

## MARINE PLANNING COMMITTEE REPORT ON MARINE PLANNING ISSUES

The Marine Planning Committee (MPC) met February 2, 2023, to discuss current marine planning issues and to prepare a report for the Council's consideration at its March 2023 meeting. The MPC received presentations on recent and upcoming Bureau of Ocean Energy Management (BOEM) activities, the National Centers for Coastal Ocean Science (NCCOS) suitability modeling, fisheries data being used in the model, vessel monitoring system (VMS) data, state-by-state updates, and the National Oceanic and Atmospheric Administration (NOAA) Aquaculture Opportunity Areas (AOAs). This Report (G.3.a, MPC Report 1) also includes a brief update on the West Coast Oceans Alliance (WCOA), although that was not discussed during the MPC meeting. This report includes overviews of these issues, describes points of MPC discussion, as well as MPC recommendations for Pacific Fishery Management Council (Council) consideration. Additional details on several topics, including the slide presentations and video recording, are posted to the Council's MPC meeting [webpage](#) and available via links referenced in this report. Appendix 1 of this Report contains additional details on the spatial suitability modeling and data presented.

### **BOEM overview/update**

The MPC received a number of updates from BOEM staff on recent activities off the west coast:

- BOEM staff informed the MPC of the ongoing effort initiated by the National Academies of Sciences, Engineering, and Medicine to create a Standing Committee on Offshore Wind Energy and Fisheries. The [Committee membership](#) was announced on Friday, February 3rd.
- BOEM also reported on the [information collection request submitted by NOAA](#) seeking opinions, values, and attitudes of Oregon Coast residents relative to offshore wind energy development. This is just one avenue being utilized to gather information to inform the process. The deliverable is expected in Fiscal Year 2025.
- BOEM completed the auction for five lease areas off California on December 7, 2022. Five provisional winners are listed [here](#). It is unknown when the leases will be executed. The Inflation Reduction Act added a [statutory provision](#) which would not allow BOEM to issue a lease for offshore wind (OSW) energy development unless an offshore oil and gas lease sale has been held. BOEM plans to hold an oil and gas lease sale no later than March 31, 2023 in the Gulf of Mexico. BOEM is working with the winning bidders and encouraging them to put together their fisheries, tribal and agency communications plans.
- In Washington, there has been no further action on the two unsolicited lease requests received in 2022. If the lease requests are determined to meet the required qualifications, the determination of competitive interest is the next step in BOEM's process. The process BOEM used to determine competitive interest in the Gulf of Maine was mentioned as a possible model for Washington, if and when that stage is reached.
- BOEM published the proposed [Renewable Energy Modernization Rule](#) on January 30, 2023. This proposed rule *"would facilitate the development of OCS [Outer Continental Shelf] renewable energy and would promote U.S. climate and renewable energy objectives in a safe and environmentally sound manner while providing a fair return to the U.S. taxpayer. These important goals would be accomplished by modernizing regulations, streamlining overly*

*complex and burdensome processes, clarifying ambiguous provisions, enhancing compliance provisions, and correcting technical errors and inconsistencies.”* The proposed rule contains eight major components:

1. Eliminating unnecessary requirements for the deployment of meteorological buoys.
2. Increasing survey flexibility.
3. Improving the project design and installation verification process.
4. Establishing a Public Renewable Energy Leasing Schedule.
5. Reforming BOEM's renewable energy auction regulations.
6. Tailoring financial assurance requirements and instruments.
7. Clarifying safety management system regulations.
8. Revising other provisions and making technical corrections.

This 85-page proposed rule has a public comment deadline of March 31. The MPC did not have sufficient time to thoroughly review the proposed rule prior to its February 2<sup>nd</sup> meeting but plans to have further discussions during our February 23<sup>rd</sup> meeting to determine if the Council should consider a quick response letter.

- BOEM reported that the Department of the Interior published a [final rule](#) that transfers certain regulations governing offshore renewable energy activities from BOEM to the Bureau of Safety and Environmental Enforcement (BSEE). This rulemaking does not make substantive changes to current regulatory requirements, nor does it impose additional regulatory burdens. BOEM's regulatory authority will continue to cover siting; leasing activities; review of construction plans, site assessment plans, and general activity plans; and National Environmental Policy Act review.

### **Offshore Wind Suitability Modeling and Data**

BOEM staff provided an overview of the presentations (described in Appendix 1), which consisted of the suitability modeling process (James Morris), fisheries datasets (National Marine Fisheries Service (NMFS) and the Oregon Department of Fish and Wildlife (ODFW)), and vessel monitoring system (VMS) datasets (BOEM). BOEM also clarified the term ‘constraint’ which for purposes of this modeling exercise means areas completely restricted from OSW development.

Regarding the Coos Bay Call Area, there are two constraints that were not known when the Call Areas were identified: A Department of Defense (DOD) exclusion zone and coastal fairways proposed in the Pacific Port Access Route Study (PacPARS). BOEM is currently in discussion with the United States Coast Guard (USCG) about the Northwest corner of the Coos Bay Call Area which the PacPARS report proposes as an access route for Coos Bay. Because those discussions are ongoing, that area is not being considered a constraint by BOEM. The Call Areas were originally 1.17M acres; but after removing the DOD and USCG constraints, there are roughly 500,000 unconstrained acres.

### **Spatial Suitability Model**

NCCOS provided a brief overview of the suitability model, which was also presented at the September 2022 [Council meeting](#) and in other forums. The objective of the modeling is to provide support to BOEM to identify areas that are most suitable for OSW energy development, taking into account the entire ecosystem, including human uses. This approach has been used for OSW planning in the Gulf of Maine, the Gulf of Mexico, and the Central Atlantic regions, and in

identifying candidate NOAA AOAs. The model incorporates a range of natural resource elements and human uses, consolidated into submodels. The normalized scores of those submodels are combined to provide an overall suitability score for each one-mile square grid cell. Figure One is an example of the general process.

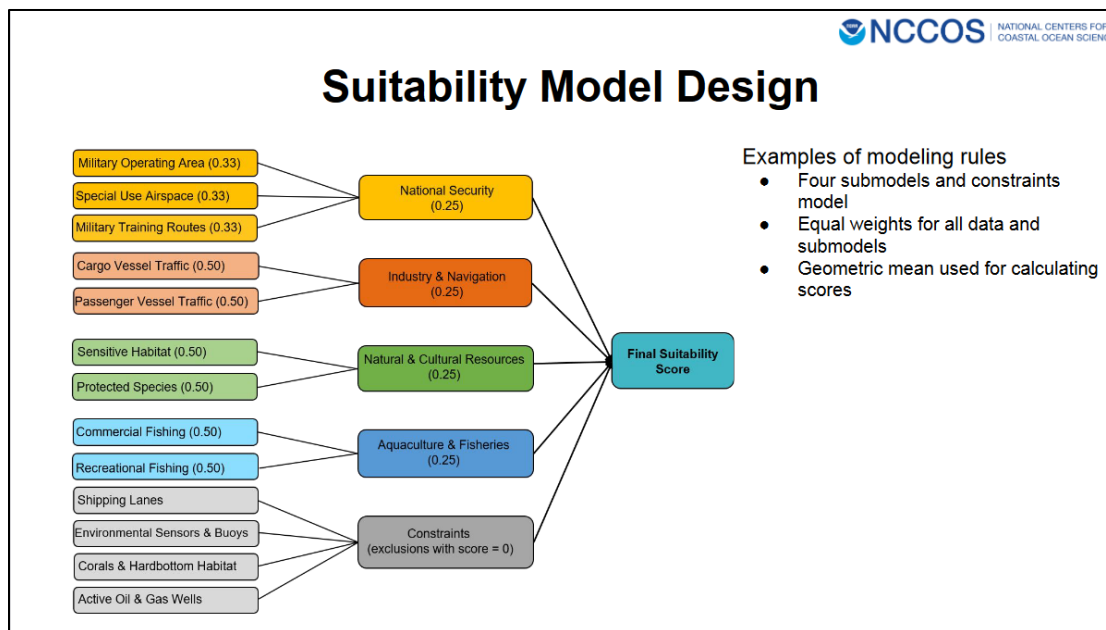


Figure 1: Schematic of Suitability Modeling Process. (Note: the weighting values in this schematic are for illustrative purposes only and do not necessarily reflect the weighting used for Oregon Call Areas)

### Fisheries Datasets

NMFS and ODFW presented their joint analysis of fisheries activity, using effort and revenue data, in the BOEM Call Areas. BOEM stated it will use the NMFS and ODFW fisheries data in the NCCOS model. Nine fisheries were included in the NMFS/ODFW analysis -- eight commercial and one recreational charter. Other fisheries were considered but could not be included due to data and/or time limitations. NMFS and ODFW explained methods they used to ensure the maps accurately reflected the amount of space actually used by the fisheries. They also presented five scenarios they recommended to BOEM for consideration in the fisheries submodel. Four are based on considerations for the four trawl fisheries, which are assumed to have the least operational flexibility. The NMFS and ODFW analysis and recommendations were met with support from those who provided comments.

### Vessel Monitoring Systems data

BOEM staff presented an update of the vessel monitoring system (VMS) fisheries datasets being used by BOEM. BOEM intends to use the VMS data as confirmation for the fisheries data described above and for visualization purposes. BOEM summarized the process for creating VMS datasets and presented maps comparing the NMFS/ODFW effort data with VMS data for fisheries having both datasets available. Datasets are not identical but have some similar patterns. For highly migratory species, the VMS data are higher resolution than the effort data available for albacore tuna. For salmon troll, VMS tracks provide some indication of where fishing activity occurs but

there is no effort or revenue data for this fishery to use as a basis for comparison, so VMS is the best available information. BOEM welcomes feedback and any additional information available about the spatial footprint of fisheries.

### Next Steps

BOEM intends to proceed with additional engagement opportunities and with the suitability modeling to help identify the most suitable areas for draft Wind Energy Areas (WEAs). When BOEM announces draft WEAs, several things will happen at once:

- Formal public notice in the Federal Register will open a public comment period, possibly for 30 days. This is an additional step to BOEM's leasing process to receive public input on WEAs before they are finalized. This step is not in regulation and as such the length of the comment period is not yet finalized.
- Maps and shapefiles will be available on BOEM's website.
- The NCCOS report on the suitability modeling conducted for the Call Areas off Oregon will be made available publicly.

Following the public engagement at the draft WEA stage, BOEM will announce final WEAs and the ensuing environmental assessment process will include further public involvement leading into BOEM releasing proposed and then final lease areas.

### Discussion and Feedback

Although the MPC remains concerned about BOEM's overall planning process and the data that will be included in the spatial suitability model, the MPC supports the NMFS and ODFW fisheries model analysis and recommendations. The following comments, observations, and suggestions offer considerations relevant to this and for future analyses:

- This analysis is a step forward in efforts to reflect the importance of the space within the Call Areas to fishing and addresses the challenge of synthesizing/overlaying multiple data sets.
- The NMFS/ODFW fishery-related alternatives for ranking spatial suitability would be a beneficial improvement over similar analyses elsewhere. The MPC encourages BOEM to give the alternatives strong consideration. However, some MPC members would like additional information and explanation about the fishery suitability scores.
- Some MPC members suggested incorporating a better representation of temporal variability, to reflect the importance of fisheries that have high importance but only in relatively few years. The data currently combines data from multiple years.
- Account for fishing vessels that avoid bycatch and restricted species, including the ability to search for aggregations of target stocks with lower potential for bycatch, and to follow schools as fish move.
- Use the data from NMFS/ODFW where available and use VMS where it can improve the data by including more sectors (e.g., salmon troll) or more refined scale (e.g., highly migratory species) than what is provided in the NMFS/ODFW data. It was noted that VMS is potentially able to provide a more accurate, refined depiction of fishing tracks and potentially provide better resolution of fishery importance in a given grid cell.
- Add mechanisms to account for boats fishing off OR and landing in Washington or California, where such gaps exist.
- Incorporate pounds of protein in each grid cell to address seafood security and community impacts.

- Spatial data for recreational fisheries data is either not available or is too coarse scale to be used for this purpose, so the MPC is considering – and encourages others to consider - how recreational fisheries may be incorporated in future efforts.
- Show the DOD and USCG PacPARS areas overlaid on the Scenario 5 baseline map (see Appendix 1 to this MPC Report).
- Consider using this data to evaluate the entire coast to find the least conflicted areas. Request that BOEM look beyond the two Call Areas before designating a draft WEA. BOEM explained that they are following this process and using the spatial modeling to increase transparency and to see if a suitable area can be identified within the Call Areas.
- Clarify whether cable corridors would be allowed to go through the DOD constraint area to shore, because if they had to be routed north then it seems they would have to go through the Heceta Bank Essential Fish Habitat Conservation Area. One MPC member, the Director of the Oregon Fisherman’s Cable Committee, noted that for communications cables, they are not allowed to traverse the DOD boundaries in the vicinity of the Coos Bay Call Area.
- The tribes are concerned that if these Call Areas are developed, then the displaced fisheries could impact the tribes’ areas either with more vessel traffic and/or the unknown ecosystem impacts of fisheries moving into different areas. The tribes want to see a comparable analysis of the ecosystem impacts and identification of sensitive areas, like larval nursery areas.
- The MPC asked BOEM for an update on the other model data layers, particularly those for habitat and ecosystem (upwelling and primary productivity) at its Feb 23 meeting.

Some members of the MPC, as well as members of the public, suggested that BOEM should rescind the Call Areas and run the suitability model over the entire coast of Oregon to identify potential Call Areas that may have fewer conflicts. This sentiment is based on concerns that 1) the DOD exclusion area and the PacPARS Fairways result in the exclusion of a large portion of the Coos Bay Call Area; 2) the remaining areas (especially in the Coos Bay Call Area) are clearly important fishing areas; and 3) the existing depth limit of 1300m is no longer a true technological limitation and areas beyond 1300m should be considered for potential OSW development. While the full MPC did not endorse making a recommendation for BOEM to start over, it has become clear that only small portions of the Coos Bay Call Area remain as potentially suitable for OSW areas, due to non-fishing constraints, and the remaining areas in the Coos Bay Call Area as well as the entire Brookings Call Area are very important to fisheries and ocean ecology.

**The MPC recommends that the Council consider the points described above and convey them to BOEM, for incorporation into decisions about OSW energy planning and development on the Pacific Coast.**

## **State updates**

### California

When the California Coastal Commission conditionally concurred on BOEM’s request for a consistency determination for the lease sales off California in the Spring of 2022, it included the following language: “BOEM will work with the Commission and other state and federal agencies to develop and facilitate a working group consisting of fishing organizations and representatives from different regions/ports of the state, representing different fisheries and gear types, and in both

the commercial and recreational sectors, lessees and state and federal agency staff.” It is expected this working group will be created shortly after lease signing. [AB-525 \(2021\)](#) requires the California Energy Commission (CEC) prepare a strategic plan for offshore wind energy developments installed off the California coast in federal waters. One of the chapters required in the strategic plan is the identification of sea space suitable for wind energy areas. In the coming weeks the CEC will be announcing webinars/workshops for presenting to the public sea space planning efforts.

### Oregon

In addition to Oregon-related updates elsewhere in this report, we note that some MPC members are also part of a working group tasked with updating state policy related to subsea cables. The Territorial Sea Plan Part IV Working Group, part of the Oregon Ocean Policy Advisory Council (OPAC) process, is updating this section of Oregon’s Territorial Sea Plan to account for new uses of subsea cabling that could include cables designed for offshore renewable energy. Once the Working Group finishes, OPAC will consider the group’s findings and forward it to the Oregon Department of Land Conservation and Development for approval.

### Washington

The MPC continues to track progress on the two unsolicited bid requests to BOEM off the Washington coast. [The Washington Coastal Marine Advisory Council](#) (WCMAC) recently sent a [letter](#) to Washington Governor Inslee, which included recommendations on how fisheries representatives should interact with BOEM and the State. The letter focuses on the engagement process with BOEM and construction of an OSW advisory committee that includes stakeholders, as opposed to the standard BOEM Intergovernmental Renewable Energy Task Force.

### Aquaculture Opportunity Areas

The MPC received an update from Ms. Diane Windham, NOAA California Regional Aquaculture Coordinator for the Aquaculture Office. NOAA will prepare a summary scoping report based on the comments received on the Notice of Intent to Prepare a Programmatic Environmental Impact Statement for Identification of One or More Aquaculture Opportunity Area(s) in Southern California. This is not a National Environmental Policy Act requirement but is intended to summarize the input received during the comment period. The Scoping Report is expected to be released before the opening of the March PFMC meeting. NOAA is preparing the Draft Programmatic Environmental Impact Statement (EIS) and anticipates publishing in the Federal Register in mid-2024. Regarding the proposed [Pacific Ocean Aquafarms offshore finfish facility](#), NOAA is preparing a Draft EIS and there is no timeline for its availability to the public.

### West Coast Ocean Alliance

In December 2022, the [National Defense Authorization Act](#) for Fiscal Year 2023 was passed by Congress and signed into law. The law authorizes funding, via the National Oceanic and Atmospheric Administration, to support four designated Regional Ocean Partnerships (ROP), one of which is the West Coast Ocean Alliance (WCOA). WCOA is adding staff capacity, starting to develop a strategic plan, and pursuing an offshore wind energy summit for later in 2023, among other activities. WCOA Executive Director John Hansen provided an informational document (G.3, Attachment 1) for the Council’s March 2023 Briefing Book and will provide an overview of recent and upcoming activities under this agenda item.

**Upcoming events, comment opportunities, etc.**

Pacific Ocean Energy Trust [Northwest Offshore Wind Conference](#) will be held in Portland, Oregon February 28 – March 1, 2023. This conference is focused on Pacific Northwest OSW development, opportunities, and challenges. Several MPC members will attend.

The U.S. Department of Energy is hosting a [Floating Offshore Wind Shot™ Summit](#) February 22 – 23, 2023. This virtual summit will “dive into the technical, social, equity, and environmental challenges and opportunities” OSW presents.

The U.S. Small Business Administration is hosting a [small entity roundtable](#) to discuss BOEM’s proposed Renewable Energy Modernization Rule - Feb 28<sup>th</sup>.



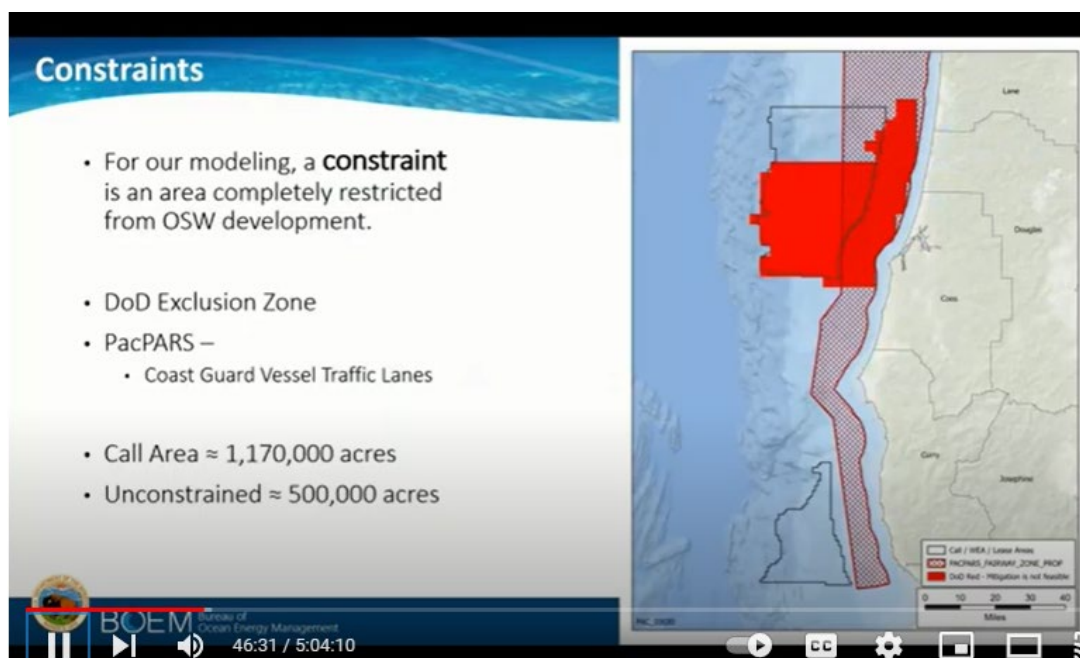
## Appendix 1: Additional Information on Spatial Suitability Modeling and Data

### Offshore Wind Suitability Modeling and Data

#### 1. Introduction

In September 2022, the Council received a presentation from James Morris, National Centers for Coastal Ocean Science (NCCOS), on a spatial suitability model which allows decision-makers to take a holistic view of current ocean uses and other data layers within a defined area. The model is being used to inform BOEM's identification of draft WEA within the boundaries of the two Oregon Call areas. This modeling exercise has also been utilized by BOEM in identifying Draft Wind Energy Areas in the Gulf of Mexico and the Central Atlantic as well as informing Draft Call Areas in the Gulf of Maine.

#### 2. NCCOS spatial suitability model



#### 3. NMFS/ODFW fisheries data

**NOAA's National Marine Fisheries Service (NMFS) and the Oregon Department of Fish and Wildlife (ODFW) Fisheries Analysis and Recommendations ([slides](#) and [recording](#)).** NMFS and ODFW presented their joint fisheries analysis and recommended options to BOEM for consideration in the NCCOS siting model for Oregon. BOEM stated it will use the NMFS and ODFW fisheries data in the model instead of VMS data as it previously used for siting.

Kelly Andrews, NMFS, identified the fisheries included in the analysis, data and methods used, and maps of fishery footprints. The goal was to generate accurate, representative footprints for

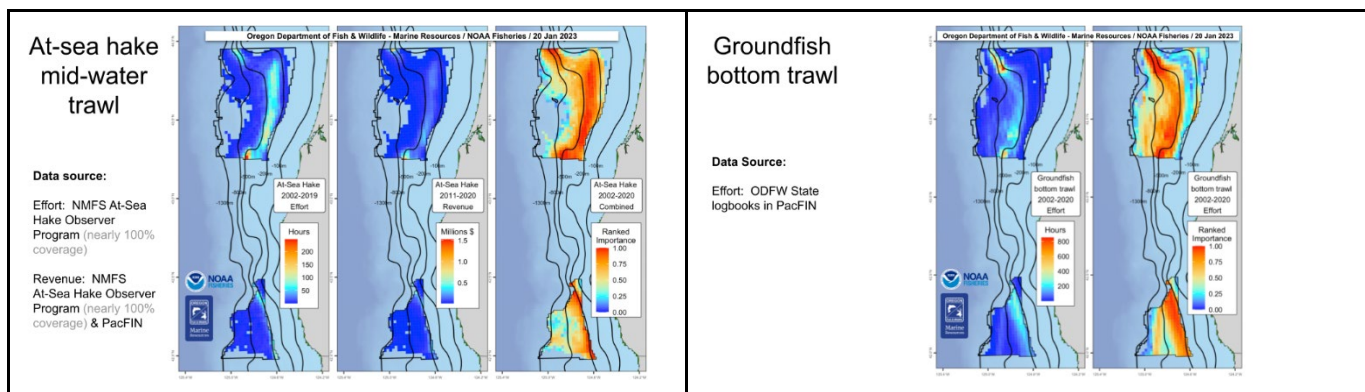


each fishery. The analysis focused only on the two Call Areas off Oregon and the fisheries operating in that space.

*Nine fisheries included* -- at-sea and shoreside hake, groundfish bottom trawl, fixed-gear pot and fixed-gear longline, pink shrimp trawl, Dungeness crab, and commercial and charter albacore. Salmon, halibut, and recreational (except charter albacore) fisheries were considered, but were not included due largely to time limitations, as well as data limitations. CPS generally operates closer to shore so was not included.

*Methods* -- Individual gear set and retrieval geocoordinates and duration fished were extracted from state and federal logbook and federal observer program datasets. Each trawl towline or point location fished was matched to a corresponding PacFIN fish ticket from each fishery to estimate annual and cumulative fishing effort and revenue associated with each gear set. These lines and points of fishing effort and revenue were then overlaid and summarized on a 2x2-km grid. Three key steps were then used on the resulting grids to integrate both the effort and revenue metrics: 1) effort and revenue data were used to calculate the “Ranked Importance” of each grid cell, 2) effort and revenue data were then rank transformed and normalized (between 0 and 1), and 3) the two metrics were then combined into a single grid cell value by selecting the highest normalized value for each grid cell. These methods were used to adequately process the highly skewed fishing distributions, that were dominated by those few grid cells that had exceptionally high values for effort and revenue. Had these data not been processed this way, the resulting maps would have *de-emphasized* the amount of space actually used by any given fishery. Finally, the combined normalized scores for all nine fisheries were integrated into a single score for each grid cell, using methods described in NOAA’s Aquaculture Opportunity Area Atlas. This resulted in a final relative suitability score for each grid cell for offshore wind energy development relative to fisheries. (See Scenario 5 below.) In all maps, warmer colors identify areas important to fisheries.

*Fishery footprint maps* -- The maps are available in the presentation slides (#s 27-36 and copied below), as well as on [OROWindMap](#) (click on Data tab/Human/FISHING ODFW NMFS CALL AREA SLIDERS).

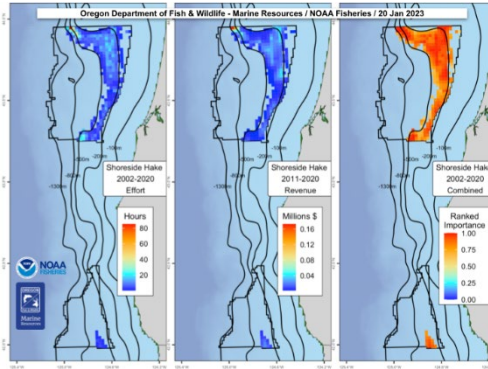


## Shoreside hake mid-water trawl

### Data Source:

Effort: ODFW State (2002-2010, 2020) & PacFIN logbooks (2011-2019)

Revenue: NMFS West Coast Groundfish Observer Program & ODFW Fish Tickets in PacFIN

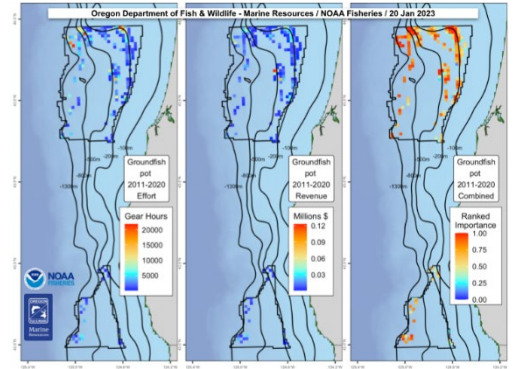


## Groundfish fixed gear - pot

### Data Source:

Effort: ODFW State logbooks

Revenue: ODFW State logbooks & ODFW Fish Tickets in PacFIN

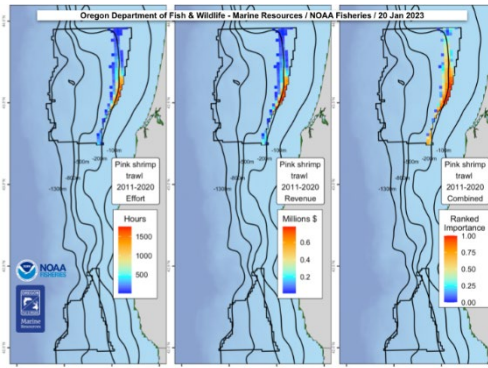


## Pink Shrimp trawl

### Data Source:

Effort: ODFW State logbooks

Revenue: ODFW State logbooks & ODFW Fish Tickets in PacFIN

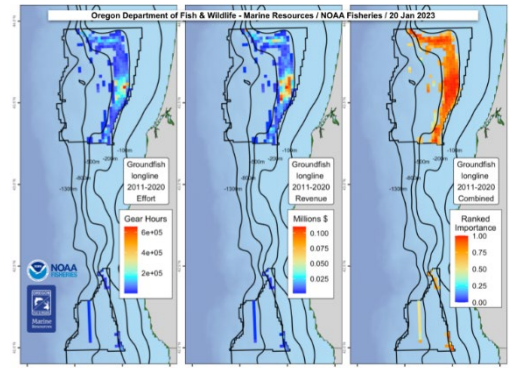


## Groundfish fixed gear - longline

### Data Source:

Effort: ODFW State logbooks

Revenue: ODFW State logbooks & ODFW Fish Tickets in PacFIN

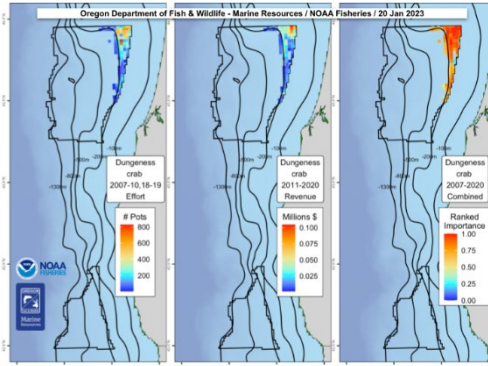


## Dungeness crab

### Data Source:

Effort: ODFW State logbooks

Revenue: ODFW State logbooks & ODFW Fish Tickets in PacFIN



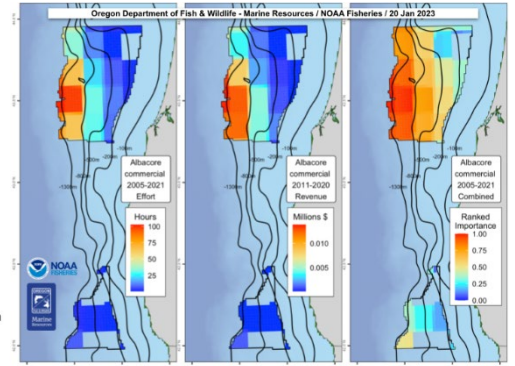
## Albacore commercial

\*Resolution of fishing coordinates was at 10 arcmin grid - we downscaled to 2x2-km grid

### Data Source:

Effort: NMFS SWFSC federal logbooks

Revenue: NMFS SWFSC federal logbooks & ODFW Fish Tickets in PacFIN for revenue

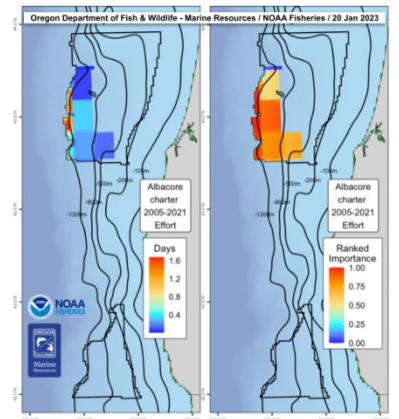


## Albacore charter

\*Resolution of fishing coordinates was at 10 arcmin grid - we downscaled to 2x2-km grid

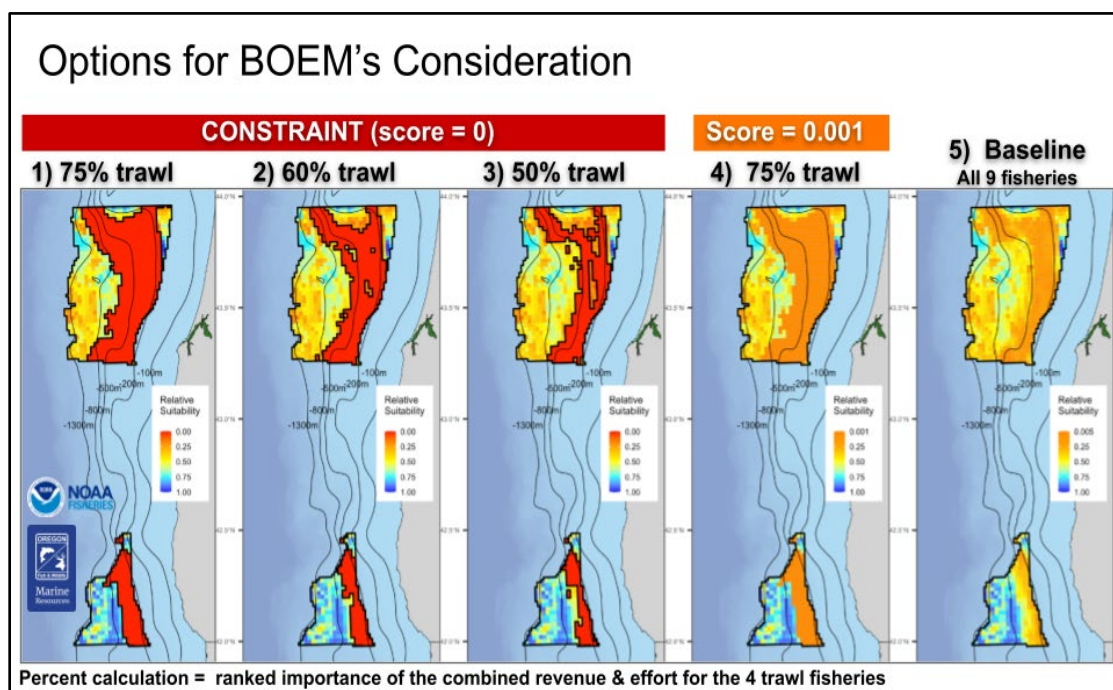
### Data Source:

Effort: NMFS SWFSC federal logbooks



Dr. Caren Braby, ODFW, described the ODFW and NMFS recommendations to BOEM for constraints scenarios in the fisheries submodel (see Slide 41 below). Their recommendations are based on fisheries with the least operation flexibility, i.e., low maneuverability and high fidelity to space, which they identified as four trawl fisheries: groundfish bottom trawl, at-sea hake mid-water trawl, shoreside hake mid-water trawl, and pink shrimp trawl. They provided BOEM with five options for consideration, numbered in order of preference.

Data from the four trawl fisheries were combined into a single layer, and the top 75, 60, and 50 percent of the highest ranking grid cells were identified. Scenarios 1-3 are constraints (score = 0). Scenario 4 uses the 75 percent trawl layer and recommends a 0.001 score to be as close to zero as possible but it would still be considered for siting in the model (i.e., is not a constraint). Scenario 5, which does not identify the four trawl fisheries separately, is the final relative suitability score mentioned previously in the Methods section above. Dr. Braby underscored the importance of receiving input from the fishing community on the data and methods presented and that ODFW and NMFS welcomed input.



Slide 41: NMFS and ODFW options to BOEM for recommended scenarios in the fisheries submodel. Note that warmer colors mean these areas are important to fisheries.

#### 4. VMS data

Frank Pendleton (BOEM) presented an update of the vessel monitoring system (VMS) fisheries datasets being used by BOEM. BOEMs intends to use the fisheries data from NMFS and ODFW (described above) in the NCCOS suitability modeling and to also have the VMS data as confirmation and for visualization purposes. BOEM summarized the process for creating VMS datasets and presented maps comparing the NMFS/ODFW effort data with VMS data for fisheries having both datasets available. Datasets are not identical but have some similar patterns. For highly migratory species, the VMS data are higher resolution then the effort data available for albacore

tuna. For salmon troll, VMS tracks provide some indication of where fishing activity occurs but there is no effort or revenue data for this fishery to use as a basis for comparison so VMS is the best available information. BOEM welcomes feedback and any additional information available about the spatial footprint of fisheries.

PFMC  
02/16/23