

HABITAT COMMITTEE REPORT ON MARINE PLANNING UPDATE

Council process for marine planning issues

The February 24, 2021 meeting of the Habitat Committee (HC) brought representatives from NOAA and the Bureau of Ocean Energy Management (BOEM) to update the HC and other attendees on the processes for siting and approving aquaculture opportunity areas (AOAs) and wind energy projects. The presentation described Federal and state data portals and mapping tools housing the information used for analysis and marine planning in general. The presentations were mainly on process and data portals, and less on the details of spatial analyses that informed the decisions. Though the National Oceanic and Atmospheric Administration (NOAA) briefly mentioned the intention to study the effects of aquaculture on the marine environment, it was not directly discussed. Likewise, the potential effects of aquaculture on fishery or habitat were not discussed.

There were over 98 people in attendance including members of the HC, Council members, Council staff, members of other advisory bodies, and members of the public. What is clear is that issues that fall under the marine planning umbrella cover multiple disciplines and interests. In this way, it is similar to the Fishery Ecosystem Plan process and requires similarly multi-discipline attention and expertise. Much of the expertise that should be considered with respect to siting are beyond the Habitat Committee's current abilities, purview, and workload. The HC discussed at length the previous recommendation that the Council may wish to consider appointing a marine spatial planning ad hoc advisory body with the appropriate expertise or developing an alternate mechanism for advising the Council and engaging stakeholder participation. As offshore development expands the data sets and tools being developed will undoubtedly be used as the starting point in future screening and siting processes.

The HC provides the following comments specific to Aquaculture Opportunity Areas:

Aquaculture Opportunity Areas were called for in the May 2020 [Executive Order \(EO\) on Promoting American Seafood Competitiveness and Economic Growth](#). They are geographic areas that have been evaluated to determine their suitability for commercial aquaculture. The Council provided formal comments on the AOAs during the public comment period on December 21, 2020.

To screen areas for creation of AOAs in Southern California, NOAA incorporated available various datasets on habitat, fishing, infrastructure, national defense etc., into a suitability model to identify approximately six potential aquaculture areas from Point Conception to the U.S./Mexico border. Datasets were transformed to a common scale to allow comparison across data types to help determine their compatibility with aquaculture. The spatial modeling process identified numerous natural resource datasets and fishery data layers that, in their opinion, lacked spatial resolution or spatial diversity to be of value to spatial modeling. Of the 127 possible ecological and fishery data layers, only 29 were used in the model. The remaining data layers were used to "characterize" an area after it was scored for suitability. It is unclear to what extent natural resource and fishery information actually informed the site selection process.

Specific to the suitability modeling process, the transformation of data to a common scale results in the data not being weighted for relative importance (such as ecological sensitivity or economic value of a specific fishery). The spatial modeling process was only discussed generally, and left the HC with many questions about the effects of the data transformation on determining areas as suitable (or not) for siting AOAs.

Regarding the process for creation of AOAs, once the AOAs have been identified, the blocks will be further dissected into 500-2,000 acre blocks, after which NOAA will apply a precision siting model. Our current understanding is that NOAA will publish the results in an atlas under a NOAA Technical Memorandum. Once the Atlas has been completed, a Programmatic Environmental Impact Statement (PEIS) will be developed to complete their designation as AOAs. The National Environmental Protection Act (EPA) process is expected to begin sometime in late spring or early summer 2021. The presenters noted that additional project-specific review and analysis would be conducted before approving any aquaculture projects sited within an AOA.

NOAA conducted five listening sessions with the public in late 2020. They also indicated a desire for more participation in the mapping process specific to creating fishery data to assist in the process. Though it was unclear whether the additional participation would be most valuable during the current screening process, the precision siting process or the PEIS public input process.

The HC has the following comments related to the BOEM Wind Energy process:

In California, BOEM has identified lease call areas and is now in the process of identifying specific areas within the call areas for siting energy facilities. This will be followed by a leasing phase, and then site assessment, which will include geophysical and geological surveys and biological surveys, followed by the Construction and Operating Plan phase.

The HC is concerned that the development and analysis of fishery, socioeconomic, habitat, and other ecological data that was used to inform the call area and site selection process currently underway has not been thoroughly vetted or peer-reviewed by subject matter experts and that BOEM's process is now too far along to allow for critical review of these data. In particular, it was unclear how their analysis of fishery information (logbooks, fisheries observer data, fish tickets, vessel monitoring system [VMS] data) explains the spatial distribution and fishing intensity of several west coast fisheries and how the data informed their site selection process. Also, it appeared that data included in modeling and analysis were not weighted for their relative importance (such as ecological sensitivities or economic value). In addition, the analysis performed to date does not take into account the temporal variability within fisheries data for proposed projects that, if built, are still five to ten years from construction.

One factor that did influence the final "suitability" scoring of areas (blocks) was a data confidence score. Several fishery and ecological datasets were scored as "low confidence," while datasets such as wind speed, soft bottom, Marine Protected Areas (MPAs), and military zones were scored as "high confidence." As a result, fishery data and other ecological data may have less influence in scoring a block as "suitable" for wind energy. Furthermore, blocks that indicate no fishing activity due to Rockfish Conservation Area (RCA) and other spatial fishing closures would score higher as being suitable for energy siting, but with the recent modifications to the trawl RCA these blocks could potentially be prime fishing grounds going forward. The importance of these newly

opened areas to fishing would not be factored into the current suitability scores in these blocks because the scores are informed, in part, on trawl logbook data from 2002-2017.

The HC is also concerned about the oversimplification of seafloor habitat classification in assessing “suitable” areas (blocks) for siting energy installations. The seafloor characterization as hard, mixed and soft bottom used for Amendment 28 and continues to be used in spatial planning are too generalized to characterize the ecological value of habitats within the mixed class, and may be interpreted as “less valuable” species habitat, while being scored as “suitable” for energy installations. Fishery and fish-habitat science and subject matter experts should be contributing to these decisions on habitat characterization and suitability scoring.

The Council may wish to ask BOEM for more clarity on how data development, analysis and suitability scoring was vetted with NMFS and California Department of Fish and Wildlife fishery and habitat scientists and other subject matter experts for their process in California.

BOEM’s process off Oregon is not as advanced as the California process. BOEM, in collaboration with Oregon Department of Land Conservation and Development (DLCDD), has developed a data gathering and public engagement plan. Task force meetings were held in 2020, and BOEM and the Oregon Department of Land Conservation and Development is developing a data catalog and mapping tool to inform the process and for public use. A preliminary analysis to map fishing effort and intensity using VMS, logbook and observer data is in the early stages. To our knowledge, there has not yet been a scientific advisory body or public review process for vetting and reviewing datasets, data summaries or analyses, and little consultation with fisheries experts on the fishery data analysis. The HC believes that this should occur early in BOEM’s process and include a peer-review process for any new data products generated from these analyses.

The Council may wish to inquire how fisheries experts will be consulted on these analyses and for documentation on data development and clarification on the timeline for providing input to the data development process and for data revisions.

Early in the BOEM process of identifying call areas, a high-level site suitability (and elimination) assessment is conducted based on wind speed, proximity to grid connectivity, energy transmission cables, Department of Defense areas, and National Marine Sanctuaries. Transmission cable connectivity to the shore-based electric grid is a critical component in BOEM’s suitability criteria, and yet the cable route itself (through state waters) is not necessarily evaluated for suitability (or non-suitability) with respect to fishery resources and fishing because the route is through state waters and is under Federal Energy Regulatory Commission jurisdiction, not BOEM. At this very early stage in the process, BOEM should solicit input from the Council and other resource management bodies on other elimination criteria, such as habitat areas of particular concern, Essential Fish Habitat Conservation Areas, and state MPAs.

The Council will want to learn from BOEM’s California process and weigh in early on Oregon’s process to ensure that fishery resources and fishing are high priorities at every stage in the siting process.

PFMC
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