, and the identification of priorities and responses to regional needs. The data, information, and stakeholder input that went into the development of the Mid-Atlantic Regional Ocean Action Plan ("Plan") and the actions described in it complement and integrate well with ongoing ocean management in Delaware.

The purpose of this letter is to express Delaware's support for the Plan.

The Plan is a culmination of collaborative discussions that have occurred since 2013 and outlines a suite of actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. It represents an opportunity to work with neighboring states, federal agencies, tribes, the Mid-Atlantic Fishery Management Council and our stakeholders to collaborate on projects for our collective economic and environmental well-being. It will also allow us to identify and protect shared resources and anticipate and resolve potential conflicts.

The Mid-Atlantic Regional Ocean Action Plan is the first-ever regional ocean action plan for the Mid-Atlantic and a major milestone. However, it is only a starting point in the realization of improved ocean management. An on-going dialogue between state, federal, and tribal entities and our partners and stakeholders is essential to implementing many of the actions outlined in the Plan.

Delaware's Good Nature depends on you!

We recognize that this is an enormous undertaking and we look forward to being a willing and committed partner to address the commitments of the Plan, where appropriate. Subject to, and to the extent provided by the stipulations and conditions outlined below, Delaware agrees to assist in the implementation of the Mid-Atlantic Regional Ocean Action Plan developed by the Mid-Atlantic Regional Planning Body (Mid-A RPB) pursuant to the National Ocean Policy established by Executive Order 13547, to the extent practicable and consistent with applicable law. Such implementation shall generally include:

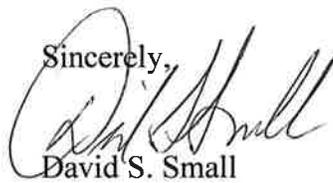
- Participate in the coordination and consultation processes recommended in the Plan, aimed toward facilitating improved interactions between federal, state and tribal entities.
- Contribute to the implementation of actions identified and described in the Plan, such as, helping to develop and/or review updates to the data and maps on the online spatial Mid-Atlantic Ocean Data Portal (Portal); assisting with engagement of stakeholders and specific communities/sectors related to various ocean activities or issues; and participating on various future working groups that will help to move our common objectives forward.
- Consider relevant regional-scale data and information referenced in the Plan and accessible from the online spatial Portal to inform project review and decision-making. Data and information in the Portal are not the exclusive nor sole source of information, and maps and data sources should be used with an understanding of the associated caveats and limitations. In most cases, finer scale, site-specific information will still be required to support regulatory review and other management and permitting actions.
- Assist with Plan performance monitoring actions including the development and/or review of a performance monitoring and evaluation framework and a proposed approach for ocean ecosystem health indicators.
- Assist with identifying the Plan's regional applied science and research priorities.

The State's support for and continued participation in matters related to the implementation or further revision of the Plan is subject to, and in accordance with, the following stipulations and conditions:

- Nothing in the Plan commits the State, now or in future, to expend, allocate, or appropriate state or federal funds or other resources that are or may become available for any purpose, including but not limited to implementation or further revision of the Plan;
- At its sole discretion, the State may terminate, revoke, or further qualify its support for the Plan as a whole, or in part, at any time;

- At its sole discretion, the State will determine the nature and extent of its participation in matters related to implementation or further revision of the Plan, which may depend, in part, on federal agencies' continuing commitment to the Plan and timely update of its data and information resources, and, in any event, state participation will be dependent on existing and available budgeted resources;
- The Plan will be interpreted and used in a manner fully consistent with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any federal or state agency, federally-recognized Indian tribe or other governmental entity, the regulated community, or the general public under state law or federal law, including, but not limited to: the Clean Water Act, the Clean Air Act, Coastal Zone Management Act, Outer Continental Shelf Lands Act, Magnuson-Stevens Fisheries Conservation and Management Act, the Deepwater Port Act, the Federal Power Act, National Environmental Policy Act, or the Constitution of the United States;
- The Plan is purely advisory and nothing in the Plan commits or may be construed to commit the State to take or refrain from any action, or act or refrain from acting in any particular manner, on any matter whether or not it is specifically addressed by the Plan; and
- The Plan is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the State, its department, agencies, instrumentalities, officers, employees, or agents, or any other person or entity.

Delaware looks forward to working in a spirit of collaboration with the Mid-Atlantic Regional Planning Body and our partners and stakeholders throughout the region to continue our efforts to improve the health and management of the nation's ocean resources.

Sincerely,

David S. Small
Secretary



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

December 16, 2016

Christy Goldfuss
Managing Director, Council on Environmental Quality
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dr. John P. Holdren
Director, Office of Science and Technology Policy
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

RE: Mid-Atlantic Regional Ocean Action Plan

Dear Directors Goldfuss and Holdren:

By this letter, I am expressing the State of Maryland's support for the Mid-Atlantic Regional Ocean Action Plan. Maryland has long recognized the importance of coordination and cooperation in the management and stewardship of its coastal and ocean resources.

As a participant in the Mid-Atlantic regional ocean planning process, Maryland has contributed to and benefitted from this state, federal, and tribal initiative to collect and display regional-scale data of marine resources and ocean-based uses, the convening and engagement of diverse ocean stakeholders, and the identification of priorities and responses to regional needs. The data, information, and stakeholder input that went into the development of the Mid-Atlantic Regional Ocean Action Plan ("Plan") and the actions described in it complement and integrate well with ongoing ocean management in Maryland.

The Plan is a culmination of discussions that have occurred since 2013 and outlines a suite of actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. It represents an opportunity to work with neighboring states, federal agencies, tribes, the Mid-Atlantic Fishery Management Council and our stakeholders to collaborate on projects for our collective economic and environmental well-being. It will also allow us to identify and protect shared resources and anticipate and resolve potential conflicts.

The Mid-Atlantic Regional Ocean Action Plan is the first-ever regional ocean action plan for the Mid-Atlantic and a major accomplishment. However, it is only a starting point in the realization of improved ocean management. An on-going dialogue between state, federal, and tribal entities

and our partners and stakeholders is essential to implementing many of the actions outlined in the Plan.

We recognize that this is a substantial undertaking and we agree to support and assist in the use and further refinement of the Plan developed by the Mid-Atlantic Regional Planning Body, to the extent practicable and consistent with applicable law. Such support and assistance shall generally include:

- A. Participate in the coordination and consultation processes recommended in the Plan as they pertain to the State's interests or shared interests that will help to move our common objectives forward;
- B. Consider relevant data and information referenced in the Plan and accessible from the Mid-Atlantic Ocean Data Portal to inform review and decision making regarding ocean management activities;
- C. Contribute to the implementation of actions identified and described in the Plan that are relevant to Maryland's interests or shared interests that will help to move our common objectives forward;
- D. Assist with Plan performance monitoring actions; and
- E. Assist with identifying the regional applied science and research priorities.

Maryland's support for and continued participation in matters related to use or further refinement of the Plan is subject to, and in accordance with, the following stipulations, understandings, and conditions:

- A. Nothing in the Plan commits the State, now or in the future, to expend, allocate, or appropriate state or federal funds or other resources that are or may become available to it for any purpose, including but not limited to use or further refinement of the Plan;
- B. At its sole discretion, the State may terminate, revoke, or further qualify its support for the Plan as a whole, or in part, at any time;
- C. At its sole discretion, the State will determine the nature and extent of its participation in matters related to use or further refinement of the Plan, which may depend, in part, on federal agencies' continuing commitment to the Plan and timely update of its data and information resources, and, in any event, such state participation will be dependent on existing and available budgeted resources;
- D. The Plan will be interpreted and used in a manner fully consistent with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any federal or state agency, federally-recognized Indian tribe or other governmental entity, the regulated community, or the general public under state law or federal law, including, but not limited to: the Clean Water Act, the Clean Air,

Coastal Zone Management Act, Outer Continental Shelf Lands Act, Magnuson-Stevens Fisheries Conservation and Management Act, the Deepwater Port Act, the Federal Power Act, National Environmental Policy Act, or the Constitution of the United States;

- E. At its sole discretion, the State will use the Mid-Atlantic Ocean Data Portal with the understanding that the utility of such data and information is subject to methodological and other limitations as acknowledged in the Plan; that such data and information are not the exclusive or sole source of relevant information; and that in most instances, finer scale, site-specific information will be required for regulatory review and decision making and other management actions;
- F. The Plan is purely advisory and nothing in the Plan commits or may be construed to commit the State to take or refrain from any action, or act or refrain from acting in any particular manner, on any matter whether or not it is specifically addressed by the Plan; and
- G. The Plan is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the State, its departments, agencies, instrumentalities, officers, employees, or agents, or any other person or entity.

Maryland looks forward to working in a spirit of collaboration with our partners and stakeholders throughout the region to continue our efforts to improve the health and management of the nation's ocean resources.

Sincerely,



Mark J. Belton
Secretary
Maryland Department of Natural Resources

cc: Gwynne Schultz
Catherine McCall



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Land Use Management
401 East State St. 7th Fl.

P.O. Box 420

Mail Code 401-07B

Trenton, New Jersey 08625-0420

Phone: 609-292-2178

Fax: 609-633-0750

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

DEC 1 9 2016

Dear National Ocean Council:

The State of New Jersey has long recognized the importance of coordination and cooperation in the management and stewardship of its coastal and ocean resources.

As a participant in the Mid-Atlantic regional ocean planning process, New Jersey has contributed to and benefitted from this state, federal, and tribal initiative to collect and display regional-scale data of marine resources and ocean-based uses, the convening and engagement of diverse ocean stakeholders, and the identification of priorities and responses to regional needs. The data, information, and stakeholder input that went into the development of the Mid-Atlantic Regional Ocean Action Plan ("Plan") and the actions described in it complement and integrate well with ongoing ocean management in New Jersey.

The purpose of this letter is to express New Jersey's support for the Plan.

The Plan is a culmination of collaborative discussions that have occurred since 2013 and outlines a suite of actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. It represents an opportunity to work with neighboring states, federal agencies, tribes, the Mid-Atlantic Fishery Management Council and our stakeholders to collaborate on projects for our collective economic and environmental well-being. It will also allow us to identify and protect shared resources and anticipate and resolve potential conflicts.

The Mid-Atlantic Regional Ocean Action Plan is the first-ever regional ocean action plan for the Mid-Atlantic and a major milestone. However, it is only a starting point in the realization of improved ocean management. An on-going dialogue between state, federal, and tribal entities and our partners and stakeholders is essential to implementing many of the actions outlined in the Plan. We recognize that this is an enormous undertaking and we look forward to being a willing and committed partner to address the commitments of the Plan, where appropriate.

Subject to, and to the extent provided by the stipulations and conditions outlined below, New Jersey agrees to assist in the implementation of the Mid-Atlantic Regional Ocean Action Plan developed by the Mid-Atlantic Regional Planning Body (Mid-A RPB)

pursuant to the National Ocean Policy established by Executive Order 13547, to the extent practicable and consistent with applicable law. Such implementation shall generally include:

- Participate in the coordination and consultation processes recommended in the Plan, aimed toward facilitating improved interactions between federal, state and tribal entities.
- Contribute to the implementation of actions identified and described in the Plan, such as, helping to develop and/or review updates to the data and maps on Portal; assisting with engagement of stakeholders and specific communities/sectors related to various ocean activities or issues; and participating on various future working groups that will help to move our common objectives forward.
- Consider relevant regional-scale data and information referenced in the Plan and accessible from the online spatial Mid-Atlantic Ocean Data Portal to inform project review and decision-making. Data and information in the Portal are not the exclusive nor sole source of information, and maps and data sources should be used with an understanding of the associated caveats and limitations. In most cases, finer scale, site-specific information will still be required to support regulatory review and other management and permitting actions.
- Assist with Plan performance monitoring actions including the development and/or review of a performance monitoring and evaluation framework and a proposed approach for ocean ecosystem health indicators.
- Assist with identifying the Plan's regional applied science and research priorities.

The State's support for and continued participation in matters related to the implementation or further revision of the Plan is subject to, and in accordance with, the following stipulations and conditions:

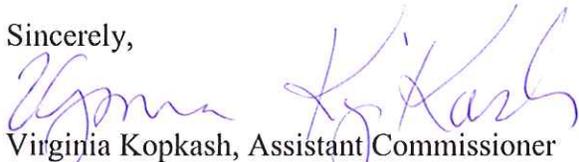
- Nothing in the Plan commits the State, now or in future, to expend, allocate, or appropriate state or federal funds or other resources that are or may become available for any purpose, including but not limited to implementation or further revision of the Plan;
- At its sole discretion, the State may terminate, revoke, or further qualify its support for the Plan as a whole, or in part, at any time;
- At its sole discretion, the State will determine the nature and extent of its participation in matters related to implementation or further revision of the Plan,

which may depend, in part, on federal agencies' continuing commitment to the Plan and timely update of its data and information resources, and, in any event, state participation will be dependent on existing and available budgeted resources;

- The Plan will be interpreted and used in a manner fully consistent with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any federal or state agency, federally-recognized Indian tribe or other governmental entity, the regulated community, or the general public under state law or federal law, including, but not limited to: the Clean Water Act, the Clean Air, Coastal Zone Management Act, Outer Continental Shelf Lands Act, Magnuson-Stevens Fisheries Conservation and Management Act, the Deepwater Port Act, the Federal Power Act, National Environmental Policy Act, or the Constitution of the United States;
- The Plan is purely advisory and nothing in the Plan commits or may be construed to commit the State to take or refrain from any action, or act or refrain from acting in any particular manner, on any matter whether or not it is specifically addressed by the Plan; and
- The Plan is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the State, its department, agencies, instrumentalities, officers, employees, or agents, or any other person or entity.

New Jersey looks forward to working in a spirit of collaboration with the Mid-Atlantic Regional Planning Body and our partners and stakeholders throughout the region to continue our efforts to improve the health and management of the nation's ocean resources.

Sincerely,



Virginia Kopkash, Assistant Commissioner
New Jersey Department of Environmental Protection
Land Use Management

**NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

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Albany, New York 12233-1010
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DEPARTMENT OF STATE**

One Commerce Plaza
99 Washington Avenue
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Ms. Christy Goldfuss
Managing Director
Council on Environmental Quality
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

DEC 20 2016

Dr. John P. Holdren
Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dear Managing Director Goldfuss and Director Holdren:

The State of New York has long recognized the importance of coordination and cooperation in the management and stewardship of coastal and ocean resources. Beginning in 2006 with the enactment of the New York Ocean and Great Lakes Ecosystem Conservation Act; the development of the New York State Ocean Action Plan; and Governor Cuomo's recent approval of a bill to create the New York State Ocean Acidification Task Force, the State has both provided leadership and sought collaborative opportunities for action based on shared priorities identified at the local, State, and regional interstate level. As a participant in the Mid-Atlantic Regional Planning Body (Mid-A RPB), the State of New York has contributed to and benefitted from the development of the Mid-Atlantic Regional Ocean Action Plan (Plan). This letter expresses the State of New York's general support for the final Plan as approved by the National Ocean Council.

The Plan is a culmination of collaborative discussions that have occurred since 2013 and outlines actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. The planning process involved collection and display of regional-scale data of marine resources and ocean-based uses on a Mid-Atlantic Ocean Data Portal (Portal) and the engagement of diverse ocean stakeholders. New York believes that maintaining this fact-based and collaborative approach will be essential to successfully implementing the Plan's actions.

The State of New York agrees with the general approach of the Plan's actions, with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any entity or the general public. Additionally, while the State



Department of
Environmental
Conservation | Department
of State

supports the Plan as a whole, the State's continued participation in Plan implementation is at the State's discretion, may be altered at any time, and does not commit the State to expend any funds or resources.

To focus the efforts of the RPB as it shifts to implementation, the State has identified the following as important components of the Plan that should be considered by federal agencies for early implementation:

- The coordination and consultation processes recommended in the Plan to improve interactions between federal, state and tribal entities;
- The updating of the data and maps on the Portal to keep it relevant, and consideration of relevant data and information accessible on the Portal to inform project reviews and decision-making, as appropriate and with the understanding of associated caveats;
- The development of a Mid-Atlantic Ocean Acidification Monitoring Network that dovetails with the work of New York's Ocean Acidification Task Force:
 - identifying ocean ecosystem health indicators; and
 - identifying regional applied science and research priorities.

The State looks forward to identifying opportunities to assist federal agencies with their implementation of the Plan, to the extent practicable and consistent with applicable law, with the goal of improved health and management of our ocean resources.

Sincerely,



Basil Seggos
Commissioner
New York State Department of
Environmental Conservation



Rossana Rosado
Secretary
New York State Department of State



January 3, 2017

Ms. Christy Goldfuss
Managing Director
Council on Environmental Quality
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dr. John P. Holdren
Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Re: State Letter of Support for Mid-Atlantic Regional Ocean Action Plan

Dear National Ocean Council:

The Commonwealth of Pennsylvania has long recognized the importance of coordination and cooperation in the management and stewardship of its coastal and ocean resources. Since 1980, Pennsylvania has implemented the Coastal Zone Management Act to protect and enhance its coastal resources, including those in the Delaware Estuary.

As a participant in the Mid-Atlantic regional ocean planning process, Pennsylvania has contributed to and benefitted from this state, federal, and tribal initiative to collect and display regional-scale data relevant to management of its coastal resources, the convening and engagement of diverse stakeholders and the identification of priorities and responses to regional needs. The data, information, and stakeholder input that went into the development of the Mid-Atlantic Regional Ocean Action Plan (Plan) and the actions described in it complement the management of coastal resources in Pennsylvania.

The Plan is a culmination of collaborative discussions that have occurred since 2013 and outlines a suite of actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. It represents an opportunity to work with neighboring states, federal agencies, tribes, the Mid-Atlantic Fishery Management Council and other stakeholders on projects for collective economic and environmental well-being. It also presents a tool to identify and protect shared resources and anticipate and resolve potential conflicts.

The Mid-Atlantic Ocean Action Plan marks a major milestone as the first ever regional ocean plan for the Mid-Atlantic. While Pennsylvania does not manage open-ocean resources, our coastal areas in the Delaware Estuary benefit from a robust and consensus-driven Plan. The Plan National Ocean Council will provide for a natural continuation of environmental resource management and economic development from our estuarine environments to the open ocean.

Secretary

Pennsylvania supports the Plan that will ensure a healthy and enduring interaction between the Delaware Estuary and the Atlantic Ocean into the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick McDonnell", written in a cursive style.

Patrick McDonnell
Secretary

Enclosure



COMMONWEALTH of VIRGINIA

Office of the Governor

Molly Joseph Ward
Secretary of Natural Resources

December 12, 2016

Christy Goldfuss
Managing Director
Council on Environmental Quality
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dr. John P. Holdren
Director
Office of Science and Technology Policy
Co-Chair, National Ocean Council
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, DC 20504

Dear Ms. Goldfuss and Dr. Holdren:

The Commonwealth of Virginia has long recognized the importance of coordination and cooperation in the management and stewardship of its coastal and ocean resources.

As a participant in the Mid-Atlantic regional ocean planning process, Virginia has contributed to and benefitted from this state, federal, and tribal initiative to collect and display regional-scale data of marine resources and ocean-based uses, the convening and engagement of diverse ocean stakeholders, and the identification of priorities and responses to regional needs. The data, information, and stakeholder input that went into the development of the Mid-Atlantic Regional Ocean Action Plan (“Plan”) and the actions described in it complement and integrate well with ongoing ocean management in Virginia.

The purpose of this letter is to express the Commonwealth’s support for the Plan.

The Plan is a culmination of collaborative discussions that have occurred since 2013 and outlines a suite of actions for improving collaboration on decision making for ocean waters of the Mid-Atlantic. It represents an opportunity to work with neighboring states, federal agencies, tribes, the Mid-Atlantic Fishery Management Council and our stakeholders to collaborate on projects for our collective economic and environmental well-being. It will also allow us to identify and protect shared resources and anticipate and resolve potential conflicts.

The Mid-Atlantic Regional Ocean Action Plan is the first-ever regional ocean action plan for the Mid-Atlantic and a major milestone. However, it is only a starting point in the realization of

improved ocean management. An on-going dialogue between state, federal, and tribal entities and our partners and stakeholders is essential to implementing many of the actions outlined in the Plan.

We recognize that this is an enormous undertaking and we look forward to being a willing and committed partner to address the commitments of the Plan, where appropriate.

Subject to, and to the extent provided by the stipulations and conditions outlined below, the Commonwealth of Virginia agrees to assist in the implementation of the Mid-Atlantic Regional Ocean Action Plan developed by the Mid-Atlantic Regional Planning Body (Mid-A RPB) pursuant to the National Ocean Policy established by Executive Order 13547, to the extent practicable and consistent with applicable law. Such implementation shall generally include:

- Participation in the coordination and consultation processes recommended in the Plan, aimed toward facilitating improved interactions between federal, state and tribal entities.
- Contributions to the implementation of actions identified and described in the Plan, such as, helping to develop and/or review updates to the data and maps on Portal; assisting with engagement of stakeholders and specific communities/sectors related to various ocean activities or issues; and participating on various future working groups that will help to move our common objectives forward.
- Consideration of relevant regional-scale data and information referenced in the Plan and accessible from the online spatial Mid-Atlantic Ocean Data Portal to inform project review and decision-making. Data and information in the Portal are not the exclusive nor sole source of information, and maps and data sources should be used with an understanding of the associated caveats and limitations. In most cases, finer scale, site-specific information will still be required to support regulatory review and other management and permitting actions.
- Assistance with Plan performance monitoring actions including the development and/or review of a performance monitoring and evaluation framework and a proposed approach for ocean ecosystem health indicators.
- Assistance with identifying the Plan's regional applied science and research priorities.

The State's support for and continued participation in matters related to the implementation or further revision of the Plan is subject to, and in accordance with, the following stipulations and conditions:

- Nothing in the Plan commits the State, now or in future, to expend, allocate, or appropriate state or federal funds or other resources that are or may become available for any purpose, including but not limited to implementation or further revision of the Plan;

- At its sole discretion, the State may terminate, revoke, or further qualify its support for the Plan as a whole, or in part, at any time;
- At its sole discretion, the State will determine the nature and extent of its participation in matters related to implementation or further revision of the Plan, which may depend, in part, on federal agencies' continuing commitment to the Plan and timely update of its data and information resources, and, in any event, state participation will be dependent on existing and available budgeted resources;
- The Plan will be interpreted and used in a manner fully consistent with the understanding that the Plan does not in any way diminish, increase, or otherwise alter the rights, duties, authorities, or sovereignty of any federal or state agency, federally-recognized Indian tribe or other governmental entity, the regulated community, or the general public under state law or federal law, including, but not limited to: the Clean Water Act, the Clean Air, Coastal Zone Management Act, Outer Continental Shelf Lands Act, Magnuson-Stevens Fisheries Conservation and Management Act, the Deepwater Port Act, the Federal Power Act, National Environmental Policy Act, or the Constitution of the United States;
- The Plan is purely advisory and nothing in the Plan commits or may be construed to commit the State to take or refrain from any action, or act or refrain from acting in any particular manner, on any matter whether or not it is specifically addressed by the Plan; and
- The Plan is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the State, its department, agencies, instrumentalities, officers, employees, or agents, or any other person or entity.

The Commonwealth of Virginia looks forward to working in a spirit of collaboration with the Mid-Atlantic Regional Planning Body and our partners and stakeholders throughout the region to continue our efforts to improve the health and management of the nation's ocean resources.

Sincerely,

A handwritten signature in black ink that reads "Molly Waehl". The signature is written in a cursive, flowing style.

Copies: David Paylor, Director, Virginia Department of Environmental Quality
John Bull, Commissioner, Virginia Marine Resources Commission
Laura McKay, Manager, Virginia Coastal Zone Management Program