

## HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON MARINE SPATIAL PLANNING

Three members of the Highly Migratory Species Advisory Subpanel (HMSAS) attended the February 24, 2021 Habitat Committee meeting “to consider information on marine planning and offshore development activities.” Unfortunately, other interested individuals were unable to attend as the meeting “hit the capacity of the virtual meeting license for attendance” at 100 participants. Given widespread interest in the topic of marine planning and offshore development, we are also disappointed about the lack of any meaningful time for public comment. The Situation Summary for this item makes the following statement, “BOEM has also conducted substantial outreach efforts to identify areas potentially suitable for offshore wind development.” While this may be true, it does not accurately reflect outreach efforts to the fishing community. Ensuring an inclusive planning process that includes all directly impacted parties and stakeholders will result in more viable and low-conflict solutions that minimize negative socioeconomic and ecological impacts.

We limit our comments to the content of the webinar and provide questions we believe are foundational in nature, meaning they should be answered before the planning processes move forward. At the outset, we very much appreciate the Habitat Committee hosting this webinar. We appreciate the folks from National Oceanic and Atmospheric Administration (NOAA) giving an update and overview of the current status of Aquaculture Opportunity Areas, in particular the Southern California Bight. We also appreciate the folks from the Bureau of Ocean Energy Management (BOEM) giving an update and overview of the status of offshore wind development activities off the California and Oregon coasts. It is worth noting, the recent lease for an offshore wave energy project off Oregon was planned with commercial and recreational fishing input beginning early in the process. The three members of the HMSAS who attended were all somewhat surprised at the speed with which these development activities are happening. For convenience, we address each new use separately.

### **Aquaculture Opportunity Areas (AOAs) – Southern California Bight**

As noted, last May’s Executive Order required the designation of 10 AOAs in US waters. Last fall, NOAA identified the Southern California Bight as one of the first two AOAs. We very much appreciate all the work NOAA has put into outlining those locations where conflicts appear to be minimized. We were surprised to be reminded of the timeline for this, and that NOAA is planning on issuing a Notice of Intent for a programmatic Environmental Impact Statement soon.

### **Offshore Wind – Central California to Oregon**

BOEM offered clarifications on their timelines. That BOEM is planning to announce additional Call Areas off the West Coast, including offshore Oregon, by the end of the year was in line with what we had been hearing. That BOEM is preparing to indentify WEAs (Wind Energy Areas) relatively soon, caught us by surprise. Per the BOEM website – “WEAs are locations that appear most suitable for wind energy development” and the next logical step after identification of WEAs is Leasing. We acknowledge there are many required steps before steel goes in the water; but

remain concerned about the lack of engagement with the fishing industry, communities, and managers.

### **Foundational Questions:**

- Some proponents of an Offshore Windfarm off the central California coast have suggested it should cover roughly 1,000 square miles as both necessary and appropriate. We question whether this will have impacts on the amount of ambient wind in the area downwind of the windfarm. Will this impact be such that it inhibits or reduces upwelling in those areas? Upwelling being a primary driver of the productivity in the California Current Large Marine Ecosystem.
- What redundancy systems will have to remain in place to provide power when wind speeds are above that which is safe for operations; or below that necessary to provide power?

### **Concerns applicable to both processes:**

- Reliance on AIS [automatic identification system] and VMS [vessel monitoring system] data in determining where fishing activity takes place.  
At its simplest, neither AIS nor VMS is required on most vessels which operate off the West Coast; and there could be challenges with VMS in differentiating transiting with fishing activity – especially when ocean conditions are such that safety requires transiting at very slow speed(s), which may be interpreted as fishing activity. We encourage NOAA to continue, and BOEM to begin, conversations with the fishing industry to refine the data used.
- Lack of discrete data for areas important to fisheries:  
With some exceptions, the coarse scale resolution of the data showing catch location limits its value for more detailed spatial planning. For example, most California commercial and charter vessel fleets report catch in blocks. Most of these blocks reflect areas up to 100 square miles, which for purposes of identifying specific locations important to certain fisheries, is unhelpful. Higher resolution information is critical for achieving conservation mandates while still allowing/balancing sustainable harvest opportunities.

### **Recommendations:**

- During the last three Council meetings, you have heard calls for the Council to establish a marine spatial planning ad hoc advisory body with the appropriate expertise and stakeholder representation or develop an alternate mechanism for advising the Council and engaging stakeholder participation. We renew that call today and hope the Council would act upon that recommendation during this meeting. That the webinar was fully attended shows widespread interest, and given the timelines on offshore development are aggressive, we believe the need for action exists. The HMSAS stands ready to assist the Council as it moves forward with establishing this group.

- We fully support the Habitat Committee's suggestion that, “[t]he 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.” Proper consideration to those resources and activities could ensure a more effective and less top-down approach of offshore wind planning activities.

PFMC  
03/04/21