

HABITAT COMMITTEE REPORT ON HABITAT ISSUES

Bureau of Ocean Energy Management (BOEM) Oil and Gas Decommissioning Draft Programmatic Environmental Impact Statement

Rick Yarde (BOEM) and Linette Makua (BOEM) presented on the Oil & Gas (O&G) Decommissioning Activities on the Pacific Outer Continental Shelf (POCS) Draft Programmatic Environmental Impact Statement (PEIS). Since impacts to the marine environment from decommissioning activities are expected to vary across platforms, and different decommissioning methods may be utilized depending on the platform, the intent of the PEIS is to provide an analysis to which future, site-specific National Environmental Policy Act (NEPA) analyses may tier. The PEIS analyzes four alternatives for decommissioning the 23 O&G platforms on the POCS off the southern California coast. Eight of the platforms are already in the beginning phases of decommissioning. The PEIS decommissioning alternatives include:

- Alternative 1: Complete removal of platforms, pipelines, and obstructions; onshore disposal of all materials
- Alternative 2: Partial removal of the upper platform to a depth of at least 85 ft; onshore disposal of topside removal, abandonment-in-place of the lower jacket and associated pipelines in various configurations
- Alternative 3: Partial removal of the upper platform to a depth of at least 85 feet; placement of topside removal in an artificial reef (location TBD), abandonment-in-place of lower jacket and associated pipelines
- Alternative 4: No action

The Council submitted a comment letter on BOEM's Notice of Intent (NOI) to prepare a PEIS on October 14, 2021. The HC is in the process of developing comments on the PEIS, should the Council direct the HC to draft a letter for consideration. The draft letter will be shared with the Marine Planning Committee for their review. Comments and recommendations will focus on impacts to essential fish habitat (EFH) and other sensitive benthic habitats, marine fish, contamination from shell mounds and surrounding sediments, oil and hazardous material spills, spread of invasive aquatic species offshore and within harbors/ports from onshore disposal, and cumulative impacts. The public comment period for the PEIS has been extended to December 12, with the possibility of being extended further. The HC notes that the Quick Response process will be necessary because the timing of the public notice did not allow time to develop a draft letter for Council review at this meeting.

NOAA Deep Sea Coral Research and Technology Program (DSCRTP) and Ocean Exploration Update

Heather Coleman and Tom Hourigan (DSCRTP) presented on the National Oceanic and Atmospheric Administration (NOAA) DSCRTP, including the desire to work with the Council to identify mapping, survey, and analysis priorities that can be addressed in the next few years. The DSCRTP is now finished with their west coast initiative but may have funding for targeted projects on the Pacific coast over the next few years before their next west coast initiative begins in 2028. They are seeking feedback on targeted survey priorities from the Council and associated agencies. In addition to the DSCRTP, Kasey Cantwell presented on the NOAA Ocean Exploration (OE)

program. The Okeanos Explorer is currently in the Pacific Ocean surveying in deep water (>200m) and the OE Program is seeking input on priority areas in Fiscal Year 23-24. The OE Program needs timely feedback by the time Okeanos Explorer cruise continues in spring.

The HC sees these as great opportunities to acquire new high-resolution habitat mapping and species-habitat survey information and analyses to meet Council fisheries management needs. The HC discussed a few high priority ideas, but notes that a focused discussion and prioritization will best serve this opportunity. The HC will follow up with the OE team for a better idea of their timeline for this input. If the Council desires, the HC will develop recommendations with input from advisory bodies to provide NOAA with survey and analysis priorities before March.

Lower Columbia River Dredge Disposal Management Plan

The Portland District of the U.S. Army Corps of Engineers (USACE) is in the process of updating its 20-year [Lower Columbia River Dredged Material Management Plan \(DMMP\)](#). The Corps has determined that the existing disposal sites are near capacity and will be unable to support dredge material over the next 20 years. The Corps intends to establish additional in-river disposal sites, including new disposal along the river shoreline which will decrease the shorezone depth by as much as 10 feet in those areas. Some key concerns for the Council are impacts to juvenile salmon EFH and habitat areas of particular concern, as well as increased seabird predation on juvenile salmon. The draft DMMP includes the draft EIS and will be released in June 2023 with a 45-day comment period. The District anticipates USACE approval of the DMMP in October 2024. Should the Council wish to comment on the DMMP, the HC will be prepared to develop a comment letter for Council consideration.

Pacific Marine and Estuarine Fish Habitat Partnership Habitat Classification

Jamey Selleck (Natural Resource Consultants) and Kate Sherman (PSMFC) provided a presentation on a new report of the state of the knowledge of nearshore fish habitats on the Pacific Coast, which was developed by the Pacific Marine and Estuarine Fish Habitat Partnership (PMEP, pacificfishhabitat.org). This report 1) describes a spatial framework (managed by PMEP and PSMFC) developed for the nearshore, 2) classifies nearshore and offshore waters to 100 m depth off CA, OR, and WA using the Coastal and Marine Ecological Classification Standard (CMECS), 3) describes fish and invertebrate assemblages associated with these habitats, and 4) identifies potential stressors and data gaps. The database is accessible to all via ArcGIS online and should be a valuable resource for spatial planning and future EFH updates.

Habitat Indicators Update

NOAA requested a habitat indicator assessment for the rebuilding plans for the Sacramento spring run in March of 2022 to be completed by November 2022. New and modified habitat indicators were produced by the Science Centers that differed from Sacramento Falls and Klamath runs mainly in adult migration and rearing in freshwater. Discussions are ongoing with California Department of Fish and Wildlife concerning pre-spawn mortality data starting in 2001. Notably, a number of habitat indicators for spawning, incubation, and freshwater rearing indicated poor habitat conditions over the past three years. Further work will address questions concerning how stock productivity tracks indicators.

Update on Klamath Dam Removal

The final Federal Energy Regulatory Commission (FERC) approval for the Klamath Dam removal project is expected sometime in late November 2022. FERC's Staff recommendation in its Final EIS is for full approval with only minor conditions that are expected to be easily met. Once FERC approves dam removal, preparation will proceed through the rest of 2023 with reservoir drawdown to begin in December 2023. Actual dam deconstruction would then proceed through 2024, with final release of the river during the rainy season of winter 2024-spring 2025 so as to flush out released sediments as rapidly as possible while salmon are mostly not present. The Habitat Committee has previously noted that infrastructure removal will directly impact fishery monitoring efforts at monitoring stations as well as impact fish outmigration and returns. The HC suggests the STT consider how these factors will affect the Klamath stock assessment and management.

Update on Water Temperature Standards for California Central Valley Salmon

The debate over maximum average water temperatures within the Central Valley Project (CVP) continues, particularly given the need to protect ESA-listed winter-run and spring-run Chinook salmon spawning and rearing habitat below Keswick Dam. Legal challenges to the 2019 CVP Biological Opinion (BiOp) also continue in U.S. District Court of California (*PCFFA, et al. vs. Raimondo* [Case No. 1:20-cv-00431]; *CNRA vs. Raimondo* [Case No. 1:20-cv-00426]). The CVP is currently being managed in accordance with the 2019 BiOp but as Court-modified by an annual Interim Operations Plan (IOP). Salmon egg mortality numbers resulting from the 2022 temperature management season are still being developed. The 2022 IOP has now expired. A proposed replacement 2023 IOP (nearly identical to the 2022 IOP) is now being debated in Court. Multi-party briefing will end on December 12, 2022, after which the Court is expected to rule on the 2023 IOP proposal. Given poor juvenile winter-run Chinook salmon survival results from the 2022 IOP, the PCFFA et al. Plaintiffs have asked for lower maximum average temperature standards.

The Council voiced its own concerns about non-protective maximum average water temperature standards in its letter of September 12, 2022, to the BOR, which has been brought to the attention of the Court. Meanwhile, drought conditions in the California Central Valley are expected to continue through at least 2023, but with slightly more storage in its still-depleted reservoirs than in 2022.

National Infrastructure Investment and Jobs Act

The National Infrastructure Investment and Jobs Act provides roughly \$3 billion for NOAA over 5 years. This included significant funding addressing habitat restoration, conservation, and coastal resilience, and is therefore an unprecedented opportunity to make a difference for coastal fisheries, threatened and endangered species, and coastal communities. In addition to increases in existing Pacific Salmon Recovery and Coastal Zone Management investments, the funding includes nearly \$900 million allocated to competitive grants. The grants programs attracted hundreds of proposals nationwide. NOAA will likely support numerous projects on the Pacific Coast and will announce funded proposals in February.

Riverscape Restoration Workshop

NOAA Fisheries WCR is co-sponsoring a 4-day workshop in January-February 2023 on riverscape restoration. The workshop aims to expand the pace and scale of riverscape restoration, consistent with the WCR's focus on large-scale and ambitious opportunities that make meaningful

differences for salmon and steelhead conservation and recovery. The workshop is open to the public. For more information and workshop registration visit RestoringRiverscapes.org.

California State Listing of Pacific Leatherback Sea Turtle

On October 14th, 2022, the California Fish and Game Commission added the Pacific leatherback sea turtle (*Dermochelys coriacea*) to the list of endangered species under the California Endangered Species Act. The Notice of Findings for the listing can be found here: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=205934&inline>.

HC Summary of Recommendations:

1. **BOEM Oil and Gas Decommissioning Draft PEIS:** Task the HC with drafting a comment letter to BOEM. The comment deadline is December 12, 2022, and will require the Council's Quick Response process.
2. **NOAA Survey Opportunities:** Support the HC's recommendation to develop survey recommendations or data analyses and provide to NOAA in early 2023, with input from other ABs as appropriate.
3. **Lower Columbia Dredge Disposal Management Plan:** The comment period will open in June 2023, but Council could direct the HC at this time to plan on drafting a comment letter when the DDMP becomes available.

PFMC
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