

OLYMPIC COAST NATIONAL MARINE SANCTUARY

Navigating the Future

Management Plan Review



SANCTUARY OPERATIONS
REVISED STRATEGIES AND ACTIVITIES
WITH SUMMARY OF AC COMMENTS
*Submitted to the OCNMS Advisory Council on
November 20, 2009*

I. INTRODUCTION

At its May meeting, the OCNMS Advisory Council (AC) grouped several MPR scoping topics (Administration – Regulations, Permitting and Enforcement, Administration – Infrastructure, Flexibility to Respond to Emerging Issues) under the topic of Sanctuary Operations. Instead of forming an AC working group to address the topic of Sanctuary Operations, the AC agreed that OCNMS staff should develop preliminary recommendations on this topic and present them to the AC at its September 2009 meeting. Following this presentation OCNMS requested that AC members provide comments on these strategies and activities. Comments were received from four members of the Advisory Council, which were used to this updated version of the Sanctuary Operations strategies. A summary of these comments is included in this document following the revised strategies. The IPC is still reviewing the draft and staff anticipates incorporating IPC comments at a later date. **OCNMS requests that the AC take action as a body and provide OCNMS recommendations on these strategies at its November 20, 2009 meeting**

In addition to changes based on AC comments, included in this new version are some additional strategies that cover some status quo administrative and operational functions.

II. RECOMMENDED STRATEGIES & ACTIVITIES

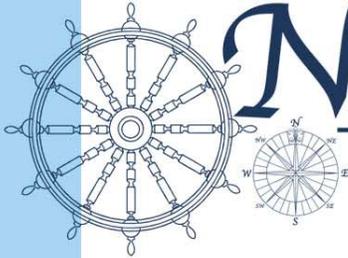
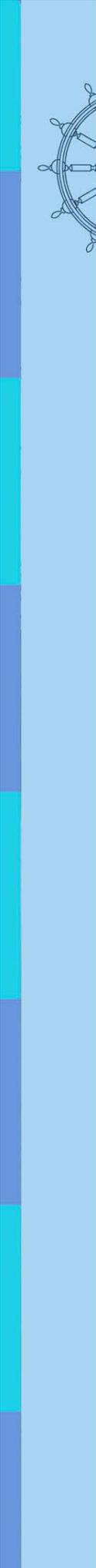
FIELD OPERATIONS

STRATEGY #OPS1: Maintain a presence on the waters of the OCNMS to ensure effective and efficient sanctuary operations.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

Sanctuary staff have the resources to safely access the waters and adjacent shorelines of the sanctuary to implement Action Plans.

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:



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ACTIVITY A: Develop annual operational plans for aircraft and vessels (NOAA, charter) to support the revised management plan.

ACTIVITY B: Maintain and implement boat operational guidelines.

ACTIVITY C: Maintain and implement vessel operator and crew member qualification plan.

ACTIVITY D: Periodically review the need for diving operations.

ACTIVITY E: Implement field operations to address activities identified in Action Plans.

INFRASTRUCTURE

STRATEGY #OPS2: Develop new, and maintain current, infrastructure for sanctuary offices, programs, research vessels, equipment, and field operations.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

Ensure that OCNMS has adequate facilities to support its research, education and outreach, protection, visitor services, and administrative functions.

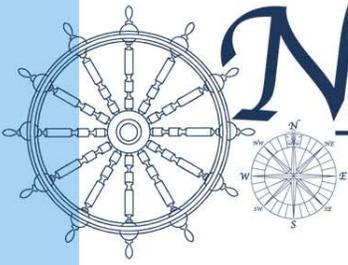
ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Update and implement OCNMS long-range facilities plan. Evaluate OCNMS's current office, lab and warehouse space and determine if changes need to be made to the plan to meet program needs.

- Evaluate current office spaces to determine if they meet future needs as articulated in the revised management plan.
- Evaluate need to refurbish/replace OCNMS's Neah Bay field station
- Evaluate the need for laboratory infrastructure
- Evaluate OCNMS pier space needs
- Evaluate need for public meeting space and support infrastructure

ACTIVITY B: Evaluate options for a satellite office and/or visitor center in the southern part of the Sanctuary.

ACTIVITY C: Develop the infrastructure to support and implement OCNMS's interpretive plan (to be developed in 2009).



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ACTIVITY D: Continually strive to ensure that all sanctuary facilities are managed in as environmentally friendly a manner as possible.

- Conduct an audit of OCNMS's carbon footprint and determine what changes are needed to ensure that OCNMS meets NOAA's carbon footprint standards.
- Participate in the Office of National Marine Sanctuaries (ONMS) Climate Smart Sanctuaries program in order to become certified as a climate-smart sanctuary.

ACTIVITY E: Implement OCNMS requirements of ONMS small boats requirements studies, as amended (including scheduled replacements of *R/V Tatoosh* and rigid hull inflatable boat)

ACTIVITY F: Collaborate with other West Coast region sanctuaries or other regional partners to acquire jointly (or cost-share) operational equipment (e.g. winches, hydrographic survey equipment) that can then be shared.

PARTNERS: West Coast sanctuaries, other NOAA agencies

RESOURCES: Appropriated Procurement, Acquisition, Construction (PAC) funds, facility planning contracts, staff time (additional details still need to be developed)

ADMINISTRATION

STRATEGY #OPS3: Prepare Annual Operating Plans and Annual budgets in support of Management Plan Activities.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

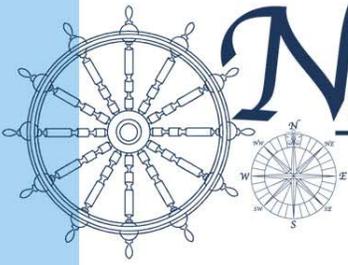
Annual review of the status of Action Plans and the identification of actions and resources required to continued implementation.

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Produce an Annual Operating Plan and Budget, per ONMS guidance and timelines.

ACTIVITY B: Oversee budget, contracting and acquisitions in compliance with Federal Acquisition Regulations.

ACTIVITY C: Submit required report to ONMS headquarters.



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STRATEGY #OPS4: Maintain and, where necessary, further develop procedures to ensure the safety of staff and visitors.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

To maintain a safe environment for staff and visitors and prevent accidents

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Maintain and periodically test OCNMS's continuity of operations plan

ACTIVITY B: Continue to ensure compliance with vessel and facility safety plans, including:

- OSHA reporting
- ONMS small vessel and operator qualification reporting
- ONMS annual safety reporting
- Conduct annual reviews on key safety related manuals, i.e., Vessel Operations, Risk Assessments, and Facility Occupant Emergency Procedures.

ACTIVITY C: Continue to ensure compliance with all environmental compliance regulations.

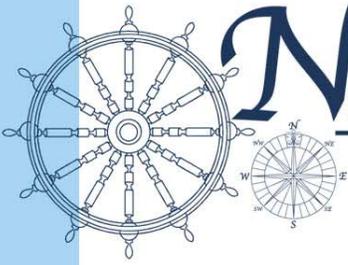
PARTNERS: Office of National Marine Sanctuaries, NOAA Safety and Environmental Compliance Office (SECO), NOAA Small Boat Program

RESOURCES: Staff time (additional details still need to be developed)

STRATEGY #OPS5: Maintain and build OCNMS's staff and volunteer programs in order to support ongoing programs and achieve the goals and objectives presented in the management plan.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

Ensure that the work outlined in the management plan can be achieved and that OCNMS maintains well-trained staff and volunteers who possess the broad range of skills necessary to implement the management plan.



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ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Support and maintain appropriate staffing to implement the OCNMS management plan

ACTIVITY B: Contract for support services that are needed to implement the OCNMS management plan that cannot be filled by limited federal positions.

ACTIVITY C: Actively recruit and train volunteers to promote community stewardship and to assist in the implementation of the OCNMS management plan

ACTIVITY D: Improve training opportunities for staff and volunteers, with a priority for training that will allow the implementation of the management plan, e.g., Incident Command System (ICS) training that will allow staff to respond to emergencies more efficiently and to coordinate better with other responding agencies.

ACTIVITY E: Conduct an internal evaluation of the OCNMS information technology (IT) plan on an annual basis and work to ensure that IT services are adequate to support staff and program needs

PARTNERS: Advisory Council Member agencies, governments and organizations, Feiro Marine Life Center, Makah Cultural Museum, Ocean Shores Visitor Center, COASST

RESOURCES: Staff time, Contracts, Volunteers, Training funds

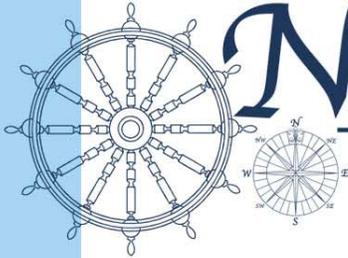
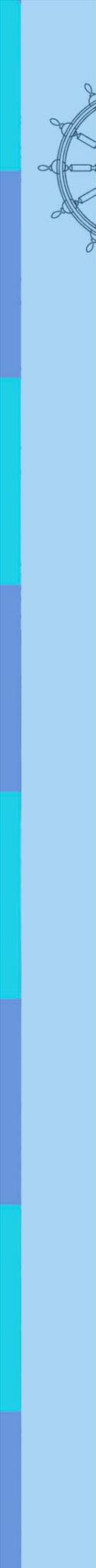
PERMITTING

STRATEGY #OPS6: Implement the OCNMS permitting program based on OCNMS and national program regulations and guidance; as well as other applicable laws, regulations and agreements.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

To ensure that OCNMS maintains an effective permitting program, which supports the primary mandate of resource protection, conducts appropriate consultations, while being responsive to permit applicants.

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:



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ACTIVITY A: Review permit applications, conduct consultations, draft and issue permits, and maintain records in the national database.

ACTIVITY B: Brief the AC and IPC on major permit applications that constitute new or major activities in the sanctuary.

ACTIVITY C: Report to the Coastal Treaty Tribes and OCNMS Advisory Council annually on the status of permit applications to OCNMS and associated tribal consultations.

ACTIVITY D: Formally articulate the current tribal consultation process for permits.

ACTIVITY E: Work with the state and other interested agencies and/or tribes to develop a comprehensive, consistent programmatic agreement on how OCNMS interprets Section 106 requirements in the context of sanctuary cultural resources

PARTNERS: ONMS, Coastal Treaty Tribes, State of WA, ONP, FWS, ACOE, SHPO, NMFS, IPC, AC

RESOURCES: Staff time, Permit database

ENFORCEMENT

STRATEGY #OPS7: Promote knowledge and understanding of OCNMS's regulations, along with other regulations and voluntary programs that apply to sanctuary waters. **[Note: Many of these strategies may also be appropriate in an Ocean Literacy action plan.]**

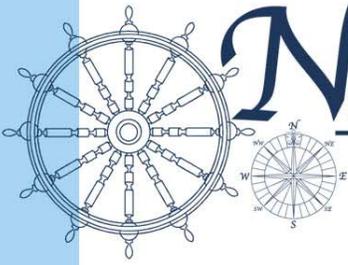
WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

Promote awareness of the Sanctuary regulations, prevent impacts to resources, and improve voluntary compliance with regulations.

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Assess opportunities for educational signage about regulations at access points to the Sanctuary (e.g., Neah Bay and La Push boat ramps)

ACTIVITY B: Develop materials (e.g., pamphlets, PowerPoint presentations, displays, posters) to support interpretive enforcement and other efforts to



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promote public awareness of Sanctuary regulations (e.g., presentations at public meetings).

ACTIVITY C: Publish an ATBA flyer in the Vessel Traffic Service Puget Sound (VTSPS) Users Manual.

ACTIVITY D: Develop and distribute education materials on OCNMS's overflight regulation to distribute at air shows, etc.

PARTNERS: USCG, WDFW, Coastal Treaty Tribes, NOAA Office of Law Enforcement, IPC, AC, Aircraft Owners and Pilots Association, Washington Pilots Association and others?

RESOURCES: Staff time, Graphic design support and printing

STRATEGY #OPS8: Promote and monitor compliance with OCNMS's regulations, other regulations and voluntary programs that apply to sanctuary waters.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

To prevent impacts to resources and assess the effectiveness of OCNMS's and other regulations.

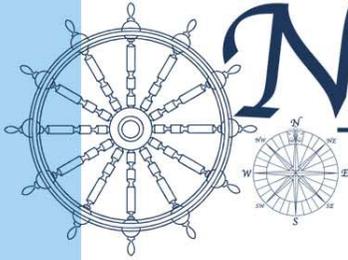
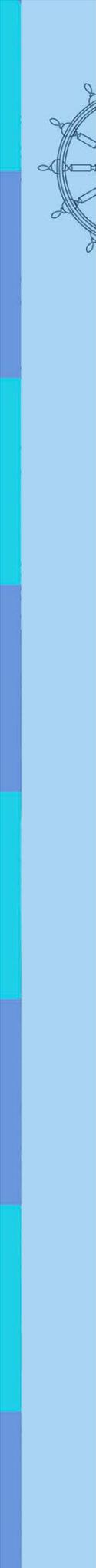
ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Encourage vessel owners to carry insurance that would cover the salvage of their vessel if it sank in the sanctuary. Discuss sanctuary regulations and concerns with insurance companies to evaluate issues related to the issuance of insurance policies that cover salvaging of sunken vessels.

ACTIVITY B: Work collaboratively to find a funding source for removing abandoned vessels when owners are not financially able to do so.

ACTIVITY C: Engage USCG on developing removal strategies at the earliest opportunity on vessel incidents that may potentially result in vessel sinkings within Sanctuary waters through use of the OSLTF to prevent or mitigate oil pollution impacts. **[Note: this activity could also be included in a Spills action plan.]**

ACTIVITY D: Work with NOAA Fisheries, Pacific Fishery Management Council, Coastal Treaty Tribes and other partners to monitor compliance with EFH regulations in the Sanctuary.



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ACTIVITY E: Work with the USCG and Canadian Coast Guard to promote continued compliance with the ATBA. **[Note: this activity could also be included in a Spills action plan.]**

- Conduct monthly processing of Canadian Coast Guard radar data to evaluate voluntary compliance and identify vessels that travel within the ATBA
- For areas outside of the Canadian Coast Guard radar coverage acquire and review Automatic Information System (AIS) plots from the Marine Exchange of Puget Sound.
- Send a letter with joint U.S. Coast Guard and OCNMS signatures to non-compliant vessels.
- Provide compliance data to Washington Department of Ecology for publication in their annual Vessel Entry and Transit (VEAT) report.
- Maintain the OCNMS web site with current ATBA background and compliance tracking data.

PARTNERS: Canadian Coast Guard; Marine Exchange of Puget Sound, USCG, WA Department of Ecology, NOAA Fisheries, Coastal Treaty Tribes, WA Department of Natural Resources, WDFW

RESOURCES: Staff time (additional details still need to be developed)

STRATEGY #OPS9: Maintain and improve enforcement of OCNMS's regulations.

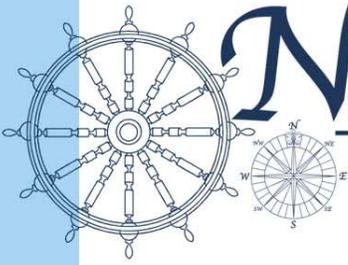
WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

To protect sanctuary resources by engaging state and federal law enforcement agencies in enforcing OCNMS's regulations (since OCNMS does not have its own law enforcement staff).

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Develop training opportunities for law enforcement professionals (e.g., job aids, seminars, ride-a-longs) to promote understanding of cultural and natural resources and the regulations that protect them.

ACTIVITY B: Maintain bi-annual meetings with law enforcement staff (as described in the NOAA Fisheries Office of Law Enforcement 2009 report)



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ACTIVITY C: Encourage increased presence of NOAA OLE and WDFW law enforcement in the Sanctuary

ACTIVITY D: Work with NOAA OLE and the ONMS to clarify OCNMS enforcement needs.

ACTIVITY E: Promote active enforcement of the no-discharge regulation as it applies to abandoned vessels.

PARTNERS: NOAA Fisheries Office of Law Enforcement, USCG, WDFW

RESOURCES: NOAA – WDFW Joint Enforcement Agreement

PERFORMANCE EVALUATION

STRATEGY #OPS10: Report annually on OCNMS's progress in implementing the management plan.

WHAT IS THE DESIRED OUTCOME OF THIS STRATEGY?

Ensure that the management plan is a transparent document and promote effective implementation of the management plan.

ACTIVITIES NECESSARY TO ACHIEVE STRATEGY:

ACTIVITY A: Report on specific performance measures identified in the management plan.

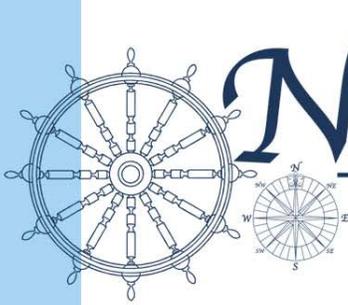
ACTIVITY B: Report on OCNMS's response to emerging issues that were not anticipated in the management plan.

ACTIVITY C: Document any clarifications, enhancements or recommended changes to existing strategies and activities.

ACTIVITY D: Develop outreach materials (e.g., report, presentations, pamphlets, posters) that can be used by OCNMS staff, AC and IPC members to convey information about management plan implementation to partners, stakeholders and constituent groups.

PARTNERS: AC, IPC

RESOURCES: Staff time



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III. OTHER STRATEGIES CONSIDERED BUT NOT RECOMMENDED

The following topics were considered as strategies and activities, but OCNMS staff decided not to include above:

An enforcement strategy that would address anchor abandonment as a result of research projects (being addressed at the national level).

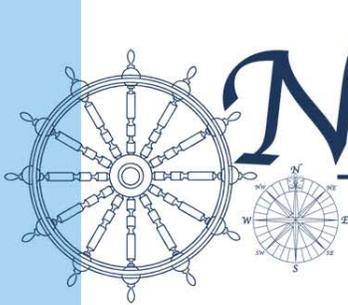
A permitting strategy that would explore the possibility of bond requirements for permitting projects (being addressed at the national level).

An enforcement strategy that would direct OCNMS to document the current enforcement taking place in sanctuary (we think that such documentation will have to be developed for the background section of the management plan itself, so a strategy is not necessary)

Summary of Advisory Council Comments on Draft Sanctuary Operations Strategies & Activities

Comments were received from four members of the Advisory Council on the 09 September 2009 draft Sanctuary Operations strategies & activities. A brief summary of those comments, as well as OCNMS staff's response to those comments, is provided here. These comments were used to draft an updated version of the Sanctuary Operations strategies. Also, included in this new version are some additional strategies that cover some status quo administrative and operational functions.

- Several of those who commented provided grammatical corrections, additions of partners, and other minor tweaks. These changes are not called out individually here, but all suggested edits of this nature were incorporated.
- Many of the activities described will only occur subject to funding. One reviewer wanted to make sure that this point comes through.
 - **Response:** eventually each action plan will discuss what strategies contained within it can be implemented under current funding and what activities will need to wait for additional funding.
- There is interest by one member in forming an AC committee or working group to review and better understand details of the proposed OCNMS operations strategies.
 - **Response:** while the sanctuary is not opposed to this, we are concerned with our capacity to support an additional subcommittee or working group. If the AC recommends forming such a group OCNMS will do our best to support it.
- It was requested that clarifying language be added to the introduction that states that regulations do not apply only to the tribes.
 - **Response:** the document has been edited to remove any potential confusion on the applicability or sanctuary regulations.
- **Under OPS #5**, the Department of Ecology suggested adding an activity E, "Provide OCNMS with ICS training to more efficiently respond and coordinate better with other responding agencies."
 - **Response:** The value of ICS training was added as an example under **ACTIVITY D: Improve training opportunities for staff and volunteers.**
- **Under OPS #6, activity A**, one reviewer would like to see both the AC and IPC involved in permit review and issuance.
 - **Response:** given the required response time required for permit issuance, and the frequency that the AC and IPC meet this is not realistic for the majority of permit requests, e.g., research permits. However, it is reasonable for OCNMS to provide updates on major new activities that have an extended review period,



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and to give the AC and IPC and annual update on the permits that were issued. An activity has been added to provide these updates.

- **Under OPS #8, activity B**, the Department of Ecology suggested adding a sub-activity, “Engage USCG on developing removal strategies at the earliest opportunity on vessel incidents that may potentially result in vessel sinkings within Sanctuary waters through use of the OSLTF to prevent or mitigate oil pollution impacts.” They did note that this activity could be included in a Spills action plan (as opposed to a Sanctuary Operations action plan).
 - **Response:** this was added as a new activity “C” with the caveat that it may be moved into a Spills action plan at a later date.
- **Under OPS #8, activity A**, there was some concern that this strategy might have the unintended effect of dissuading vessel owners from obtaining insurance (i.e., if they think someone else will pay for the removal of their vessel, they won’t worry about insurance).
 - **Response:** The language was changed to clarify that the intent of the activity was to encourage vessel owners to insure their vessels so that they would be covered for salvage requirements for a lost vessel in OCNMS.
- **Under OPS #9, activity C**, the Washington Department of Wildlife pointed out that WDFW marine law enforcement officers are the primary law enforcement presence in the sanctuary and that WDFW officers are empowered to enforce OCNMS regulations through NOAA Office of Law Enforcement commissions. WDFW further points out that adequate funding for OCNMS enforcement needs to be identified.

Response: The Office of National Marine Sanctuaries (ONMS) and NOAA Office of Law Enforcement (OLE) are currently working to clarify NMS enforcement requirements. This includes different funding options. We have added a strategy to work with OLE and ONMS on this activity.
- **Under OPS #7 and #10**, there is interest in OCNMS developing materials (pamphlets, PowerPoints, posters) that AC members (and others) could use to transmit information about sanctuary regulations and sanctuary progress on management plan implementation to the public and constituent groups.
 - **Response:** language along these lines was added to both strategies.]
- **There is support for OPS #10**, which states that OCNMS will provide an annual report on the unexpected activities that arise each year and the response that was required by OCNMS staff.
- One reviewer supported pursuing the strategies listed at the end of the document under the heading “Strategies considered but not recommended”.
 - **Response:** OCNMS feels that these strategies are being dealt with in other ways and it is not necessary to reference them in the management plan.