

MARINE PLANNING COMMITTEE REPORT ON MARINE PLANNING

At its September 2022 meeting, the Pacific Fishery Management Council (Council) received a presentation from the Bureau of Ocean Energy Management (BOEM) on its efforts to 1) employ a spatial suitability modeling exercise to identify Draft Wind Energy Areas (WEAs) off the Oregon Coast, and 2) move toward a Final Sale Notice for California WEAs by the end of this year. The Marine Planning Committee (MPC) submits this supplemental report to provide an update on both efforts.

Update on BOEM's Utilization of Suitability Modeling

The National Centers for Coastal Ocean Science (NCCOS) developed a suitability model that has been used to identify Aquaculture Opportunity Areas, and for use in offshore wind energy planning in the Gulf of Mexico (GOM). BOEM has indicated this approach will be used for wind energy planning activities in the Gulf of Maine, Central Atlantic, and off Oregon. BOEM and NCCOS representatives presented an overview of the model to the MPC in September and met recently with a group of Oregon fishing industry members. BOEM has expressed interest in meeting again with the Council's MPC to provide updates on the modeling efforts and receive feedback from the MPC and other advisory bodies.

BOEM representatives will update the Council on BOEM activities and will be available to answer questions from Council members. Questions at this Council meeting or future MPC meetings may include:

- 1) How does BOEM/NCCOS plan to incorporate effort data from smaller vessels that lack automatic identification systems or vessel monitoring systems, and from other sectors such as charter boats that lack spatial effort data?
- 2) How does BOEM/NCCOS plan to combine the various fishing sectors into a single fisheries sub-model?
- 3) What weighting factors does BOEM/NCCOS intend to employ, and how will the weighting be determined?
- 4) How will NCCOS/BOEM include fish-specific biological data, such as primary, productive spawning grounds, particularly for groundfish species?
- 5) In siting draft WEAs, how will BOEM/NCCOS address information that is not well depicted by available spatial data (and thus will not go in the spatial model) but will have to be considered by BOEM. For example, fishery behavior such as bycatch avoidance.
- 6) Which data sets have been included, in response to the National Marine Fisheries Service (NMFS) Call for Information, June 2022, and Oregon Department of Fish and Wildlife comments ([fishery data layers](#), June 2021; [biological, human and physical layers](#), June 2021; Call for Information, June 2022) to BOEM?
- 7) In the GOM, BOEM developed an environmental assessment (EA) to analyze the entire GOM Call Area rather than an EA focused only on the Final WEAs that will be identified through the Area Identification process. See [BOEM-GOM Activities website](#). Is BOEM contemplating a similar approach, or possibly a programmatic approach, off the Oregon Coast?

The MPC is encouraged by the additional opportunity to consider and provide input on Oregon Call Areas and Wind Energy Areas, and how fisheries could be impacted. We see the potential for better understanding how BOEM weighs the factors it is required to consider under the Outer Continental Shelf Lands Act. We also recognize the challenge and complexity of the data gathering and modeling effort. It will be very important for the sake of transparency and understanding that the public and stakeholders know which data is used to map the many sectors and understand the framework for scoring/weighting each. The MPC may convene a meeting in late November or early December to hear details related to the integration of data sets used in the NCCOS modeling exercise and to give feedback to BOEM and NCCOS.

Update on BOEM California Final Sale Notice

BOEM released the [Final Sale Notice \(FSN\)](#) for both the Humboldt and Morro Bay, California lease areas on October 18. BOEM will hold a mock auction for potential bidders on Dec. 5, 2022, with a full lease auction starting at 7 a.m. on Dec. 6, 2022. BOEM listed 43 bidders as qualified to participate in the auction.

The FSN includes three lease areas off central California (Morro Bay) and two lease areas off northern California (Humboldt). It also includes several lease stipulations as part of the multi-factor bidding process. For example, BOEM will offer bidding credits for bidders who enter into community benefit agreements (CBAs) or invest in workforce training or supply chain development; require winning bidders to make efforts to enter into project labor agreements; and require engagement with Tribes, underserved communities, ocean users and agencies.

Regarding bidding credits, BOEM increased the CBA bidding credit from 2.5 percent to 5 percent and added a second General CBA, also 5 percent, in an effort to encourage bidders to take advantage of the bidding credits and enter into one or both CBAs. The two CBAs, each with a potential 5 percent bidding credit are:

- A Lease Area Use CBA with one or more communities, stakeholder groups, or Tribal entities whose use of the geographic space of the Lease Area, or whose use of resources harvested from that geographic space, is expected to be impacted by the Lessee's potential offshore wind development, and
- A General CBA with one or more communities, Tribes, or stakeholder groups that are expected to be affected by the potential impacts on the marine, coastal, and/or human environment (such as impacts on visual or cultural resources) from activities resulting from lease development that are not otherwise addressed by the Lease Area Use CBA.

BOEM, based on feedback from the Proposed Sale Notice, developed and refined some of the lease stipulations. Some of the provisions include:

- Advance Lessee engagement with Tribes and parties that may be affected by the Lessee's activities on the outer continental shelf;
- Protect national security;
- Require the Lessee to coordinate with the California Coastal Commission on plan submissions;

- Require the Lessee to use an independent Fisheries Liaison and protect the environment through the imposition of vessel speed requirements, marine mammal monitoring measures, a site-specific spill prevention and response plan, a critical operations and curtailment plan, requirements related to the avoidance of intentional contact within hard substrate, rock outcroppings, seamounts, or deep-sea coral/sponge habitat, and use of low-energy geophysical survey equipment.

Additional documents, including a detailed response to comments, relating to the California FSN can be found online at: <https://www.boem.gov/renewable-energy/state-activities/california>. The response to comments includes several responses to Council comments and recommendations.

PFMC
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