



Marine Spatial Planning: Current Status and Recommendations for Future Spending

Report to the Legislature in Response
to the Proviso in Section 308 (11)
of the 2012 Operating Budget

REVISED September 7, 2012



WASHINGTON STATE DEPARTMENT OF
Natural Resources
Peter Goldmark - Commissioner of Public Lands

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Peter Goldmark
Washington State
Commissioner of Public Lands

September 1, 2012

Marty Brown
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The Honorable Kevin Ranker, Chair
Senate Energy, Natural Resources &
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Washington State Senate
P.O. Box 40466
Olympia, WA 98504-0600

The Honorable Brian Blake, Chair
House Agriculture & Natural Resources
Washington State House of Representatives
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The Honorable, Ed Murray, Chair
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The Honorable Ross Hunter, Chair
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P.O. Box 40600
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Dear Director Brown and Chairs Ranker, Blake, Murray, and Hunter:

The goal of the 2010 Marine Waters Planning and Management Act (RCW 43.372) is to sustainably manage increasing demands on our marine resources, while considering current uses of the marine environment and planning for future uses. The Act also recognizes the management challenge this presents and provides guidance on how this goal will be accomplished.

The 2012 operating budget (3ESHB 2127) appropriated \$2.1 million to the Marine Resources Stewardship Trust Account to further marine spatial planning in Washington. The budget also contained a proviso in Sect 308 (11) requiring the Washington State Department of Natural Resources, in consultation with the Washington Department of Ecology and marine interagency team, tribes, and Marine Resource Committees, to develop a spending plan for those funds and to submit a report to the legislature with a prioritized list of projects and activities for the 2013-2015 biennium by September 1, 2012. The attached report fulfills this requirement.

Marine waters of our state are abundant in natural resources and our coastal communities rely heavily on the ocean for sustaining our economy and quality of life. I am committed to

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protecting these resources and our coastal economies so that our citizens can enjoy the benefits of marine resources for generations to come.

Sincerely,



Peter Goldmark
Commissioner of Public Lands

- c: Jim Cahill, Office of Financial Management
Chris Stanely, Office of Financial Management
Curt Gavigan, Senate Energy, Natural Resources, Marine Waters Committee
Jason Callahan, House Agriculture & Natural Resources Committee
Sherry McNamara, Senate Ways & Means Committee
Michal Bennian, House Ways & Means Committee
Jennifer Hennessey, State Ocean Caucus Coordinator, Washington Department of Ecology

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Prepared by
Washington State Department of Natural Resources
Aquatic Resources Division

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I. Introduction

This document provides a status report on Washington state's progress toward marine spatial planning in Washington's marine waters. It identifies how the state is spending current state funds and describes funding needs for the 2013-2015 Biennium. The intent of this planning effort is to build upon the marine spatial component of existing statewide efforts and to improve the coordination among state agencies in developing and implementing marine management plans.

II. Why Marine Spatial Planning for Washington's Coast?

Addressing the competing demand for resources

Washington's diverse marine resources support its economy and quality of life. Washington residents depend on these resources to sustain finfish and shellfish fisheries, maritime shipping, recreation, cultural heritage, and to provide ecological benefits such as storm protection, climate regulation, and resilience to ocean acidification and sea level rise.

Over time, Washington residents have come to rely more heavily on and find new uses for marine resources. There are so many different uses for the ocean that many of these uses conflict. For example, new shipping lanes may interfere with established fishing grounds, or conservation groups may propose closing an area to resource extraction that is essential to tribal culture.

As a result of these and other resource/use conflicts, the state is working to better coordinate decision making for coastal and ocean activities and environments in a comprehensive plan with common goals and shared outcomes. This approach, known as **marine spatial planning** (MSP), is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives.

Projected outcomes of the MSP process include:

- Identifying existing and emerging uses of marine resources.
- Reducing conflicts among uses of marine resources.
- Ensuring uses of marine resources are compatible.
- Reducing environmental impacts from human uses of marine resources.
- Maximizing the benefits that resource users receive from the ocean.
- Significantly increasing coordination among state, tribal, and federal resource agencies.

National context

In 2010, [Executive Order 13547](#) created a National Ocean Policy with nine strategic priorities and established the National Ocean Council (NOC) to coordinate federal agencies to collaborate on this policy. One of these priorities is the development of regional Coastal

and Marine Spatial Planning (CMSP). The West Coast region includes the areas offshore of Washington, Oregon, and California. The national framework for CMSP acknowledges the role of state management plans to serve as a building block for larger regional planning efforts. Therefore, by developing a plan, Washington will be positioned to lead these efforts within the state and to contribute to future regional West Coast planning efforts.

The National Ocean Policy calls for the formation of regional planning bodies that will serve as the regional framework for implementing CMSP. The National Oceanic and Atmospheric Administration has been designated as the federal lead for implementing CMSP on the West Coast, and the departments of Defense and Homeland Security have also participated in West Coast discussions. The NOC invited each governor in the West Coast region to identify two representatives to serve on the West Coast Regional Planning Body. The three states, federal partners, and tribes will work together to establish the West Coast Regional Planning Body in the coming months. The current work and progress in Washington State in this area will allow the state to influence those unfolding regional activities while ensuring that state priorities drive this discussion.

III. Steps Toward Marine Spatial Planning on Washington's Coast

Recognizing the utility of MSP to address resource/use conflicts in Washington waters, the state legislature enacted the Marine Waters Planning and Management Act ([RCW 43.372](#)) in March 2010. The law authorizes all state agencies with planning and management responsibilities for marine waters to include marine spatial data and planning elements into their existing plans and ongoing planning. The law recognizes three distinct geographic planning regions in Washington: the Coast, Puget Sound, and the Columbia River Estuary.

In January 2011, the marine interagency team, chaired by the Governor's Office, submitted recommendations to the state legislature on developing a marine spatial plan for Washington's marine waters. The legislative report provided recommendations on data needs, data management and delivery, public involvement, ecosystem indicators, and goals and objectives.

The Marine Waters Management and Planning Act describes the process for developing, and the requirements of, the marine management plan for the state's marine waters. Specific elements of the plan include:

- An ecosystem assessment that analyzes the health and status of marine waters.
- A series of maps providing information on the marine ecosystem, human uses of marine waters, and areas with high potential for renewable energy production and low potential for conflicts with existing uses and sensitive environments.
- Recommendations to the federal government for use priorities and limitations within the Exclusive Economic Zone.
- A fisheries management element—at the discretion of the director of Washington Department of Fish and Wildlife (WDFW).
- A strategy for plan implementation using existing state and local authorities.

In adopting the Marine Management and Planning Act, the legislature established a number of procedural requirements that includes, among other items, a call for a strong public participation strategy that seeks input from throughout the state and, in particular, those

communities adjacent to marine waters. Additionally, the act provides a series of broad directives to guide the state's marine waters planning process, an example of which is the requirement to develop and implement planning in a manner that "recognizes and respects existing uses and tribal treaty rights."¹ In order to fulfill the public participation component of the act, the state is working with a coalition of stakeholders, which includes the Marine Resource Committees and the Washington Coastal and Marine Advisory Council (WCMAC). The WCMAC has adopted a mission statement for marine spatial planning that focuses on "protecting and preserving sustainable existing uses."

In March 2012, Governor Gregoire signed [Substitute Senate Bill 6263](#), which amended RCW 43.372 and the Ocean Resources Management Act ([43.143](#)) to, among other changes, specifically authorize marine management planning in geographic segments to allow areas to move forward on different schedules. The bill provided an initial focus for the state's marine management planning activities by temporarily limiting, through July 1, 2016, the use of funding from the Marine Resources Stewardship Trust Account, the dedicated account used for marine management planning, to:

- Develop a marine management plan for the outer coast, allowing an initial focus on this part of the state.
- Begin certain assessment and mapping activities relating to resource use and potential economic development opportunities.
- Coordinate regional marine waters planning activities, including through the West Coast Governors Alliance.

For Fiscal Year (FY) 2013, the state legislature also transferred \$2.1 million into the Marine Resource Stewardship Trust Account and appropriated the funds to the Washington Department of Natural Resources (DNR). Specifically, the legislature directed DNR to work with the marine interagency team, tribes², and MRCs.

The budget proviso directs DNR and its partners³ to develop a spending plan for the funds, consistent with the funding priorities in SSB 6263. These funding priorities include development of a marine management plan for the outer coast, as well as assessment and mapping activities that relate to resource use and economic development opportunities. The proviso also charges DNR, in consultation with the marine interagency team, to submit a list of priority projects for funding consideration through the Marine Resources Stewardship Trust Account in the 2013-2015 Biennium by September 1, 2012.

¹ RCW 43.372.040

² Makah, Quileute, and Hoh tribes and the Quinault Indian Nation. (Note: This geographic phase of the marine spatial planning effort is focused on the Coast. As the planning effort expands in geographic scope, tribes from the Puget Sound and Columbia River will be brought into the process.)

³ Washington State Departments of Agriculture, Commerce, Ecology, Health, Fish and Wildlife, and Natural Resources; Washington State Military Department's Emergency Management Division; Office of Financial Management's Executive Policy Office (Governor's Office); Puget Sound Partnership, State Parks and Recreation Commission, and Washington Sea Grant.

IV. Current State Efforts

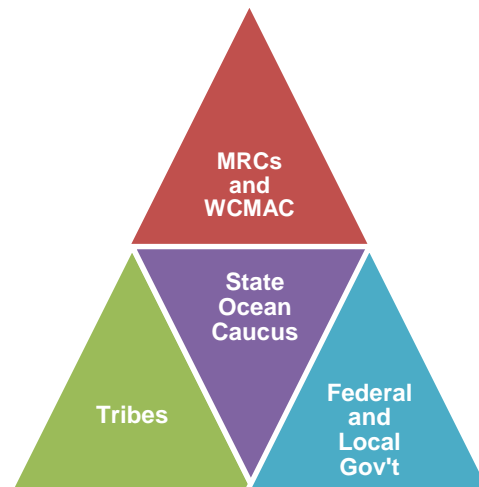
In FY 2013, marine spatial planning projects will lay the foundation for a plan that will respect existing uses and treaty rights, while promoting new uses through the following important planning activities (described in Appendix A):

- Identifying and engaging partners, technical and scientific experts, and stakeholders.
- Creating an inventory of existing data and data needs.
- Filling essential data gaps.
- Selecting a data tool to display data layers.
- Creating a series of maps.
- Building the foundation for an ecosystem assessment.

Identifying and engaging the marine spatial planning team

Marine spatial planning emphasizes meaningful coordination among all resource users and resource managers. Central to Washington's marine spatial planning is coordinating with key players (see graphic, right) who are invested in the present and future uses of Washington's rich marine resources.

The MSP process provides a way for federal and state agencies, tribes, local governments, and private industries to compile ocean data and information for making management decisions. State agencies have been actively involving local stakeholder groups and engaging governmental partners. Recent activities include:



- **State and tribal collaboration, March-August 2012 and ongoing:** State agencies and tribes meet monthly to discuss MSP project priorities for FY 2013 and FY 2013-15.
- **MSP learning exchanges, May 2012:** NOAA, The Nature Conservancy, state agencies, and the Makah Tribe hosted a Learning Exchange for the coastal treaty tribes in Neah Bay. NOAA and state agencies hosted a second Learning Exchange for local governments, MRCs and the WCMAC in Aberdeen.
- **Stakeholder outreach, July 2012:** DNR and Ecology met with each MRC and the WCMAC to discuss data priorities and projects for the FY2013 and to identify future projects.
- **State communication with federal partners, ongoing:** Ecology began working with federal partners to ensure Washington's marine spatial plan will meet criteria for adoption into Washington's federally recognized Coastal Zone Management Act (CZMA) coastal program.

Through FY 2013, the marine interagency team will continue to work with partners and stakeholders to:

- Define the study and management areas.
- Define objectives.
- Identify ecologically sensitive areas.
- Identify and map existing human uses.
- Develop an understanding of the spatial, temporal, and infrastructure needs of each use.

(More detail in Appendix A).

During the summer of 2012, DNR collected project proposals for marine spatial planning from a variety of entities including local stakeholders, non-governmental organizations, academic institutions, Coastal Treaty Tribes, and federal and state agencies. Projects were ranked based on the following criteria:

- How does the project meet the requirements of the marine management planning law?
- Does the project fill a recognized need or information gap?
- Does the project achieve results (timing, feasibility, appropriate expertise)?
- Does the project have a broad level of support?
- Does the project have the ability to leverage other funds or expertise?

In consultation with the Coastal Treaty Tribes, the WCMAC, and the MRCs, the marine interagency team identified and refined a list of MSP pre-planning projects to complete in FY 2013. Projects fall into four categories: mapping activities, ecological assessment, data tools, and stakeholder engagement.

Project Priorities and Spending Plan for FY 2013

Mapping

Mapping activities will help the state gain a better understanding of the baseline social, economic, and environmental conditions and to forecast potential future conditions. The state has conducted workshops to begin to identify the data gaps in these baseline conditions. The marine management planning law requires the plan to include a series of maps that, at a minimum, summarize available data on:

- The key ecological aspects of the marine ecosystem, including physical and biological characteristics, as well as areas that are environmentally sensitive or contain unique or sensitive species or biological communities that must be conserved and warrant protective measures.
- How people use the marine waters, particularly areas with high value for fishing, shellfish aquaculture, recreation, and maritime commerce.
- Appropriate locations with high potential for renewable energy production and minimal potential for conflicts with other existing uses or sensitive environments.

Deliverables by June 30, 2013 include:

- **Human uses:** a series of maps that identify recreational (surfing, beach combing, wildlife watching, boating), tribal (fishing, intertidal fishing and gathering, culturally significant areas), fishing, marine vessel use patterns, and an assessment of marine-resource related jobs and businesses on the coast.

- **Physical and Biological:** nearshore seafloor maps, forage fish surveys, and compilation of existing data on oceanography, biology and ecology.
- **Renewable Energy:** suitability map that assembles information on energy resource potential and infrastructure preferences.

Ecosystem Assessment

The purpose of an ecosystem assessment is to evaluate the status and trends of the ecosystem (ecological, social, and economic factors) and threats to resources. An important early step in this process is to develop **ecosystem indicators**.

The marine management planning law requires an ecosystem assessment that:

- Analyzes the health and status of Washington marine waters including key social, economic, and ecological characteristics and incorporates the best available scientific information, including relevant marine data.
- Identify key threats to plan goals, analyze risk and management scenarios, and develop key ecosystem indicators.

Deliverable by June 30, 2013:

- **Conduct an Ecosystem Indicator Workshop** to:
 - Learn about the status and results from the California Current Integrated Ecosystem Assessment project, conducted by NOAA, which is identifying indicators, components and methodologies for the broader region as well as identifying the status of other related efforts.
 - Identify next steps for Washington, including opportunities for leveraging expertise and capacity.

Data Tools

The purpose of the data tools is to support plan development by enabling access, sharing, analysis, and management of data to ensure robust technical and scientific input on data quality, access, and management issues. The law requires the state to compile marine spatial information and to incorporate this information into ongoing plans as well as the final marine spatial plan. In addition, the marine interagency team's legislative report recommended an open-access system for viewing and analyzing marine spatial data. The report also recommended a GIS portal to provide access to raw data and a mechanism for providing technical input to the planning process.

Deliverables by June 30, 2013 include:

- **A data system** that provides viewing access to data in map form and performs some analyses of data.
- **A GIS portal** that provides access to raw data and metadata for download and analysis.
- **Technical teams** to provide review of data.
- **A seafloor mapping strategy** for the coast that identifies existing data and leverages federal and other partnerships.
- **Improved public website** for Washington MSP.

Stakeholder Engagement

The purpose of stakeholder engagement is to increase awareness, participation, and

involvement of various groups in the pre-planning process and to improve communication and coordination among groups involved in MSP.

The marine management planning law requires stakeholder engagement that:

- Fosters public participation in decision-making.
- Significantly involves communities adjacent to the state's marine waters.

Deliverables by June 30, 2013 include:

- **Facilitation** of existing stakeholder group (WCMAC).
- **Overview sessions and training workshops** for planners, local governments and stakeholders.
- **Series of workshops and work sessions** to draft objectives for MSP.

V. Next Steps

With additional funding in the 2013-2015 biennium, the marine interagency team can continue to work with partners and stakeholders to build key components of a comprehensive marine spatial plan for Washington's coast. In the 2013-2015 biennium, the planning activities will include identifying outside impacts and future uses, identifying areas of conflict and compatibility, selecting and evaluating management strategies, and developing the first draft of the plan.

The state agencies have identified staffing needs in order to carry out these MSP planning activities through the next biennium. These needs will not be addressed by this document as it is meant to outline the kinds of projects and data that are required to enter and complete the planning process. DNR recommends the agencies approach additional staffing needs through their normal budgeting and staffing processes.

As projects are initiated through FY 2013, the data needs will become clear, and these project results will further guide the direction of the projects for the 2013-2015 biennium. In consultation with the Coastal Treaty Tribes, the WCMAC, and the MRCs, the marine interagency team will refine the activities included below into specific projects ranked by priority.

Funding Needs for the 2013-2015 Biennium

Mapping Activities — \$2 million

- Additional sea -floor mapping surveys and compilation of data to create a seamless seafloor map atlas.
- Additional mapping activities will be needed to fill gaps identified through projects this year.
- Further identification of ecologically sensitive areas that support economically valuable species.
- Additional mapping of human uses will provide a more detailed economic analysis of uses on the coast and more detailed information about areas of importance for human uses.

Ecological Assessment— \$1 million*

The majority of the ecological assessment will be conducted in the 2013-2015 biennium, since the assessment must use and build upon data gathered and compiled this year. Activities will include identifying key species and sensitive resources and associated threats to these resources. Future trends and threats such as ocean acidification and sea level rise will be addressed in the assessment to inform future uses and spatial plans.

**It is likely that the state may be able to significantly leverage work of federal partners for conducting the ecological assessment, but this opportunity will be further examined through projects currently underway during FY13.*

Data Tools to Support Plan Development — \$800,000

During the two-year period, additional decision-support tools will be produced to develop management scenarios, assess trade-offs, and address the role of uncertainty for developing the plan.

Stakeholder Engagement — \$400,000

Coastwide opportunities for public involvement in marine spatial planning will occur throughout the planning process. A variety of outreach mechanisms such as workshops, forums, public meetings and hearings will occur along the coast to facilitate opportunities for stakeholder input at each stage of the planning process. Outreach materials such as posters, handouts, newspaper ads, radio advertisements, printed maps, and online resources will be used to reach the widest group of people and provide opportunities to learn about and participate in the MSP process.

VI. Conclusion

Washington's marine waters support a diverse array of resources that support the state's economy and way of life. Increased pressure from existing uses and emerging new uses of these resources are leading to conflicts and increased pressures on the ecosystem. Marine spatial planning will enable Washington state to engage in forward-looking decision making by planning for human uses in locations that reduce conflict, increase certainty, and allow the state to balance the social, economic, and ecological benefits from ocean resources.

Appendix A: Washington's Marine Spatial Planning Process Model

Stage 1: Pre- Planning Process (FY13)

- Define the study area vs. the management area.
- Coordinate with federal partners to identify criteria for adoption into CZMA.
- Define management objectives with state, tribal partners, stakeholders.
- Identify target resources for protection.
- Map uses of the marine environment.
- Understand spatial, temporal and infrastructure requirements of each use.

Stage 2: Understanding Impacts (FY14)

- Identify outside impacts.
- Predict future uses.
- Identify areas of conflict and compatibility.

Stage 3: Developing the Plan (FY15)

- Select management strategies.
- Evaluate management strategies.
- Develop the draft MSP.

Stage 4: Complete the Final Plan (FY16)

- Submit MSP to NOAA for adoption into CZMA.
- Implement and Evaluate MSP (ongoing and adaptive).