

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON
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June 27, 2008

Vice Admiral Conrad C. Lautenbacher, Jr., USN (Ret.)
Oceans and Atmosphere Under Secretary
National Oceanic and Atmospheric Administration
Herbert C. Hoover Building
1401 Constitution Avenue NW, Room 6217
Washington, D.C. 20230

Rear Admiral David A. Gove, USN
Oceanographer and Navigator
Office of the Oceanographer
U.S. Navy
Department of Defense
3450 Massachusetts Avenue NW, Building No. 1
Washington, D.C. 20392-5421

Dear Vice Admiral Lautenbacher and Rear Admiral Gove:

I write in support of advancing understanding and management of Washington State's oceans and coasts by improving access to high resolution data. I, therefore, respectfully request you revisit the necessity of the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Navy's (Navy's) High Resolution Bathymetry Review Panel Memorandum of Agreement (HRB MOA). I also encourage the Navy to reexamine the high resolution bathymetry (HRB) restriction area and associated security policy. The HRB MOA and HRB area restricts state and public access to high resolution bathymetry data and derivative products in the Pacific Northwest. Please refer to enclosed addendum for more details.

The HRB MOA, initially signed in 1985 by the Navy and NOAA, sets up an out-dated process to approve release of important bathymetry data and related data products that was forged at a time when only the Department of Defense and NOAA had access to these new technologies. Now widely available, public and private institutions worldwide own and operate high resolution, multi-beam bathymetry sonar systems. Much of the data collected by these institutions in our state appear to be in locations where NOAA is restricted by the HRB MOA, making security arguments for restricting NOAA data illogical and impractical.



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Despite outside efforts to collect this data, NOAA has conducted the most extensive high resolution bathymetry mapping efforts in our state's marine waters. Releasing this data would increase our knowledge and allow partnerships to complete mapping of our remaining waters in a more efficient and coordinated manner. The HRB MOA creates barriers for openly sharing this data at its most useful resolution with other state, federal, or tribal partners. For more information, please contact Kathleen Drew, in my policy office, at (360) 902-9818.

Again, I strongly encourage you to consider elimination or revision of the high resolution bathymetry restriction area policy, and the High Resolution Bathymetry Data MOA to allow access to high resolution data. I appreciate recent efforts by your agencies to begin examining this issue so we can more successfully manage our oceans and coasts.

Sincerely,



Christine O. Gregoire
Governor

Enclosure

cc: The Honorable Patty Murray, U.S. Senate
The Honorable Maria Cantwell, U.S. Senate
The Honorable Norm Dicks, U.S. House of Representatives
Lieutenant Commander Kurt Zegowitz, NOAA Liaison to the Navy
Dr. Wayne A. Estabrooks, International and Interagency Policy and Agreements, Office
of the Oceanographer of the Navy
Dr. Gerhard F. Kuska, Committee on Ocean Policy, White House Council on
Environmental Quality
Robert Winokur, Technical Director, Office of the Oceanographer of the Navy

ADDENDUM
Governor Christine O. Gregoire
June 27, 2008
High-Resolution Bathymetry Restricted Area and Policy

BACKGROUND:

- In 2006, Washington State launched a historic regional partnership with Oregon and California to address critical ocean and coastal protection and management issues. A priority action of the West Coast Governors' Agreement on Ocean Health is to advance and complete seafloor mapping of our states' waters by 2020 in partnership with the federal government, academic institutions, tribes, and others.
- In January 2008, a group of Washington State agencies, federal agencies, and private institutions sponsored a workshop in Seattle to advance our understanding of the many uses for, and status of, seafloor mapping data in Washington and opportunities and barriers to obtaining high resolution data in our state's marine waters. One of the recommendations from this diverse group of over 120 scientists, managers, and policy makers was to eliminate the HRB restriction.
- Through the West Coast Governors' Agreement on Ocean Health and the Puget Sound Partnership, Washington has already forged important and effective regional and federal partnerships. We look forward to utilizing these partnerships to efficiently leverage our resources and coordinate our activities to complete high resolution seafloor mapping. This will increase our basic knowledge of our marine waters and improve our ability to manage these resources for the benefit of our state.

SEAFLOOR MAPPING DATA:

Seafloor mapping yields important information for managing our oceans and coasts.

- Detailed seafloor maps can assist safe navigation, siting of offshore infrastructure and activities, and removal of marine debris. Washington's Ocean Action Plan also highlights the importance of nearshore and offshore habitat characterization and mapping. This can assist Washington's considerable efforts to restore Puget Sound through the new Puget Sound Partnership by providing data that identifies environmental baselines, monitors changes, and assists planning for ecosystem restoration.
- Technologies such as multi-beam sonar systems allow accurate imaging of depth, relief, and substrate of our seafloor. Products that result from processing this high resolution data include maps of marine habitats, geological hazards, sediment transport pathways, seafloor bottom types, and detailed bathymetry. As a result, state, tribal, and federal partners can improve management by:
 - Obtaining information on marine habitat types and quality to support management of fisheries, habitat, and ocean uses, including resources that reside in both federal and state waters.
 - Understanding coastal sediment and erosion processes to support sediment management.
 - Modeling and mapping coastal hazards such as tsunami and storm inundation, sea level rise, and earthquake zones.

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SEAFLOOR MAPPING DATA (continued):

- Other national efforts prioritize and support collecting and distributing seafloor mapping data. The President's U.S. Ocean Action Plan includes ocean and coastal mapping actions such as inventorying mapping programs; prioritizing mapping needs; coordinating and leveraging resources and efforts across the federal sector and with industry, academic, non-governmental organizations and non-federal entities; and distributing data and products.

REQUESTS and JUSTIFICATION:

1. **Reexamine the high resolution bathymetry restriction area, policy, and the High Resolution Bathymetry Data MOA and consider eliminating or significantly revising this area and process to allow access to high resolution data.** Increased public access to high resolution bathymetry data collection technologies over the past two decades necessitates a reexamination of the HRB MOA. The current process prevents efficient partnerships and effective leveraging of public investment in seafloor mapping.
2. **Clarify where and to which entities the high resolution bathymetry restriction currently applies in the Pacific Northwest.** The language of the HRB MOA and maps of the restricted area appears to indicate that the restriction only applies to Washington's outer coast and not Puget Sound. However, federal contacts have indicated the restriction applies to areas deeper than 50 meters within Puget Sound. Furthermore, the MOA is specifically between NOAA and the Navy and does not apply to data collected by private entities, other federal, state, or tribal agencies, or other public institutions such as universities. Washington needs clarification on how and where this HRB restricted area applies.

The restriction was recently used by the Navy to refuse a request for data collection by a Canadian-U.S. joint partnership in the transboundary waters around the San Juan archipelago. The basis for the refusal was the Navy's high resolution bathymetry restriction area and policy, although private institutions have collected and publicly released high resolution bathymetry data in this area. This joint venture sought to do follow up work that would collect ground-truthing data such as underwater video and sediment samples. Since this high resolution data is already in the public domain, this refusal was illogical and demonstrates that security restriction is unnecessary.

3. **Review each agency's high resolution bathymetry data holdings and the classification policy for the Pacific Northwest.** This evaluation should determine whether NOAA's high resolution bathymetry data holdings and data collected with NOAA funds can be made available to NOAA partners and the public and whether the Navy's classified high resolution bathymetry data holdings can be made publicly available.