

ANALYSIS OF FOUR STATE PROPOSAL ON MARINE PLANNING WORKLOAD

At its April 2021 meeting, the Council directed the Executive Director to analyze a [proposal](#) developed by the four State agency representatives on the Council on ways to engage in marine planning (MP) issues, and in particular, offshore wind development. The proposal included four topics: Consideration of advisory body models, use of working webinars to engage with the Bureau of Ocean Energy (BOEM) or other action agencies, council staff capacity, and Council agenda time.

The analyses are based on the following assumptions used to analyze the feasibility and costs of increasing the Council's involvement in Marine Planning issues.

- Meetings/webinars will be held to coordinate Council stakeholder input with ocean development proponents, similar to the February 24 webinar hosted by the Habitat Committee. A Council sponsored Marine Planning Advisory Body (MPAB) will host the coordination webinar, generate a report with recommendations to the Council, and provide the report to other ABs for their consideration. Coordination webinars will occur prior to each Council meeting with a scheduled MP agenda item. Coordination webinars are assumed to be one day meeting.
- Council staff will be responsible for identifying coordination opportunities with action agencies or proponents, facilitating the coordination meetings, and supporting the MPAB, including providing mapping expertise. Staff and BOEM task force members currently meet regularly with BOEM to update project status and plan further interactions. Staff would establish similar protocols with National Marine Fisheries Service (NMFS) Office of Aquaculture staff. Council staff has contracted with a consultant to provide mapping services as needed. Other staffing needs can be met with existing resources.
- The Council will plan for three agenda items per year to consider marine planning issues, develop recommendations, and approve letters/comments. The Council already has a standing March MP agenda item, so the other two meetings will be June and either September or November. Agenda items will assume 1½ hours of floor time on average (in addition to the standing March agenda item). If all ABs decide to develop recommendations and/or there is large public interest, 1½ hours is likely an underestimate. ABs will require approximately 3 hours of meeting time to develop reports and recommendations.
- Budgetary impacts are forecasted using the same procedures used in the past for special project funding requests, including proportional floor and AB time to account for Council member compensation, liaison contract billing, and travel/meeting expense for three in person Council/AB meetings. Staff time forecasts assume one staff officer at 1/3 FTE plus minor contributions of administrative and IT staff support time.

The Council requested four options for an MPAB be analyzed:

- a) The Habitat Committee (HC) would serve as the MPAB, host Coordination Webinars, and report to the Council

- b) As above only the HC would be augmented with additional expertise
- c) A new MPAB would be established to attend and report on Coordination Webinars
- d) Task all advisory bodies simultaneously to attend and report on Coordination Webinars (e.g., similar to the February 24, 2021 webinar)

The table below lists some possible MPAB committee structures and assumptions that were used in the budget analysis.

Option a)

- HC only** Add 1/2 meeting day to three Council meetings
- Add one interim 1-day webinar three times per year
- Use liaison model using existing Subpanels to supplement fishing industry expertise

Option b)

- HC plus** Add 1/2 meeting day to three Council meetings
- Add one interim 1-day webinar three times per year
- Add one NMFS Science Center position with stock assessment survey expertise
- Add one NMFS aquaculture position with expertise in permitting
- Add one NMFS position with expertise in marine planning
- Add one position for each state with expertise in marine planning
- Use liaison model using existing Subpanels to supplement fishing industry expertise

Option c)

- New** Meets three times per year for 1 day per meeting
- Add one interim 1-day webinar three times per year
- Add one NMFS Science Center position with survey expertise
- Add one NMFS aquaculture position with expertise in permitting
- Add one NMFS position with expertise in marine planning
- Add one position for each state with expertise in marine planning
- Add seats for fishing industry expertise
 - 4 Fishery management plans x 3 States x ? Sectors
 - Or use liaison model using existing Subpanels
- Add one habitat seat with expertise in marine essential fish habitat
- Add one NMS seat with expertise in marine planning
- Add one U.S. Fish & Wildlife Service seat with expertise in marine
 - Or use liaison model using existing HC
- Add one Enforcement seat
 - Or use liaison model using existing Enforcement Consultants
- Optional additional seats
 - Ecosystem Expertise
 - Environmental Nongovernmental organization

Public at-large (e.g., port official)

Option d)

- All ABs** Add 1/2 meeting day to 3 Council meetings for each Subpanel and Team
 Add one interim 1-day webinar three times per year
 Use liaison model to represent industry, habitat, enforcement expertise, etc.

For the HC, Option a) would require three additional meeting days for the coordination webinar, and 3 additional hours for three Council meetings per year (one additional travel day at Council meetings).

Option b) would require the same, plus time/expense of at least three additional non-Federal members.

Option c) would require establishing a new permanent MPAB with at least 15 non-Federal members. This option could also raise costs by a noticeable level relative to maintaining appointments, attendance, travel and meeting expenses, administrative support, etc.

Option d) would require three additional meeting days for the coordination webinar, and three additional hours for three Council meetings per year (one additional travel day at Council meetings), for 6-11 ABs. It would be infeasible to convene the full membership of each AB simultaneously, therefore this model would need to be more of a workshop model than an advisory body model, with AB representatives attending the coordination webinar.

The fiscal impacts below provide a rough estimate of costs associated with this proposal, and assume MPAB Option c), the highest cost scenario:

Estimated Fiscal Impact for Marine Planning (June 2021-December 2023)							
Category	Annual Funding Impact			Total Budget			
	CY 2021	CY 2022	CY 2023				
A. Salary and Wages	\$ 24,010	\$ 48,850	\$ 49,632	\$ 122,492			
B. Personnel Benefits	\$ 9,772	\$ 20,654	\$ 20,823	\$ 51,249			
C. Travel	\$ 8,252	\$ 23,572	\$ 23,651	\$ 55,475			
D. Equipment	\$0	\$0	\$0	\$ -			
E. Goods, Supplies, and Services	\$ 250	\$ 500	\$ 500	\$ 1,250			
F. Contractual	\$36,031	\$71,814	\$71,814	\$ 179,659			
G. Construction	\$0	\$0	\$0	\$ -			
H. Other-Specify	\$0	\$0	\$0	\$ -			
TOTAL	\$ 78,315	\$ 165,390	\$ 166,419	\$ 410,125			

This estimate does not represent an additional funding need per se, as some of the costs would likely be balanced by reductions in other areas. The intent is to put this effort in context of other Council activities. For example, adding this effort would result in marine planning consuming about 3 percent of the Council’s budget, and about 3 percent of Council floor time; roughly equivalent to Ecosystem or Halibut over the course of the next year. However, given the cross-cutting nature of marine planning issues, Ecosystem issues may be the most appropriate comparison.

For MPAB options a), b), and c), other Council ABs will need to develop recommendations so staff and/or HC/MPAB Chair would brief other ABs if they were not integral to the HC/MPAB, such as through Option d) or a liaison model as used for the February 24 webinar. The liaison model, where designees from each AB would attend meetings of the HC/MPAB, would be more efficient and effective at capturing AB concerns and recommendations, rather than relying on just the HC/MPAB since it would be difficult to cover the various fishery issues with a manageable MPAB membership. Briefing the other ABs after the fact would be less effective than having targeted interests represented at the coordination meeting with proponents. Webinar based coordination meetings would also facilitate greater participation by ABs.

Establishing a lead AB implies that the Council itself wants to provide direct input to action agencies based on input from the AB(s). This would typically occur through formal communications such as Council approved letters or public comment portal submissions, for example, expressing concern about EFH impacts or disruption of fishing activities in a specific development site. Characterizing or filtering the varied stakeholder input the Council is likely to receive would be a challenging task, as may reaching consensus on comments or a letter representing the Council position on any particular issue. It is possible that additional Council floor time may be necessary to complete that step. One alternative would be to authorize AB representatives (and Council members) to attend workshops hosted by either the Council or another action agency, and allow the action agency to assimilate the results of the workshop directly. Any substantive issues that would deserve a more formal Council response are likely to come in the form of Federal Register notices or similar request for comments on proposals which could be dealt with through a more typical Council process. If other such issues resulted from a coordination webinar, it could be captured in a summary of the webinar and provided to the Council at the next appropriate Council meeting.

In summary, expanding the Council's involvement with marine planning issued is feasible from a fiscal perspective, at least for the near term. Council staffing resources are also sufficient to meet this objective. The state and Federal agencies will have to decide if they have adequate staffing resources to populate any expanded MPAB needs. Both agency and Council staffs may have to restructure or redirect effort from other activities and priorities, or otherwise add capacity, to accommodate this proposal. Finally, the Council should think strategically about how to absorb this additional workload and floor time, and how it fits within its statutory and discretionary obligations and priorities.

PFMC
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