

CURRENT HABITAT ISSUES

The Habitat Committee (HC) will meet on Thursday, June 20, 2013, to discuss coastal marine spatial planning, the habitat components of the integrated ecosystem assessment, and other issues.

At the April Council meeting, the Habitat Committee offered to draft a letter to the Northwest Power and Conservation Council (NPCC), whose Fish and Wildlife Program is currently undergoing a review and amendment process. A draft letter is attached (Agenda Item G.1, Supplemental Attachment 1). The letter suggests two ways to amend the program: coordinating with the Pacific Council on ocean research and ecosystem matters, and exploring adaptive use of higher spill levels to improve juvenile salmon survival. The letter also requests an extension to the comment period on the Fish and Wildlife Program amendments to correspond with the Pacific Council process.

At the April Council meeting, the Council approved a Habitat Committee letter asking the Department of Interior to provide sufficient water to avoid a fish kill in the Klamath River this summer. The final letter is attached (Agenda Item G.1, Attachment 2).

In addition, the Bureau of Ocean Energy Management (BOEM) recently requested information about the potential environmental effects of wind energy (and areas for future study) from industry, academia, local, state and Federal government agencies, tribes, and other offshore wind stakeholders. The HC will discuss this Request for Information, which is attached (Agenda Item G.1, Attachment 3) and may recommend that the Council develop a letter to BOEM on this subject.

Council Action:

- 1. Consider comments and recommendations developed by the HC at its June 2013 meeting.**

Reference Materials:

1. Agenda Item G.1.a, Supplemental Attachment 1: Draft letter to the Northwest Power and Conservation Council.
2. Agenda Item G.1.a, Attachment 2: Final letter to the Department of Interior.
3. Agenda Item G.1.a, Attachment 3: Bureau of Ocean Energy Management Request for Information.
4. Agenda Item G1.b, Supplemental HC Report.

Agenda Order:

- a. Agenda Item Overview
- b. Report of the Habitat Committee
- c. Reports and Comments of Advisory Bodies and Management Entities
- d. Public Comment
- e. **Council Action:** Consider Habitat Committee Recommendations

Jennifer Gilden
Joel Kawahara



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

Dan Wolford, Chairman | Donald O. McIsaac, Executive Director

April 24, 2013

Ms. Sally Jewell
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

RE: Action Requested to Prevent Klamath River Fish Kill

Dear Secretary Jewell:

The Pacific Fishery Management Council (Pacific Council) would like to thank all those in the Department of the Interior (DOI) involved in the water management decision-making designed to protect against a fish kill in the Klamath River during the record high run of fall Chinook salmon that returned in 2012. We view the 2012 experience to be a very successful example of proactive conservation, and are asking that similar protection occur for another exceptionally large return of salmon this fall.

In 2012, the Pacific Council forecasted a new record high return of fall Chinook to the Klamath and Trinity Rivers; the actual return was the largest adult natural spawning escapement in the Klamath River Basin (122,000) since comprehensive records were initiated in 1978, along with record tribal and non-tribal in-river fishery catches. Excellent cooperation of Federal and state water managers provided enhanced river flows that enabled this record salmon run to successfully return to its spawning areas in the Klamath and Trinity rivers. The lack of any observed fish kill in spite of very low fall season flow conditions demonstrated the value and importance of real-time flow management for the Klamath River fall Chinook resource. We hope that similar cooperation in 2013 will again allow a large salmon run to spawn successfully.

This year, the Pacific Council is concerned that projected low flows in the Klamath River will substantially affect salmon essential fish habitat (EFH) and could create conditions leading to a fish kill in the Klamath River during the fall Chinook migration in 2013, such as occurred in 2002.

The purpose of this letter is to recommend, as we did last year, that the Bureau of Reclamation (BOR) proactively take action to minimize the potential for another fish kill by augmenting flow releases to alleviate stressful conditions for the 2013 fall Chinook run as these fish migrate through the Lower Klamath River. In particular, we recommend that BOR reserve an adequate

block of water for real-time flow management during the fall season to ameliorate expected low flow conditions in the Lower Klamath River, if needed, as was done successfully in 2012.

As you know, the Pacific Council is one of eight Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976, and recommends management actions for Federal fisheries off Washington, Oregon, and California. The MSA includes provisions to identify, conserve, and enhance EFH for species regulated under a Pacific Council fisheries management plan. Each Council is authorized under MSA to comment on any Federal or state activity that may affect the habitat, including EFH, of a fishery resource under its authority. Furthermore, for activities that the Pacific Council believes are likely to substantially affect the habitat of an anadromous fishery resource under its authority, the Pacific Council is obligated to provide comments and recommendations (MSA §305(b)(3)).

Forecasted Flows

Available data indicate that the 2013 water supply in the Klamath Basin will be below normal.¹ Precipitation has been substantially lower than average since January of this year. Air temperatures throughout the Basin have been above normal. Late winter or early spring precipitation events are not expected to change water supply conditions overall.

Forecasted Run Size

At the same time, the 2013 fall Chinook escapement is projected to be the second largest return on record. Alternatives for marine fisheries and river return in 2013 have been modeled by the Pacific Council's Salmon Technical Team. Ocean fishery modeling, including projections of the number of fish returning to the Klamath Basin, currently forecast a return of over 271,000 adult fall Chinook to the Klamath River mouth, second only in magnitude to the in-river population of 2012 (see figure below). This is nearly 1.7 times the 2002 adult run size associated with the 2002 fish kill and only 10 percent less than the observed record run of 302,100 adult fish in 2012. The positive performance of the 2009 brood year, as evidenced by the age-three returns last year, speaks to a high abundance of large, age-four Chinook contributing to the 2013 run. Hence, with respect to biomass, the 2013 river run may be comparable to that seen in 2012.

Analysis

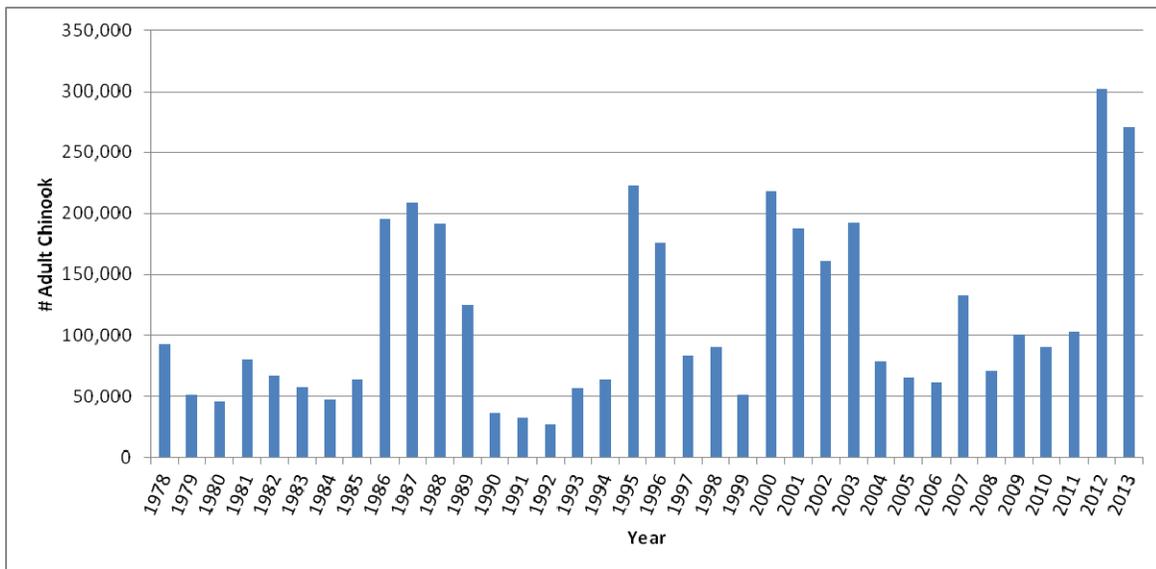
The low flows, combined with such a large run, could result in conditions similar to those that led to the September 2002 fish kill, when more than 33,000 adult salmon died in the Lower Klamath River. Several analyses, including one produced by the USFWS,² concluded that low river flow and high densities of fish contributed to the outbreak of two diseases (*Ich* and *columnaris*) that caused the 2002 fish kill. The evidence is compelling that lower-than-average hydrology and greater-than-average fish densities may once again compromise the safe passage of adult fall Chinook in Klamath River in 2013.

¹ Natural Resources Conservation Service, http://www.wcc.nrcs.usda.gov/wsf/west_fcst.html

² Guillen, G. 2003. Klamath River Fish Die-Off, 2002, Causative Factors of Mortality. http://www.krisweb.com/biblio/klamath_usfws_guillen_2003_killcause.pdf

Therefore, we recommend you pursue measures to provide additional flow during the fall Chinook migration period, if necessary, to maintain the quality of EFH for salmon and to minimize the likelihood of another fish kill. We recommend that the BOR work with the Klamath Basin’s biologists and scientists, such as the Trinity River Restoration Program’s Flow Group, to determine the best manner for using this water to minimize the potential for another fish kill. This was successfully done in the fall of 2012 when 39,000 acre feet of supplemental flows were provided specifically to improve upstream migration conditions and reduce the fish health risk for the record fall Chinook return; and no fish kill, in fact, was observed. The Klamath Basin technical team infrastructure to monitor river flows, water temperatures, and the progression of the fall season returns remains in place, and is the appropriate technical forum to help guide BOR’s real-time flow management actions to protect these fish.

The figure below contains the post-season estimated Klamath River adult fall Chinook estimated run sizes for 1978 – 2012 and the projected abundance for 2013.



Recommendation

As noted above, anticipated water supply and fish abundance for 2013 suggests a need to provide supplemental flow releases comparable to the safe thresholds identified in BOR’s Environmental Assessment for late-summer flow augmentation in 2012³. This conclusion is additionally informed by the interagency federal trust responsibility for the tribal fishery in the Klamath and Trinity Rivers and prudent management considerations.

Accordingly, the Pacific Council recommends that the Department of the Interior initiate planning now and take all necessary steps in the coming months to ensure sufficient water is

³ Online at http://www.usbr.gov/mp/nepa/documentShow.cfm?Doc_ID=10731

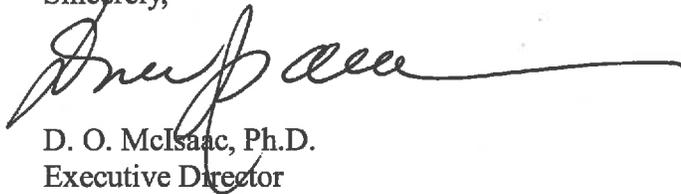
available to minimize the potential for another fish kill if conditions in the Klamath River prove to be dangerous to migrating Chinook salmon in the late summer and fall of 2013.

We recommend that you do what is necessary to ensure an adequate amount of supplemental water for release from the Trinity and/or Upper Klamath basins during the peak migration and holding timeframe for the fall Chinook return. Such flow augmentation should be designed to maintain the quality of salmon EFH and minimize the likelihood of another fish kill, taking into consideration the river flow patterns and salmon abundance that resulted in the 2002 fish kill. To that end, we recommend that the Department of Interior work with the Klamath Basin's tribal, state, and non-DOI Federal biologists and scientists to determine the best manner for using this water to minimize the potential for another fish kill.

In closing, it may be that this 2012-2013 situation reoccurs more frequently in the future than in the past few decades. Towards that possibility we recommend that the Department consider developing a permanent and comprehensive plan to address the needs of lower Klamath fish passage. The Pacific Council is prepared to assist with this effort in any way possible.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. McIsaac", with a long horizontal flourish extending to the right.

D. O. McIsaac, Ph.D.
Executive Director

JDG:rdd

C: Pacific Council Members
Habitat Committee
Mr. Ken Salazar, Former Secretary of Interior
Humboldt County Board of Supervisors

**FINANCIAL ASSISTANCE
REQUEST FOR INFORMATION**



**U.S. Department of Energy
Golden Field Office**

**Environmental Research and Observations at the First U.S. Offshore Wind
Facilities**

**Request For Information: DE-FOA-0000911
CFDA Number: 81.087**

Issue Date: 04/17/2013

Closing Date: 05/30/2013, 5:00 PM Eastern Time

Responses Submitted to: Enviro@go.doe.gov

Environmental Research and Observations at the First U.S. Offshore Wind Facilities
DOE Request for Information (RFI)
DE-FOA-0000911

Program Area: Wind & Water Power Technologies Office (WWPTO), Office of Energy Efficiency and Renewable Energy (EERE), U.S. Department of Energy (DOE)

Requested Information Topics

DOE and Bureau of Ocean Energy Management (BOEM) invite input from the public regarding a research campaign to inform our understanding of offshore wind energy development that could be conducted in the next two to five years during the construction and operation of the first generation of deployed facilities. We aim to quantify the impact-producing factors (i.e. the characteristics of a project that may cause an impact, such as the sound produced during construction) associated with a project and to evaluate the efficacy of monitoring technologies and techniques deployed at offshore wind farms selected at a future date.

Request for Information Guidelines

PURPOSE: The sole purpose of this Request for Information (RFI) is to gain input from industry, academia, local, state and Federal government agencies, tribes, and other offshore wind stakeholders. The information gathered with this RFI will be used to improve assessments of wind energy facility environmental effects. DOE and BOEM will not pay for information provided under this RFI and will not provide reimbursement for costs incurred in responding to this RFI. This is solely a request for information and not a Funding Opportunity Announcement (FOA). DOE is not accepting applications.

DISCLAIMER AND IMPORTANT NOTES: This is an RFI issued solely for information and program planning purposes; this RFI does not constitute a formal solicitation for proposals or abstracts. Your response to this notice will be treated as information only. In accordance with the Federal Acquisition Regulations, 48 C.F.R. 15.201(e), responses to this notice are not offers and cannot be accepted by the Government to form a binding contract. DOE will not provide reimbursement for costs incurred in responding to this RFI.

PROPRIETARY INFORMATION: Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, may be included in responses to this RFI. The use and disclosure of such data may be restricted, provided the respondent includes the following legend on the first page of the response narrative and specifies the pages of the response which are to be restricted:

“The data contained in pages _____ of this response have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for information and program planning purposes. This restriction does not limit the government’s right to use or disclose data obtained without restriction from any source, including the respondent, consistent with applicable law.”

RFI Guidelines: This RFI does not constitute a solicitation for specific project proposals. Responses to the RFI will be treated as informational only and will not be viewed as a binding commitment for the

respondent to develop or pursue the project or ideas discussed. This is not a Funding Opportunity Announcement (FOA) and DOE and BOEM are not accepting applications for financial assistance or financial incentives under this RFI. DOE or BOEM may or may not decide at a later date to issue a FOA or other type of solicitation based on consideration of the input received from this RFI, but there is no guarantee that future funding opportunities or other activities will be undertaken as a result of this RFI. Because information received in response to this RFI may be used to structure future funding opportunities and/or otherwise be made available to the public, respondents are strongly advised to not include any information in their responses that might be considered business-sensitive, proprietary, or otherwise confidential. If, however, a respondent chooses to submit business-sensitive, proprietary, or otherwise confidential information, it must be clearly and conspicuously marked as such in the response.

In order to avoid any possible conflict with future funding opportunities, DOE will not respond to any respondent questions or contacts received after the closure of the submission period for this RFI. Respondents are advised that DOE is under no obligation to acknowledge receipt of the information received or provide feedback to respondents with respect to any information submitted under this RFI. Responses to this RFI do not bind DOE to any further actions related to this topic. DOE thanks you for your assistance and input.

EVALUATION AND ADMINISTRATION BY FEDERAL AND NON-FEDERAL PERSONNEL: Federal employees are subject to the non-disclosure requirements of a criminal statute, the Trade Secrets Act, 18 USC 1905. The Government may seek the advice of qualified non-Federal personnel. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The respondents, by submitting their response, consent to DOE providing their response to non-Federal parties. Non-Federal parties given access to responses must be subject to an appropriate obligation of confidentiality prior to being given the access. Submissions may be reviewed by support contractors and private consultants.

RFI Response Instructions: Responses to this RFI must be submitted electronically to Enviro@go.doe.gov by 5:00 PM Eastern Standard Time on May 30, 2013. Responses should include: cover page, 1 page executive summary, and up to a 5 page full response. Responses must be provided as attachments (in Microsoft Word or PDF Format) to an email. The subject line should read "Researching the Environmental Effects of Offshore Wind at the First U.S. Facilities (insert name-organization)." One inch margins and 12 point font should be used. Please indicate the questions being addressed (e.g., Section A.1. or Section B.2.). Questions regarding the content of this RFI must be submitted to the email address provided above. Respondents are requested to include the following information in their responses to this RFI: Company/institutional name; individual contact (mailing address, phone number, e-mail address); facility location(s) (zip code); and area of expertise/interest. The WWPTO recognizes that all listed questions may not be applicable to all respondents, and respondents may provide responses to all or a portion of the RFI questions. WWPTO requests that respondents focus only on the questions for which they can provide concise information.

Wind & Water Power Technologies Office Background

The WWPTO is within the Department of Energy's Office of Energy Efficiency and Renewable Energy. The WWPTO's mission is to focus the passion, ingenuity, and diversity of the nation to enable rapid expansion of clean, affordable, reliable and domestic wind and water power to promote national security, economic vitality and environmental quality. To find more information about the WWPTO, please visit the [Wind Power Program](#) and [Water Power Program](#) websites.

The WWPTO funds research nationwide to develop and deploy offshore wind technologies that can capture wind resources off the coasts of the United States and convert the wind out at sea into electricity. Offshore wind resources are abundant, stronger, and blow more consistently than land-based wind resources. Data suggest a more than 4,000 giga-watts (GW) gross total offshore wind energy resource exists in state and Federal waters along the United States and the Great Lakes coasts, approximately four times the combined generating capacity of all U.S. electric power plants.

Bureau of Ocean Energy Management Background

The [Bureau of Ocean Energy Management \(BOEM\)](#), within the Department of the Interior, manages the exploration and development of the nation's offshore energy resources. The Bureau seeks to balance economic development, energy independence, and environmental protection through responsible management of offshore conventional and renewable energy development based on the best available science.

BOEM conducts environmental reviews, including National Environmental Policy Act (NEPA) analyses and compliance documents for each major stage of energy development planning. These analyses inform the bureau's decisions on exploration and development activities. Additionally, BOEM's scientists conduct and oversee environmental studies to inform policy decisions relating to the management of energy and marine mineral resources on the outer continental shelf (OCS).

Over the next five years, the Department of Energy and the Department of the Interior are advancing a national strategy for offshore wind research and development. The WWPTO is leading market analysis and technology development research that will overcome key barriers including the relatively high cost of energy, the mitigation of environmental impacts, the technical challenges of project installation, and grid interconnection.

Environmental Research Background

In leasing and permitting offshore wind projects, agencies must consider a range of environmental and cultural resources, protected areas, and competing uses. Some of the key environmental resources of concern are bird and bat species, marine mammals, pelagic and benthic species and habitats, and water quality. Through the licensing and permitting process, projects must ensure that they comply with environmental statutes including the Marine Mammal Protection Act, the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, among others.

Hundreds of environmental studies have been conducted in Europe in conjunction with offshore wind development, before, during, and after construction. Although the United States can leverage lessons learned from these studies, the lack of construction to date in U.S. waters has not enabled the collection of the most relevant environmental information. Consequently, major data gaps exist that can delay and add significant risk to the installation of offshore facilities for both project developers and regulators. WWPTO and BOEM are seeking input on environmental research that could be conducted at offshore wind projects in the U.S. that would help reduce regulatory uncertainty regarding environmental risk for these and future projects. Specifically, WWPTO and BOEM deem the pending construction of offshore wind facilities in U.S. Federal and state waters as an opportunity to collect environmental information to address key questions and provide realistic analyses of the environmental consequences of offshore wind development.

Context for the Requested Information

Over the next several years, Federal agencies are considering supporting research at offshore wind projects to increase our understanding of the environmental effects of offshore wind development. BOEM and DOE are considering an effort composed of two rounds of research. The timing of these rounds will be driven by the construction of the first offshore wind projects, however we anticipate that the first round would focus on projects constructed over the next three years and the second round on projects constructed in the subsequent three to five years. This RFI focuses on the first round of this effort.

The goal of this first round would be to gather data at one or more wind facilities through construction and operation in order 1) to quantify the impact-producing factors (i.e. the characteristics of a project that may cause an impact, such as the sound produced during construction) associated with construction and operations activities and 2) to evaluate the efficacy of monitoring technologies and techniques deployed at these projects. Under the current vision, the primary focus of research in this round will not be on evaluating environmental impacts of projects. Rather, the immediate focus will be on measuring the characteristics of the project that cause impacts. Data gathered during the first round will then be used to inform predictions of impacts and focus research efforts in a broader second round of research.

The questions of focus for the first round would be those that are addressed in the NEPA and permitting processes for offshore wind development. The effort will prioritize investigations of interactions with species deemed to be of high priority, i.e. those which receive special regulatory protection and are deemed likely to be impacted by the project in question. Studies under this round would be designed in a way to maximize applicability of results to future commercial developments and to ensure consistency across projects so that the results from multiple studies can be compared. Further, this round will not attempt to answer questions that are not addressable on the scale of an individual project (e.g. cumulative impacts of multiple wind facilities) or that would require long-term post construction research; for example, population level changes in local species. While data gathered under such an effort will likely be of value to the wind facilities studied, this effort is not meant to replace the existing monitoring efforts of offshore wind developers required by regulatory regimes. Instead, this effort is designed to build the body of environmental knowledge on offshore wind facilities in the U.S., thereby helping to inform the evaluation of future projects and spur the growth of the industry.

A well-thought-out environmental research strategy will help maximize the value of the first generation of offshore wind turbines deployed in the United States. The knowledge gained from these projects can help us identify, reduce, and mitigate environmental risks in the future, and significantly increase the efficiency and efficacy of the regulatory review process for offshore wind. To this end, DOE and BOEM are seeking input from researchers, regulators, developers and others on this vision, as well as more generally on priorities for the first round of research at offshore wind projects. For instance, what questions can be asked and answered in this time frame? What topics should we address first? How should we design these inquiries, and how can they be seamlessly integrated into wind facility construction and operation? Below, you will find examples of near-term research questions that an initial effort may seek to answer. We welcome your input on this approach. The feedback we receive from this Request for Information may, in turn, help us to ask and answer appropriate questions with the first round of offshore wind projects.

Example Topics and Questions for Near-Term Research: *Please note, these questions are meant to be a representative sample of the types of questions we intend to address, rather than a comprehensive list.*

Underwater Acoustics

- What are the pre-existing ambient noise levels associated with the project site prior to development?
- What are the characteristics of sound (intensity, duration, and frequency) generated during construction activities, such as pile driving and cable laying?
 - What are the most effective scales (temporal and spatial) at which to measure a representative sample of construction and operation noise?
- What level of sound is created by the increase in vessel traffic during construction and operation periods? What levels of sound are generated and propagated during operations?
- What are the behavioral responses of high priority marine and avian fauna to acoustic stressors during construction and operation?
- Which devices or technologies are most effective and most practicable for reducing sound levels during construction activities?

Seafloor Disturbance

Anchors

- What are the anchor patterns for vessels and floating offshore wind turbines?
- What types of scarring occurs from the anchor chains?
- What is the recovery time for the scarring?
- What is the average duration of anchor/chain use (days, months, etc.)?

Construction and Operations

- What is the extent of changes to benthic communities due to sediment disturbance from construction activities and operations?
- Does seafloor disturbance due to construction of wind energy facilities impact bottom ocean currents?

Air Quality

- How many ships and/or aircraft are used for construction of offshore wind energy facilities?
- What types of ships (e.g. jack-up rig) and/or aircraft (e.g. helicopter) are used, and what are their emissions (pollutant type)?
- What is the duration of various types of construction activities requiring different vessels?
- What is the frequency of maintenance vessel/aircraft trips?

Monitoring, Methodologies, and Instrumentation

- What types of observations should be included within an environmental monitoring strategy?
- What types of equipment are effective for monitoring air quality, water quality, benthic environments, aquatic communities, sediment disturbance, wildlife, acoustics, and strike frequency?
- What is the most effective and cost-effective method, or suite of methods, for detecting marine mammals during construction activities? How would this method, or methods, vary by geographic region?

Questions for Respondents:

Respondents are encouraged to answer any of the questions below, and are not limited to answering those questions directed toward the group with which the respondent is affiliated. Research suggestions should focus on the upcoming opportunities to collect environmental information during the initial construction and operation of offshore wind facilities.

Questions for all respondents:

- a. Please provide feedback on the proposed approach articulated above.
- b. Do the questions above address the environmental questions of highest priority in your opinion? If not, what additional questions should be asked? Are there questions listed above that you consider being of lower priority?
- c. In general terms, what methodologies would you suggest to answer high priority questions?
- d. For research conducted at pilot scale projects, given the relatively small scale of these projects (<10 turbines), what environmental questions do you think can be answered in a statistically robust fashion at this scale? Are there any questions that cannot be adequately addressed?
- e. Should monitoring technology testing and evaluation be a component of this research? If so, which technologies and issues are of highest priority for testing and why? What methods would you suggest for evaluating technologies?
- f. Are there novel or alternate methodologies for investigating impacts that could be evaluated or compared? If so, which methodologies, and how might that comparison occur?
- g. Given the diversity in potential future project location and design, what environmental research topics will result in data that will be transferable across projects? What sorts of meta-analyses would you recommend for these topics? How can data transferability be optimized?

Questions for respondents, by sector:

1. As an offshore wind project developer:
 - a. What environmental questions do you anticipate will have the highest impact to your siting, leasing and permitting processes?
 - b. What types of environmental research could be most beneficial to you/the industry as a whole? Answers may include specific research projects (e.g. acoustic measurements during pile driving), methodology and technology evaluation (e.g. effectiveness of various instrumentation types at detecting bird and bat interactions with devices), or meta-analyses (e.g. synthesizing and analyzing trends and differences in reefing effects at each of the demonstration projects).
 - c. Are there concerns regarding how such research might affect site assessment and/or construction and operation plans that we should be aware of?
2. As an offshore wind energy regulator or environmental agency:
 - a. What specific project-related research activities would be most helpful in informing your decision making process for future projects?

3. As an environmental researcher:

- a. What is the magnitude of investment that is required to meet your suggested research efforts?



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
Dan Wolford, Chairman | Donald O. McIsaac, Executive Director

June X, 2013

Tony Grover
Director Fish and Wildlife Division
Northwest Power and Conservation Council
851 S.W. Sixth Avenue, Suite 1100
Portland, OR 97204

Dear Mr. Grover,

Please accept the comments below from the Pacific Fishery Management Council (PFMC) as recommendations for the Northwest Power and Conservation Council (NPCC) Fish and Wildlife Program amendment process.

As you may know, the PFMC is one of eight Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976, and recommends management actions for Federal fisheries off Washington, Oregon, and California. The MSA includes provisions to identify, conserve, and enhance essential fish habitat (EFH) for species regulated under a PFMC fishery management plan. Each Regional Fishery Management Council is authorized under MSA to comment on any Federal or state activity that may affect the habitat, including EFH, of a fishery resource under its authority. Furthermore, for activities that the Council believes are likely to substantially affect the habitat of an anadromous fishery resource under its authority, the Council is obligated to provide comments and recommendations (MSA §305(b)(3)).

NPCC Role in Funding

The Bonneville Power Administration (BPA) entered into nine Columbia Basin Fish Accords that are intended to supplement the Federal Columbia River Power System BiOp and the NPCC Fish and Wildlife Program. Parties to these agreements work in partnership to carry out measures intended to improve survival benefits for salmon recovery. Although these agreements commit BPA to provide funding for measures contained [in the Accords?], those commitments do not negate BPA's responsibility to ensure they are scientifically and technically sound and that they address regional priorities. Nor do these agreements relieve the NPCC from its responsibility to facilitate regional review and discussion of these measures involving all fish and wildlife managers in the basin and interested stakeholders. Regional review and discussion of existing

and proposed measures have long been a key component of the NPCC's process for amending and implementing the NPCC Fish and Wildlife Program.

Recommendation: We recommend that the NPCC work with all regional fish and wildlife managers to ensure that an amended Fish and Wildlife Program clearly describes regional goals, objectives and priorities for the protection, mitigation and enhancement of fish and wildlife in the Columbia Basin. These priorities should be sufficiently detailed to guide BPA's funding decisions and should include a comprehensive program to monitor and evaluate outcomes of Program measures.

NPCC Role in Regional Coordination

The fish and wildlife management "landscape" in the Columbia Basin has changed significantly in recent years. Some changes have created opportunities for fish and wildlife managers to work together in new or expanded regional and sub-regional forums that focus attention and efforts on critical species in critical areas. However, there remains the need for the NPCC to regularly work with fish and wildlife managers individually and collectively when amending and implementing the Fish and Wildlife Program.

Recommendation: We recommend that the NPCC create a mechanism to receive key input from states, tribes and other partners on an annual basis. An annual forum would help assure that prioritized discussions are maintained and that all partners are engaged in NPCC planning and prioritization processes.

Quantitative Performance Goals

The current Fish and Wildlife Program has a basin-wide quantitative performance goal of increasing total adult salmon and steelhead runs to an average of five million annually by 2025. However, the five million fish goal lacks specific population objectives. Quantitative performance goals and restoration strategies for individual spawning populations are essential to evaluate the success of the Fish and Wildlife Program and to implement adaptive management strategies. Expanding the quantitative performance goals to include hatchery and wild population objectives would help assure consistency with the Hatchery Scientific Review Group (HSRG) requirements that hatchery programs must have quantifiable performance goals, such as the abundance of fish harvested and the abundance of spawning fish. Further, the co-managers in consultation with BPA, the NPCC, and NOAA have developed monitoring programs and a data exchange standard for reporting comparable metrics and indicators to assess biological performance of NOAA's recovery goals through the Coordinated Assessments project.

Recommendation: We recommend the NPCC maintain existing Basin-Level Biological Objectives that set a goal of five million adult fish returning annually to the Columbia River. As called for in the current Program, the NPCC should proceed with a process to assess the value of quantitative biological objectives and to develop an updated and scientifically rigorous set of such quantitative objectives. We recommend the NPCC adopt the NOAA recovery goals for salmon and steelhead listed under the Endangered Species Act (ESA) as interim quantitative

performance benchmarks for these populations, and fund data management strategies described in the Coordinated Assessments framework to report on population performance relative to these goals. Over the next five years, we recommend the NPCC work with co-managers and the public to develop quantitative healthy and harvestable performance goals for all affected fish, along with quantitative restoration and hatchery mitigation performance goals.

Test the Efficacy of Higher Spill Levels to Increase Smolt-to-Adult Return Rates

Achieving the Northwest Power and Conservation Council's targeted smolt-to-adult return rate goal of 2-6% (average 4%) is projected to more than double adult returns of Snake River salmon to the mouth of the Columbia River, and would benefit other PFMC-managed stocks that originate in the Columbia Basin. The PFMC's Habitat Committee was briefed on the most recent findings from the BPA-funded annual Comparative Survival Study as it relates to spill issues. The data accumulated since the Comparative Survival Study was initiated in 1996 suggests that increased spill levels could raise smolt-to-adult return rates to the NPPC target levels for recovery without major reconfiguration of the hydrosystem projects (i.e., dam breaching). This information is promising. The Habitat Committee's report on the briefing is available at <http://tinyurl.com/bsax8jr>.

Recommendation: We recommend the NPCC maintain existing Basin-Level Biological Objectives that set a smolt-to-adult return rate goal of 2-6% (average 4%). As called for in the current Program, the NPCC should proceed with a process to assess the value of quantitative biological objectives and to develop an updated and scientifically rigorous set of such quantitative objectives. The NPPC should also recommend a study of higher spill levels to test the efficacy of spill in increasing adult returns to the Columbia Basin. Quantitative Performance Goals set by NPCC for smolt-to-adult return rates should also be emphasized, and performance assessed annually.

Artificial Production of Salmon

Since the inception of hydropower facilities in the Northwest, hatchery programs have been advocated and implemented as mitigation for the impacts of dams on lost spawning and rearing habitat. As long as the dams remain in place, the mitigation commitments for lost habitat also remain. The challenge is to adaptively manage hatchery programs based on the best available information to address ESA compliance issues and support recovery plan implementation while also meeting ongoing mitigation obligations that are critically important to West Coast sport, commercial, and tribal fisheries. The current Fish and Wildlife Program recognizes that these artificial production strategies "must be implemented within an experimental, adaptive-management design that includes an aggressive program to evaluate the risks and benefits and addresses scientific uncertainties." The Program should also recognize the need for monitoring to assess progress in achieving mitigation goals and hatchery performance. Because biological uncertainties remain and salmon productivity benefits are potentially high, adequate funding to support adaptive management should remain a priority.

Recommendation: We recommend the Program supports hatchery program reviews to ensure compliance with regional mitigation, conservation and recovery goals, using performance indicators and adaptive management measures, and a structured monitoring, evaluation, and research program.

Emerging Habitat Issues

There has been a lack of comprehensive planning regarding the issue of toxics contamination in the Columbia River basin.

Recommendation: We recommend the NPCC support the Independent Scientific Advisory Board (ISAB) recommendation to account for the impacts of toxic contaminants on populations in the basin to ensure a robust toxics program is scoped as an amendment.

Climate Change

The current Fish and Wildlife Program identifies adaptive water management as the primary response to climate change impacts on fish and wildlife resources in the basin. However, providing access to refugia habitats in tributaries may become vital as predicted climate change narrows the availability of existing habitats. For example, increased consideration of salmon re-introduction above currently non-passable obstructions to cool water habitat may become necessary.

Recommendation: The NPCC should expand its leadership role in identifying salmon recovery and mitigation actions to address climate change. We recommend the NPCC convene a working group to begin addressing how predicted change could be addressed in decision making at all levels of the program.

Columbia River Treaty

The Fish and Wildlife Program should address impacts from the Columbia River Treaty. It is currently unclear how the mitigation responsibilities under the 1980 Northwest Power Act are affected by the Treaty, however, impacts to habitat from the Columbia River Treaty need to be mitigated.

Recommendation: We recommend the NPCC consider how the Columbia River Treaty impacts salmon and their habitat and endorse mitigation alternatives by asking U. S. Entity Representatives to place a high priority on options that increase provisions for “ecosystem-based function” consistent with the Fish and Wildlife Program.

Estuary habitat

Council-managed ocean salmon fisheries north of Cape Falcon are highly dependent on salmon production from lower Columbia River populations.

Recommendation: The Council recommends continued endorsement of restoration activities in the Lower Columbia River estuary to accelerate recovery of both up-river runs and lower-river

priority salmon runs. In addition, the estuary and lower river habitat is thought to be important to eulachon smelt, a species listed as threatened under the Endangered Species Act and not an apparent consideration in the 2009 Fish and Wildlife Program.

The Council appreciates the opportunity to comment on the NPCC's Fish and Wildlife Program amendment process. Please feel free to contact us with any questions.

Sincerely,

[Signature block]



United States Department of the Interior

Agenda Item G.1.a
Supplemental Attachment 4
June 2013

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

IN REPLY REFER TO:

MP-100
ADM-1.00

MAY 24 2013

RECEIVED

Mr. Donald O. McIsaac, Ph.D.
Executive Director
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

MAY 31 2013

PFMC

Dear Dr. McIsaac:

On behalf of Secretary of the Interior Sally Jewell, I am responding to your letter of April 24, 2013, recommending that the Department of the Interior again provide supplementary flows to prevent a fish die-off in the Lower Klamath River similar to that which occurred in late-summer 2002.

As we demonstrated in 2012, the Bureau of Reclamation is committed to assisting with measures to help preserve the Klamath River fall Chinook salmon run. Included in this commitment is our willingness to release additional water to the Lower Klamath River, if necessary, provided that the justification for such a release is based on scientifically supportable criteria.

After learning of the projected modern-day record fall Chinook run in 2012, Reclamation discussed the implications at length with the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration Fisheries, affected tribes, and other Trinity River Restoration Program partners. In compliance with the National Environmental Policy Act, Reclamation developed an Environmental Assessment and executed a Finding of No Significant Impact describing flow releases from Trinity Reservoir for flow augmentation in the Lower Klamath River in the late summer. Ultimately, 39,000 acre-feet was released from Trinity Reservoir for flow augmentation, and we were relieved to note there was no significant disease outbreak or mortality.

The September 2013 target flow rate below Iron Gate Dam on the Klamath River is expected to be at or above 1,000 cubic feet per second (cfs), an increase from the 2002 average flow rate of 760 cfs that immediately preceded the fish die-off. As you stated in your letter, hydrologic conditions in the Klamath River Basin are well below normal, and the May 1, 2013, revised inflow forecast for the Trinity River Basin is 795,000 acre-feet, which is a "Dry" water year class as characterized in the 2000 Record of Decision for the Trinity River Mainstem Fishery Restoration. Trinity Reservoir attained a seasonal maximum water surface elevation of 2,351 feet above mean sea level on April 23, 2013, approximately 19 feet below the spillway crest. The May 1, 2013, inflow forecast to the Upper Klamath River Basin for May through September is 52 percent of average at the 50-percent exceedence level, while precipitation in the Upper Klamath River Basin is 87 percent of average as of May 10, 2013.

Should you require additional information, please contact Mr. Brian Person, Area Manager, Northern California Area Office, at 530-275-1554.

Sincerely,

A handwritten signature in black ink that reads "David G. Murillo". The signature is written in a cursive style with a large, prominent "D" and "M".

David G. Murillo
Regional Director

cc: Council Members
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Habitat Committee
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Humboldt County Board of Supervisors
825 Fifth Street, Room 111
Eureka, CA 95501



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

Ocean and Coastal Services Division

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-6033

www.oregon.gov/LCD/OCMP

Department of Fish and Wildlife

Marine Resources Program

2040 SE Marine Science Drive

Newport, OR 97365

Phone: (541) 867-4741

Fax: (541) 867-0311

www.dfw.state.or.us

May 30, 2013

Department of Energy
Office of Energy Efficiency and Renewable Energy
Wind & Water Power Technologies Office

RE: RFI DE-FOA-0000911

Researching the Environmental Effects of Offshore Wind at the First U.S. Facilities

The enclosed comments are provided by Oregon's Department of Land Conservation and Development (DLCD) and Oregon Department of Fish and Wildlife (ODFW) to assist the Department of Energy (DOE) and Bureau of Ocean Energy Management (BOEM) in researching and understanding the potential impacts associated with offshore wind energy projects and to evaluate the efficacy of monitoring technologies and techniques. The State of Oregon regards the offshore area out to the toe of the continental slope as its Ocean Stewardship area within which it has a continuing interest in the conservation of ocean resources.

The state's ocean resource policies seek to protect marine resources and ecological functions for the purpose of conserving long-term ecological, economic, and social values. Resources of concern include those that are important to maintaining the functional integrity of the marine ecosystem, marine habitat, and biological productivity, as well as those that may affect other uses such as fishing, research, navigation, recreation, or aesthetic enjoyment. To that end, we are concerned that energy project components may have adverse impacts on marine resources and uses.

In this Request for Information (RFI), DOE and BOEM are specifically soliciting recommendations for studies to be conducted during construction and operation of the first offshore wind projects. According to the RFI, this information will be used to improve assessments of wind energy facility environmental effects and advance the national strategy for offshore wind research and development. We recognize that the first round of this effort (i.e., over the next three years) is most applicable to the types of facilities that are already permitted along the eastern seaboard. These facilities are likely to share many aspects of their technology and design with devices that may be deployed in the future along the Pacific coast. However, facilities designed for the shallow, gentle slope of the Atlantic continental shelf may not have the same type of tower structure (e.g., monopile, floating ballast system), anchor type, or mooring

requirements that will be required in the deeper waters off the Pacific coast. Differences in device design will correspond to dissimilar impacts on habitat and resources, resulting in a need to approach west coast research needs in a manner similar to, but not identical to that of the east coast first round of this effort. Future research may focus on information gaps associated with the development of ocean platform wind energy facilities on the Pacific coast, understanding that the types of platforms, anchoring needs and mooring design may change over time. DLCD, ODFW, and the Oregon Department of Energy (ODOE), have collaborated to prepare these recommendations in anticipation of these future research needs, which may be applied during the second phase (i.e., three to eight years from now) of this DOE and BOEM effort.

Executive Summary

DLCD and ODFW agree that a robust environmental research strategy will help maximize the value of the first generation of offshore wind turbines deployed in the United States. Such a strategy could improve future regulatory processes and reduce environmental risks associated with further development of offshore wind. We support the approach proposed in this RFI and encourage DOE and BOEM to develop a research strategy designed to answer the questions posed as “representative samples” in the RFI, as well as the additional research questions listed below. At this time, answers to all questions posed in the RFI and in this letter are equally important to satisfy information needs relevant to the state’s assessment of offshore wind project impacts, and priorities have not been assigned. We anticipate that the scope of research topics could be narrowed on a site-specific or project-specific basis. However, viewing this new industry broadly and holistically, we suggest that DOE and BOEM consider all research topics and questions equally because each one could have transferability across projects if planned for and implemented appropriately. In this way, management goals stated in this RFI would be best achieved and west coast resource management might benefit from research results and lessons learned during the first U.S. offshore wind projects.

Specific Research Topics and Questions for Consideration (in addition to “Example Topics and Questions for Near-Term Research” listed in the RFI):

Underwater Acoustics

- Can acoustic deterrents be used effectively to minimize collision risk between turbines and marine mammals or other organisms? What level of sound would effectively deter sensitive species above the noise of the device and the local environment?
- How does propagation of sound differ based on local characteristics of the site (e.g. seafloor geology, proximity to shore)? How far from a facility might the sound be perceived by marine organisms?
- How does a facility’s acoustic signature change as more devices become operational? Does it increase, and if so is there a linear relationship between the number of devices and the sound produced?
- What are the preferred techniques for monitoring acoustic levels *in situ* and responding within a reasonable timeframe in the event that a critical acoustic threshold is exceeded?

Seafloor Disturbance

- What is the extent of changes to benthic communities due to habitat conversion from soft-bottom to hard substrate (e.g., sand to concrete anchor)?
- If ocean currents are altered by project installation or operation, to what distance might sediment transport be altered? Would nearshore rocky reefs or shorelines be affected?
- What are the chronic seafloor disturbance impacts of anchor maintenance (assuming frequent need to replace and reposition anchors due to storms)?
- What impact minimization techniques (e.g. siting, burial, drilling) are most successful to mitigate environmental consequences of cabling offshore, nearshore, and beneath the shoreline?
- What are the most significant impacts during construction? Do advance planning and management methods vary in successful minimization of impacts and if so, which methods are preferred?
- What unique features or key design components of electric transmission cables (e.g. depth, size, burial, directional drill, colocation, etc.) are most successful at maintaining cable integrity while simultaneously reducing environmental impacts?
- Do advance planning and management methods vary in successful minimization of impacts and if so, which methods are preferred?

Monitoring, Methodologies, and Instrumentation

- What types of observations would be appropriate for inclusion in an Adaptive Management Plan? What metrics should be measured, what thresholds would need to be met, and what measures would be taken if a threshold were not met?
- What measurement instrumentation would be successful at detecting effects on marine species behavior and distribution?

Construction Areas (new topic area)

- Where and for what duration will wind facility staging areas be needed? What effects will occur in the estuary, adjacent upland area, or other staging area? Are particular areas

more susceptible to impacts due to sensitive habitat, heavy reliance on a single area for construction, or other factors? How can these effects be managed and reduced?

Introduced Structure (new topic area)

Subsurface

- What technologies or methods are most effective to maintain tension of mooring cables? What is the potential for a failure in calm or high seas? What is the potential for entanglement of a marine organism in the event of a tension failure?
- What is the collision potential between new structure and marine organisms? How to marine organisms respond to the new structure?
- What is the change in the local community resulting from the new in-water structure? What is the rate of biofouling and is maintenance necessary and effective? Does the new structure act as a fish attraction device (FAD) and does the amount or type of fish attracted change over time? If fish attraction occurs, does this correspond to predator (e.g., seabird, pinniped, shark) attraction or change in predation?
- If subsurface structure accumulates derelict fishing gear, what maintenance procedures must be adopted to regularly remove derelict gear to reduce the risk of entanglement of marine organisms?

Above Surface

- Are deterrents available and effective at reducing avian (i.e., bird or bat) species approach or collision with wind turbines? What methods are available to monitor turbines during operation throughout high and low wind states and detect bird and bat collisions?
- Do small pilot-scale or large commercial-scale wind farms influence wind stress to such a degree that local upwelling is induced, ocean mixing is disturbed, or changes in primary productivity occur in the vicinity of the wind farm?

Thank you for the opportunity to express our support for advanced research of offshore wind facilities and the potential associated effects on marine resources and uses. We look forward to hearing more about DOE and BOEM research projects and hope these suggested topics will be among those scheduled for further study.

Sincerely,

Paul Klarin, Marine Program Coordinator
Oregon Department of Land Conservation and Development
(503) 373-0050 ext. 249
paul.klarin@state.or.us

and

Delia Kelly, Ocean Energy Coordinator
Oregon Department of Fish & Wildlife
(541) 867-0300 ext. 292
delia.r.kelly@state.or.us

GROUND FISH ADVISORY SUBPANEL REPORT ON HABITAT MATTERS

The Groundfish Advisory Subpanel (GAP) received a presentation from Ms. Arlene Merems, of the Habitat Committee, about recent activity regarding the offshore wind energy industry.

The Bureau of Ocean Energy Management (BOEM) issued a Request for Information (RFI) in April (see [Agenda Item G.1.a, Attachment 3, June 2013](#)). The due date for comments was May 30, 2013, but BOEM made clear it would take any comments from the Pacific Fishery Management Council under advisement.

Ms. Merems also attended a BOEM offshore energy (wind and wave) workshop in May and was advised the BOEM Oregon Intergovernmental Task Force, an intergovernmental group, has been formed and includes only federal officials and elected state, local and tribal officials or designees to address wind energy issues.

The GAP agrees with the Habitat Committee's recommendation that the Council should have a presence on the task force. The GAP further recommends the fishing industry have representation on the task force. The relatively new offshore wind and wave industry is quickly changing and will likely have long-lasting effects on established users, such as the fishing industry. It is imperative the Council have representation in future discussions about offshore ocean use.

Regarding the Request for Information, the GAP also agrees with the Habitat Committee's recommendations and the Oregon response to the RFI (see [Agenda Item G.1.a, Attachment 5, June 2013](#)). The issues addressed and questions asked in the Oregon letter are excellent and should serve to get the dialog started. With that in mind, the GAP requests the Council send a letter to BOEM, including the following points:

1. Endorsement of the letter from Oregon. It is important that environmental and biological studies be completed *before* any infrastructure is placed in the water. Moreover, it is imperative that socio-economic studies and determinations of the costs of displacement on existing users be taken into account prior to offshore energy development;
2. Notification of the Council's intent to exercise its authority under the Magnuson-Stevens Act regarding Essential Fish Habitat to be consulted and actively involved in any projects proposed for the outer continental shelf, including the size and location of the tracts to be leased; and
3. That the offshore renewable energy industry be held to the same standards as the fishing industry regarding seabird, marine mammal and overfished species interactions.

The GAP discussed the fact that offshore wind energy rules are in flux and that wind energy development, like wave energy, has a lot of unknowns associated with it. For example, fiscal

issues are affecting wave energy companies once thought to be leading the charge on developing this kind of renewable energy; others have failed altogether. The wind energy project proposed for 15 miles off of Coos Bay, Oregon, is dependent on the development of the Jordan Cove LNG facility, yet its construction has yet to begin and permitting has barely started. In short, there are a lot of unknowns with relation to these kinds of renewable energy industries and the Council should remain aware of the changes.

PFMC
06/21/13

HABITAT COMMITTEE REPORT ON CURRENT HABITAT ISSUES

Northwest Power and Conservation Council letter

The letter the Habitat Committee (HC) drafted for Council consideration regarding the Northwest Power and Conservation Council Fish and Wildlife Program amendment process is in the briefing book (Agenda Item G.1.a, Supplemental Attachment 1) and has had input from all HC members and their respective states.

Integrated Ecosystem Assessment Habitat Component

At the Habitat Committee (HC) meeting on Thursday, HC member Correigh Greene (Northwest Fisheries Science Center) provided a brief presentation on incorporation of a habitat ecosystem component into the California Current Integrated Ecosystem Assessment (IEA). He is heading up this effort for National Marine Fisheries Service. Given the multiple habitat management needs and the broad extent of essential fish habitat (EFH) for various stocks, the habitat component will include freshwater and estuarine/nearshore habitats as well as pelagic and seafloor habitats. The first stages of this effort will be an identification of habitat indicators and a spatial framework to analyze these across the Pacific Coast. This information will be available to the HC and other relevant advisory bodies in the fall via the IEA report and the State of California Current ecosystem report.

Bureau of Ocean Energy Management (BOEM) Offshore Renewable Energy Workshops

The HC spent some time discussing potential offshore wind energy projects. Technology for harnessing wind energy is evolving quickly. On the Pacific Coast, stronger winds occur farther offshore and in areas with deeper water than on the Atlantic coast. For example, Oregon has 43,000km² of “windy water,” 70 percent of which is in depths greater than 60 meters. The Obama Administration deems offshore energy development a “global race” and has set a goal for the U.S. to produce 55,000 gigawatts of ocean energy by 2015. A west coast demonstration project is planned 15 nm off Coos Bay, Oregon where waters are 365 meters (1200’) deep. This project will have five turbines on a floating foundation and will generate 6 megawatts of electricity.

In May, Habitat Committee members attended a workshop on offshore renewable energy technology sponsored by the Bureau of Ocean Energy (BOEM) in Portland. The goal of the workshop was to educate BOEM-Oregon Taskforce members and others on the technical aspects

of offshore wind and other renewable energy technologies. BOEM is forming an Oregon Intergovernmental State Task Force whose role is to provide coordination and input to BOEM, to help reduce multiple-use conflicts, and to identify information gaps and needs. The task force consists of state, Federal and tribal entities only, but during a follow-up conversation, the Task Force Coordinator, Jean Thurston, suggested that the Council might be eligible as a Task Force member. Given the various intersections of offshore energy development with Council-managed species, EFH, and fisheries, and the magnitude of this new ocean use, it would be in the

Council's best interest to participate proactively in this process (Ms. Thurston's email address is jean.thurston@boem.gov).

In addition, BOEM held workshops in Washington, Oregon, and California to launch the "Ocean Uses Atlas Project," a joint National Oceanic and Atmospheric Administration-BOEM project which maps ocean use patterns using expert community knowledge. Habitat Committee members attended these meetings in different states.

At the HC meeting, two members of the Southern Oregon Ocean Resource Coalition spoke on this issue – Susan Chambers, West Coast Seafood Processors Association; and Steve Bodnar, Coos Bay Trawlers Association. They expressed concerns about the way the Coos Bay demonstration project is moving forward and are looking to the Council as the primary voice for fishermen's interests as marine wind energy development proceeds. This strengthens the significance of the Council requesting membership on the Oregon Intergovernmental Task Force.

Bureau of Ocean Energy Request for Information

The Department of Energy (DOE) has released a Request for Information (RFI) (Agenda Item G.1, Attachment 3), which seeks input on research priorities for assessing the environmental effects of offshore wind energy at the nation's first wind energy projects. DOE is considering funding research at one or more projects over the next three years. In the RFI, DOE develops a research strategy for measuring the projects' impacts associated with construction and operations. Research questions raised as a result of this RFI will likely influence research topics funded and conducted in the future, and mayational nvironmental olicy ct

The sample research questions proposed in the RFI are more suited for east coast projects, where six of the seven BOEM-sponsored Wind Energy Demonstration Projects are located. However, ocean conditions on the west coast require different device configurations (e.g., extensive mooring and cabling, massive vertical structures, etc.), and thus, will have different environmental impacts that require different research questions than east coast projects. Oregon state agencies (Department of Fish and Wildlife and Department of Land, Conservation and Development and Department of Energy) submitted a joint Oregon response to draw attention to the research needs and impact concerns unique to west coast projects (Agenda Item G.1.a, Supplemental Attachment 5).

Although the comment period closed May 30 and DOE did not grant the Council's request for an extension, the agency did offer to accept the Council's input any time during the process. It is unclear, however, if specific recommendations made at this time would be incorporated into BOEM's final research strategy. However, in anticipation of a response to the RFI, the Habitat

Committee drafted some points that could be included in a draft letter for the September briefing book.

1. Support for DOE's outreach effort requesting input on their research strategy.
2. Note that because of the many differences between the Pacific and Atlantic oceans' environments and related project configurations the first (and only) west coast wind project should be included in the research design template.
3. The Council is interested in working proactively with DOE and BOEM as they develop research priorities for west coast wind energy projects, and will request membership in BOEM's Oregon Wind Energy Taskforce.
4. Note the Federal agency's obligation to consult under Magnuson-Stevens Act for impacts to Fishery Management Plan species and EFH, as well as the Council's requirement to comment on projects that affect EFH for FMP species.

Columbia River Treaty

The HC discussed the Columbia River Treaty between the U.S. and Canada, which governs international hydro and flood operations on the Columbia River, affecting U.S. power, flood control, fisheries, and other non-power river uses and operations. The current 60-year treaty expires in 2024. Either nation can terminate most of the provisions of the Treaty as early as September 2024, with a minimum 10 years written notice.

The U.S. Entity (comprised of the Bonneville Power Administration and the Army Corps of Engineers) is committed to delivering a recommendation to the Department of State by September 2013 as to whether or not it is in the best interest of the U.S. to continue the Treaty, terminate the Treaty, or seek to negotiate with Canada on modification or amendment to the Treaty. A long-term treaty governing water storage and releases from Canada is of critical importance, affecting important habitat components for Council-managed stocks. The HC has requested a briefing on the status of the development of the U.S. position at our next meeting in Boise, with a focus on opportunities for Council comment.

Managing Our Nation's Fisheries Findings

Members of the HC who attended the Managing Our Nation's Fisheries Conference in May provided a summary to the rest of the committee. Overall, the attendees found the conference to be very interesting and beneficial. Discussion on this agenda item focused on the habitat-related findings from the conference. The HC intends to review these findings more closely and provide comments to the Council in preparation for their communications with the Council Coordination Committee.

Summary of Actions and Questions for Council

- Consider Northwest Power and Conservation Council letter (Supplemental Attachment 1)
- Consider whether HC should draft letter to BOEM for the September briefing book