
Issue 17: Military Activities

Comment**Oil and Gas Activities**

NOAA should clarify the relationship between DOD national defense exemptions of prohibited activities and oil and gas activities.

Military Training Exercises

Sanctuary regulations should be designed to minimize negative impacts on DOD operational missions.

NOAA's regulations regarding defense activities as stated on pg. 302 of the DEIS/MP state that, "Activities that are not necessary for national defense...such as training exercises and routine vessel operations, are subject to all prohibitions contained in the Sanctuary regulations." This implies that training exercises are unnecessary to ensure unit readiness and should not be included in the FEIS/MP. The statement may be interpreted to mean that boat landings and low-level aircraft operations, which are part of training exercises, would be prohibited.

NOAA Response**Oil and Gas Activities**

The MMS is responsible for hydrocarbon development lease sales in Federal waters, not the DOD. MMS is not exempt from prohibited activities, including oil and gas exploration, development and production in the Sanctuary. The Sanctuary prohibitions have been revised to exempt only existing military activities carried out by the DOD, as specifically identified in the FEIS/MP. Oil and gas activities are not considered military activities.

Military Training Exercises

NOAA agrees. The regulations have been revised to minimize, to the extent consistent with the Sanctuary goal of resource protection, Sanctuary impacts on DOD operational missions. The Sanctuary prohibitions do not apply to existing military activities carried out by the DOD, as specifically identified in the FEIS/MP. New activities may be exempted from the Sanctuary prohibitions after consultation between NOAA and DOD. All DOD activities shall be carried out in a manner that avoids to the maximum extent practicable any adverse impacts on Sanctuary resources and qualities.

The regulations have been revised, as described above, to clarify Sanctuary impact on all military activities. Furthermore, in the event of threatened or actual destruction of, loss of, or injury to a Sanctuary resource or quality resulting from an untoward incident, including but not limited to spills and groundings, caused by the DOD, the cognizant DOD component shall promptly coordinate with NOAA for the purpose of taking appropriate actions to respond to and mitigate the harm and, if possible, restore or replace the Sanctuary resource or quality. Thus boat landings and low-level aircraft operations that are existing activities are exempt from the Sanctuary prohibitions and those that would be new activities could occur after DOD and NOAA have consulted and agreed on how such activities could take place to avoid impacts on Sanctuary resources and qualities.