

MARINE PLANNING COMMITTEE REPORT ON MARINE PLANNING

Introduction/overview

At its June 2021 meeting, the Pacific Fishery Management Council (Council) established the Marine Planning Committee (MPC), composed of six members representing Council Advisory Bodies (ABs), one at-large Conservation representative, one Tribal representative (currently vacant), one National Marine Fisheries Service (NMFS) representative, and three members representing the California, Oregon, and Washington fish and wildlife agencies. The MPC's primary purpose is to advise the Council on marine planning issues, track issues and projects, and make recommendations to the Council on specific projects or issues, as appropriate. Offshore wind (OSW) and aquaculture occupy much of the MPC's attention currently. However, all marine planning topics that have a nexus with fisheries issues fall under the MPC's purview. The MPC intends to track such issues and activities.

The MPC anticipates operating slightly differently than other ABs. While the MPC anticipates providing recommendations to the Council on specific projects or issues, in many cases the MPC will defer to the expertise of other ABs to develop specific comments. Recognizing that the MPC's composition represents a variety of interests (including fisheries, conservation, Tribal, and state and Federal agencies), we may not achieve full consensus, depending on the specific project or issue. However, we intend to capture and describe the issues at hand and describe the areas of agreement and disagreement, as necessary.

This report provides a summary of five topics addressed at the September 1st MPC meeting, a brief summary and evaluation of two recent meetings, proposed letters to be sent by September 13th, and a list of other topics and upcoming events related to marine planning. The MPC spent most of its September 1st meeting hearing presentations and in questions and answers aimed at learning how the group and the Council could effectively engage in the Bureau of Ocean Energy Management's (BOEM's) policy process. There was little time for group discussion on how fisheries would be impacted in the California Call Areas. Thus, some of the MPC's comments and recommendations may appear not fully developed or vetted.

The MPC appreciates BOEM's interest in evaluating how wind energy projects would impact fisheries and how new input might best be received. BOEM's process is new to the group and involves a series of assessments of different scope, with opportunities to comment on timeframes that may or may not align with Council schedules. The MPC was designed, in part, to comment on behalf of the Council as appropriate when opportunities arise and may employ the quick response mechanism if necessary to meet objectives of providing meaningful timely input to regulatory processes. As the MPC gains experience, we expect to become more comfortable in our understanding of when and what type of input the Council can provide.

Summary of July 22-23 and September 1, 2021 Meetings

The Council hosted a July 22-23, 2021 [meeting](#) focused on availability and use of fisheries data as part of the BOEM's planning process for OSW development. BOEM representatives provided an overview of the planning process, Pacific Council Staff Officers provided overviews

of the fisheries managed under each fishery management plan (FMP), and BOEM presented details of the fisheries data included in their planning process. The meeting included a discussion of data gaps, sources, and providing advice on connecting with fisheries and other stakeholders to gain input into the planning process.

The first official [meeting](#) of the MPC was held September 1st, via webinar. The meeting covered administrative matters such as election of Co-Chairs, sharing draft documents, and how best the MPC can provide advice to the Council. The meeting then featured representatives from BOEM, the California State Lands Commission, and Grays Harbor Wind to present information on their respective topics (see below).

Each meeting was well attended, with approximately 100 participants, suggesting that these meetings are a good opportunity to share information with the MPC, other ABs, Council members, and with other interested parties. The full participation of BOEM staff and other invited guests was also a positive aspect of the meetings. A current and likely ongoing challenge is that there is an abundance of information and issues to consider without enough time to adequately address them all at once. The committee is well appointed to track issues in all three states and is designed to draft responses on behalf of the Council between Council meetings if necessary to meet external regulatory deadlines. The MPC recognizes that we will need to prioritize deadlines chronologically, appoint leads to balance the needs of all three states, and be strategic about setting agendas and taking on issues.

California Call Areas

On October 19, 2018, BOEM published a Call for Information and Nominations for Commercial Leasing for Wind Power Development on the Outer Continental Shelf (OCS) Offshore California. BOEM delineated three geographically distinct Call Areas: Morro Bay and Diablo Canyon off the central coast and Humboldt off the north coast. In response, the Council submitted a comment [letter](#) in January 2019. The Diablo Canyon Call Area is currently inactive. The other two areas are active (see below).

Morro Bay East and West Extensions

After consideration of potential conflicts, BOEM modified the initial Morro Bay Call Area with the East and West Extensions. On July 29, 2021, BOEM issued a call for information and nominations, and a request for comments “on potential offshore wind energy development on areas adjacent to the Morro Bay Call Area previously identified in 2018”, with comments due September 13, 2021.

At its September 1st meeting, the MPC received a presentation from BOEM on the East and West Extensions. Given the overall size of the project area and potential impacts to important habitats, commercial and recreational fishing, and dependent communities, the MPC has prepared a draft letter (Agenda Item E.1, Supplemental Attachment 3) for submission in response to the July 29 Call Notice which addresses those concerns and others.

Humboldt Bay Wind Energy Area Environmental Assessment

On July 28, 2021, BOEM designated the Humboldt Call Area as a Wind Energy Area (WEA) and announced plans to conduct an environmental assessment (EA) of the WEA, per the National Environmental Policy Act (NEPA). As part of BOEM's scoping process, the agency is seeking public comments through September 13, 2021, on what should be included in the scope of the EA. The EA will address potential environmental consequences of site characterization activities (e.g., survey activities and core samples) and site assessment activities (e.g., installation of meteorological buoys) associated with issuing wind energy leases in the WEA. The EA will also consider project easements associated with each potential lease issued, and grants for subsea cable corridors through state tidelands.

The [Humboldt Area ID Memo](#) aggregates all fisheries together for discussion. However, the assessment of impacts should be broken out by fishery and be done in such a way to show trends over time. This will allow for a more robust and useful analysis of impacts to fisheries. The California Department of Fish and Wildlife has identified the following fisheries as potentially impacted within the WEA: sablefish, Pacific hake, spot prawn, coastal pelagic species (CPS) finfish, California halibut (mostly nearshore), Pacific halibut, and hagfish. Fishery representatives on the MPC report that several fisheries are active in the Humboldt WEA vicinity. Nearshore fisheries including market squid, sardine, and Dungeness crab could be directly impacted by site assessment and characterization activities. Other concerns include possible impacts on:

- Sport fishing activities
- Benthic habitat
- Groundfish Amendment 28 Essential Fish Habitat Conservation Areas (EFHCAs)
- Groundfish Amendment 19 Habitat Areas of Particular Concern (HAPC)
- Cumulative impacts
- Whale and bird migrations
- Upwelling
- Electromagnetic fields (EMF)
- Commercial fishing
- Coastal communities

The MPC proposes sending a letter to BOEM (Agenda Item E.1, Supplemental Attachment 4) describing concerns and recommending subjects to be included in the Environmental Assessment.

Vandenberg Demonstration Projects

The MPC received a presentation from Jennifer Mattox, Science Policy Advisor with the California State Lands Commission (CSLC), on its Draft Preliminary Environmental Assessment (PEA) in response to two separate applications for proposed offshore wind energy demonstration projects in State waters near Point Arguello, California.

The CSLC, during its October meeting, will be deciding whether to proceed with the Environmental Impact Report (EIR) process pursuant to the California Environmental Quality

Act (CEQA) for the proposed Projects. The PEA is intended to serve as an early foundation of information to feed into the EIR process.

The area encompassed by the proposed projects is within essential fish habitat (EFH) for groundfish, salmon, CPS finfish and krill, some highly migratory species, and is adjacent to rocky reef and kelp canopy HAPCs. The area is also important to a number of commercially and recreationally important species managed by the Council and/or the State of California. The MPC has prepared a letter to submit to CSLC in response to the PEA which contains recommendations for CLSC consideration and evaluation (Agenda Item E.1, Supplemental Attachment 5). Comments are due September 13th, 2021.

Oregon Offshore Wind Planning

The MPC received an informative presentation on the status of OSW energy development from Dr. Whitney Hauer, BOEM Oregon Intergovernmental Renewable Energy Task Force Coordinator. Dr. Hauer reviewed the [Task Force](#) status and current joint state-Federal work on the online [OROWindMap](#) data warehouse. Dr. Hauer's slide presentation is available on the MPC September meeting [webpage](#).

Regarding OROWindMap in general and the fisheries data contained therein, the MPC appreciates the Oregon Department of Fish and Wildlife's (ODFW) two letters (Agenda Item E.1.a Supplemental ODFW [Reports](#) 1 and 2) regarding fishery data layers included in the mapping tool and the biological, human (non-fishing) and physical data layers. ODFW has identified data gaps and additional information necessary to inform BOEM's decision making as they identify potential draft Call Areas off of Oregon, and also necessary to inform OROWindMap users of existing ocean resource concerns and potential user conflicts. During the September 1st MPC meeting and during prior BOEM webinars, MPC members and other fishing industry stakeholders have pointed out that data collected to date is not sufficient to accurately and thoroughly represent fishing interests. The seafood industry must be able to vet this information for accuracy and completeness for all fisheries – state and Federal – off Oregon. ODFW is making a concerted effort to that end, and has recommended that BOEM fully engage the seafood industry in this data review, planning, and siting process.

Dr. Hauer said that at an October 21st BOEM-Oregon Task Force [meeting](#), the results of the 12-month data gathering and engagement effort would be presented, including a summary of the comments and input received on OROWindMap. The Task Force meeting will include opportunity for public comment after the close of the meeting, and potentially prior to the lunch break that day. In coordination with the State, BOEM would present the draft Call Area(s) to the Task Force at a winter 2021/22 Task Force meeting, after which BOEM would publish a Call for Information and Nomination in the Federal Register to request formal public comment about the Call Area(s) and request nominations of interest for offshore wind energy development.

The MPC discussed several concerns and recommendations about future Call Areas off Oregon, including:

- Clarification from BOEM surrounding public participation during the draft Call Area phase, and when and how this committee and Council could contribute input prior to or during the Task Force public comment period. It is our understanding that BOEM

welcomes input anytime but finds it most useful when comments are reacting to information presented by BOEM.

- Technical feasibility factors of offshore wind development limit the Oregon study area BOEM will consider for siting potential draft Call Areas coastwide. Factors include depth (less than 1300m) and slope (less than 10 percent), and the remaining area is the focus of consideration of other potential conflicts (e.g. fishing)
- Additional outreach to fishery participants should be a priority. This will provide additional information on important fishing grounds, transit routes, and other fishery-related information
- Consideration should be given to EFHCAs that were revised recently as part of the Groundfish Fishery Management Plan (FMP) Amendment 28 process, as well as the Habitat Areas of Particular Concern that were established as part of the Groundfish FMP Amendment 19 process
- BOEM should work closely with the NMFS West Coast Region and the Northwest and Southwest Fisheries Science Centers to understand impacts to fishery, ecosystem, and marine mammal surveys

MPC members agreed it is imperative for the Committee to discuss the proposed areas and for the Council to provide comment to BOEM on any draft Call Areas off Oregon. MPC members suggested that when BOEM publishes notices for any Task Force meeting, it should also provide a link for the public to provide comments directly to the Task Force, and information related to fishing, EFH, or other conflicts should be registered and discussed. It was pointed out that BOEM's own directives speak to "conflict avoidance." Additionally, Committee members asked whether the process, criteria, and metrics for selecting a Call Area were the same or different for each potential area and how the public can comment on those factors. Factors considered by BOEM during identification of draft Call Areas vary state to state and depend on site conditions, existing uses, and state priorities. While there are no set metrics or ranking criteria for siting, BOEM will collect input from the Task Force to inform the draft Call Areas and will include the rationale for Call Area site selection with the Federal Register publication. MPC members will circulate information about future opportunities to engage and provide comment on draft Call Area(s) off Oregon in coming months.

Grays Harbor Wind

[Grays Harbor Wind](#) (GHW) Chief Executive Officer Alla Weinstein presented to the Committee information on an unsolicited lease request the company, in collaboration with the [Quinault Indian Nation](#) (QIN, Quinault), is proposing a ~153.5-square-mile floating offshore wind project called Nagwia'sup, in the Quinault usual and accustomed fishing area (U&A). The lease request is expected to be submitted to BOEM by the end of September. GHW has been conducting outreach recently on its own volition. The MPC appreciates the time spent with Ms. Weinstein.

The MPC understands that GHW and the QIN have been working on this project for approximately two years. GHW reported that the site was chosen using a number of metrics. First, the area was picked primarily because it was relatively flat and assumed to have lower impact on fisheries and natural resources than areas closer to shore. However, the company recognized the project may have some impacts to fisheries, particularly pink shrimp and whiting. The area GHW is focused on is in shallower waters than the California Call Areas. MPC

members also noted it is one of the most productive fishing areas on the Washington coast and would have substantial impacts to sport and commercial prawn, pink shrimp, rockfish, halibut, sablefish, and whiting fisheries. The second consideration revolved around potential conflicts, with the Olympic National Marine Sanctuary to the north, Department of Defense activities to the south and west, and with the treaty rights of sovereign Tribal nations. GHW is pursuing a non-competitive lease, within the QIN U&A, and depends on the QIN's approval for offshore development within their U&A. GHW solicited the Pacific Northwest National Laboratories to do a high-level preliminary [environmental effects assessment](#) of potential environmental effects, including marine species. MPC members noted this report seemed incomplete and made many assumptions, but the group did not discuss the document in detail.

MPC members were concerned the assessment did not include any fisheries data. Ms. Weinstein informed the Committee that a preliminary socioeconomic study of the area also was completed and is under review by the QIN and they would have to provide permission to share the study. In contrast, information for the environmental assessment regarding marine species is currently publicly available.

Ms. Weinstein informed the Committee that when the lease request is submitted to BOEM, Grays Harbor Wind will publish the lease request on the company's website. BOEM will review and process the request, publish it online, and begin an unsolicited lease request process to determine whether there is competitive interest for a project in the same area.

The Washington Department of Fish and Wildlife (WDFW) representative on the MPC reminded the group that the Washington Coastal Marine Advisory Council will be holding a special meeting to hear about the GHW project (see information below). Ms. Weinstein is a long-time member of the Washington Coastal Marine Advisory Council (WCMAC), as is WDFW. The State Marine Spatial Plan (MSP) for the Washington coast was developed anticipating projects such as GHW and the Plan's Management Framework sets out how the state would evaluate the project and included fisheries protection and other standards. The state agencies responsible for the MSP have not yet discussed the proposal.

The MPC intends to keep the Council informed on developments and progress of the GHW project but does not recommend submitting a separate letter to BOEM or GHW at this time.

Other Considerations

- **Cumulative impacts:** The MPC noted that as more Call Areas and Wind Energy Areas are proposed or established on the U.S. West Coast, the Council should include cumulative impacts as a priority concern. Currently there are only a few sites identified for future OSW development. However, we are aware of no upper limit on how many wind areas or wind farms will eventually be approved.
- **Essential Fish Habitat Conservation Areas (EFHCAs) and Habitat Areas of Particular Concern (HAPCs):** The MPC urges serious consideration of EFHCAs and HAPCs all along the U.S. West Coast. These areas were first established in 2006 in the Pacific Coast Groundfish FMP Amendment 19 and reviewed under Amendment 28 to the FMP in 2018. EFHCAs and HAPCs represent vitally important habitat for fish and fisheries, and the two are often spatially coincident. EFHCAs are closed to either all commercial

bottom trawl fishing and/or all commercial bottom contact fishing. HAPCs are a subset of EFH that meet certain criteria and are considered especially noteworthy in terms of habitat values and ecosystem services.

- At a near-future MPC meeting, the MPC is interested in receiving briefings from:
 - NMFS, on the potential effects of offshore wind energy, aquaculture, and other emerging ocean uses on ocean surveys and the data and analyses that flow from those surveys in support of fisheries management, and
 - The United States Coast Guard, on its anticipated process for designating fishing exclusion zones in support of promoting safety in and around offshore energy installations, and on its 2021 [port access route study](#)

Upcoming Meetings and Events

- September 24: Washington Coast Marine Advisory Committee will be discussing the Grays Harbor Wind project (Nagwia'sup) at a [meeting](#). 8:30am-11:30am
- October 21: BOEM-[Oregon Task Force](#) meeting
- October 21: California State Lands Commission [meeting](#), 1 p.m.
- November 1: NOAA is planning to finalize the Aquaculture Opportunity Area off Southern California and publish its spatial atlas
- The MPC intends to convene prior to or during the November Council meeting

Summary

In summary, the MPC recommends that the Council submit comments on the Morro Bay East and West Extensions, the Humboldt Bay WEA, and the Projects off Vandenberg Air Force Base, California. These comments are all due September 13, 2021. MPC comments on future Oregon Call Areas and the Grays Harbor Wind lease application are for Council consideration and information. Lastly, we commend and thank the state Departments of fish and wildlife, the Council, NMFS, BOEM, and Council ABs for their help and participation in the Marine Spatial Planning process. The MPC appreciates consideration of our comments.

PFMC
09/10/21