



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

June 26, 2024

United States Department of Commerce
National Oceanic & Atmospheric Administration
Office of Marine & Aviation Operations
ATTN: Captain Jesse Stark
2002 SE Marine Science Drive
Newport, OR 97365-5229

Re: Coastal Zone Management Federal Consistency Decision for the OMAO Programmatic Vessel Operations, The United States Exclusive Economic Zone (Nationwide)

Dear Captain Jesse Stark:

On May 3, 2024, the National Oceanic and Atmospheric Administration's (NOAA) Office of Marine and Aviation Operations (OMAO) submitted a National Consistency Determination (CD) to the Washington State Coastal Zone Management Program (CZMP). Ecology issued a 21-day public notice on May 14, 2024, and received no comments. At Ecology's request, OMAO supplied additional information on June 10, 2024, confirming that there is no current plan to have a homeport in Washington State and that the EPA No Discharge Zones will be adhered to.

Due to the expansive geographic scope of the proposed action, which includes the entirety of the U.S. Exclusive Economic Zone (EEZ), internal waters, and areas extending to international maritime boundaries with Canada and Mexico and including the U.S. portions of the Great Lakes, OMAO elected for a nationwide approach to undergo CZMA consultations. The proposed action area is organized into five operational areas: Greater Atlantic Region, Southeast Region, West Coast Region, Alaska Region, and Pacific Islands Region.

The National CD discussed the potential effects from vessel operations undertaken by OMAO on the coastal uses and/or resources commonly addressed by the management programs and/or similar coastal policy documents of the 34 participating states and territories. A specific rationale for determining consistency with the enforceable coastal policies of Washington was also presented. Ecology reviewed the proposal for consistency with the Washington Clean Air Act, the State Water Pollution Control Act, the Shoreline Management Act, and the Ocean Resources Management Act. The Marine Spatial Plan for Washington's Pacific Coast was not applicable to this activity.

The CD relies extensively upon the activity description and analyses in the OMAO Programmatic Environmental Assessment (PEA) for Vessel Operations, which was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). The Draft PEA contains a programmatic NEPA analysis covering a fifteen-year period of OMAO vessel operations, from 2023 to 2038. The proposed action, as evaluated in the Draft PEA, is to continue OMAO vessel operations as the NOAA fleet is modernized by updating vessels in the existing fleet and replacing aging vessels with new vessels built specifically to support NOAA missions. OMAO determined that a programmatic approach was appropriate because OMAO conducts a suite of similar agency actions associated with vessel operations throughout U.S. waters, the U.S. EEZ, and in areas outside of U.S. jurisdiction.

OMAO vessel operations include routine activities such as vessel movement, anchoring, waste handling and discharges, and vessel repair and maintenance. For the purposes of performance and acceptance testing, calibrating, training, and troubleshooting, OMAO may also operate active acoustic systems and other sensors, data collection systems, uncrewed marine and aircraft systems, and small boats and conduct over the side operations.

The proposed action would allow for the continued vessel operations that support NOAA's primary missions of charting and hydrographic surveying; assessment and management of living marine resources; oceanographic monitoring, research, and modeling; and emergency response. The proposed action is needed to maintain uninterrupted operational fleet capabilities as vessels age and reach the end of their design service life, necessitating modernization of the NOAA fleet.

OMAO would perform a variety of operations to support NOAA missions, including:

- Vessel Movement
- Anchoring
- Waste Handling and Discharges
 - Hazardous, Universal, and Special Waste Management
 - Solid Waste Management
 - Wastewater Management
 - Deck and Equipment Washdown Water Management
 - Oily Material Management
 - Ballast Water Management
 - Spill Response
- Vessel Repair and Maintenance
- Active Acoustic Systems Operations
- Other Sensors and Data Collection Systems Operations
- Uncrewed Marine Systems (UMS) Operations
- Uncrewed Aircraft Systems (UAS) Operations

- Small Boat Operations
- Over the Side (OTS), Crane, Davit, and Winch Operations
- Addition of new vessels to the NOAA fleet

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with OMAO's determination that the programmatic activities proposed for the 2023-2038 timeframe is consistent with Washington's CZMP.

If you have any questions regarding Ecology's decision, please contact Teresa Pucylowski at Teresa.Pucylowski@ecy.wa.gov or 360-764-0546.

Your right to appeal

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do all of the following within 30 days of the date of receipt of this decision:

- File your notice of appeal and a copy of this decision with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

Department of Ecology

OMAO Programmatic Vessel Operations
Aquatics ID No. 143600
June 26, 2024
Page 4 of 4

Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Mailing Addresses:

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Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

Sent via e-mail: director.moc@noaa.gov

E-cc: Oshin Paranjape, Solv LLC
Amelia Waring, Solv LLC
Laura Dwyer, NOAA
Jessica Stocking, WDFW
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