

MARINE PLANNING COMMITTEE REPORT ON MARINE PLANNING ISSUES

The Pacific Fishery Management Council’s (Council) Ad Hoc Marine Planning Committee (MPC) met online July 27, 2023, to hear updates from the states, the National Marine Fisheries Service (NMFS), the West Coast Ocean Alliance, and a Tribal update. There were no open comment periods at the time of the meeting. This report is largely informational and includes upcoming events and other information.

General Offshore Wind Update

On July 20, the White House published a [Fact Sheet](#) highlighting the work the Administration has done to rapidly expand the American offshore wind (OSW) industry. Included with the Fact Sheet are the following:

- An announcement of the publication of the [Final Sale Notice \(FSN\) for the Gulf of Mexico](#). The FSN’s availability comes exactly one year to the day after the announcement of Draft Wind Energy Areas (WEA) in the Gulf. By way of recollection, the FSN for the lease sales off California came 15 months after designation of the Humboldt WEA and 11.5 months after designation of the Morro Bay WEA. As you will also recall, there were Draft WEAs that were not, at that time, part of the Bureau of Ocean Energy Management (BOEM) process.
- A four-fold increase in investments in the U.S. Offshore Wind industry.
- On July 20, the Department of Energy published [an updated map of offshore wind supply chain investments](#).



The one mark on the west coast represents the Humboldt Bay Marine Terminal Project (more on that below)

- Updates on permitting activities:

- Final Environmental Impact Statement for Revolution Wind (offshore Rhode Island).
- Approval of the Ocean City 1 project (offshore New Jersey).
- Draft Environmental Impact Statement for six (6) additional east coast projects. We do not expect seeing these off California for at least 3+ years.
- In total, BOEM and cooperating agencies are on track to complete reviews of at least 16 project plans by 2025, representing more than 27 gigawatts of clean energy. All of these are located off the east coast.
- Construction has begun on Vineyard 1 (off Massachusetts) and South Fork (off New York)

Washington

Heather Hall updated the MPC for Washington Department of Fish and Wildlife (WDFW). As WDFW shared on the Council floor in June, Governor Inslee’s Office had let the Washington Coastal Marine Advisory Council (WCMAC) know that they had received the Principles of Engagement and found them to be helpful. Since June, the Governor and staff have been thinking carefully about stakeholder outreach and coordination and are cognizant of the concerns that have been shared by tribes and stakeholders about engagement utilizing the BOEM intergovernmental taskforce approach. There were no updates on next steps available at the time of the MPC meeting, but the Governor’s staff informed WDFW and others that they are focused on how the state could take the next step with BOEM, without presupposing the outcome of OSW, in a way that provides open and transparent collaboration with tribes and stakeholders.

In addition, the WCMAC Chair expressed a desire to understand the process used to develop the recent Oregon Governor's [letter](#) to BOEM and expects to learn more about this process at the August WCMAC Technical Committee meeting and at the full WCMAC meeting in September.

Oregon

Oregon Legislation

Oregon [House Bill 3382](#), which would exempt the Oregon International Port of Coos Bay from some environmental reviews for its channel modification project, passed the legislature but had not been signed by Oregon Governor Tina Kotek at the time of the MPC meeting. On May 15, the Council sent a response [letter](#) (April 2023 Agenda Item F.5, Supplemental Attachment 2) to Oregon Representative Boomer Wright in relation to his request for comment on this bill and relayed concerns raised during Council-related discussions.

Oregon Call Areas

On June 9, Governor Kotek, U.S. Senators Ron Wyden and Jeff Merkley, and Representatives Val Hoyle and Suzanne Bonamici transmitted a [letter](#) to BOEM, asking to pause its leasing process. The basis of this request was to provide Gov. Kotek’s administration with additional time to consult with Tribal governments, engage stakeholders in coastal communities, and assist BOEM in identifying, understanding, and responding to local concerns. The MPC was updated that BOEM has written a response to Gov. Kotek’s office but had not shared it directly with the public at the time of the MPC meeting. The Governor’s office has been reaching out to Oregon state agencies, tribes, and stakeholders to develop guidance on how to assist BOEM in addressing local concerns.

The MPC also heard that oceanographic researcher, Bob Dziak, with the National Oceanic and Atmospheric Administration (NOAA) Pacific Marine Environmental Laboratory in Newport, Oregon, contacted fishing industry members on guidance for reducing conflicts with the fisheries when placing a hydrophone mooring. The goal of the project is to deploy a NOAA hydrophone mooring at the Coos Bay Call Area to build a long-term data set on ocean sound levels before potential wind farm construction to quantify changes to the ambient ocean sound environment.

Oregon Ocean Policy Development

The Ocean Policy Advisory Council's Territorial Sea Plan Part IV Working Group has been revising the subsea cable section of Oregon's Territorial Sea Plan. The Ocean Policy Advisory Council will hold a meeting from 9 a.m. to 4 p.m. on September 8 to finalize Territorial Sea Plan Part IV, undersea cables and pipelines. The permitting process for prospective cable applicants will likely be much more extensive than in the past, given the advent of new ocean uses such as offshore renewable energy.

California

- The MPC received an update on the status of the Coastal Commission's Condition 7(c) working group.¹ The deadline to apply was August 11. It is expected the first meeting of the working group will take place in October of this year.
- On June 26, Humboldt Bay Harbor, Recreation and Conservation District published a [Notice of Preparation of a Draft Environmental Impact Report \(DEIR\) for the Humboldt Bay Offshore Wind Heavy Lift Multipurpose Marine Terminal Project \(Project\)](#). The DEIR will identify, evaluate and disclose possible environmental effects of the Project. The public comment deadline on this scoping document was extended from August 3 to August 25. The [Habitat Committee discussed this in June and opted against recommending a QR letter until the DEIR is published](#).
- Draft chapters of the AB 525 strategic plan addressing (1) Suitable Sea Space and (2) Potential impacts on coastal resources, fisheries, Native American and Indigenous peoples, and national defense, and strategies for addressing those potential impacts should be available soon. Whether that is before or after the September meeting remains to be seen. When those are available, the MPC will review and make a recommendation to the Council about the appropriateness of commenting on either or both of those.

National Marine Fisheries Service

The National Marine Fisheries Service (NMFS) shared that their Northwest and Southwest Fisheries Science Centers and West Coast Region are working on a West Coast Offshore Wind Science Plan that will guide NMFS' scientific activities needed to inform management of NMFS trust resources and the potential impacts from offshore wind energy development on those resources in the California Current Marine Ecosystem off California, Oregon, and Washington. It will identify primary research foci to advance the scientific understanding of the interactions between offshore wind energy development and NMFS trust resources, including fish, fisheries,

¹ See the [last page of MPC Report 1 from the June 2023 Briefing Book](#) for the language of Condition 7.

protected species, habitats, and ecosystems, as well as mitigation of impacts to NMFS scientific surveys along the West Coast.

NMFS also shared that the National Defense Authorization Act for Fiscal Year 2023, [Section 11319](#), requires the Department of Homeland Security (DHS), the Department of the Interior (DOI), and NOAA to enter into agreement with the National Academies of Sciences (NAS) to do a *study on impacts on shipping and commercial, tribal, and recreational fisheries from development of renewable energy on the west coast*. After the agencies secure funding, the NAS will proceed with their [study process](#). Multiple Federal agencies are involved.

Tribal

National Academies Standing Committee on Offshore Wind Energy and Fisheries (NAS)

The NAS committee has been dormant since April as NAS and BOEM are working to finalize a new, longer-term contract. NAS is hopeful that will be completed in time for a committee meeting in the fall. The committee has provided BOEM a memo on potential future meeting topics addressing cumulative impacts of OSW energy development.

Tribal activities

Tribal representatives met with Doug Boren, BOEM Pacific Region Director, at the June Council meeting in Vancouver. The tribes stressed the need to be directly engaged in pre-construction activities, including resource and oceanographic surveys of wind areas within the California Current Ecosystem, starting with the existing California lease areas. Director Boren suggested that we could form a BOEM/tribal workgroup to do this important work.

The following week, a BOEM representative from the Pacific Region and BOEM headquarters met with the Makah Tribal Council (MTC) and Fisheries Management staff in Neah Bay, Washington, in a government-to-government consultation in which the concept of the BOEM/tribal workgroup was further developed. The MTC advised BOEM that they would be asking NOAA Fisheries for assistance in this survey, analysis, and monitoring effort.

Tribal representatives also met with NOAA Fisheries and the Washington Governor's office to discuss tribal concerns with OSW energy development and the need to work together as resource and fisheries co-managers in protecting treaty rights and resources. NOAA Fisheries provided a report on juvenile and larval fish distribution presented to National Centers for Coastal Ocean Science and BOEM for BOEM's consideration in the spatial suitability model for BOEM's siting process for waters off Oregon. This information had been requested in previous MPC meetings and is greatly appreciated as a first step in avoiding impacts to our resources with any current or future siting of offshore wind areas.

West Coast Ocean Alliance

[West Coast Ocean Alliance](#) (WCOA) Executive Director John Hansen provided an update on WCOA activities, including three upcoming in-person meetings:

1. Tribal summit: The Tribal Summit will be focused on engagement between Tribal members of the WCOA, and will be held in Portland, Oregon. The meeting will be invite-only as determined by the WCOA Tribal Caucus.
2. “All hands” full WCOA summit: This would be the first in-person meeting of WCOA members since 2019, planned for Portland, Oregon, October 18-20. Although aimed at WCOA members, it may include some public-facing options for attendance and public engagement. More details will be released by the WCOA in coming weeks.
3. Offshore wind summit: Originally planned for August 2023, the summit is now planned for March 2024, with the location to be determined. The summit would include WCOA members, and may include non-WCOA stakeholders such as fishing communities, non-governmental organizations, scientific experts, etc. The goal is to convene a regional discussion about the status of West Coast offshore wind planning, the science informing decisions about offshore wind, policy updates, and more.

WCOA is also continuing to track discussions about the formation of a West Coast offshore wind science entity. There is an offshore wind science [organization on the East Coast](#), and California Assembly Bill 80 (AB80) would initiate a similar West Coast entity within the State of California. WCOA will follow the progress of AB80 while continuing to facilitate information-sharing around offshore wind planning and developments associated with offshore wind science to connect decision-makers.

WCOA has also kicked off a new strategic planning process to carry through Spring 2024. Strategic Earth Consulting will be helping WCOA members establish a path forward, building on the state, federal and tribal partnerships already in place while also expanding outreach with regional partners to inform the ultimate plan. More information can be obtained by contacting staff@westcoastoceanalliance.org

Upcoming Events and Other Information

On July 31, the Council of Environmental Quality published a [Notice of Proposed Rulemaking](#) to revise its regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA). CEQ will conduct four virtual public meetings for the proposed rule on Saturday, August 26, 2023, from 1 p.m. to 4 p.m. EDT; Wednesday, August 30, 2023, from 5 p.m. to 8 p.m. EDT; Monday, September 11, 2023, from 1 p.m. to 4 p.m. EDT; and Thursday, September 21, 2023, from 2 p.m. to 5 p.m. EDT. For additional information and to register for the meetings, please visit CEQ’s website at www.nepa.gov.

On August 2, OMB published a [notice requesting comments on proposed guidance for assessing changes in environmental and ecosystem services in benefit-cost analysis](#). The Draft Guidance is available [here](#). The notice requests comments on eight specific questions in addition to comments on any aspect of the proposed Guidance. The notice has a comment deadline of September 18.

On August 3, BOEM issued [Final Guidance on two items](#), one of which will be of interest to west coast fishing community members. The “[NOI Checklist](#),” is based on BOEM’s regulations and describes how BOEM will process incomplete Construction and Operations Plan (COP) submissions. The other Guidance includes [recommendations to lessees as they develop the acoustic and exposure models of impact pile-driving, and for sound-field measurements, to be](#)

[included with their COP](#). Under the assumption that impact pile-driving will not accompany floating OSW technology, this may be of lesser interest.

The Regional Wildlife Science Collaborative for Offshore Wind (RWSC) and the Wildlife and Offshore Wind (WOW) project are hosting a public webinar on August 24, 2023 from 11:00 a.m.-12:30 p.m. EDT (3:00-4:30 p.m. UTC) to describe how they are working together to advance the RWSC Draft Science Plan and Project WOW goals. Register [here](#).

The WCMAC is meeting on September 13, 2023. The meeting will be held virtually via Zoom. The agenda was not set at the time of writing, yet it is expected to include an update on the activities of the WCMAC OSW Committee and possibly other OSW related items. Meeting information will be posted [here](#) at least seven days before the meeting. The website at that link also includes a sign-up option for receiving meeting notices via a Washington Department of Ecology email listserv.

Reuters Events is hosting the [Floating Wind USA 2023](#) Conference & Exhibition on November 29-30, 2023 in San Diego, California, U.S. Register [here](#).

The [Call for Abstracts](#) for [Floating Wind Solutions \(FWS\) 2024](#) is open through September 1, 2023. FWS 2024 will take place February 5-7, 2024 in Houston, Texas, U.S.

Webinar: The New York State Energy Research and Development Authority's Offshore Wind team is hosting a webinar, "Research and Regulations for Marine Mammal Interactions with Offshore Wind." from 1 to 2 p.m. EDT (10 to 11 a.m. PDT) on Wednesday, August 23, as part of its [Learning from the Experts](#) series. Register [here](#).

The U.S. Offshore Wind Synthesis of Environmental Effects Research ([SEER](#)) project is hosting a free, public webinar on [Environmental Considerations for Nearshore Ecosystems from Cable Landfall, Navigation, and Port Development for Offshore Wind Energy](#) from 9 to 10 a.m. PDT on Wednesday, September 13. Register [here](#).

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