

## HABITAT COMMITTEE REPORT

### **Coast Seafoods Aquaculture Expansion Project in Humboldt Bay**

The Habitat Committee (HC) heard comments from representatives of Coast Seafoods, the Humboldt Bay Harbor District and Audubon (also representing Earthjustice, Ocean Conservancy, and Oceana) concerning the Coast Seafoods application and the Draft Environmental Impact Report on the proposed aquaculture project. Based on the information the HC heard, we revised the draft letter that was included in the Council's briefing book. (See Supplemental Attachment 4). The HC specifically notes that the original draft letter stated that the buffers recommended in the Council's Salmon Fishery Management Plan (FMP) would not be met based on the buffers proposed in the Draft Environmental Impact Review (DEIR). In their presentation to the HC, Coast Seafoods stated they would implement 25-foot buffers for the rack-and-bag portion of the proposal if recommended by the Council; that recommendation is included in the revised letter.

### **Columbia Basin Fish Kills**

HC members expressed concerns about the high freshwater temperature conditions and salmonid mortalities in watersheds throughout the Columbia Basin in 2015. High mortality occurred for juveniles and adults in the Willamette, Columbia and Snake rivers. Water temperatures exceeded 68F degrees (the temperature limit established in the 1995 NMFS BIOP) for more days in 2015 than the 10-year average in the Snake, Upper and lower Columbia Rivers. A detailed report has been published by the Fish Passage Center in response to requests from Washington Department of Fish and Wildlife (WDFW) and Oregon Department of Fish and Wildlife (ODFW), found on the web at <http://www.fpc.org/documents/memos/159-15.pdf>

**The HC recommends the Council comment to the Corps of Engineers on the significant impacts of elevated temperatures within the Federal Columbia River Power System on essential fish habitat, and make recommendations on operations and additional measures such as temporary pumps to draw cool water into fish ladders. Such a letter could be finalized at the April 2015 Council meeting.**

### **E.8. Intergovernmental Policy Council on Habitat Framework**

The HC heard from Rob Jones (NWIFC), representing four tribes in the Intergovernmental Policy Council (IPC) regarding the development of a Habitat Framework. Partners include NOAA, WDFW, University of Washington, Oregon State University, and others. The Habitat Framework will be used to inform marine spatial planning in WA, including the Council's groundfish essential fish habitat (EFH) process. As a first step in the Frameworks development, the IPC is gathering and merging habitat data into a single classification system and format and identifying data gaps. The process is moving along as time and resources allow. The HC is pleased to hear of this important undertaking, as it will eventually help to inform the Council's EFH process.

## Oregon Board of Forestry Letter

The Council sent a letter to the Oregon Board of Forestry on September 23, 2015 regarding the inadequacy of streamside shade buffer rules under the Oregon Forest Practices Act. The Council noted that scientific research by Oregon Department of Forestry showed that the buffers were inadequate to meet the federal “protecting cold water” (PCW) standard, and that 100’ buffers on small- and medium-sized streams were required to meet that standard.

At their Board meeting on November 6th, Board members voted to develop administrative rules that create a 60-foot buffer on small fish-bearing streams and an 80-foot buffer on medium-sized fish-bearing streams. These buffers are an improvement over existing buffers, however, according to Department of Forestry modeling, these buffer will fail to meet PCW standards more than half the time. Habitat Committee members will continue to monitor this process. The Council may wish to weigh in during rulemaking.

## BOEM’s Request for Feedback on its Ocean Renewable Energy Program

The Bureau of Ocean Energy and Management (BOEM) is requesting feedback on their ocean energy program. BOEM will use the submitted feedback to inform their strategic planning efforts and to determine whether and how to change existing renewable energy processes and regulations. The comment period deadline is December 29th. The Council has previously commented on specific projects and provided input to BOEM and Department Of Energy on research needs. **The Council could take this opportunity to provide input on how BOEM’s program can better address Council fishery resources and stakeholders.** Below are four key points to consider, should the Council decide to comment. The HC is prepared to assist with a letter if requested.

1. BOEM should consider creating a regional spatial planning process for the West Coast (similar to BOEM’s competitive leasing process on the East Coast or Oregon’s spatial planning process in state waters) that identifies areas where ocean energy facilities (and associated transmission cable routes) are suitable. This approach is preferable to the current process which is driven by the energy developers first choosing a preferred location based on their operational needs and with no initial requirements to assess the ecological and socioeconomic consequences.
2. BOEM and the project applicants should expand their outreach efforts to include all sectors of commercial and recreational fishing, and not rely solely on organized fishing group representatives to reach all fishing sectors. The Council and/or Sea Grant might be able to assist in outreach efforts.
3. To differentiate natural variability from anthropogenic effects of ocean energy activities on ecological resources, ecological baseline studies should occur over a multi-year period.
4. The program should consider establishing “no development” lease zones or require more stringent conditions in areas designated under the essential fish habitat provisions of the Magnuson-Stevens Act; (e.g., EFH Conservation Areas and habitat areas of particular concern.)