

CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation
September 13, 2012

West Coast Governors Alliance on Ocean Health and the West Coast Ocean Observing Systems Memorandum of Understanding

RECOMMENDED ACTION: The Ocean Protection Council hereby approves the attached Memorandum of Understanding between the West Coast Governors Alliance on Ocean Health and the West Coast Ocean Observing Systems to improve collaboration and data sharing and authorizes its Chair to execute the MOU on behalf of the OPC.

LOCATION: West coast-wide (California, Oregon and Washington)

STRATEGIC PLAN FOCAL AREA: Science based decision making

EXHIBITS

Exhibit 1: [Memorandum of Understanding](#) between the WCGA and the West Coast OOS
Exhibit 2: [Letters of Support](#)

RESOLUTION AND FINDINGS:

Staff recommends that the Ocean Protection Council (OPC) adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code: “The Ocean Protection Council hereby approves the attached Memorandum of Understanding (MOU) between the West Coast Governors Alliance on Ocean Health (WCGA) and the West Coast Ocean Observing Systems (OOS) to improve collaboration and data sharing and authorizes its Chair to execute the MOU on behalf of the OPC.”

Staff further recommends that the OPC adopt the following findings: “Based on the accompanying staff report and attached exhibits, the Ocean Protection Council hereby finds the proposed action is consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act.”

PROJECT SUMMARY:

Staff recommends that the OPC as the state’s coordinative body for protecting ocean resources approve executing a MOU between the West Coast Governors Alliance on Ocean Health (WCGA) and the West Coast Ocean Observing Systems (West Coast OOS) to improve collaboration and data sharing (Exhibit 1). By authorizing the Chair to sign the MOU on the Council’s behalf, the OPC will fulfill its responsibility to coordinate ocean activities and will ensure increased collaboration between California state agencies, such as the California Natural Resources Agency, State Lands Commission, and the California Environmental Protection Agency, with the regional ocean observing networks.

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Parties to the MOU

The WCGA is a partnership initiated by the Governors of Washington, Oregon, California as a proactive regional collaboration to protect and manage the ocean and coastal resources along the entire West Coast as called for in the recommendation of the US Commission on Ocean Policy and the Pew Oceans Commission. The White House Council on Environmental Quality and its Cabinet Committee on Ocean Policy pledged to support the WCGA through the active participation of three federal agencies; the National Oceanic and Atmospheric Administration, the Environmental Protection Agency and the Department of the Interior. The Executive Director for the OPC serves as California's executive leadership to the Alliance and serves as the linkage between OPC and the WCGA.

The West Coast OOS is a regional collaboration between the Southern California Coastal Ocean Observing System (SCCOOS), the Central and Northern California Ocean Observing System (CeNCOOS), and the Northwest Association of Networked Ocean Observing Systems (NANOOS). These regional entities are part the national Integrated Ocean Observation System (IOOS), a network of eleven regional observing systems around the country. Regional observing systems are designed to provide key scientific ocean and coastal observations, data, models, and information products to a broad range of users and are used routinely for navigation, search and rescue, oil spill preparedness and response, beach closures for public safety, scientific analysis of climate and ecosystem changes and processes, and by general public for their safety and recreation.

The West Coast OOS share responsibility for observing the California Current Large Marine Ecosystem. SCCOOS integrates and delivers coastal observations in the Southern California Bight, with collaborators in Baja California; CeNCOOS, from Point Conception to the California-Oregon border; and NANOOS, in Oregon and Washington, with partners in British Columbia. Last fall, SCCOOS, CeNCOOS, and NANOOS entered into an agreement to enhance collaboration and integration of coastal and ocean observing along the West Coast and the California Current Large Marine Ecosystem. As outlined in that agreement, the West Coast OOS are committed to (1) leading the planning, implementation, operation, and evaluation of a sustained and cohesive coastal ocean observing system for the West Coast of the United States, as part of U.S. IOOS, and (2) promoting the development, interoperability, integration, dissemination, and rapid access to data and data products that meet the needs of a broad group of end users on the West Coast

The WCGA and West Coast OOS MOU

This MOU will enhance coordination on ocean observing and management related issues by providing a formal mechanism to ensure that the WCGA incorporates the best available ocean observation information into their activities. Many of the WCGA action plans stress the importance of using West Coast OOS information for achieving their goals including, timely oil spill response, understanding HABs and other water quality issues, and siting and monitoring of ocean energy development. The proposed MOU will provide the framework for linking the West Coast OOS and the WCGA to facilitate and promote sharing of the information to the appropriate people at the appropriate times and in the appropriate format.

Under the MOU, the WCGA and West Coast OOS agree to collaborate on the following:

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1. Regional priorities: Every other year, the organizations will meet to identify regional coastal and ocean management themes and priorities. The organizations will then use these materials in work plans, fund development, and communication processes.

2. Committee activities: The organizations will share committee and working group meeting materials (e.g., briefing items, agendas, minutes, reports, etc.).

3. Joint projects: The organizations will jointly support projects of shared interest that are identified during biennial regional priority development, and will share the outcomes and deliverables of these projects with our organizations, stakeholders, and others.

4. Progress reports: The organizations will report to our respective leaders on progress in implementing the MOU and will solicit suggestions for emerging priorities as well as other collaboration opportunities, which will be considered and incorporated in the regional prioritization process.

Proposals to modify the terms of the MOU can be initiated by any party and are subject to approval of all parties. The duration of the agreement will be for two years. Renewal will be automatic unless specifically cancelled. Termination of the agreement will occur if initiated by either party in writing with a notice period of 30 days.

PROJECT HISTORY:

The State of California has played an important role in the development of the ocean observing systems managed by SCCOOS and CeNCOOS. In 2005, the California State Coastal Conservancy and the State Water Resources Control Board invested \$21 million from Propositions 40 and 50 to build a system to map ocean surface currents. The California Coastal Ocean Currents Monitoring Program uses a suite of technologies, high-frequency radar (HFR) in particular, to track ocean surface currents in near real-time. The 54 land-based HFR stations now span the California coastline, providing the ability to track past and near real-time movement of California's coastal waters, including any floating pollutants. NANOOS operates a similar system of HFR-based surface current mapping, extending the utility of this important tool throughout the West Coast.

CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:

The proposed project is consistent the Ocean Protection Act, Division 26.5 of the Public Resources Code. Section 35615(a)(1) specifically directs the OPC to coordinate activities of state agencies to improve the effectiveness of state efforts to protect ocean resources and establish policies to coordinate the collection of scientific data related to the ocean. It is also consistent with Section 35615(a)(2) under which the OPC is required to establish policies, such as those imbedded in the MOU, that will coordinate among agencies the collection, evaluation and sharing of scientific data related to coastal and ocean resources. Finally, the MOU also serves the purposes of Section 35615(a)(5), which directs the council to transmit the results of research and investigations to state agencies to provide information for policy decisions. This agreement will help to ensure collaboration occurs between the west coast region and the ocean observing networks. The OPC can further aid in collaboration by directing the agencies such as

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the California Natural Resources Agency and the California Environmental Protection Agency to work with the ocean observing networks on projects of shared interest.

The MOU is designed to improve coordination between the WCGA and the OOS programs. As such, it is imagined that this enhanced coordination will avoid redundancy and conflicts to ensure that the states and OOS activities are complementary with one another.

CONSISTENCY WITH THE OPC'S STRATEGIC PLAN:

The proposed agreement is consistent with the Ocean Protection Council's strategic plan adopted February 17, 2012 in the following respects:

Strategic Plan Focal Area A (Science based decision making), Issue 1: Improving the Use and Sharing of Scientific and Geospatial Information.

Objective 1.1: "Provide leadership to ensure the availability and use of authoritative geospatial information in decision making." The proposed agreement is consistent with two actions in the strategic plan, 1) to craft memoranda of understanding (MOUs) among partners, agencies, and others that encourage entities to support best practices, data sharing, and collaboration; and 2) to identify opportunities for collaborating with California's West Coast regional partners to meet comment needs for collecting, managing, and sharing scientific and geospatial information.

COMPLIANCE WITH CEQA:

The proposed project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to 14 Cal. Code of Regulations Section 15306 because the project involves only data collection, research and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. Staff will file a Notice of Exemption upon approval by the OPC.