

ARTIFICIAL REEFS IN SOUTHERN CALIFORNIA

Situation: The U.S. Department of Commerce (DOC) is considering creating a proposed rule regarding the creation of artificial reefs in Southern California from decommissioned offshore oil platforms. The general concept is to allow for a Federal Artificial Reef Program for the California outer-continental shelf. An offshore platform could be included in the program only if the applicant can demonstrate, on a case-by-case basis, net environmental benefit from leaving a platform, or a submerged portion of the platform, in place rather than removing it. The program will also require the donation from the applicant of 50% of the savings from including a platform in the program, compared to full decommissioning to the seabed floor. These funds are to be donated to an endowment organization charged with administering the program. Funds are to be used to cover costs for maintenance, monitoring, and insurance of platform remnants and to fund research, conservation, and management projects that will protect and enhance fishery and marine resources in outer-continental shelf waters adjacent to California and in California state waters. The National Marine Fisheries Service and the Pacific Council have been mentioned as candidates on a board of directors authorizing research, conservation, and management projects. There is also proposed national legislation on this issue (Exhibit B.2.a, Attachment 6: HR 2654.)

On January 30, 2004, the Council sent a letter to the DOC notifying it of the Council's intention to consider this issue and asking the DOC to coordinate input from the Pacific Council during the open comment period for the proposed rule (Exhibit G.3.a, Attachment 1.) Impacts to overfished groundfish stocks particularly bocaccio rockfish and cowcod, were cited as a primary concern.

At the time of the briefing book distribution, a proposed rule has not been noticed in the *Federal Register*.

During this meeting, the Council has the opportunity to consider the various scientific and technical reports that have been prepared on this issue and other relevant materials. (Exhibit G.3.a, Attachments 2-5). Mr. George Steinbach, Executive Director of the California Artificial Reef Endorsement Program, will provide a briefing as to process and schedule for this issue. After hearing the briefing, advisory body advice, and public comment, the Council should consider further activity on this issue.

Council Task:

1. Consider further activity of the Council on this issue.

Reference Materials:

1. Exhibit G.3.a, Attachment 1: Letter to Mr. Timothy Keeney, U.S. Department of Commerce, from the Pacific Council, January, 2004.
2. Exhibit G.3.a, Attachment 2: "Rigs-to-Reefs Policy, Progress and Perspective," by Les Dauterive, U.S. Department of the Interior, 2000.

3. Exhibit G.3.a, Attachment 3: General Report of the R2R Natural Sciences Committee, September 2003.
4. Exhibit G.3.a, Attachment 4: “An Economic Analysis of a Rigs to Reefs Program for the California Outer Continental Shelf,” by Robert W. Hahn and Anne Layne-Farrar, National Economic Research Associates, October 2003.
6. Exhibit G.3.a, Attachment 5: Executive summary of “The Ecological Role of Oil and Gas Platforms and Natural Outcrops on Fishes in Southern and Central California,” by Milton Love, Donna Schroeder and Mary Nishimoto, June 2003.
7. Exhibit G.3.a, Attachment 6: “The Role of Fishermen and Other Stakeholders in the North Sea Rigs-to-Reefs Debate,” by Mark Baine and Jon Side, in *Fisheries, Reefs, and Offshore Development* (American Fisheries Society Symposium 36), 2003.

Agenda Order:

- a. Agendum Overview
- b. Status Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider NOAA Proposed Rule

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