



Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | www.pcouncil.org
Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

Jean Thurston
Renewable Energy Program Specialist
Bureau of Ocean Energy Management
Pacific Coast OCS Region
770 Paseo Camarillo, Second Floor
Camarillo, CA 93010
jean.thurston@boem.gov

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Re: [Docket No. BOEM–2013–0090; MMAA104000] Potential Marine Hydrokinetic Research Lease on the Outer Continental Shelf Offshore Oregon; Request for Competitive Interest

Dear Ms. Thurston,

The Pacific Fishery Management Council has an interest in commenting on the proposal by Oregon State University's Northwest National Renewable Energy Center to build a grid-connected offshore wave energy test site, known as the Pacific Marine Energy Center South Energy Test Site (PMEC-SETS) located approximately five nautical miles southwest of Newport, Oregon. The Council is particularly interested in actions that could have negative consequences for essential fish habitat (EFH) of Council-managed species.

As this proposal is the first offshore wave energy site to test connectivity to the electric utility grid via subsea transmission cable, the cable route and its placement must be considered during project siting, scoping, impact assessment and permitting, as this sets a precedent for all future projects. To our knowledge, this important aspect of the PMEC-SETS project is not addressed in the proponent's Lease Request or in the RFCI. At this point in the Bureau of Ocean Energy Management's (BOEM) procedural process, the cable route of the PMEC-SETS project is of greatest concern to the Council and the focus of this letter. Additionally we offer comments from the wider perspective of strategic coastal and marine spatial planning at the regional scale.

To put our interests into context, the Council is one of eight Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and recommends management actions for Federal fisheries off Washington, Oregon and California. The MSA includes provisions to identify, conserve, and enhance EFH for species managed under a Council's fishery management plan. Each Council is authorized under the MSA to comment on any Federal or state activity that may affect the habitat, including EFH, of a fishery resource under its authority.

The MSA defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." Within the broader EFH designation, special habitat types and

geologic features may be designated as Habitat Areas of Particular Concern (HAPC). HAPCs are high priority areas for conservation, management, and research because they are rare, sensitive, stressed by development, or important to ecosystem function. The HAPC designation helps to prioritize and focus conservation efforts. Rocky reefs, estuaries, canopy kelp, seagrass, and a number of unique geological structures such as seamounts and canyons are designated as HAPCs for Council-managed groundfish species.¹

As proposed, the P MEC–SETS is to be located approximately five nautical miles offshore of South Beach, Oregon, about 1.5 miles seaward of a large submerged rocky reef, known locally as Seal Rock Reef. The reef is comprised of two massive (12 sq. mi.) contiguous rocky benches with striking parallel high-relief bedrock ridges. The two rock benches are separated by a 200-400m wide ancient riverbed channel running perpendicular to shore. The reef complex is a unique formation on the central Oregon coast, and supports an abundance of nearshore rocky reef species. Visual observation surveys have demonstrated that rocky reef fish species often aggregate along habitat interfaces, such as the large interface created by the sand channel and rocky bench. Seal Rock Reef supports the highest fishing effort in the recreational groundfish fishery, one of the state’s top two recreational fisheries.

While options are still being considered for routing the transmission cable to shore, the Council is concerned with any option that intersects the rocky reef environment. The Council prefers transmission cable routing options that bypass the reef completely, and are least likely to impact the reef habitat.

The Council’s initial concerns are for both short- and long-term actions and impacts, such as the physical vibration of the reef and noise generated by subterranean drilling, direct destruction of habitat features, disturbance of species during construction and subsequent cable maintenance, scouring and plume caused by seafloor trenching and transmission cable burial, electromagnetic fields emitted by the cable when it is used, and potential restrictions imposed on fishing.

Authorizing such actions of unknown consequence in habitats formally designated as sensitive and valuable sets a precedent that is incompatible with the conservation goals of EFH/HAPC designation. Rocky reef habitats are a finite resource, comprising less than 10 percent of Oregon’s nearshore environment. The Council urges BOEM to adopt a precautionary approach in this regard by establishing “no development” buffer zones encompassing rocky reef, canopy kelp, and seagrass HAPCs for both wave energy infrastructure lease sites and transmission cable routes.

From the broader perspective of marine spatial planning and future energy development within the California Current Ecosystem, the Council strongly urges BOEM to embrace the science-based approach of NOAA’s Coastal and Marine Spatial Planning process guided by the President’s National Ocean Policy Implementation Plan. Applying the nation’s spatial planning standard would take into account *all* coastal and marine natural resources, oceanographic conditions, and ocean uses, and would do so by employing a scientifically-based, data-driven spatial planning decision support tool in a public process that generates suitable and appropriate

¹ Likewise, the state of Oregon also considers many of these features as habitats of particular ecological importance which are classified as Conservation Areas under Oregon’s Statewide Planning Goal, Goal 19.

sites for energy development with the least environmental, social, and economic cost. Ideally, BOEM would conduct such a coastwide spatial analysis planning effort *prior* to the proposal process of site selection and leasing.

The Council intends to stay abreast of the PMEC-SETS project as it develops and will provide additional comments as opportunities arise. Please note that the Council's meeting schedule and opportunities for its advisory bodies to inform the Council do not necessarily align with public comment periods of other public processes. We appreciate your consideration of our comments if issues should arise outside the public comment window.

We look forward to assisting BOEM in finding development options that avoid and minimize impacts to important ecological and fisheries resources and in achieving the long-term goal of responsible development of this new and promising industry.

Thank you for considering our comments.

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