



STATE OF WASHINGTON
OIL SPILL ADVISORY COUNCIL

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November 3, 2008

Management Plan Review Team
NOAA Olympic Coast National Marine Sanctuary
115 East Railroad Ave, Suite 301
Port Angeles, WA 98362-2925

Re: Public Comment for the Olympic Coast National Marine Sanctuary Management Plan Review

Dear Management Plan Review Team:

Thank you for the opportunity to comment on how the Olympic Coast National Marine Sanctuary (Sanctuary) should scope its review of the Sanctuary's Management Plan update. The Sanctuary provides a very unique service to Washington State and our nation. With its diversity, its numerous recreational opportunities, and its historic importance to area Native American cultures, we must ensure the Sanctuary remains pristine and productive.

As you know, the Washington Oil Spill Advisory Council (Council) has made oil spill prevention one of its primary focal points. The Council is tasked by the State Legislature with providing early consultation to government decision makers and providing independent advice and expertise to oil spill prevention and response programs. As a diverse group of stakeholders, the Council recognizes the importance of fostering relationships and commitment in order to positively create change. The Council supports and commends the Sanctuary for engaging in this tremendous undertaking toward "Navigating the Future."

The Council is concerned about the possibility of oil spills impacting the Sanctuary. Large spills pose a huge threat. As the number of transits along the coast increase, and as the capacity of ships to hold bunker and oil cargo increases, so does this threat. An oil spill in or near the Sanctuary could leave a devastating and long-term scar on this very place we cherish so greatly. As the Sanctuary works to update and expand its Management Plan, it is imperative to focus on oil spill prevention and response issues.

The Council respectfully requests that the Sanctuary consider including the following items in its new Management Plan, and that the Sanctuary invite the Council to participate on workgroup(s) that form around any of these issues. The issues that the Council proposes for inclusion in the Management Plan review are as follows:

1. Mandatory ATBA status. To further strengthen the precautionary measure of keeping large, oil-laden vessels away from the pristine resources within the Sanctuary, the Sanctuary could consider supporting the work toward making it mandatory that these vessels avoid entering into the Area to Be Avoided.
2. Additional protections for vessels carrying “clingage plus.” The Council could consider working with the oil industry to better define what should be considered “carrying cargo” versus carrying mere “oil clingage,” such that some vessels currently transiting within the sanctuary because they are not fully loaded with oil cargo could (voluntarily perhaps) be treated as being “in cargo status” and consequently transiting outside the sanctuary.
3. Additional Sanctuary regulations to reduce risk. The Sanctuary could consider regulating, where appropriate, to reduce risks from vessels operating within the ATBA, such as fishing vessels that could pose the risk of both large-scale spills and chronic small spills.
4. Rescue tug. The state funded Neah Bay tug has proved to be key asset to oil spill prevention in Washington and is located at the Sanctuary’s northern edge. This tug not only protects state assets along much of Washington’s Coast and the Strait of Juan de Fuca, but also the federal Sanctuary. The Sanctuary could consider acknowledging this protective benefit to the Sanctuary and supporting federal participation in maintaining the tug at Neah Bay.
5. Limited scope of GRPs. This issue addresses the fact that there are too few GRPs and these are pretty much limited to exclusion at river mouths. Also note that almost none of these have been tested. The Sanctuary could consider revisiting the lack of GRPs providing protection to sensitive areas and what is to be used as a strategy for protecting environmentally-sensitive areas (which are many) in place of GRPs.
6. Coordinating with sister agencies. The Sanctuary could consider coordinating with the Olympic National Park regarding access for response efforts.
7. Weather data. The Sanctuary could consider utilizing existing weather data to determine how frequently the deployment of response equipment can take place and (for on-water recovery, GRP deployments, in situ burning, and dispersant use) whether the available equipment is adequate for conditions. The Sanctuary could utilize NOAA buoy data to support an analysis of whether relevant spill responders are prepared for a spill that could threaten the Sanctuary.
8. Appropriate local response equipment. The Sanctuary could take steps to assure that appropriate local response equipment is pre-staged in locations that, considering deployment and arrival times, would be useful in cleaning up an oil spill within the first 48 hours after an oil spill. This evaluation would also include a review of whether locally staged equipment is capable of doing spill response in open ocean conditions.
9. Reviewing oil spill provisions in current Management Plan for their current applicability and for the progress that has been made on them. The Sanctuary

could review the five items identified below, which are set forth in the existing management plan, and that pertain to contingency planning. This review would be to determine what activities the Sanctuary should continue to pursue. Some of the items may no longer be relevant. Additionally, the Sanctuary may have fulfilled its goals on these items. The Council understands, however, due to funding limitations, the Sanctuary has not completed all of the work it had hoped to complete when the existing Management Plan was written. The Sanctuary could renew its commitment to accomplishing the items that have not been completed and remain relevant. The spill-related provisions for the existing Management Plan include the following:

- a. Conduct an emergency response exercise for an oil spill in the sanctuary boundary to test the adequacy of existing plans and the availability and effectiveness of the equipment allocated and to provide an opportunity for existing emergency response agencies and personnel to work with the sanctuary to define roles and responsibilities.
- b. Prepare a Sanctuary oil spill plan that will address the needs for Sanctuary staff training, appropriate equipment necessary to respond to a large-scale oil spill (both immediately and over the long term), and set forth a policy on use of dispersants.
- c. Provide for Sanctuary staff assessing the state of preparedness at the state and federal level with regard to relevant parts of contingency plans. This would entail exchanging information with government and industry response teams and getting their support in assessing detection and clean-up capabilities needed to protect the Sanctuary.
- d. Develop an SRD-level contingency and emergency-response plan that will describe response procedures and coordination requirements, define policy regarding dispersants, provide a geographic information system depicting resources at risk, outline procedures for emergency research, and provide damages assessment guidelines.
- e. In conjunction with SRD-level plan, formulate agreements to improve spill detection programs and augment containment capabilities.

The Council is pleased that the Sanctuary is updating its Management Plan and looks forward to continuing to participate in the process.

Please do not hesitate to contact Council staff if you have any questions.

Very truly yours,



Mike Cooper, Chairman
Washington Oil Spill Advisory Council