

Marine Spatial Plan for Washington's Pacific Coast: Summary of SEPA Scoping and Response to Comments

January 2014

The following are the sections contained in this Summary of Scoping:

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I. Introduction

The Department of Ecology (Ecology) is developing a Marine Spatial Plan (MSP) for Washington’s Pacific Coast required by RCW 43.372. This document summarizes changes to the scope of the MSP and includes the comments and responses to the SEPA scoping process initiated in summer 2013.

State law requires an interagency team of state natural resource agencies to develop the MSP (RCW 43.372.020). Washington is using an existing interagency team, the State Ocean Caucus, for this planning process. The team is chaired by the Governor’s office and coordinated by Ecology. Ecology is the designated lead for coordinating the development of the MSP. Other State Ocean Caucus agencies involved in developing the MSP include: Washington Department of Natural Resources, Department of Fish and Wildlife, Washington Sea Grant and State Parks and Recreation Commission.

The planning process will also involve and engage coastal stakeholders, the public and local, tribal, and federal governments. Once the MSP is complete, Ecology will submit it to the National Oceanic and Atmospheric Administration for its review and approval for incorporation into Washington’s federally-approved coastal zone management program under the federal Coastal Zone Management Act.

II. Purpose and need for the Marine Spatial Plan

Washington’s Pacific Coast is potentially adversely affected by increasing pressures on the resources in this area, conflicts among uses, and proposed new uses. In addition, multiple, overlapping jurisdictions and authorities create challenges for coordinated decision-making and proactive planning. Under RCW 43.372, the development of an MSP is intended to address these issues by providing a non-regulatory framework for coordinating information and decisions.

Specifically, RCW 43.372.005 helps frame the need for the MSP, noting:

- “The state has long demonstrated a strong commitment to protecting the state's marine waters, which are abundant in natural resources, contain a treasure of biological diversity, and are a source of multiple uses by the public supporting the economies of nearby communities as well as the entire state.”
- “These multiple uses as well as new emerging uses, such as renewable ocean energy, constitute a management challenge for sustaining resources and coordinating state decision making in a proactive, comprehensive and ecosystem-based manner.”

RCW 43.372.005 also helps frame the purpose of the MSP, including:

- “...to build upon existing statewide Puget Sound, coastal, and Columbia river efforts....the state intends to augment the marine spatial component of existing plans and to improve the coordination among state agencies in the development and implementation of marine management plans.”
- “...to establish policies to guide state agencies and local governments when exercising jurisdiction over proposed uses and activities in these waters.”

Furthermore, the state law indicates “No authority is created under this chapter to affect in any way any project, use, or activity in the state's marine waters existing prior to or during the development and review of the marine management plan. No authority is created under this chapter to supersede the

current authority of any state agency or local government.” (RCW 43.372.060). The law also requires the MSP to develop: “An implementation strategy describing how the plan's management measures and other provisions will be considered and implemented through existing state and local authorities” (RCW 43.372.040(6)(f)). Thus, the MSP creates a framework for integrating existing authorities. It does not supersede existing state laws and must rely on existing state and local authorities to be implemented.

Analyze Proposed Uses and Activities

State law defines marine spatial planning as "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. Often this type of planning is done to reduce conflicts among uses, to reduce environmental impacts, to facilitate compatible uses, to align management decisions, and to meet other objectives determined by the planning process" (RCW 43.372.010(8)). Therefore, a MSP focuses on providing a framework for evaluating proposed uses and activities, in space and time.

It is the aim of the MSP to ensure that future developments related to marine activities and uses are appropriately sited such that existing activities and new development can successfully coexist, while maintaining a productive, healthy marine ecosystem. Therefore, the plan will seek to evaluate and identify areas that these potential new uses should avoid, areas that are potentially suitable for new uses, and preferred areas for these potential new uses. Please refer to section IV for more information on the potential new uses and activities the MSP will evaluate.

Marine Spatial Plan Statutory Requirements

While establishing goals, objectives and boundary provides an important way to refine the scope of the MSP, they do not alter the requirements set forth by the state law. The sections below highlight some key principles and elements required in this planning process. Washington state law requires that marine spatial plans adhere to the following planning principles (RCW 43.372.040):

- Recognizes and respects existing uses and tribal treaty rights.
- Promotes protection and restoration of ecosystem processes to a level that will enable long-term sustainable production of ecosystem goods and services.
- Addresses potential impacts of climate change and sea level rise upon current and projected marine waters uses and shoreline and coastal impacts.
- Fosters and encourages sustainable uses that provide economic opportunity without significant adverse environmental impacts.
- Preserves and enhances public access.
- Protects and encourages working waterfronts and supports the infrastructure necessary to sustain marine industry, commercial shipping, shellfish aquaculture, and other water-dependent uses.
- Fosters public participation in decision making and significant involvement of communities adjacent to the state's marine waters.
- Integrates existing management plans and authorities and makes recommendations for aligning plans to the extent practicable.

Additionally, the final plan must include the following elements (RCW 43.372.040):

- 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. This assessment should seek to identify key threats to plan goals, analyze risk and management scenarios, and develop key ecosystem indicators. In addition, the plan should incorporate existing adaptive management strategies underway by local, state, or federal entities and provide an adaptive management element to incorporate new information and consider revisions to the plan based upon research, monitoring, and evaluation;
- Using and relying upon existing plans and processes and additional management measures to guide decisions among uses proposed for specific geographic areas of the state's marine and estuarine waters consistent with applicable state laws and programs that control or address developments in the state's marine waters;
- A series of maps that, at a minimum, summarize available data on: 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; human uses of marine waters, particularly areas with high value for fishing, shellfish aquaculture, recreation, and maritime commerce; and appropriate locations with high potential for renewable energy production with minimal potential for conflicts with other existing uses or sensitive environments;
- An element that sets forth the state's recommendations to the federal government for use priorities and limitations, siting criteria, and protection of unique and sensitive biota and ocean floor features within the exclusive economic zone waters that is consistent with the policies and management criteria contained in 43.372 RCW and [43.143 RCW](#);
- An implementation strategy describing how the plan's management measures and other provisions will be considered and implemented through existing state and local authorities; and
- A framework for coordinating state agency and local government review of proposed renewable energy development uses requiring multiple permits and other approvals that provide for the timely review and action upon renewable energy development proposals while ensuring protection of sensitive resources and minimizing impacts to other existing or projected uses in the area.

As noted above, the law requires the MSP to be submitted to NOAA to be amended into the state's federally-approved coastal zone management program (CZMP).¹ The federal Coastal Zone Management Act includes the federal consistency provision, which gives states the authority to review federal projects and ensure they are consistent with the enforceable policies of a state's approved CZMP. Through federal consistency, federal agency activities must be consistent to the maximum extent practicable with the enforceable policies of the CZMP. Federally licensed or funded activities must be fully consistent with the enforceable policies of the state's approved CZMP. This can include federal activities inside or outside the state's coastal zone that affect uses or resources of the state's coastal zone. To establish a basis for federal consistency review, a state must be able to connect reasonably foreseeable effects to state coastal resources or uses to specific federal activities.

The law also requires the MSP to rely upon existing data and resources, but also identify data gaps and, as possible, procure missing data necessary for planning (RCW 43.372.040).

¹ More information on Washington State's approved coastal zone management program is available at: <http://www.ecy.wa.gov/programs/sea/czm/index.html>

III. State Environmental Policy Act Process

The State Environmental Policy Act (SEPA) is a process that informs agencies, applicants and the public (see RCW 43.21C and WAC 197-11). Under SEPA, public agencies are required to evaluate the potential significant negative environmental impacts of a proposal prior to decision-making. In this case, SEPA is being used for a non-project evaluation of the development of a Marine Spatial Plan (MSP) for Washington's Pacific Coast. Under SEPA, 'non-project' proposals are those, such as plans, that are not actual on-the-ground construction or modifications to the environment. Proposed on-the-ground projects resulting from this plan will go through their own individual SEPA environmental review.

The SEPA process was formally initiated by the Washington State Department of Ecology (Ecology) with the issuance of a Scoping Notice on July 16, 2013 with an extended comment period through September 23, 2013. During the formal scoping period, Ecology received comments by email, letter and comment cards.

Scoping helps define the scope of the project and issues to be analyzed under environmental review. Scoping is the first step in preparing an environmental impact statement (EIS). Scoping incorporates public involvement in the process and is conducted to:

- Narrow the focus of the environmental analysis to significant issues and environmental impacts.
- Eliminate issues that would have insignificant impact or that are not directly related to the proposal.
- Identify reasonable management alternatives to be analyzed in the EIS.

SEPA rules do not require a summary or response to comments an agency received during a scoping period. However, Ecology has chosen to do so, in this case, to:

- Provide a record of the scoping process.
- Provide a summary of the issues raised and provide a reference for the public.
- Communicate on the decisions made on what elements and issues will be analyzed in the draft EIS.

IV. Changes to the scope: differences between the draft scoping document and adopted scope

The State Environmental Policy Act (SEPA) and its regulations (Chapter 43.21C RCW and 197-11 WAC) do not require a response to comments to scoping. Ecology is providing a summary of the scoping comments and responses to provide clarity on what changes have been made to the scope of the non-project EIS for a Marine Spatial Plan on Washington's Pacific Coast.

Ecology made these changes for all or some of the following reasons:

- In response to comments Ecology received.
- To ensure clarity and consistency.
- To meet the intent of the authorizing statute.

The following content summarizes the major changes and Ecology's reasons for making them. Detailed responses to comments are provided later in this document.

Purpose & Need

Ecology revised the purpose and need statement (see section II, above) to include additional references from the MSP law and to clarify the focus on the plan evaluating new proposed uses and activities, rather than modifying existing uses or activities. This information was also reflected in the potential activities list, below.

Goals and Objectives

The goals and objective help guide the overall MSP, but do not alter the requirements in the law (RCW 43.372). The planning process will work to achieve all these goals in the final plan.

Overarching Goal: No changes were made.

Overarching goal: To ensure a resilient and healthy marine ecosystem on Washington’s coast that supports sustainable economic, recreational, and cultural opportunities for coastal communities, visitors and future generations.

Revised Goal 1: Protect and preserve existing sustainable uses to ensure economic vibrancy and resource access for coastal communities.

Revised Objective 1: Protect and preserve healthy existing natural resource- based economic activity on the Washington Coast.

Rationale: This change reflects a clarification about the importance of existing, sustainable uses in the MSP. Many comments requested that the phrase “protect and preserve existing uses” should be specifically included in this goal and objective. This is one goal among the 5 goals of the planning process and does not alter the requirements in RCW 43.372 nor RCW 43.21C. It is the aim of the MSP to ensure that future developments related to marine activities and uses are appropriately sited such that existing activities and new development can successfully coexist, while maintaining a productive, healthy marine ecosystem. Therefore, the plan will seek to evaluate and identify areas that these potential new uses should avoid, areas that are potentially suitable for new uses, and preferred areas for these potential new uses. While the plan will seek first to avoid and minimize significant adverse impacts to existing uses, ensuring "no negative impacts" is neither consistent with the requirements of RCW 43.372 nor consistent with RCW 43.21C.

Goal 2: No changes were made.

Goal 2: Maintain maritime coastal communities from now into perpetuity.

Revised Objective 2: Sustain diverse traditional uses and experiences to ensure continuity of WA’s coastal identity, culture, and high quality of life.

Rationale: Experiences are distinct from uses and are essential parts of coastal identity, culture, and quality of life. Having an experience does not necessarily require a particular use.

Adding the term “experiences” allowed for a more complete understanding of this objective, which focuses on maintaining coastal identity, culture and quality of life.

Goal 3 and Objective 3: No changes were made.

Goal 3: Ensure that our marine ecosystem is preserved for future generations.

Objective 3: Foster healthy and resilient marine ecosystem functions, biodiversity and habitats.

Goal 4: No changes were made.

Goal 4: Develop an integrated decision making process which supports proactive, adaptive and efficient spatial planning.

Revised Objective 4: Develop a locally supported and collaborative process that is coordinated with existing authorities for aligning management decisions.

Rationale: Integrated decision-making (referred to in goal 4) will require coordination with existing authorities as well as local communities. RCW 43.372.040 specifically requires the plan to be developed and implemented in a manner that “integrates existing management plans and authorities and makes recommendations for aligning plans to the extent practicable.” The revised objective adds language to clarify that coordination with existing authorities will be a necessary part of the planning process to achieve the goal.

Goal 5 and Objective 5: No changes were made.

Goal 5: Encourage economic development that recognizes the aspirations of local communities and protects coastal resources.

Objective 5: Enhance sustainable economic opportunities to achieve a resilient economy and improved quality of life.

Objectives

The section above notes the revisions to the MSP objectives. Given concerns expressed in some comments about the lack of specificity in these planning objectives, the State Ocean Caucus will draft and seek input from stakeholders and tribes on a more specific list of actions that align with each of these goals and objectives as well as with the requirements of RCW 43.372 and the issues within the scope of the EIS. This effort will be part of the ongoing planning process.

Potential Activities

While the scoping document identified as a broad list of potential activities for a marine spatial plan to address, Ecology believes the marine spatial plan will be most effective by focusing on the following potential new uses proposed for Washington’s marine waters:

- Renewable energy such as wind, wave or tidal.
- Dredge disposal in new locations.

- Aquaculture
- Mining and bioextraction

It is the aim of the Marine Spatial Plan to ensure that future developments related to marine activities and uses are appropriately sited such that existing activities and new development can successfully coexist, while maintaining a productive, healthy marine ecosystem. Therefore, the plan will seek to evaluate and identify areas that these new uses should avoid, areas that are potentially suitable for new uses, and preferred areas for these potential new uses. As discussed in the goals and objectives section above, the core of the plan will be to understand, avoid and minimize impacts to important areas for existing, sustainable uses and sensitive environmental areas.

To be consistent with RCW 43.372.060, recommending changes to fluctuating frequencies of existing activities occurring within existing and established spatial boundaries are not considered within the scope of the MSP process. The MSP will include information on existing uses to understand the spatial and temporal needs of existing uses and potential impacts from potential new uses. The Marine Spatial Plan will include and address proposals for new locations of existing uses, such as new locations for dredged material disposal.

Boundary – Study Area

The scoping document proposed two potential boundaries for the plan’s study area: 1) 400 fathoms offshore and 2) 700 fathoms offshore.² Ecology has chosen the 700 fathom depth as the offshore extent of the study area boundary for the MSP.

Rationale: The 700 fathom study area boundary best matches the boundary criteria listed in the scoping document:

- Covers the reasonably expected potential new federal activities in the next 15 years covered by the marine spatial plan (see above for list of potential new activities).
- Is based on the technological limitations of those activities. For example, while technology requirements vary by type, all renewable energy technologies appear to be limited to within 20 to 25 miles of shore in the near future.³ The study area is well beyond this distance from shore.
- Is an area where effects are reasonably foreseeable on coastal uses or resources. This geography covers the area where potential impacts are most likely from potential new uses or activities. It is also the area with the highest intensity of existing coastal uses and many ecological resources with connections to Washington’s coastal zone.
- Is ecologically meaningful. The study area encompasses ecological functions, processes and important resource areas such as upwelling, currents, and important feeding and migration areas and habitats. The ecological processes and functions in these areas have important

² Both of the proposed study area options for Washington’s Marine Spatial Plan included: 1) Washington’s marine waters along the Pacific Ocean from Cape Flattery south to Cape Disappointment and from ordinary high water out to offshore areas; 2) estuaries along the coast such as Grays Harbor and Willapa Bay; and 3) the continental shelf/slope following contours at two different depths (400 and 700 fathoms).

³ Van Cleve, FB; C Judd; A Radil; J Ahmann; and SH Geerlofs. June 2013. Geospatial Analysis of Technical and Economic Suitability for Renewable Ocean Energy Development on Washington’s Outer Coast. US Department of Energy, PNNL-22554. For: Washington Department of Natural Resources, Olympia WA.

connections to nearshore ecological processes, but are fairly distinct from farther offshore pelagic and abyssal areas of the ocean.

- Maximizes use of existing data and information available. The amount of information available is much greater shoreward of 700 fathoms, including recent management plans and Environmental Impact Studies.⁴ Significantly less information is available beyond 700 fathoms. For example, NOAA conducts most of the fishery-independent surveys for this area with all of them occurring shoreward of 700 fathoms. The deepest surveys are the annual groundfish bottom trawl survey (from 30 fathoms to 700 fathoms) and midwater trawl surveys (to 100 fathoms). NOAA coral and sponge and habitat mapping surveys primarily occur in the 70-150 fathom area.

While the 700 fathom depth was supported by some comments, others requested a larger geographic footprint of 200 nautical miles (the extent of federal waters, also called the Exclusive Economic Zone). These comments did not indicate how this larger study area was justified by any of the boundary criteria. In particular, none of the comments identified a specific, potential federal activity for the marine spatial plan to address that occurs beyond 700 fathoms. The study area boundary is not based on documenting where existing uses occur. It is based on evaluating where the potential impacts to those existing uses from new federal activities are expected to occur. In addressing federal waters, Ecology believes it is most efficient and effective to focus on those federal activities that are most likely to occur and the geographic area in which they are feasible. Washington can extend the boundary later to address other new uses as part of an adaptive approach to the MSP.

In addition, Washington already has the option to request review of a project occurring farther offshore. The study area boundary does not alter that current ability and does not result in less authority for the state under the Coastal Zone Management Act.

V. Issues within the scope of the plan and EIS

The following issues are currently identified as in scope as part of the Marine Spatial Plan and the EIS for Washington's Pacific Coast:

- A narrative on how state is meeting the law's requirements.
- A description of the environment of Washington's coastal waters, including physical, biological, and geological conditions, oceanographic conditions (seasonal patterns or interannual influences), frequency and severity of storm events, and natural resources.
- A summary of climate change and its potential impacts to the marine ecosystem, existing uses in marine waters, and locating potential new uses.
- A section in the plan that describes related authorities and management frameworks across local, state, tribal and federal authorities.
 - Recognize and incorporate other mechanisms, where appropriate, such as Olympic Coast National Marine Sanctuary's Advisory Council and Intergovernmental Policy Council and Bureau of Ocean Energy Management task forces.

⁴ The Olympic Coast National Marine Sanctuary final management plan (September 2011). Bureau of Ocean Energy Management's programmatic Environmental Impact Statement (2007) for renewable energy addressed areas under 100 meters (54 fathoms) depth.

- A description of implementation framework, including existing state laws, policies, and regulations.
 - Describe bonding requirements within existing authorities.
 - Recommendations for project-level considerations.
 - Recommendations on phasing and scaling of potential new uses and associated developments.
- Descriptions of major maritime existing uses, including:
 - Maps of important areas
 - The status and trends of each sector
 - Their economic contributions to coastal economy
 - The infrastructure essential to supporting various marine-based uses and activities
- Mapped data on public access and recreation, including:
 - Spatial and economic data on non-consumptive recreational uses of the coast.
- A description of electromagnetic radiation (EMR) impacts.
- A summary of relevant information from other similar planning processes (lessons-learned).
- A description of potential water quality impacts of proposed new uses.
- A description of fishing gear impacts and conflicts (e.g. entanglement and movement).
- A description of potential aesthetic impacts.
- A description of other relevant plans (SMPs, port plans, etc.).
- A description of impacts to various segments of coastal communities (e.g. young people).
- A summary of the risk of collisions and spills associated with siting potential new uses.
 - Other potential public safety risks associated with potential new uses.
- An updated benthic habitat map.
- A list of potential mitigation measures such as:
 - cable burying
 - methods for dredge disposal
- A general description of current and future energy trends and factors.

There are several issues listed above that can be addressed generally at a planning scale, but will need to be more specifically addressed at a project scale. Examples of project-specific issues not addressed by the draft EIS include:

- Safety of maintenance personnel on offshore developments.
- Cost of a particular proposal.
- Carbon footprint of a particular activity.
- Spill prevention measures resulting from increased risk posed by a specific project.

Appendix A: Comments and Response Summary

Ecology accepted comments until September 23, 2013. A website with an online comment form and specific email box (MSPcomments@ecy.wa.gov) were provided for sending comments. Ecology received 17 individual comment letters and an additional 28 signed form letters.

Table 1 lists all commenters and the line number(s) associated with their comment(s). Table 2 displays comments and Ecology’s responses and is organized by scoping topic. If a commenter submitted the same comment more than once, that comment is only presented once in Table 2. Full comment letters received during the scoping comment period are available as a separate document posted on the Marine Spatial Planning website at: www.msp.wa.gov.

Other comments were received that were not responsive to the SEPA Scoping request. These included comments on past or future funding allocations for marine spatial planning. While these are important topics for other aspects of the planning process, they do not pertain to the SEPA process or Draft EIS.

Index of comments

Table 1: List of Commenters and where their comments may be found in Table 2	
Commenter	Line Number(s)
Brian Sheldon - Willapa-Grays Harbor Oyster Growers Association and the Pacific Coast Shellfish Growers Association	6, 23, 55, 62, 119,
Brice Boland	8, 23, 76
Bruce Hoeft	8, 23, 75, 76
Carol Bernthal - Olympic Coast National Marine Sanctuary	26, 61, 133, 136, 138,
Casey Dennehy – The Surfrider Foundation, Washington Pacific Coast	23, 35, 37, 45, 56, 77, 100
Dale Beasley - Coalition of Coastal Fisheries	1, 2, 3, 14, 15, 16, 20, 22,23, 29, 38-43, 53-55, 63-72, 78-91, 94-98, 101-114, 120-132, 158, 159
Diane Jones	28, 52
Eleanor Hines – The Surfrider Foundation, NW Straits Chapter	8, 23, 46, 76
Gary Nelson - Port of Grays Harbor	5,7, 47, 48, 58, 145, 154, 155, 157
George Hart- Department of Navy	31, 60
Joseph Gellings - Port of Seattle	5, 47, 48, 116, 117, 141, 143
Key McMurry	11, 13, 50, 51, 55, 118, 150, 151, 152, 153, 156
Mark Cedergreen	12, 55, 144, 156
Paul Dye - The Nature Conservancy	10,17, 19, 21, 36, 44, 74, 92, 115, 134, 135, 137, 142
Phil Johnson, David Sullivan, and John Austin – Jefferson County Commissioners	9, 18, 24, 25, 27, 30, 32-34, 49, 57, 93, 99, 139, 148, 149
Sara Gultinan - Bureau of Ocean Energy Management	59, 73, 140, 146, 147
Taylor Wonhoff	4, 8, 23, 76
Surfrider Comment cards:	8, 23, 76

Table 1: List of Commenters and where their comments may be found in Table 2	
Commenter	Line Number(s)
Amanda Mae Bomar, Anna Davis, Ben Vargas, Brittany Getz, Caroline Emch-Wei, Cole Thompson, Delores Williams, Elizabeth Macdonald, Jean Olson, Joel Banslaben, Joseph Wood, Ken Campbell, Marty Webb, Matthew Unger, Michael Webb, Nemesia Herzstein, Nicholas Cochran, Paige Maddock, Pete Stauffer, Peter Snell, Robert Bullock Jr., Sam Schwarz, Steve Murray, Talmage Vick, Tayissa Tykajlo	

Comment and Response Summary

See Table 2 on following pages for a summary of comments and Ecology’s responses. Table 2 is organized by scoping topic.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
1	Dale Beasley	Purpose & Need	Washington CMSP is an opportunity to influence the nature of the coast for future generations and direct growth in a manner that is acceptable to coastal communities.	Thank you for your comment. Ecology agrees that the Marine Spatial Plan will assist coastal communities and the state in influencing future development in marine waters.
2	Dale Beasley	Purpose & Need	The coastal communities of the Washington coast 'need' a comprehensive Coastal Marine Spatial Plan to "Protect and Preserve Existing Sustainable Uses" from excessive industrial development in marine waters that will by their very existence displace or disrupt existing use in multiple ways if they are allowed to grow in the ocean randomly as a result on an unstructured FERC ocean energy permit process that issues preliminary permits to anybody that can fill out a basic application form and divvy up the ocean wherever anyone requests, which is usually close to port infrastructure in high value fishing grounds. This helter skelter process needs some structure or industrial development will overrun existing use completely.	The Marine Spatial Plan provides a process for proactively planning for new uses so that these developments are not driven by permit seekers, but instead by an analysis of all the information such as locations that are important to existing users and locations of important ecological areas. The plan is a structure to find a way for existing and new uses to successfully coexist. The plan will seek to avoid and minimize impacts on existing users such as shipping and fishing.
3	Dale Beasley	Purpose & Need	Coastal Marine Spatial Planning is an opportunity to get ahead of events and put reasonable conditions and standards in place, to specify monitoring and intervals of that monitoring, prescribe process and process steps for marine water development from 0 – 200 miles offshore. A Coastal Marine Spatial Plan is a major action with the potential of a significant impact on the human environment, coastal economies, and uses requiring local coordination.	The Marine Spatial Plan provides a way to proactively plan, but is non-regulatory. The Draft EIS and plan will evaluate information available during this process and provide recommendations for future development or recommendations on the process to evaluate individual projects. The Draft EIS and the plan cannot require conditions, standards or monitoring.
4	Taylor Wonhoff	Purpose & Need	Take meaningful steps to rollback energy consumption and the extraction and use of fossil fuels because climate change is the single most pressing issue facing our WA Coastlines today. Our MSP should strive for a structure that minimizes our carbon footprint so as to reduce critical consequences - rising sea levels, erratic weather storms, droughts, etc.	Thank you for your comment. While climate change impacts are serious for marine ecosystems, the marine spatial plan is not intended to be an energy plan that solves energy consumption rates nor the use of fossil fuels by the general population. These are much broader issues than a marine spatial plan is intended to address. The Draft EIS can generally assess the carbon footprint of the list of potential new activities the plan

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
				is addressing, especially if plan alternatives have differing carbon footprints. State law already bans oil and gas exploration, development and production in state waters and has a policy of conserving liquid fossil fuels (RCW 43.143.010).
5	Gary Nelson & Joseph Gellings	Purpose & Need	we recommend that the MSP Scoping Process clarify that the goals and objectives of MSP are to ensure that future developments related to marine activities are appropriately sited such that existing activities and new development can successfully coexist. Within this proposed clarification of MSP, spatial analysis of any new proposal for creating additional navigation channels, vessel transit lanes or dredge disposal sites would be considered legitimate for the MSP process. Fluctuating frequencies of existing activities occurring within existing and established spatial boundaries, in and of themselves, should not be appropriate subjects for initiating a MSP process unless such analysis is performed as part of a proposed new offshore development.	Ecology believes this language provides a helpful clarification on the purpose and scope of the marine spatial plan that is consistent with the law and has included some of this language under the proposed activities section.
6	Brian Sheldon	Purpose & Need	Recently passed SB-5603 includes a requirement that CMSP efforts be carried out in such a way as Existing Uses are Protected and Preserved, so we have law aligned with what the public has clearly identified as a priority for CMSP.	Thank you for your comment. SB 5603 establishing the Washington Coastal Marine Advisory Council, which provides an important mechanism for gathering input from coastal stakeholders and agencies on the marine spatial planning process. However, the new Council law does not amend the requirements for developing the marine spatial plan provided in RCW 43.372.010 - RCW 43.372.060. The language about protecting and preserving existing sustainable uses has been recognized and added to Goal 1, but this is just one of five goals for the plan.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
7	Gary Nelson	Purpose & Need	We participated with Sen. Hargrove and Sen. Ranker on the initial legislative intent for the Marine Spatial Bill (Chapter 43.372 RCW). In these discussions, the Senators made it clear that the intent was to preserve and protect existing uses when evaluating new uses of our Coast. At the time, one of the major concerns was the development of alternative energy sources in Coastal waters and how they might impact traditional uses. The overall concept of marine spatial planning is sound, particularly when it relates to proposed new developments that can conflict with existing uses.	Ecology agrees with focusing the plan on addressing proposed new developments, such as marine renewable energy, that can conflict with existing uses. See response on line 5.
8	Boland, Bomar, Davis, Vargas, Getz, Hoeft, Emch-Wei, Thompson, Williams, Hines, Macdonald, Olson, Banslaben, Wood, Campbell, Webb, Unger, Webb, Herzstein, Cochran, Maddock, Stauffer, Snell, Bullock Jr., Schwarz, Murray, Vick, Tykajlo, Wonhoff	Purpose & Need	<p>Prioritize and value the protection of and access to recreational areas for both coastal communities who benefit economically as well as the general public whose lives are enhanced by outdoor experiences.</p> <p>Emphasize the need to protect the marine ecosystem and its subsequent habitats, biodiversity, and ecological functions.</p>	<p>Thank you for your comment. The importance of protecting recreational uses is captured by the current goals and objectives (see goals 1, 2 and 3). In addition, the law requires the plan be developed and implemented in a manner that "preserves and enhances public access" (RCW 43.372.040).</p> <p>The importance of protecting the ecosystem is captured by the current goals and objectives (see goal 3). In addition, the law requires the plan be developed and implemented in a manner that "promotes protection and restoration of ecosystem processes to a level that will enable long-term sustainable production of ecosystem goods and services (RCW 43.372.040).</p>

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
9	Phil Johnson, David Sullivan, John Austin	Purpose & Need	We look forward to a Marine Spatial Plan that promotes compatible economic uses, but not at the expense of the natural biodiversity and productivity of our coastal waters, the character and beauty of the land- and seascape, the rural culture and traditions of our communities, or the quality of the air, water or human health and wellbeing.	Thank you for your comment. The Marine Spatial Plan is intended to promote compatible economic development, while supporting a healthy ecosystem and traditional uses. These ideas are captured in the goals and objectives, especially goals 2 and 3.
10	Paul Dye	Purpose & Need	The purpose and need for a Marine Spatial Plan (MSP) are adequately described in RCW 43.372. Section 005 on Findings and Purpose notes that our marine waters "...are abundant in natural resources, contain a treasure of biological diversity, and are a source of multiple uses by the public supporting the economies of nearby communities as well as the entire state." And, "These multiple uses as well as new emerging uses, such as renewable ocean energy, constitute a management challenge for sustaining resources and coordinating state decision making in a proactive, comprehensive and ecosystem-based manner." With these statements framing the need, the purpose of RCW 43.372—and by inference the purpose of the comprehensive marine management plan—is "...to establish policies to guide state agencies and local governments when exercising jurisdiction over proposed uses and activities in these waters." Thus, while the MSP may be non-regulatory it should reflect marine policy for the State of Washington and interpret that policy in a spatially explicit way.	This language has been incorporated in the Purpose and Need section. Ecology believes these statements help frame the purpose and need for the Marine Spatial Plan.
11	Key McMurry	Purpose & Need	Repair failing infrastructure: railway lines (culvert, bridges, etc.) roads (culverts, bridges, etc.).	Thank you for your comment. The Marine Spatial Plan is not a mechanism for repairing infrastructure. See detailed response on line 40.
12	Mark Cedergreen	Purpose & Need	this plan is being set up, not for the benefit of existing coastal industry and economy but as a fairly loose sieve for crony capitalists to facilitate their subsidized ocean energy projects.	Thank you for your comment. See response on line 2.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
13	Key McMurry	Purpose & Need	Create and grow more jobs for the coast.	Thank you for your comment. The goal 5 states the plan should <i>"Encourage economic development that recognizes the aspirations of local communities and protects coastal resources."</i> The Draft EIS and plan will identify areas to protect for existing uses as well as areas of potential economic opportunity for future, new uses.
14	Dale Beasley	Purpose & Need	The real OUTCOME of Washington Coastal Marine Spatial Planning is to provide for existing sustainable employment, food supply, recreational opportunity and revenue, and to achieve these coastal community benefits, conservation and management of fish stocks and marine water habitats is essential.	The draft EIS and plan will identify areas not suitable for new uses such as important ecological areas and important areas for existing sustainable uses. It will also identify areas potentially suitable for new uses. See also response on line 2.
15	Dale Beasley	Purpose & Need	In practical terms, Washington coastal and marine spatial planning provides a public policy process for society to determine how best to Protect and Preserve Existing Sustainable Coastal Uses, the ocean, our coasts, and estuaries are sustainably used and protected for current and future generations while growth of new emerging uses does not degrade public access or use by providing a conditional path to YES as well as an equally clear path to NO for emerging use.	Ecology agrees that the plan will identify areas to avoid and areas that are potentially suitable for possible new uses. RCW 43.372.040 requires the plan to "preserve and enhance public access." The plan will seek to avoid and minimize impacts on existing users and impacts to sensitive environmental resources. See also response on line 2.
16	Dale Beasley	Purpose & Need	We have a different "need" and there is NO PRESSING NEED to force very expensive, unreliable, alternate energy onto our coastal communities unless they ASK for it and at \$0.075/Kw to the consumer that will not happen anytime soon except in remote areas where electrical outages can be prolonged such as Neah Bay which may be an exception in need. Yes there is an untapped energy source off our coast and Washington can develop it when the 'need' arises sometime in the distant future. Washington CMSP does not automatically have to become a process to insure new unstable immature developing industrial developments with a very high likelihood of failure that are to be given a	Thank you for your comment. The Marine Spatial Plan is not a proposal to construct renewable energy and there are no specific proposals on Washington's coast at this time. The plan is designed to evaluate potential future uses of Washington's marine waters. If and when these uses or developments are proposed by others, the plan can direct them away from sensitive or important areas and toward more suitable areas. Regardless of location, any specific project proposal will still need to go through environmental review and permitting.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			“FAIR” or is it “UNFAIR” allocation of productive fishing grounds to promote idealistic ventures at ratepayer and taxpayer expense with next to zero impact on improving carbon emissions in Washington.	
17	Paul Dye	Purpose & Need	It is important that the MSP serve the needs of state agencies and local governments regardless of whether the plan fits entirely within the federal coastal zone management framework. Whenever the need for policy guidance to state agencies and local governments conflicts with fitting the plan into the Coastal Zone Management framework, it is the recommendation of The Nature Conservancy that the MSP be developed to address the state and local need for guidance. The MSP should, for example, include a series of maps indicating where certain uses would be allowed or disallowed based on policies established in the state’s Ocean Resources Management Act.	Thank you for your comment. Ecology believes the focus on where a set of potential new uses would be allowed or disallowed best addresses the needs of state and local governments. Policies such as the Ocean Resource Management Act and its associated regulations (WAC 173-26-360) will underpin the marine spatial plan as well as fit well with existing policy frameworks, such as the state’s Coastal Zone Management Program, as is required by law, see RCW 43.372.040(12).
18	Phil Johnson, David Sullivan, John Austin	Draft Overarching Goal	Draft Overarching Goal: To ensure no net loss of ecological function to the marine ecosystem on Washington's coast while supporting sustainable and diverse economic, recreational, and cultural opportunities for coastal communities, visitors and future generations and a system of wildlife and habitat protection areas and reserves. Rationale: No net loss language is consistent with Shoreline Master Programs (WAC-173-26-201(3){E}{iii}) for the purpose of avoiding cumulative impacts.	Thank you for your comment. Developing a system of protection areas and reserves is a specific management tool, it is not consistent with an overarching goal for a marine spatial plan. Cumulative impacts will be assessed as part of the Draft EIS. RCW 43.372.040(4)(h) requires integration with existing plans and authorities and RCW 43.372.040(6)(e) requires a description of how the plan will be considered and implemented through existing state and local authorities. Therefore, the Shoreline Management Act and its regulations will be incorporated as one of the guiding authorities, including no net ecological loss. The implementation section of the plan will describe this further.
19	Paul Dye	Draft Overarching Goal	The Nature Conservancy supports the Draft Overarching Goal: To ensure a resilient and healthy marine ecosystem on Washington’s coast that supports sustainable economic, recreational, and cultural opportunities for coastal	Thank you for your comment. No changes have been made to the overarching goal.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			communities, visitors and future generations.	
20	Dale Beasley	Draft goals	Create an atmosphere of expansion of existing JOB types, not just new emerging uses.	Thank you for your comment. See response on line 13.
21	Paul Dye	Draft Goals	In all discussions of the goals of the plan in future documents, the entire set of requirements from the state legislation should be repeated. These are state government's expectations for the comprehensive marine management plan, and they should not be diluted or constrained by any language developed subsequent to the legislation. The narrative for the comprehensive marine management plan should include a discussion of how each of the requirements is met by the MSP. The Nature Conservancy recommends that language from Chapter 43.372.040...Sections 4(a) through 4(h), be adopted as the goals of the coast MSP.	Ecology agrees that the goals for the plan do not alter the requirements in law for developing a marine spatial plan and will include a discussion of these in the narrative of the plan.
22	Dale Beasley	Draft Goals - Goal 1	We stand firmly united in support of adopting as the primary goal of Washington Coastal Marine Spatial Planning to: Protect and Preserve Existing Sustainable Uses. Uses is a broad term that includes commercial and recreational fishing, fish processing, support industries & businesses, a broad range of coastal marine recreation in general, commerce, unimpeded navigation, conservation of natural resources for sustained use for current and future generations, protection for a properly functioning marine ecosystem, shellfish aquaculture, tourism, general public enjoyment, general public aesthetics of marine waters, open public ACCESS to marine waters and more that all our state's citizens no matter where they are from currently enjoy in the coastal zone; 0 – 200 miles offshore. Protect and preserve existing sustainable uses, and assure any new uses have no negative impact on these uses.	Your requested change has been made to Goal 1. This is one goal among the 5 goals of the planning process. While the plan will seek to avoid, minimize and mitigate significant adverse impacts to existing uses, ensuring "no negative impacts" is not consistent with the requirements of RCW 43.372 nor consistent with RCW 43.21C.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
23	Brice Boland, Brian Sheldon, Dale Beasley, Mark Cedergreen, Eleanor Hines, Casey Dennehy, Bomar, Davis, Vargas, Getz, Hoeft, Emch-Wei, Thompson, Williams, Hines, Macdonald, Olson, Banslaben, Wood, Campbell, Webb, Unger, Webb, Herzstein, Cochran, Maddock, Stauffer, Snell, Bullock Jr., Schwarz, Murray, Vick, Tykajlo, Wonhoff	Draft Goals - Goal 1	Include the goal of "Protect and preserve existing sustainable uses" to the current drafted goals and objectives.	Your requested change has been made to Goal 1. This is one of 5 goals the plan and planning process is working to achieve.
24	Phil Johnson, David Sullivan, John Austin	Draft Goals - Goal 1	Draft Theme Goal1: Protect and preserve existing sustainable uses for coastal communities to ensure economic vibrancy for coastal communities. Rationale: We	Your requested change has been made to Goal 1. See response on line 23. This is one of 5 goals the plan and planning process is working to achieve.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			agree with the WCMAC recommended language as proposed on page 11 of the scoping document.	
25	Phil Johnson, David Sullivan, John Austin	Draft Goals - Goal 3	Draft Theme Goal 3: Achieve overall improvements to ecological functions and exclude marine-based finfish aquaculture for commercial purposes and the importation of new non-native species. Rationale: The original Draft Theme Goal3 was much too general. The language "Achieve overall improvements to ecological functions" is drawn from WAC 173-26-201{2}(f)), and shoreline master programs. We feel that, in light of unacceptable environmental risks, finfish aquaculture is only justified in cases of temporary holding pens used to support native runs of salmonids.	Thank you for your comment. Ecology believes the inclusion of aquaculture is too narrow of a statement for this goal. Furthermore, this change is not consistent with other state laws and policies related to the management of aquaculture.
26	Carol Bernthal	Draft Goals - Goal 4	Your current draft theme goal 4 refers to "integrated decision making", but the associated objective seems focused on the local community. We recommend either editing this objective or adding a second objective under that goal, making coordination with existing authorities explicit.	Your requested change has been made to Objective 4.
27	Phil Johnson, David Sullivan, John Austin	Draft Goals - Goal 5	Draft Theme Goal 5: Encourage economic development that recognizes the aspirations of local and tribal communities while respecting and integrating existing management plans and authorities. Rationale: Existing designations and protections along our coast are the foundation for the plan and should be respected through the course of future economic development.	The coordination with and incorporation of existing authorities, including management plans, has been included in draft Objective 4.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
28	Diane Jones	Draft Goals - Goal 5	I hope that those concerned about protecting our natural resources from harm and protecting traditional users understand the “consistency clause” gives local communities power to protect themselves and their resources. It is important to understand that by using this clause intelligently, federal policy CANNOT preempt local policy. Check it out. Draft Theme Goal 5 makes me nervous.	Under the US Constitution, federal law preempts state and local law, unless the authority is specifically delegated by the federal government to the state or local level. The federal Coastal Zone Management Act (16 U.S.C. § 1451-§ 1465) (CZMA) provides a mechanism (through the federal consistency provision) for states with federally-approved Coastal Zone Management Programs to exert some influence on federal actions that impact a state's coastal zone. Activities within the state's coastal zone by a federal agency must be consistent with a state's approved enforceable policies to the maximum extent practicable, while those activities permitted or licensed by a federal agency must be fully consistent with the state's approved enforceable policies. While federal consistency under the CZMA is a very useful tool, there are still some limited circumstances where federal activities can preempt state or local policies, such as for national security. Draft Goal 5 for this plan provides for consideration of economic development opportunities in marine waters when consistent with the protection of natural resources (goal 3) and traditional users (goal 1). For more on CZMA authority, see responses on lines 53 and 54.
29	Dale Beasley	Draft Goals and Objectives	List top five (5) intended outcomes of CSMP; refer to WCMAC mission statement at every entry: 1. Protect and Preserve sustainable existing uses (JOBS) 2. Maintain health marine waters and ecosystem function 3. Control coastal erosion; establish coastal sediment rights, put USACE dredged sediments to the most beneficial direct beach placement as the best option developed by all the technical and scientific experts at the second Cape Disappointment Technical Forum hosted by the Lower Columbia Solutions Group in 2007. 4. Improve human health and safety; reduce	Thank you for your comment. Please see previous responses to overall purpose and need and goals for marine spatial plan.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			fatality rates in marine industries 5. Establish principles and conditional standards for emerging new uses of coastal waters to be applied to CZMA that protects existing use as our CMSP laws were designed to do.	
30	Phil Johnson, David Sullivan, John Austin	Draft Objective s - Objective 1	Draft Objective 1: Protect and <u>preserve</u> healthy existing natural resource-based economic activity on the Washington Coast.	Your requested change has been made.
31	George Hart	Draft Objective s - Objective 2	draft Objective 2: remove "high" from quality of life-- because in draft objective 5 we want to improve quality of life.	Thank you for your comment. Ecology does not believe maintaining high quality of life (objective 2) and improving quality of life (objective 5) are incompatible objective statements, because they are used in to address different issues. In Objective 2, the goal and objective are speaking to maintaining traditional and cultural ways of life. In Objective 5, the goal and objective are referring to improving the quality of life around economic opportunities.
32	Phil Johnson, David Sullivan, John Austin	Draft Objective s - Objective 2	Draft Objective 2: Sustain diverse traditional uses and experiences to ensure continuity of WA's coastal identity,culture, and high quality of life. Rationale: Add "and experiences" because experiences are distinct from "uses". For example, the opportunity to experience remoteness and untrammeled nature is intrinsic to the Wilderness designation of Olympic National Park's coastal strip.	Your requested change has been made. Adding this term allows for a more complete understanding of the objective.
33	Phil Johnson, David Sullivan, John Austin	Draft Objective s - Objective 3	Draft Objective 3: Foster healthy and resilient natural marine ecosystem functions,biodiversity and habitats. Rationale: Add "natural" for consistency with overarching goal.	Thank you for your comment. The overarching goal does not use the term "natural". Objective 3 uses similar terms as the overarching goal, including "healthy" and "resilient."

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
34	Phil Johnson, David Sullivan, John Austin	Draft Objective s - Objective 4	Draft Objective 4: Develop a locally supported and collaborative process for aligning management decisions and scaling any ocean energy development to the needs of Washington State communities. Rationale: Washington State's intact coastal ecosystem should not be compromised to meet the needs of more populous states.	Thank you for your comment. Goal 5 states that economic development should "recognize the aspirations of local communities and protect coastal resources." Ecology believes this language meets the rationale provided, which is to provide for economic development opportunities that still protect the coastal ecosystem. Specific recommendations on scaling of developments may be included in the recommendations of the final plan.
35	Casey Dennehy & Paul Dye	Draft Objective s	The draft objectives do not follow the SMART criteria, despite the intention of doing so. They are essentially a reworded version of the goal. They are not very specific, have no measurables, the time-specific wording is only present in a few, and those have an infinite or open ended timeframe. SMART criteria are often desirable in setting objectives...however, it is not clear how the State Ocean Caucus will apply them in this situation, or what the value of the criteria are to guiding the MSP.	Thank you for your comment. Ecology agrees that the current objectives do not meet the SMART criteria, but no specific changes were suggested. Ecology will continue to work with stakeholders to identify a list of more specific outcomes for each goal that are consistent with RCW 43.372 and the revised scope of the Draft EIS and plan.
36	Paul Dye	Draft Objective s	Because marine spatial planning is new and addresses multiple management objectives, the issue of clarity is paramount. The Nature Conservancy's opinion is that objectives for the current planning process on the coast are not yet clear, and that public buy-in for the objectives has not been achieved....we suggest that a new process be undertaken to engage the WCMAC and coastal constituents in developing objectives that support the legislation's goals, guided by the Coastal Voices report. We also recommend that the criteria for considering those objectives be adjusted in line with our remarks earlier in this section.	Thank you for your comment. See response on line 35.
37	Casey Dennehy	Metrics	Metrics that would likely be good indicators would be economic stability, ecosystem health and resiliency, and fish, crab, and shellfish abundance.	Thank you for your comment. Ecology will consider these indicators and others as the Draft EIS and plan is developed.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
38	Dale Beasley	Metrics	A "FATALITIES" increase analysis must become a standard of review for any offshore use that restricts public access in marine waters where restricted navigation areas (RNA'S) are imposed.	Thank you for your comment. The Draft EIS will include a description of potential public safety risks associated with potential new uses.
39	Dale Beasley	Metrics	Develop a list of the top marine water indicators and utilize this list in the setting of CMSP priorities that are appropriate for the coast of Washington.	RCW 43.372.040(a) 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. This assessment should seek to identify key threats to plan goals, analyze risk and management scenarios, and develop key ecosystem indicators." Therefore, the development of indicators will depend on the key social, economic and ecological characteristics of our marine waters, plan goals and threats.
40	Dale Beasley	Activities	Channel Maintenance into our ports that provide ACCESS to marine waters for all our citizens must be a prominent feature of Washington CMSP. Oversight of obvious deficiencies in protecting existing uses was that for any activity to move forward on the coast it is essential that channels are maintained to federally authorized depths – another essential that National Ocean Policy also failed to place as a necessary goal. Without channel access to marine waters the rest of CMSP is really irrelevant to sustaining coastal communities or our ability to grow.	The marine spatial plan can include information on the location of important infrastructure for marine industries, such as navigation channels. Maintaining federally authorized navigation channels is the role of the US Army Corps of Engineers. According to 43.372.010(8), marine spatial planning 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. Often this type of planning is done to reduce conflicts among uses, to reduce environmental impacts, to facilitate compatible uses, to align management decisions, and to meet other objectives determined by the planning process." Maintaining marine infrastructure, such as navigation channels, is not the purpose of the marine spatial plan. It is the aim of the plan to ensure that future developments related to marine activities are appropriately sited such that

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
				existing activities and new development can successfully coexist. Therefore, the plan will seek to evaluate and identify areas that these new uses should avoid, areas that are potentially suitable for new uses, and preferred areas for these potential new uses.
41	Dale Beasley	Activities	Establish coastal EFFECTIVE erosion controls that maintain our coastline in place in the face of a rising sea and a truncated sediment supply. The scientist agree direct beach placement is the most effective and beneficial use of dredged sediments. Washington needs to pursue this as a primary sediment capture mechanism or face a growing coastal erosion problem that will escalate in the coming years....Washington CMSP must incorporate this type of existing and developing socioeconomic and scientific material into the realities of actually solving problems not just ivory tower wanderings and paper exercises for Washington CMSP.	Thank you for your comment. Proposed new dredge disposal locations is one of the uses to be addressed by the Marine Spatial Plan and Draft EIS.
42	Dale Beasley	Activities	A Washington Coastal Marine Spatial Plan is not strictly a method of installing new emerging uses into a busy ocean; at this time installing new use is not even a high priority as the new industries are too immature or cost effective to be of any significant impact on our state, its economy, or provide for its energy needs in any meaningful manner any time in the near future. Washington CMSP needs to be a thorough analysis of what exists on the coast and how to increase the vibrancy of the coast that all the citizens of Washington can benefit, including those that live, work, and play on the coast. CMSP is about taking care of what we already have without destroying it and finding methodology to make it survive into the future for coming generations. A significant part of Washington CMSP is helping rural coastal communities meet their existing needs now and into the future.	The Marine Spatial Plan is not proposing to construct a specific project. See response on line 40. Potential new uses that will be evaluated in the Marine Spatial Plan include new dredge disposal, marine renewable energy, offshore aquaculture, mining, and bioextraction. The goals for the marine spatial plan include "protecting and preserving existing sustainable uses". The plan will seek to avoid, minimize and mitigate adverse impacts to existing uses.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
43	Dale Beasley	Activities	First and foremost CMSP is about people: their lives, safety, economic security and quality of life. Washington is the first state in the union to develop CMSP without a dedicated, predetermined outside driver (ocean energy, marine reserves). The top priority for Washington CMSP is to protect and preserve existing sustainable uses.	Thank you for your comment. Goal 1 has been amended to include "protect and preserve existing sustainable uses" as one of the five goals for the Marine Spatial Plan. However, this will be accomplished by avoiding and minimizing impacts to areas important for existing uses. The overall purpose of the Marine Spatial Plan is to evaluate potential new uses and find a way for existing uses and new uses to successfully coexist. See response on line 40.
44	Paul Dye	Activities	The Nature Conservancy supports the list of activities to be addressed proposed by the WCMAC: Renewable energy such as wind, wave, tidal, Marine Preserves such as Marine Reserves or Natural Area Designations, Oil and mineral mining, Offshore aquaculture, Cable laying, Dredging and dredge disposal, Shipping. 1. This should be considered an initial list of activities to be addressed, and the ability to address additional activities should be reserved under the requirement that the MSP present an adaptive approach to management; and 2) "Shipping" should address the potential increased risk of accidental spills from projected increases in vessel traffic, particularly for the shipment of oil or other polluting cargoes.	Potential new uses that will be evaluated in the Marine Spatial Plan include new dredge disposal, marine renewable energy, offshore aquaculture, mining, and bioextraction. The plan can be amended to address additional issues or new uses at a later time as part of an adaptive approach to management. The draft EIS will include information on existing maritime sectors such as shipping including their requirements, future needs, and potential conflicts with new uses.
45	Casey Dennehy	Activities	The plan should be prepared to address any new projects that could adversely affect the health of the coastal ecosystem, communities, and economies. Other such projects that should be considered include off-shore aquaculture and the export of hazardous materials such as crude oil.	Thank you for your comment. Please see responses on line 42 and 44. RCW 43.372.010 defines the area covered by the marine waters plan as from ordinary high water to the state boundary. Export of specific materials from shore-based facilities, such as crude oil, is not within this defined area. Shipping is not considered an "ocean use" under WAC 173-26-360 unless it is specifically associated with an offshore development.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
46	Eleanor Hines	Activities	Plan for coastal resiliency in regards to potential climate change impacts.	The marine spatial plan will incorporate information on potential impacts from climate change to the marine ecosystem, potential changes to existing uses, and related impacts to potential new uses being addressed by the marine spatial plan.
47	Gary Nelson & Joseph Gellings	Activities	the MSP focus less concern on existing activities and more concern on new developments that might be constructed to support new activities in any given area. We are, and will continue to be, concerned with any proposals that would alter the normal operating location of legitimate and long established existing activities.	Ecology believes that a focus on new developments and how they may affect existing uses is an appropriate focus for the Marine Spatial Plan. It will not focus on recommending changes to existing activities.
48	Gary Nelson & Joseph Gellings	Activities	Maritime shipping is a long established use that follows existing and well established traffic lanes. We believe it not to be in the interest of a trade dependent state like Washington to try and alter this use based on a type of cargo as has been discussed in the WCMAC. We could run the risk of discouraging or inadvertently diverting cargo away from our State by allowing these policy advisory groups to censor cargoes in traditional traffic lanes. As long as cargoes are legally being transported and meet all regulatory safe guards they should not be subject to sanction by stakeholders under the guise of Marine Spatial Planning. Of the listed "activities of concern", we are particularly interested in the rights of shipping, dredging, and dredge disposal to exist without any further and potentially unnecessary restrictions or locational alterations. This is troubling given our understanding of the mandate for a MSP. These activities occur within well-established geographic boundaries and are well regulated by several state and federal agencies.	Thank you for your comment. See responses above. New dredge disposal locations are among the proposed uses that will be addressed by the marine spatial plan. Furthermore, type of cargo and shipping are not considered an "ocean use" per WAC 173-26-360, unless they are associated with an offshore development.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
49	Phil Johnson, David Sullivan, John Austin	Activities	Due to the fact that NOAA's Draft Aquaculture Policy (Feb. 2011) states that "nutrient and chemical wastes, water use demands, aquatic animal diseases and invasive species, effects on protected and sensitive marine areas, potential competition and genetic effects on wild species, effect on endangered or protected species, effects on habitat for other species, and use of forage fish for aquaculture feeds" are all risks related to Atlantic Salmon Fish Farms; and because WAC 173-26-201(2)(f) states that SMP's "be designed to achieve overall improvements to ecological functions over time when compared to the status upon adoption;" and WAC 173-26-201(3)(f)(111)(c) states that shoreline ecological functions in marine waters include "removing excessive nutrients and toxic compounds"; and WAC 173-26-020 defines "water dependent use" as a use or a portion of a use which cannot exist in a location that is not adjacent to the water and which is dependent on the water by reason of the intrinsic nature of its operation; and because upland tank fish farms with properly treated wastewater equipment can exist in locations not within or adjacent to the water and therefore satisfies WAC 173-26-020, we feel that finfish aquaculture should be excluded from the coast except in cases of temporary holding pens to support returning runs of native fish.	Thank you for your comment. Other state laws and policies regulate the location and operation of offshore aquaculture facilities, which can use many different types of technologies. Aquaculture is a water-dependent, preferred use under the Shoreline Management Act (RCW 90.58). Jurisdiction-wide prohibitions of new commercial net pens may be in conflict with the Shoreline Management Act and related rules. However, prohibitions in some waters may be warranted in certain circumstances – depending on site specific conditions such as water quality, habitats, other environmental factors, and other uses conflicts. Prohibiting net pen aquaculture under the Marine Spatial Plan is not an appropriate measure at this time, nor is it consistent with existing state laws and policies.
50	Key McMurry	Activities	Oil Spill Prevention should also be a top priority. We still need to push for more oil response boats, tugs. Supply our ports with enough materials to handle a small to medium size spill.	Thank you for your comment. The Draft EIS will examine the potential activities and whether they increase risks to spills. Spill preparedness, prevention and response, including response materials and capabilities, is handled by Ecology's Spills Program.
51	Key McMurry	Activities	We need to somehow make beach nourishment with the dredged material CMSP priority. Dredging of our small coastal ports is crucial. We need to get this into the President's budget.	Thank you for your comment. New dredge disposal locations are one of the uses the plan will address. See response on line 40 for response on dredging ports. The Draft EIS has no role in the federal budget.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
52	Diane Jones	Activities	<p>No. The purpose was for renewable energy, not to open up a can of worms. This is the beginning of privatizing a commons that has so far been protected from such for the most part. If aquaculture were permitted, for example, it would be done in a world free trade system with the need to compete globally can mean pressure for lax environmental protections. Global competition doesn't not allow regionally appropriate regulatory structures or local considerations like protecting healthy traditional fisheries that currently exist. Most everywhere finfish aquaculture has expanded, native salmon populations have greatly suffered. And if an energy project is identified, a small test project should first be proposed and developed to look for negative unforeseen impacts. Building a large project from the get go means almost no turning back once begun with potential irreversible harm. Go slow, start small.</p>	<p>Thank you for your comment. Potential new uses that will be evaluated in the Marine Spatial Plan include new dredge disposal, marine renewable energy, offshore aquaculture, mining, and bioextraction. The Draft EIS will examine phasing and scaling of developments using new technologies.</p>
53	Dale Beasley	Boundary - study area	<p>In addition, Washington CMSP law requires Washington CMSP to extend from shore to 200 miles offshore in concert with federally granted authority; anything less would be truncating congressional and legislative law. Any reduction of the Washington 200 mile CMSP would be found in error by the US Supreme Court that has maintained a presumption against federal preemption unless an action frustrates the sovereign domain of the government of the United States. There is NO compelling reason what so ever to truncate Washington CMSP at anything less than 200 miles.</p>	<p>Under the Coastal Zone Management Act, the state already has the authority seek case-by-case review of any project that has a "<i>reasonably foreseeable effect on any coastal use or resource resulting from a Federal agency activity or federal license or permit activity</i>" (15 CFR Ch. IX section 930.11). This includes activities that may occur throughout the extent of federal waters (3 nautical miles to 200 nautical miles offshore). The state is not giving up any authority to review federal activities currently afforded to Washington under CZMA. Coastal program staff engage regularly with federal agencies responsible for federal waters and often receive information about their activities or permits in federal waters through these venues. When an activity is of interest or concern, Ecology responds to federal agency notices or NEPA documents about their activities offshore. Ecology will continue to work with federal agencies to ensure that we are receiving</p>

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
				<p>notification of relevant federal activities. Once completed, the plan will allow the state to seek approval from NOAA for automatic review of specific federal activities occurring within a specific geographic area. NOAA has advised Ecology that in order to seek approval for automatic review within a specific geographic area, Ecology must be able to demonstrate a likely causal connection between potential activities and coastal effects. The larger the geographic area (especially the farther from shore), the less likely we can make the justification needed for approval. RCW 43.372.040(6)(d) requires the plan to include recommendations to the federal government on "use priorities and limitations, siting criteria, and protection of unique and sensitive biota and ocean floor features within the exclusive economic zone." While the statute requires recommendations within this area, it does not define the geographic extent that those recommendations must cover. Those recommendations are driven by the extent of federal activities addressed in the plan and their potential impacts. Ecology believes the study area covers the potential future federal activities and the reasonably foreseeable impacts to coastal uses or resources that may result. The plan can be amended in the future to address additional federal activities in federal waters, as they are identified.</p>
54	Dale Beasley	Boundary - Study Area	<p>Washington has been granted authority to manage Dungeness crab out to 200 miles offshore by congress. Congress did not truncate this crab authority at anything less than 200 miles even though the known range of Dungeness crab does not extend much over 200 fathoms offshore. The United States has treaties with many other countries that can affect our coastal zone out to 200 miles</p>	<p>The study area for the Marine Spatial Plan does not result in less authority for the state under the Coastal Zone Management Act (see response on line 53). The Coastal Zone Management Act (CZMA) federal consistency provision affords the state some influence, but not direct control, over federal activities that effect state coastal resources or uses in the state's coastal</p>

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			<p>and even beyond that the state may need to comment on to protect our interests in international relations, such as the use of Columbia River water or the Canadian tuna treaty that definitely goes to 200 miles and beyond. And of course the Coastal Zone Management Act allows the state some control of federal actions affecting the state's coastal zone out to 200 miles from shore; a very important legal hook dealing with the USACE, FERC, BOEM, NOAA, EPA USFW, BIA, and other federal entities. The CZMA is congressionally authorized without any qualifiers from 3 to 200 miles. There are NO intermediate determinations in the law that limits the CZM authority to any distance less than 200 miles.</p>	<p>zone for their consistency with the enforceable policies in the state's approved Coastal Zone Management Program. Federal activities covered by the CZMA are: 1) a federal agency performing an activity or development project, 2) a federal agency issuing a permit, license, or lease for an activity or development or 3) a federal agency issuing federal funding to state or local governments for activities with coastal effects. The purpose of the study area for the marine spatial plan is to define a geographic scope to address specific federal activities that have a high likelihood of occurring AND that have potential impacts to Washington's coastal resources or uses. In addressing federal waters, Ecology believes it is most efficient and effective to focus on those federal activities that are most likely to occur and the geographic area in which they are feasible. No specific federal activities were identified that have a high likelihood of occurring outside of 700 fathoms. Long-established and complex processes already exist for negotiating international treaties that may affect fishing interests. Washington state is already involved and consults with the federal government on these multiple treaties. Ecology is not using the marine spatial planning process to duplicate these established processes.</p>
55	<p>Brian Sheldon, Key McMurray, Dale Beasley & Mark Cedergreen</p>	<p>Boundary - Study Area</p>	<p>Washington CMSP Priorities and Goals include an offshore boundary out to 200 miles and that the scoping document be amended to reflect that change.</p>	<p>Thank you for your comment. No information was provided on how this boundary meets the criteria listed in the scoping document. In particular, no specific federal activities were identified that are expected to be proposed in the federal waters beyond the continental slope (400 or 700 fathom contours). Ecology believes the 700 fathom boundary best meets the criteria listed.</p>

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56	Casey Dennehy	Boundary - Study Area	400 or 700 fathoms should be an adequate distance off the coast. However, using 700 fathoms captures the dynamic continental slope, which harbors sensitive biota that may be vulnerable to new uses.	Your recommended study area boundary of 700 fathom has been adopted as the study area for the Marine Spatial Plan.
57	Phil Johnson, David Sullivan, John Austin, Paul Dye	Boundary - Study Area	We support establishing the boundary of the MSP Study Area at 700 fathoms to include the majority of coastal vessel traffic and fishing-related activity and less stable bottom topography. Given our knowledge of available data, current uses, and likely future uses The Nature Conservancy recommends the 700 fathom line as the seaward planning boundary, noting that an adaptive management approach could extend this boundary as needed to address future uses.	Your recommended study area boundary of 700 fathoms has been adopted for the Marine Spatial Plan. The boundary can be extended as part of an adaptive management approach, if needed to address future uses.
58	Gary Nelson	Boundary - Study Area	The boundaries of the MSP are not yet defined. This raises many issues as to the Scope of an EIS. The estuaries of Grays Harbor and Willapa Bay have specifically been mentioned as part of this boundary. Aside from the international and other issues related to the exclusion of the Puget Sound Estuary, there are significant policy issues which will need to be addressed.	See other responses for information on the boundary. RCW 43.372.010(6) and (9) defines the boundary of the marine spatial plan, which includes estuaries to the ordinary high water mark and out to the boundary of the state. RCW 43.372.040(6)(d) requires the plan to include recommendations for federal waters. RCW 43.372.040(2) allows the interagency team to pursue planning in geographic segments on different schedules.
59	Sara Gultinan	Boundary - Study Area	Geographic scope of the plan's study area: Regarding the likely location of federal activity for offshore renewable energy development, BOEM recommends that the plan include a discussion of federal jurisdictions	Thank you for your comment. The Draft EIS and plan will include a discussion of federal jurisdictions.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
60	George Hart	Boundary - Study Area	The 400 and 700 fathom recommendation is to far offshore. At 40 to 60 miles offshore and all of the current projects are or will be located at no further than 25 miles offshore I see no justification to go 40 to 60 miles offshore. Based on the information provided and personal knowledge, the boundary offshore request is to far beyond supporting data and information	Thank you for your comment. The type of federal activities and geographic footprint of those activities is an important role in determining the study area and the 700 fathom distance captures all potential new uses expected at this time. The scoping document listed other important criteria, which are met by the 700 fathom study area. This study area allows the inclusion of an ecologically meaningful area that incorporates important ecological connections of the continental slope to Washington's nearshore and coastal resources. It also provides for incorporation of available information from existing studies and spatial studies from other management plans and data. There is significantly less information available beyond 700 fathoms offshore.
61	Carol Bernthal	Boundary - Study Area	the spatial overlap between sanctuary boundaries and the potential geographic scope for the MSP are significant. Approximately 17% of OCNMS is within state waters, and OCNMS is adjacent to over 50% of Washington's outer coastline. OCNMS is also mostly within both proposed MSP boundary options. On the proposed boundary options, we support the inclusion of the sanctuary into the geographic scope of the state's MSP and believe that this will have value to both NOAA and the state of Washington.	Thank you for your support of including the sanctuary in the geographic scope of the state's Marine Spatial Plan.
62	Brian Sheldon	Boundary - Study Area	Having listened to the NOAA representatives during the workshop, my understanding is that while there is a requirement to support a need to establish a particular use offshore, it is a relatively simple matter requiring existing data to document the use. The importance of setting the 200 mile limit varies County to County along the coastline. For instance Pacific County's economic base relies significantly on offshore fisheries, such as Albacore tuna that range from 25 to more than 800 miles off shore, while north coast counties don't rely on that use. Setting the limit	Under the Coastal Zone Management Act, the state already has the authority to seek case-by-case review of any project that has a "reasonably foreseeable effect on any coastal use or resource resulting from a Federal agency activity or federal license or permit activity" (15 CFR Ch. IX section 930.11). This includes activities that may occur throughout the extent of federal waters (3 nautical miles to 200 nautical miles offshore). Therefore, Washington can seek review of a potential federal use not covered by the Marine Spatial Plan at

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			<p>at 200 miles results in providing an assured seat at the table for local governments when federal projects are proposed within 200 miles that may impact a demonstrated use.</p>	<p>any time. The purpose of the study area for the marine spatial plan in federal waters is to define a geographic scope to address specific federal activities that include all of the following: 1) have a high likelihood of occurring, 2) are based on where those new activities are likely to occur or are feasible, and 3) that have potential impacts to Washington's coastal resources or existing uses. Other criteria mentioned by the scoping document include ecologically meaningful and amount of existing data available. The study area boundary is not based on documenting where existing uses, such as Tuna fishing, occur. It is based on evaluating where the potential impacts to those existing uses from new federal activities are expected to occur. No specific federal activities were identified that have a high likelihood of occurring outside of 700 fathoms. Once the plan is complete, Washington can pursue designation that allows automatic review of these federal activities. NOAA representatives have expressed that a boundary of 200 nautical miles would be extremely difficult for Washington to receive permission to automatically review federal activities - given both the range of the expected potential federal activities offshore and their potential to effect Washington's coastal resources or uses. NOAA has advised Ecology that in order to seek approval for automatic review within a specific geographic area, Ecology must be able to demonstrate a likely causal connection between potential activities and coastal effects. The larger the geographic area (especially the farther from shore), the less likely Ecology can make the justification needed for approval.</p>
63	Dale Beasley	Studies	<p>An EIS is built around reasonable alternatives including NO ACTION, existing needs, and avoiding reasonably</p>	<p>This process is developing a non-project Draft EIS, which evaluates the action of developing a marine</p>

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			foreseeable impacts to both existing use and environmental integrity. One of our first challenges in establishing any new industrial developments in offshore waters is to determine the “existing” need, if other more reasonable or better alternatives exist, and who is going to pay and is that payment reasonable to “force” on to the ratepayer or taxpayer.	spatial plan. The Draft EIS is designed to evaluate the potential significant adverse environmental impacts of a plan. Therefore, the no action alternative will evaluate the impact of not establishing a marine spatial plan. The issue of who pays depends on a number of factors which will be project specific and are not able to be assessed at the planning scale.
64	Dale Beasley	Studies	Identify data gaps in existing data and develop plans within the allocated funding stream to fill those gaps. Identify data gaps necessary to make informed decisions on potential new use allowances. Develop long term CMSP funding plan based on gap analysis to assure data gaps are filled per established priority and within funding allocated.	Thank you for your comment. RCW 43.372.040 lists the required information, data and maps for the Marine Spatial Plan. The SEPA scoping summary helps shape the focus of the Draft EIS and plan, which will assist with identifying additional information needs.
65	Dale Beasley	Studies	Include by reference the “Tacoma Narrows Tidal Power Feasibility Study”.	Thank you for your comment.
66	Dale Beasley	Studies	Washington needs to investigate the financing of OPT, where the money came from, and how CEO’s benefited a second time from insider trading of company stock at its zenith and investors lost their shirts to get a better understanding of the culpability associated with these speculative ventures and who if anybody in this state will benefit.	Thank you for your comment. The issue of financing for specific projects is outside scope of the Draft EIS.
67	Dale Beasley	Studies	In addition the EIS must examine reasonably foreseeable impacts to the coastal communities, marine water ecosystems, natural resources, uses and increased fatalities in offshore waters.	The Draft EIS will evaluate the potential environmental, social and economic impacts associated with potential new uses and of the alternatives in the marine spatial plan.
68	Dale Beasley	Studies	List top ten (10) marine water condition indicators that are necessary for marine water health, environmental protection, public access, & policy decisions (see page 18 of Beasley comment letter)	RCW 43.372.040(a) states: 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. This assessment should seek to identify key threats to plan goals, analyze risk and management scenarios, and develop key ecosystem indicators.

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				Therefore, the development of indicators will depend on a scientific evaluation of ecosystem indicators as well as the plan goals and threats.
69	Dale Beasley	Studies	These lists are designed to focus what are the most important priorities for addressing Washington CMSP spending plan and the most important data sets for making informed determinations about ocean zoning and may need to be re-examined as they are already a year since conception.	Thank you for your comment. Since these lists were designed for a different purpose at a different time, they do not directly address the questions or draft language presented in the SEPA scoping document. However, many of the topics are addressed by previous comments.
70	Dale Beasley	Studies	List top ten (10) items to place on a CMSP MAP. These are active uses that make up map layers. (See pages 17 and 18 of Beasley comment letter)	Thank you for your comment. Most of these data layers addressing these topics have been collected or are being pursued currently. Remaining data needs will be evaluated and pursued based on the scope of the Draft EIS.
71	Dale Beasley	Studies	Pre, during, and post and continual monitoring will be essential to assess impacts from new emerging industrial uses in our marine waters. Risk analysis of increased fatalities will be new investigative territory.	The Draft EIS will provide recommendations for project-level considerations, which may include monitoring and risk analyses.
72	Dale Beasley	Studies	Start with a review and test drive of the Washington map and data tool being developed in house by DNR and that the material and data in the tool is relevant, is scientifically valid, and meets the intended goals and outcomes for Washington CMSP.	Thank you for your comment. Ecology and the interagency team are supporting the use of a Scientific Review Panel for the purpose of receiving input on data quality and scientific validity of methods and approaches.
73	Sara Guiltinan	Studies	BOEM recommends that Washington State utilize the information from BOEM studies for its Marine Spatial Plan. A number of these studies focused on the West Coast could also inform the non-project EIS for the Washington Marine Spatial Plan such as: a) Survey of Benthic Communities near Potential Renewable Energy Sites Offshore the Pacific Northwest; b) Seabird and Marine Mammal Surveys off the Northern California, Oregon and Washington Coasts; c) Inventory and Analysis of Coastal and Submerged Archaeological Site Occurrence on the Pacific OCS; and d) Predicting the Consequences of Wave Energy Absorption	Thank you for your comment. Ecology will incorporate and request information from BOEM on these studies.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			from Marine Renewable Energy Facilities on Nearshore Ecosystems.	
74	Paul Dye	Studies	The MSP would benefit from an updated benthic habitat map for the planning area. The Nature Conservancy produced such a map based on data available in the early 2000s, and the same methods could be used with more recent data to update the map. Consistent with our comments on activities to be addressed, above, The Nature Conservancy also recommends an assessment of sensitive and exceptional ecological areas that may merit protection under special designations, e.g., Habitat Areas of Particular Concern or Aquatic Reserves. These should particularly target habitats that produce fish and shellfish and that could be impaired by uses other than fishing. The Nature Conservancy also supports an assessment of important fishing areas, which could be afforded protection under the MSP to prevent conflicting uses from being permitted.	Thanks you for your comment. Ecology will consider pursuing this information.
75	Bruce Hoeft	Studies	Develop a mechanism to determine the monetary value of non-extractive coastal uses.	Thank you for your comment. Ecology will consider pursuing this information.

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76	Casey Dennehy, Eleanor Hines, Boland, Bomar, Davis, Vargas, Getz, Hoeft, Emch-Wei, Thompson, Williams, Hines, Macdonald, Olson, Banslaben, Wood, Campbell, Webb, Unger, Webb, Herzstein, Cochran, Maddock, Stauffer, Snell, Bullock Jr., Schwarz, Murray, Vick, Tykajlo, Wonhoff	Studies	Conduct a study that collect spatial and economic data on non-consumptive recreational uses of the coast.	Thank you for your comment. Ecology will consider pursuing this information.
77	Casey Dennehy	Studies	Impacts to ecological functions, critical species, water quality, fish populations, and recreational uses should be considered while scoping new projects. All of these are important to coastal economies, and no new project should be considered if it has any significant impact to the marine ecosystem.	The State Environmental Policy Act (RCW 43.21C.031) requires the EIS to " <i>analyze those probable adverse environmental impacts which are significant.</i> " An EIS is further required to identify significant environmental impacts and inform decision makers and the public of reasonable alternatives, including mitigation measures that would avoid or minimize adverse impacts or enhance environmental quality (WAC 197-11-400).

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				Furthermore, RCW 43.143.030 provides criteria for permitting specific uses or activities in coastal waters, which includes " <i>there will be no likely long-term significant adverse impacts to coastal or marine resources or uses.</i> "
78	Dale Beasley	Studies	USE MAPPING is marine waters of the coast is the MOST important early stage CMSP activity that exists. Mapping existing use "correctly" is the most important and fundamental CMSP baseline that MUST be accomplished and vetted extensively by the affected uses in the very early stages of Washington CMSP to explore where any new industrial development can and cannot be placed to avoid conflict and harm to existing sustainable uses of today as required by recent Washington CMSP legislation. This vetting process will require face to face negotiations on the data by those most affected by individual mapped sectors.	Early efforts in the planning process have focused on use mapping, including using well-established methods for participatory and interview-based mapping. Ecology and the interagency team will continue to gather and review data on existing uses.
79	Dale Beasley	Studies	Develop peer-reviewed, objective economic baseline analysis of existing coastal marine water uses for each CMSP county. This is to be prepared by an expert marine economist. Update this base line analysis every ten (10) years, or as necessary if new developments arise, to assure alignment with coastal community economic health is retained in CMSP process and that the next generation has a viable pathway to continuing the economic baseline.	Thank you for your comment. The Draft EIS will evaluate the potential environmental, social and economic impacts of the alternatives in the marine spatial plan.
80	Dale Beasley	Studies	Complete a Strengths-Weakness-Opportunities-Threats (SWOT) analysis in regard to CMSP issues with emphasis on preserving and protecting existing sustainable uses. SWOT emphasis is to be prioritized based on identified significant marine indicators including socioeconomic indicators like number of marine water dependent JOBS on the coast: increasing or decreasing.	Thank you for your comment. The Draft EIS will evaluate the potential environmental, social and economic impacts of the alternatives in the marine spatial plan.

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81	Dale Beasley	Studies	Identify and prioritize the top ten data layers to put into a mapping tool. Ensure these data layers are prioritized in initial CMSP funding plan and are based on actual contributions to existing uses, coastal economy, culture, environmental integrity, and other measurable elements that are tied to coastal economies, environmental conditions and sustainability. Complete a secondary list of layers to be added to this mapping tool as time/funds become available.	The Draft EIS will evaluate the potential environmental, social and economic impacts of the alternatives in the marine spatial plan. The Draft EIS and plan will incorporate relevant, available scientific data and maps. Remaining data needs will be evaluated and pursued based on the scope of the Draft EIS. A mapping application has been developed with initial information, will continue to be developed to support the planning process.
82	Dale Beasley	Studies	Carefully examine the cost benefits of new industries and who will pay for what and how much. LOCATION, SIZE, AREA/KW, & CUMULATIVE IMPACTS of new industrial development will be the most significant factors	WAC 197-11-792 defines the scope of impacts to be analyzed by an EIS. The Draft EIS will evaluate the potential environmental, social and economic impacts of the alternatives in the marine spatial plan, including location, size and cumulative impacts. See responses on lines 4, 16, 42, 63, 83, 104, and 158 for information on energy rates, costs and area/kW.
83	Dale Beasley	Studies	This scoping document put forward as a precursor to an EIS needs to include an HONEST evaluation of the cost and benefits of any offshore industrial electrical development with a vivid explanation of who is going to pay and a realistic estimate of what that payment will be per month for an affected electrical customer from a project including cumulative impacts affecting the consumers ability to pay as coastal rural counties have some of the lowest standards of income in the state and must be considered for access to equal justice and defended from ideologues that never face the realities of overly subsidized grandiose scheme that suppress local economies that rural Washington depends upon for their survival. Washington has other alternatives that are far better options for our state than offshore energy and our Washington CMSP EIS document has a must responsibility to explore and put those better options into perspective for this states citizens in any EIS document so that a complete suite of reasonable alternatives can be put	See response on line 63 regarding alternatives. The cost of energy depends on several, project specific factors that are outside scope for a plan and the Draft EIS. The plan can include a description of current and future energy trends and factors.

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			before the citizens of this state so that they will make the S.M.A.R.T. choice relative for what is best for our state’s electrical investments at a cost that the consumer can afford now and in the future; the quality of life our grandchildren depends on us making the RIGHT choices for them today that includes a safe secure affordable electrical supply that is cost effective and still responsible to our environment without going bananas; the reality test of coastal marine spatial planning. The question that needs to be answered in an EIS is who will pay for the electricity generated offshore and how much.	
84	Dale Beasley	Studies	Develop a comprehensive “Lessons Learned” Document on MSP issues by reviewing information developed in other State, Province and Country MSP efforts. Utilize this document to build on other CMSP successes and products [ocean energy siting criteria and standards, environmental protections, fisheries protections, tools, intended outcomes] to develop a process for Washington that fits this state’s “Unique” situations.	The plan will include a summary of relevant information from other similar planning processes.
85	Dale Beasley	Studies	Crab represents 50% or more of total commercial dollar value on the coast and must be mapped for its large contribution to the coastal economy. Giving crab production the same amount of economic impact as fly fishing from a kayak is an unreasonable portrayal of a communities economic dependence on a marine water use. The BOEM mapping exercise did not capture this use accurately and there is NO Klipsan Line anywhere on the BOEM maps which really distorts the honesty of the use portrayal.	Thank you for your comment. The Draft EIS will evaluate the potential impacts to areas important for the fishing industry, including for crab fishing, and potential impacts to the coastal economy from the plan. Ecology will continue to evaluate and incorporate relevant mapping information. The BOEM mapping was not an effort to evaluate economic importance, but simply document where activities occur.
86	Dale Beasley	Potential impacts	Presume that all beaches (except privately owned) are important public access/recreation areas to be protected and preserved for all this state’s citizens.	The Draft EIS will include maps and data on public access and recreation areas.

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87	Dale Beasley	Potential Impacts	Power and other cables in marine waters MUST be required to be buried or they will be unreasonable impediments to fishing and public access.	The Draft EIS will evaluate potential mitigation measures such as cable burying.
88	Dale Beasley	Potential Impacts	Cumulative impacts that tend to degrade Washington coastal existing sustainable uses must be monitored regularly and can accrue from sources outside the state and as far away as Alaska and beyond must be a significant part of the impact analysis if the uses are to be protected and preserved.	The Draft EIS will evaluate cumulative impacts based on SEPA requirements. An Draft EIS provides an evaluation at one point in time and does not monitor changes. Any monitoring requirements are typically part of permitting for specific projects.
89	Dale Beasley	Potential Impacts	LOCATION of industrial development to avoid catastrophic events will be essential to all CMSP. If an ill placed industrial marine hydrokinetic facility with its spider web of tri-point interconnecting anchoring system had been located anywhere in this nearshore area during that horrific 2007 early December storm an entire fishing communities could have been put out of business in just one catastrophic storm event as the majority of the fleet's crab gear would have been irretrievably tangled in one huge Lilly pad wrapped around an ill-placed industrial development.	The Draft EIS will include information on the potential for gear conflicts.
90	Dale Beasley	Potential Impacts	The CMSP must identify areas inappropriate for development of new uses that impact major existing uses but not limited to fishing, commerce, navigation, shellfish aquaculture, recreation, aesthetics, and other historical Public Trust Doctrine uses and avoid those areas for development that have conflict and harm. Relevance to declaring development off limits shall incorporate historical uses, cultural or scenic value, fisheries resources, important ecosystem processes, natural features worthy of protections, critical habitats, species of concern, other considerations of special worth including impacts to human health and safety and maintain multiple public uses as priority	The Marine Spatial Plan provides a process for identifying areas that are inappropriate for new uses as well as those areas that are more appropriate. This will include analysis of all the information such as locations that are important to existing users and locations of important ecological areas. The idea is to find ways for existing and new uses to successfully coexist. The plan will seek to avoid and minimize adverse impacts on existing users and the environment.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
91	Dale Beasley	Potential Impacts	Wind turbines are not exactly aesthetically pleasing features on ordinary street corners and they are noisy nuisance machines that are very difficult to insert in any reasonable fashion into urban areas where everyday citizens reside; much more objectionable than cell towers which are not as high or wide as offshore floating wind turbines that will reach 550 feet in height or more and be substantial distractions on the horizons.	Thank you for your comment. The Draft EIS will evaluate impacts on aesthetics from potential new uses.
92	Paul Dye	Potential Impacts	The Nature Conservancy recommends using specific objectives (not yet developed) to inform scenarios for current and future uses and their potential conflicts with one another and with the vulnerabilities of particular places and habitats to describe potential impacts and identify appropriate trade-offs and/or mitigation.	Thank you for your comment. Ecology and the interagency team will continue to work with stakeholders, the public, and other managers to refine the detailed scenarios for current and future use. Additional information to guide the specifics of these scenarios will be a part of the ongoing planning process.
93	Phil Johnson, David Sullivan, John Austin	Potential Impacts	The MSP should include mechanisms for preventing cumulative impacts on marine resources and identifying and addressing those that do arise. Shipping is of particular concern with respect to cumulative impacts as the number and size of ships increases.	The Draft EIS will examine the potential activities and whether they increase risks. It will also include information on the environmental context.
94	Dale Beasley	Potential Impacts	Protect our coastal citizens and visitors in the face of a catastrophic tsunami event	The Draft EIS will examine the potential activities and whether they increase risks. It will also include information on the environmental context. Potential new uses have no bearing on whether a tsunami event occurs.
95	Dale Beasley	Potential Impacts	An EIS must examine potential environmental impacts that may occur a long way from the immediate impact area.	SEPA requires the consideration of direct, indirect, and cumulative impacts of an action (see WAC 197-11-060(4)) which are probable, meaning "likely or reasonably likely to occur" (see WAC 197-11-782).
96	Dale Beasley	Potential Impacts	An EIS must continually survey and monitor changes to Existing Sustainable Uses imposed by new emerging industrial development which must occur through utilization of the "Precautionary Approach" with a continual evaluation of unintended and CUMULATIVE impacts to	An EIS provides information at one point in time and includes the evaluation of cumulative impacts. An EIS, in and of itself, is not a mechanism for surveying or monitoring changes. The draft EIS and plan can provide recommendations on future monitoring.

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			insure existing uses remain healthy and economically viable into the future.	
97	Dale Beasley	Potential Impacts	Preserve the aesthetic Viewshed that is a major draw for tourism on the coast that serves all our state's citizens	The Draft EIS will evaluate potential impacts on aesthetics from potential new uses.
98	Dale Beasley	Potential Impacts	The EIS should use an interdisciplinary approach so that it accurately assesses both the physical and social impacts of the proposed development or action in the coastal zone.	Thank you for your comment. The purpose of environmental documents is to evaluate these types of impacts of developing the Marine Spatial Plan. Again, the state does not have a specific development proposed at this time.
99	Phil Johnson, David Sullivan, John Austin	Potential Impacts	In #3 on page 10 of the scoping document we would add that there is a "greater likelihood of effects to Washington's resources" 3} in areas affected by electromagnetic radiation (EMR) from electricity generation or conveyance.	The Draft EIS will include information on the potential impacts from electromagnetic radiation (EMR).
100	Casey Dennehy	Potential Impacts	The primary impacts that should be considered include the effects on biota, water quality, coastal economics, and shoreline resiliency. Mitigation should only be considered as a last resort.	The Draft EIS will evaluate potential adverse impacts to the environment of the proposed uses in the plan. According to SEPA, mitigation is a sequence of actions available to deal with potential adverse impacts that includes avoiding, minimizing, reducing the impact or compensating for the impact with replacement, enhancement or substituting resources or environments (see WAC 197-11-768).
101	Dale Beasley	Issue and Concerns	One of the standards that will need to be developed is the area/Kw ratio that maximizes electrical production for the real estate consumed. Efficiency of ocean real estate will need to become a standard utilized to verify if a particular device can be put in Washington and OCS waters.	Thank you for your comment. The Draft EIS will consider the potential impacts of the total area designated as suitable for renewable energy development. However, Ecology believes that establishing such a area/KW standard is: 1) not practical due to the large variability and rapidly changing nature of potential renewable energy technologies and 2) could preclude smaller scale projects designed for community-based energy, where a particular technology may be more suitable or desirable despite a lower area/kW output.

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102	Dale Beasley	Issues and Concerns	Ocean Acidification and Hypoxia is among threats to Coastal Communities' economic stability and viability that need to be fully considered if Existing Sustainable Uses are to be successfully Protected and Preserved for current and future generations.	Thank you for your comment. The Draft EIS will include a summary of climate change and its potential impacts to the marine ecosystem, existing uses in marine waters, and locating potential new uses.
103	Dale Beasley	Issues and Concerns	These laws in Oregon in 2013 should be examined for inclusion into upcoming Washington CMSP legislation – change Oregon has found necessary in the heat of action of moving industrial development offshore into areas of use that has proven to be excessive to coastal communities; a lesson Washington MUST learn and adjust before damages to existing uses occur and to avoid conflict and harm. Continual adjustments adaptive management	Thank you for your comment. The Draft EIS will include a summary of relevant information from other, similar planning processes.
104	Dale Beasley	Issues and Concerns	If Washington is S.M.A.R.T. we will strive to develop other alternatives sources of energy that are much more cost effective like CONSERVATION and underutilized hydropower;	Thank you for your comment. The marine spatial plan is not intended to be an energy plan that solves energy consumption rates nor fosters other alternative energy sources. These are much broader issues than a marine spatial plan is intended to address.
105	Dale Beasley	Issues and Concerns	EIS's are usually based on alternatives and needs including no action alternative by which impacts are supposed to be judged for ecosystem and use impacts that include socioeconomic and human impacts. All reasonable and prudent alternatives to avoid consequences and the required "hard look" from impacts to existing uses of real people and the business backbone of coastal Washington MUST be presented in a CMSP EIS with a high standard of certainty to avoid those impacts; impacts that are especially relevant to responsible stewardship of general public access to marine waters, with a preference to multiple use must be the center piece of an CMSP EIS that protects all our state's citizens freedom of marine water access and freedom of movement.	The no-action alternative, in this case, is not developing a marine spatial plan. The plan alternatives will include scenarios that seek to sustain public access and to avoid and minimize potential adverse impacts of potential new uses.

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
106	Dale Beasley	Issues and Concerns	Sufficient outside bonding to prevent marine waters from becoming a “junk yard” for failed industrial developments – if it floats it will sink. Require substantial bonding that is sufficient and realistic to removing failed or abandoned industrial development infrastructure.	Thank you for your comment. Bonding is a mechanism for ensuring sufficient reserve funds held by a company for clean up or restoration. Bonding is required through project-level permitting for offshore developments in state waters through state aquatic land leases and in federal waters by federal agencies. The Draft EIS will include a summary of existing authorities and requirements a description of the implementation framework including how issues such as bonding will be handled.
107	Dale Beasley	Issues and Concerns	Washington needs to investigate the potential total carbon reductions accrued through implementation of renewable offshore energies and investigate the realities of potential overall carbon reductions and what the cost benefit ratio of those reductions are to see if the state can honestly afford to invest at a rate that will not explode our required balanced budget in Washington state.	Thank you for your comment. See response on line 4.
108	Dale Beasley	Issues and Concerns	Address invasive and detrimental species before they get completely out of control. a. Japonica b. Ghost shrimp c. Avian predation on salmon	Thank you for your comment. The Marine Spatial Plan is not designed to control invasive species. The Draft EIS will evaluate the potential adverse impacts posed by developing a plan and the potential new uses it addresses.
109	Dale Beasley	Issues and Concerns	Prevent a catastrophic Oil Spill – Washington needs to put in place a large ship salvage vessel that is strategically located at the Mouth of the Columbia where the majority of oil transport occurs and crude oil shipment is already a significant factor and growing. Port of Vancouver has significant expansion plans for crude oil shipment. Multiple new uses are coming to Washington waters besides development of ocean energy like Montana coal exports and crude oil shipments from the Dakota’s Balkan Formation that are currently undergoing scrutiny in other venues but are definitely CMSP issues that need to be fully considered and oil spill prevention measures put in place.	Thank you for your comment. The Draft EIS will evaluate the potential risk of collisions and spills associated with siting potential new uses in the marine environment (see potential activities list). It will also include relevant information on existing maritime sectors and potential for conflicts with new uses. General spill prevention and response planning is handled by Ecology's Spills Program. Additional spill prevention measures would be assessed and required through project-level environmental review, not at the planning scale.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
110	Dale Beasley	Issues and Concerns	Washington CMSP needs to be 'place based' Neah Bay and Willapa Bay are different, different players, different needs, different existing uses, different opportunities, different ecosystems, just plane different and one size shoe does not fit every place. The Washington legislature recognized these differences when they set up the Shoreline Master Program at the county level that places even in Washington are different, let alone trying to force a uniform national ocean policy that may fit Mobile Bay but certainly not Grays Harbor.	Thank you for your comment. See response on line 128.
111	Dale Beasley	Issues and Concerns	Precautionary Approach to installing offshore industrial facilities will need strict adherence to a reasonable area/kW ratio at a cost benefit ration that all the citizens in Washington can afford to pay without substantially lowering our standard of living on the coast as Puget Sound continues to utilize cheap hydropower.	Thank you for your comment. The Draft EIS will evaluate various approaches to potential new uses, which are compatible with the law (RCW 43.372). This includes evaluating the potential impact of the total area designated as suitable for offshore developments. Costs, area/kW standard, and energy alternatives are addressed other responses on line 4, 42, 63, 83, 101, 104, and 158.
112	Dale Beasley	Issues and Concerns	Develop a precautionary approach of phased development with quality monitoring to insure coastal compatibility. Provide a clear path to YES for new emerging growth areas that are compatible with coastal communities, coastal economies and local environments, with an equally clear path to NO for potential new uses that negatively impact existing uses and/or do not result in coastal economic or environmental sustainability.	The Draft EIS will evaluate various approaches to potential new uses, which are compatible with the law (RCW 43.372) including considering recommendations on phasing and monitoring. It is the aim of the plan to ensure that future developments related to marine activities are appropriately sited such that existing activities and new development can successfully coexist. Therefore, the plan will seek to evaluate and identify areas that these new uses should avoid, areas that are potentially suitable for new uses, and preferred areas for these potential new uses.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
113	Dale Beasley	Issues and Concerns	in other states submerged lands are totally in the public domain, usually to the high water line; still in Washington navigation on water over private property is still permitted showing the strength of the Public Trust Doctrine to protect this sacred public access and freedom to navigable waters that extends to ALL our state citizens. Breaching this navigable waters trust would be an appalling deviation from historical public domain no matter the precedents recently set in other states. Industrialization of our offshore waters will bring restricted navigation zones where the public is excluded. This change must be considered very carefully "if" it is initiated.	The Draft EIS will consider potential impacts to public access and navigation.
114	Dale Beasley	Issues and Concerns	Maintain coastal water quality from degradation; rehabilitation is expensive and ineffective	The Draft EIS will describe the current environmental context and potential water quality impacts of proposed new uses.
115	Paul Dye	Issues and Concerns	the state agencies should address each and every requirement of the comprehensive marine management plan identified in state legislation, consistent with other state laws identified in the Public Comment Scoping Document. In particular, the State Ocean Caucus should present mechanisms for using the MSP for: Using and relying upon existing plans and processes and additional management measures to guide decisions among uses proposed for specific geographic areas of the state's marine and estuarine waters consistent with applicable state laws and programs that control or address developments in the state's marine waters; (Chapter 43.372.040 RCW Section 6(b)). ...improve[ing] the coordination among state agencies in the development and implementation of marine management plans. (Chapter 43.372.005 RCW Section 2). And, Establish[ing] or further promot[ing] an ecosystem-based management approach including linking marine spatial plans to adjacent nearshore and upland spatial or ecosystem-based plans; (RCW 43.372.005 3(e)).	Thank you for your comment. The Draft EIS will include a narrative on how state is meeting the law's requirements.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
116	Joseph Gellings	Issues and Concerns	Because the Ordinary High Water Mark establishes the boundary of MSP, public port authorities fall within the realm of MSP. Consequently, we recommend that any MSP be consistent with locally derived Shoreline Master Programs.	Thank you for your comment. The Draft EIS will describe other relevant plans and their relationship to the Marine Spatial Plan.
117	Port of Seattle, Joseph Gellings	Issues and Concerns	Further, port authorities generally have developed numerous planning documents, studies and / or official plans that describe future development goals. We recommend that such documents generated by port authorities be provided special consideration within the context of MSP. As with "federal consistency", MSP should be consistent with existing port plans.	Thank you for your comment. See response on line 116.
118	Key McMurry	Issues and Concerns	If any offshore energy is approved have to have a contingency funds (upfront) as a requirement made available by the companies purposing the offshore energy. To clean up any mess or debris left behind.	Thank you for your comment. Bonding is a mechanism for ensuring sufficient reserve funds held by a company for clean up or restoration. Bonding is required during project-level permitting in state waters for state aquatic land leases and in offshore waters by federal agencies. The Draft EIS will include a summary of existing authorities and requirements, such as bonding.
119	Brian Sheldon	Issues and Concerns	I request that Washington's CMSP priorities and goals are written so as to assure they are consistent with laws associated with private marine lands, and that the scoping document be reviewed and amended as necessary to assure no conflicts exists between property law and its content.	Thank you for your comment. RCW 43.372.060 states that: " <i>No authority is created under this chapter to affect in any way any project, use, or activity in the state's marine waters existing prior to or during the development and review of the marine management plan. No authority is created under this chapter to supersede the current authority of any state agency or local government.</i> " The draft EIS will include a summary of relevant management and implementation frameworks, including consistency with existing laws, policies and regulations.
120	Dale Beasley	Issues and Concerns	An EIS needs to examine these recent Oregon legal changes as CMSP "Lessons Learned" so that similar recommends can be considered for them for inclusion into Washington law to facilitate better solutions.	Thank you for your comment, the Draft EIS will consider relevant information from other similar planning processes.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
121	Dale Beasley	General Comment	Washington CMSP legislation in combination with other existing law was designed to allow new emerging uses but those new uses cannot conflict or harm historical uses.	According to RCW 43.372.010(8), " <i>Marine spatial planning means 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. Often this type of planning is done to reduce conflicts among uses, to reduce environmental impacts, to facilitate compatible uses, to align management decisions, and to meet other objectives determined by the planning process.</i> " In addition, RCW 43.372.040(8) states that: " <i>Any provision of the marine management plan that does not have as its primary purpose the management of commercial or recreational fishing but that has an impact on this fishing must minimize the negative impacts on the fishing. The team must accord substantial weight to recommendations from the director of the department of fish and wildlife for plan revisions to minimize the negative impacts.</i> " While the purpose of the plan is to reduce conflicts and minimize impacts, the law does not require the plan to ensure "no harm" to uses.
122	Dale Beasley	General Comment	Develop CMSP within existing laws, rules, regulations, treaties, & court rulings while adding support for updates to Coastal Shoreline Master Programs as required by the legislature, resulting in an improved CZMA consistency interface reflecting Washington coast's distinctive values, needs, pristine and highly functional ecosystems, and economic vitality.	Thank you for your comment. Consistency with existing laws and regulations is required for Marine Spatial Planning in Washington State under RCW 43.372.040(6)(b) and RCW 43.372.060.
123	Dale Beasley	General Comment	An EIS should be created in a timely manner as soon as the agency is planning development or is presented with a proposal for development – ecology is following this requirement by starting us down this legal path issuing a scoping document.	Scoping is the first step in the State Environmental Policy Act. This scoping was done for the development of a programmatic plan, a Marine Spatial Plan, under RCW 43.372 and will have associated environmental documents (such as an Environmental Impact Statement). It is Ecology's intent to create these documents as part of the planning process in as timely

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
				a manner as possible. However, the state does not have a project proposal or proposal for development before it at this time. When the state receives a specific proposal for development, the project will need to go through the permitting and environmental review process at that time.
124	Dale Beasley	General Comment	Establish direct industry to industry negotiations on any new use in offshore marine waters. Washington coastal marine spatial planning needs to find a way to imbed this core value of mutual respect and cooperation into a “process” where industry to industry negotiations are where the final decisions are made regarding placement of new industrial offshore facilities are located.	The plan can make recommendations on the implementation, including recommending industry to industry coordination. However, industries are free to do this now.
125	Dale Beasley	General Comment	This scoping document for a MSP on the Washington Pacific Coast is the 1st step to ocean zoning through a recent process that has been evolving through CMSP legislation for a number of years including SB 6350, SB 6263, and SB 5603.	The marine spatial plan is more akin to comprehensive planning than zoning. Zoning is usually associated with developing specific regulations for specific areas and can be a tool to implement a marine spatial plan. RCW 43.372.040 requires the use of existing plans and consistency with applicable state laws and programs. Therefore, under Washington State law, marine spatial planning will not develop specific regulations as would be done through zoning.
126	Dale Beasley	General Comment	As a result of CMSP there should be an office of advocacy developed in the Governor’s office to insure equal access to justice for small businesses not just on the coast but for all small businesses across the state with a small business definition of less than \$ 10 million net income per year as reported on their US income tax return.	Thank you for your comment. This is outside the scope of the Draft EIS and plan.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
127	Dale Beasley	General Comment	<p>The intent of SB 5603 was to provide that bottom up stakeholder driven coastal connection to Washington Coastal Marine Spatial Planning that gave the coast a direct voice into the “PLAN” in a forthright manner that actually translated into a process that the people of the coast could have a significant impact on the PLAN that first and foremost “Protects and Preserves Existing Sustainable Uses, i.e. JOBS”.</p>	<p>The Washington Coastal Marine Advisory Council (WCMAC) established by RCW 43.143.050 and RCW 43.143.060 is one significant and important mechanism for getting input from coastal stakeholders and state agencies on marine spatial planning. WCMAC is an advisory body not a decision-making body and RCW 43.143.050 and RCW 43.143.060 did not alter the required elements for developing a Marine Spatial Plan authorized by RCW 43.372.040. RCW 43.372.020 requires <i>"The office of the governor shall chair a marine interagency team that is composed of representatives of each of the agencies in the governor's natural resources cabinet with management responsibilities for marine waters, including the independent agencies. A representative from a federal agency with lead responsibility for marine spatial planning must be invited to serve as a liaison to the team to help ensure consistency with federal actions and policy. The team must...conduct the marine management planning authorized in RCW 43.372.040."</i> Ecology and the interagency team will continue to use additional mechanisms for engaging the public and stakeholders in the planning process as well as engaging other state, federal and tribal partners in the planning process.</p>
128	Dale Beasley	General Comment	<p>Develop recommendations county by county to promote an interface between CMSP and SMP. This includes review of SMP to identify those CMSP variables that overlay onto local SMP categories. Recommend a baseline strategy and process to county governments in regard to the development of policy structure that the Washington CMSP can fit successfully into, i.e. place based CSMP that allows localized differences within this state’s overall plan</p>	<p>The Marine Spatial Plan will identify information and recommendations for local governments that provides for an easy interface with local Shoreline Master Programs. Local governments will retain the ability under their Shoreline Master Programs (SMPs) to develop additional, localized information or criteria that are consistent with the Shoreline Management Act law and regulations. Under these provisions, Pacific Coastal waters are considered "Shorelines of Statewide Significance" (RCW 90.58.020 & WAC 173-26-251).</p>

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
129	Dale Beasley	General Comment	We need to concentrate on those most vulnerable in the coastal zone, the impacts to youth as they are our future and have much less tolerance to incremental assaults on their survival and impacts may not be readily apparent until they are lethal where toxicity levels affects vary individually on those that are the most vulnerable to any levels of loss even including low levels of loss.	Thank you for your comment. The Draft EIS will include a discussion on the impacts to various segments of coastal communities, such as young people.
130	Dale Beasley	General Comment	Coalition of Coastal Fisheries would like to again reiterate our objection to public comments periods in general, not just this one, which essentially eliminate those impacted the most from commenting. The best time of year to hear from Fishermen is October, November, March, April – other months make it difficult as fishermen are at the height of their earning months for the year. The best form of communication is through direct meetings with accurately recorded comments with sufficient advance notice and materials prior to the meetings. We do recognized that the comment period was an extensive time frame, but simply not at a time of year to get the fishing fleet actively involved.	Thank you for your comment. The public comment period was extended through the end of September at the request of the Coalition of Coastal Fisheries. Ecology and the interagency team will continue to pursue a variety of methods for public comment and communication on the planning process, including public meetings, open houses and workshops, comment periods, and the Washington Coastal Marine Advisory Council.
131	Dale Beasley	General Comment	List Washington's Unique Features as compared to other states that have addressed CMSP: Federal tribal obligations, highest Mass weather index, sanctuary, other	The Draft EIS will include contextual information on Washington's coast, including the resource management framework and the environmental context.
132	Dale Beasley	General Comment	Develop user-friendly, transparent, easy to use, comprehensive, interactive, and available data mapping and presentation tool(s) that are easily web accessible and free to the public that leads to desired outcomes tied directly to Washington CMSP goals that will allow the general public to come to the same conclusion relative to Washington CMSP that agencies will by exploring and analyzing the information presented.	An online mapping application with data and tools are being developed to support the planning process. It is available to the public at: www.msp.wa.gov . The interagency team will continue to improve the usability and data available through this site.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
133	Carol Bernthal	General Comment	We believe that integration and alignment with the OCNMS management plan and authorities will greatly strength the state's MSP. In addition, existing coordinating mechanisms should also be recognized and incorporated into the MSP. These include, but are not limited to the OCNMS Advisory Council and the Olympic Coast Intergovernmental Policy Council.	Ecology also believes it will serve the state well to align the marine spatial plan with the Olympic Coast National Marine Sanctuary's goals and objectives, to the extent practicable. In addition, the plan will recognize and incorporate coordinating mechanisms used by OCNMS.
134	Paul Dye	General Comment	The most straightforward way to provide the adaptive management element—and to build a comprehensive plan over time—is to create a geospatial information system that houses the data used to create the plan as well as data layers that reflect the provisions of the plan and other elements of law applying to marine waters. These geospatial data, together with related information rendered as text and graphics, should be continually available to the public via an interactive, state-managed web site....TNC recognizes that the state has embarked on this course, and we encourage you to increase the level of cross-agency collaboration on the effort.	Thank you for your comment. An online mapping application (geospatial information system) is available online to support the planning process at www.msp.wa.gov . The interagency team will continue to improve the usability and data available through this site as well as continue coordination on this effort.
135	Paul Dye	General Comment	Given our Pacific Coast communities' high dependence on ocean resources and their vulnerability to changes in the ocean and ocean use, the marine spatial plan should be as comprehensive as possible, even if only a limited plan is attainable in the next two years.	Thank you for your comment. Ecology believes a primary focus in the plan on the potential new uses that may impact coastal resources and users is the most practical and effective use of the current planning process. This also best meets the needs of decision-makers at the state and local levels. The plan may be amended in the future to expand its comprehensiveness.
136	Carol Bernthal	General Comment	The coordination between NOAA's Olympic Coast National Marine Sanctuary (OCNMS or sanctuary) and state of Washington is significant, substantive and reaches back prior to the sanctuary designation in 1994. Collaboration and coordination are identified as priorities in our current management plan, and they are essential to both marine spatial planning and effective sanctuary management. It is	Thank you for your comment. Ecology values the collaboration and coordination with NOAA's Olympic Coast National Marine Sanctuary.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			in this spirit that we provide comments to the MSP seeping document, as well as our continued support for your future efforts.	
137	Paul Dye	General Comment	While our comments here are critical of the process to date, we recognize that this is a new endeavor that challenges state agencies and their constituents. The Nature Conservancy is ready and willing to provide information and technical support for the process.	Thank you for your comment. Ecology appreciates the offer of information and technical support for the planning process.
138	Carol Bernthal	General Comment	State agency staff and the Governor's office were involved throughout the designation process, with the Governor approving the sanctuary designation document and state agencies determining the designation was consistent with the state's coastal zone management program. This consistency was reaffirmed as recently as 2011 when OCNMS updated its management plan. Sanctuary staff have also followed and supported the development of the state's Ocean Action Plan and have supported the development of the state's marine spatial plan, contributing in a number of areas. It is by design and the result of consistent coordination that the state's Ocean Action Plan and our 2011 management plan are well-aligned. It is our hope that OCNMS' goals and objectives and the State of Washington's marine spatial plan will be aligned in a similar fashion.	Thank you for your comment. Ecology will continue to involve Sanctuary staff in the planning process. Ecology believes it will serve the state well to align the marine spatial plan with the Olympic Coast National Marine Sanctuary's goals and objectives, to the extent practicable.
139	Phil Johnson, David Sullivan, John Austin	General Comment	The national park, sanctuary and federal and state wildlife preserves along the coast are essential to this effort. Not only should their geography be perpetuated, but also their purpose and context within a larger functioning ecosystem. These areas should be linked together with new marine protected areas which allow for continuation of existing sustainable fisheries.	Thank you for your comment. Existing management areas will be incorporated into the planning process. RCW 43.372.040(4)(h) states the plan must be developed and implemented in a manner that "integrates existing management plans and authorities". The law further states that the plan must use and rely "upon existing plans and processes and additional management measures to guide decisions among uses proposed...", see RCW 43.372.040(6)(b). The focus of the plan is addressing potential new uses in marine waters, including protecting sensitive

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
				ecological areas from development. The focus is not on establishing marine protected areas.
140	Sara Guiltinan	General Comment	BOEM recommends that the Washington Marine Spatial Plan align with the BOEM management framework, leasing process and task force model for the issue area of offshore renewable energy.	Thank you for your comment. Ecology will continue to evaluate available and relevant management frameworks.
141	Joseph Gellings	General Comment	We note the participant list of attendees for the three workshops held in the spring of 2013 contain no representatives from public ports nor was there a representative from the Washington Public Ports Association (WPPA). We note that there are three public ports within the proposed planning area boundary, but none of them appear to be proactively involved in MSP. For any future MSP process anywhere in the state, we specifically request that a concerted effort be made to include public ports in the MSP process.	Thank you for your comment. A Port of Grays Harbor representative on the Washington Coastal Marine Advisory Council was invited to participate in the spring 2013 workshops. The workshops were one mechanism for drafting goals and objectives that were part of the scoping notice and public comment period. Ecology has advertised the public comment period through public notices, web site, interested parties lists and email listserv. Additional public comment periods, other public meetings and other mechanisms will be used to inform stakeholders and gather additional input. Ecology encourages the ongoing participation in the planning process by all stakeholders, including public ports.
142	Paul Dye	General Comment	The Nature Conservancy (TNC) supports coastal and marine spatial planning processes in many places around the world because it can provide a strong framework for protecting marine ecosystems and managing ocean uses. Marine spatial planning can also proactively address new and increasing human activities in the marine environment that may create future impacts or conflicts. The Nature Conservancy's goal in participating in and supporting marine spatial planning in Washington is to conserve the habitats and ecosystem services that sustain marine life, so that humans can prosper from and enjoy a healthy, living ocean.	Thank you for your comment.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
143	Joseph Gellings	General Comment	The Port of Seattle is well aware of other MSPs conducted in the United States and the positive benefits such planning efforts can derive. The overall concept of marine spatial planning is sound particularly when it relates to proposed new developments that can conflict with existing uses.	Thank you for your comment. Ecology also believes a marine spatial plan will be beneficial, especially a focus on proposed new developments that can conflict with existing uses.
144	Mark Cedergreen	General Comment	I totally support the recommendations made by WCMAC at its meeting subsequent to the draft MSP.	Thank you for your comment. Please see responses to comments to Draft Goal 1 and the Boundary-Study Area.
145	Gary Nelson	General Comment	The Port has attended many of the meetings sponsored by DOE and others on Marine Spatial Planning. We have dedicated time for representation on the Grays Harbor County Marine Resource Committee (MRC) as well as the WCMAC. Our experience has shown that the diverse nature of the stakeholders, the complexity of the topics, a lack of clarity of roles, and time limitations have led to a limited process to date, and not necessarily representative of a consensus.	Ecology appreciates the participation by the Port of Grays Harbor in the planning process and will continue to engage stakeholders in the planning process as clearly and thoroughly as possible.
146	Sara Gultinan	General Comment	The Bureau of Ocean Energy Management (BOEM) supports Washington State's development of a framework for making informed, coordinated decisions and for bringing different interests together to balance the federal, state, local and tribal goals, including the protection of the environment.	Thank you for your comment.
147	Sara Gultinan	General Comment	BOEM is a federal regulatory agency for conventional and renewable energy and mineral resources on the Outer Continental Shelf (OCS) and, as such, has significant interest in the Washington Marine Spatial Plan as it pertains to potential renewable energy projects on the OCS offshore Washington.	Thank you for your comment. Ecology recognizes BOEM's interest and appreciates BOEM's continued involvement in the planning process.
148	Phil Johnson, David Sullivan, John Austin	General Comment	According to a recent analysis by the UW, 26% of the county's total employment is in marine resource related private industries. While Jefferson County borders three marine environments, the Puget Sound and Strait of Juan de Fuca as well as the Pacific Ocean, we recognize that	Thank you for your comment. Ecology understands the strong ties coastal communities have to marine resources and marine-based economies. The EIS will analyze a range of potential impacts from possible new uses on marine resources and coastal communities.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
			virtually all of our marine resources and marine-based economies have important ties to the Pacific. Consequently, the spatial and temporal distribution of human activities along our west coast has broad implications for our prosperity, our identity and our future.	
149	Phil Johnson, David Sullivan, John Austin	General Comment	We look forward to the next stage of the MPS process and reviewing the results of the sector, aesthetic and ecological analyses as well as the new maps and ecosystem assessment.	Thank you for your comment.
150	Key McMurry	General Comment	I also strongly support Dale Beasley's letter from the Coalition of Coastal Fisheries and the Pacific County Marine Resources CMSP comment letter that were submitted as part of the public comments.	Thank you for your comment. Please see responses to the comments submitted by Dale Beasley.
151	Key McMurry	General Comment	Be proactive instead of reactive.	The purpose of a marine spatial plan is to provide a proactive plan that addresses potential new uses on Washington's coast.
152	Key McMurry	General Comment	CMSP and SMP are very closely tied, Pacific County received a laughable amount to complete the SMP updates. Pacific County has the most shoreline miles out of any county in the state of Washington.	The information and recommendations in the Marine Spatial Plan are intended to assist local jurisdictions with their Shoreline Master Program updates, but these are separate processes with their own requirements and timelines. Shoreline Master Program funding is not relevant to this scoping request. However, the state is obligated to provide reasonable and adequate funding and is in negotiation with Pacific County on the final grant amount for the Shoreline Master Program update.
153	Key McMurry	General Comment	Please include the 5 Public CMSP Meetings final report, that the 4 Coastal MRC's put on. I strongly support the final report being included as part of the public comments. I support the outcomes in the final report.	Thank you for your comment.

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
154	Gary Nelson	General Comment	<p>The mechanisms for implementation of the results of the MSP process should be defined. Approval of Coastal Zone Consistency has been mentioned as a requirement, but this is dependent on approval of the State's Shoreline Policies (Shoreline Management Act). What are the implications to local governments and their Shoreline Master Plans? We are aware that the Shoreline Master Programs can change and these changes are controlled by rules established by the Department of Ecology. Is it Ecology's intent to implement MSP through Ecology's Shoreline Regulations? If so, we should be having a discussion on that topic prior to this Scoping exercise.</p>	<p>RCW 43.372.040(6)(e) requires the Marine Spatial Plan to include: "<i>An implementation strategy describing how the plan's management measures and other provisions will be considered and implemented through existing state and local authorities.</i>" Furthermore, according to RCW 43.372.060, "<i>No authority is created under this chapter to affect in any way any project, use, or activity in the state's marine waters existing prior to or during the development and review of the marine management plan. No authority is created under this chapter to supersede the current authority of any state agency or local government.</i>" Based on this language, it is clearly the intent of the law for the plan to utilize current, existing authorities and regulations to implement the Marine Spatial Plan. While it is unlikely the Marine Spatial Plan will result in recommended changes to existing regulations, such as WAC 173-26-010 through 173-26-360, any subsequent rule changes proposed that result from the plan's recommendations would be required to go through a public process. RCW 43.372.040(12) also requires, "<i>The director of the department of ecology shall submit the completed marine management plan to the appropriate federal agency for its review and approval for incorporation into the state's federally approved coastal zone management program.</i>" Washington's Coastal Zone Management Program is administered by Ecology and already includes enforceable policies such as the Shoreline Management Act. Any proposed amendments to the enforceable policies in Washington's Coastal Zone Management Program would require subsequent approval by NOAA.</p>

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Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
155	Gary Nelson	General Comment	It seems that the project (a MSP) should be well defined before undertaking EIS development. As you have pointed out, the legislature, and the work to date, have provided some guidance as to what the plan might contain, but key issues such as policy extent, geographic extent, and implementation mechanisms have not been defined. These, after they are defined, should be subject to SEPA Scoping. Consequently, your effort now seems pre-mature, unless Ecology has pre-determined the detailed content of the plan and how it will be implemented.	The purpose of SEPA scoping is to help narrow and define subsequent environmental documents, such as an EIS. While the draft scoping document did not provide resolution on a few items, Ecology believes enough detail was known about the general content and requirements of the Marine Spatial Plan (RCW 43.372) to proceed with a determination of significance. The SEPA process provides the ability for additional scoping or revision of the determination of significance at a later time, if deemed necessary.
156	Key McMurry, Mark Cedergreen	General Comment	CMSP has to be bottom's up and stakeholder driven. We have to have our coastal voice. Concern that the plan is top down.	RCW 43.372.040(4)(g) requires the plan to be developed and implemented in a manner that " <i>Fosters public participation in decision making and significant involvement of communities adjacent to the state's marine waters.</i> " Ecology and the interagency team will continue to provide opportunities for public participation throughout the development of the Marine Spatial Plan such as through the Washington Coastal Marine Advisory Council, public comment periods, public meetings and workshops and other methods. RCW 43.372.020 requires " <i>The office of the governor shall chair a marine interagency team that is composed of representatives of each of the agencies in the governor's natural resources cabinet with management responsibilities for marine waters, including the independent agencies. A representative from a federal agency with lead responsibility for marine spatial planning must be invited to serve as a liaison to the team to help ensure consistency with federal actions and policy. The team must...conduct the marine management planning authorized in RCW 43.372.040.</i> "

Table 2: Comment and Response Summary

Line	Commenters' Names	Topic	Comments	DRAFT: Potential Responses
157	Gary Nelson	General Comment	the work of WCMAC and MRC's as non-regulatory policy advisors needs to be better defined relative to this process. Our experience with the meetings of both the MRC and WCMAC has demonstrated confusion as to the role of these groups- specifically in the development of the MSP. Too often we have found meetings sidetracked by individual stakeholders desiring a premature or perhaps inappropriate debate on specific projects or uses. On the other hand, these groups clearly have the role of defining traditional uses i.e. native fishing, commercial fishing, recreational boating, maritime trade which they have done well in sessions we have attended.	Thank you for your comment. The Washington Coastal Marine Advisory Council is an advisory group designed to provide policy advice on ocean policy issues and represent the perspectives of their interest groups or entities. This includes providing recommendations on the development of the marine spatial plan. RCW 43.372.020 requires that <i>"a marine interagency team that is composed of representatives of each of the agencies in the governor's natural resources cabinet with management responsibilities, including the independent agencies"..."conduct the marine management planning authorized in RCW 43.372.040."</i>
158	Dale Beasley	General Comment	An EIS is a legal document to install a proposed action that will have a substantial effect on the "human" environment and impacts to use. The scoping document is a guide as to what material information will go into the coming EIS for Washington CMSP including all reasonable alternatives and justifications for dropping alternatives from consideration.	Thank you for your comment. The purpose of scoping is to identify issues, studies and alternatives. In this case, the EIS is a programmatic EIS and will evaluate whether or not to adopt a Marine Spatial Plan. It is not evaluating a specific project proposal or installing a development.
159	Dale Beasley	General Comment	It is essential to involve those people and businesses that will be the most affected by Washington Coastal Marine Spatial Planning early, often, and continuously in a meaningful manner that honestly affects the final plan and establish the WCMAC as the central method of collaboration that brings their needs to the surface and find a way to accommodate those needs. Effectively engage all local, state, federal, and tribal partners at a single decision making table – WCMAC to solve coastal problems and develop Washington CMSP as a unit incorporating a bottom up approach that includes all the citizens of the coast and especially those citizens most affected by ocean zoning.	The Washington Coastal Marine Advisory Council (WCMAC) is one, important mechanism for getting input from coastal stakeholders and state agencies on marine spatial planning. WCMAC is an advisory body not a decision-making body. Ecology will continue to engage other state, federal and tribal partners in the planning process.