

## HABITAT COMMITTEE REPORT ON CURRENT HABITAT ISSUES

### **Boundary Expansion of Gulf of the Farallones and Cordell Bank National Marine Sanctuaries**

The Habitat Committee (HC) was briefed on the proposed boundary expansion of the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries. At the end of 2012, in response to public and Congressional interest, President Obama considered designating the area of interest as a National Monument, which would not have allowed for a public process. National Oceanic and Oceanic Administration (NOAA) instead recommended the current process. The Office of National Marine Sanctuaries (ONMS) began gathering public input beginning in early 2013 to scope the range of issues to be considered as part of the environmental analysis. ONMS has finalized and published a Draft Environmental Impact Statement (EIS) in the *Federal Register* on April 4, 2014. All documents, including the Draft EIS, proposed rule, and draft amended management plans, will be available at regulations.gov when the proposed rule is published (anticipated April 11, 2014). The public comment period is open until June 30, 2014. The HC applauds the effort of ONMS to align the comment period with the Council's schedule.

Based on the briefing, the goals and objectives of the proposed Sanctuary expansions are primarily to protect the habitat and ecosystem north and west of the current boundaries up to approximately Point Arena, California. The proposed boundary expansions do not include any new fishing regulations under the National Marine Sanctuaries Act. Fishing within the existing and proposed footprints of the two Sanctuaries would continue to be managed by California Department of Fish and Wildlife and NOAA Fisheries with advice from the Council. The HC recommends, and is available to draft, a comment letter for the June briefing book.

### **Coleman Hatchery Releases**

As his last act in the HC, esteemed member Tim Roth distributed a U.S. Fish and Wildlife Service April 3, 2014 news release that provides an update of the ongoing juvenile fall Chinook release strategies at Coleman National Fish Hatchery this year (Supplemental Agenda Item B.1.c, USFWS Report 2). Because of the extreme drought conditions this year, the hatchery is operating under a Contingency Release Plan. The plan decreases onsite releases in Battle Creek, and increases trucking of juveniles to acclimation pens in Rio Vista, California, when certain environmental and water management triggers are met.

The news release explains that approximately 2.5 million juveniles were trucked to Rio Vista during the first wave of releases beginning on March 25 because at least one of the triggering criteria was met for that time period. Recent rains have resulted in better forecasted migration conditions to the point where none of the triggers are expected to be met for the next round of releases, and therefore about 4.5 million juveniles will be released onsite in Battle Creek beginning Friday, April 4. The remaining hatchery production of about five million juveniles is continuing to be marked and reared to release size. A decision to truck or release these fish onsite will be based on continuing assessment and forecasted environmental conditions at time of release and for the 21-day migration period.

Short-term environmental conditions in the Central Valley have improved enough to at least allow for an onsite release of Coleman National Fish Hatchery production which can be compared to the Rio Vista trucked releases. It is expected that the comparison of the fishery contribution, survival, and return rates of these two release strategies will further demonstrate the need for adequate emigration conditions and Delta Cross-Channel Gate operations to protect in-river wild and hatchery migrants, and can be used to help assess the efficacy of the Service's 2014 Contingency Release Plan. However, the HC expects that overall juvenile emigration conditions this spring, and adult return immigration and spawning conditions this fall, will remain very poor throughout the Central Valley because of the continuing extreme drought conditions.

### **California Drought**

The HC discussed the current drought situation in California. Snowpack measurements by California Department of Water Resources have improved from 14 percent to 32 percent of normal. California state and Federal agencies are monitoring drought conditions and adjusting water flows on a weekly basis for the foreseeable future.

In response to the Governor's drought declaration, state and Federal agencies are currently attempting to manage water within the Delta within the confines of current regulations and allocations. The HC is concerned that later this year, state and Federal reservoirs may be drawn down to dangerously low levels, leading to high temperatures, low flows, low water quality, and other water quality problems. Congressional legislation has been proposed both in the House and Senate that, if passed, would compromise existing agreements and harm fish.

### **Bay/Delta Conservation Project Letter**

The HC and Salmon Advisory Subpanel jointly drafted a letter for the Council (Agenda Item B.1.a, Attachment 3) that provides comments on the Draft EIR/EIS for the Bay Delta Conservation Plan. The HC recommends that the Council adopt the letter with the following edits:

- The second attachment listed on page 6 should be corrected to read: "Letter from NMFS to the Bureau of Reclamation (Attachment 2), dated July 28, 2010."
- Add an opening paragraph to the letter that describes the Council's responsibility under the essential fish habitat (EFH) provisions of the MSA to comment on any action that may adversely affect EFH, particularly when it affects anadromous fishery resources.

### **Principle Power Wind Project**

Mr. Kevin Bannister from Principle Power addressed the HC and representatives from the Groundfish Advisory Subpanel to discuss the wind energy pilot project under consideration offshore of Coos Bay, Oregon. Principle Power was awarded a grant from Department of Energy to develop one of seven wind energy pilot projects in the nation. The funding is for an initial engineering plan and to initiate a process of outreach and economic analysis of small- and large-scale development. This project is a commercial demonstration project. The life of this project is planned for 20-25 years. The Bureau of Ocean Energy Management's (BOEM) determination of "no competitive interest" means that Principle Power can further develop the engineering plan

and submit their lease application and supporting documents. At this time, the plan is for five floating platforms occupying approximately four to five square miles. The project will not be expanded beyond this initial size.

The HC and Groundfish Advisory Panel raised the following concerns:

- Level of transparency of the BOEM/developer process
- Need for outreach to a wider fishing audience than just Southern Oregon Resource Council (a fishing stakeholder group)
- Concern for conflict with whiting fishing grounds
- Need to gather sufficient ecological baseline information prior to project installation, and develop a long-term monitoring plan

Principle Power will learn next week if the Department of Energy will choose this project as one of the three projects that move forward to Phase II and receive additional funds. In fall, Principle Power plans to submit a Construction and Operations Plan to BOEM which will be the basis of the National Environmental Policy Act review.

#### **PMEC-SETS letter**

In the letter to the Bureau of Ocean Energy Management (Supplemental Attachment 4), the HC recommends replacing the last paragraph on page 2 with the following, in order to highlight the:

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. Currently, the approach for ocean energy siting in Federal waters is dependent on developer/project-initiated interest in a location. In contrast, we suggest an approach that prioritizes areas for development at the regional scale, and prior to soliciting interest from developers. This approach would be consistent with the nation's spatial planning standard that would take into account multiple coastal and marine ecological resources (including important fish habitats), ocean uses, and oceanographic conditions. BOEM's Oregon Ocean Uses Atlas project is a good start for providing an overview of ocean uses that can be folded into a robust, scientific analysis and planning effort. Ideally, BOEM would conduct such a coastwide spatial analysis planning effort prior to the proposal process of site selection and leasing.

PFMC  
04/05/13