

WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

Summary

Wednesday, November 9, 2016 9:30 am – 3:30pm

Location: Port of Grays Harbor Commissioners Chambers, 111 S. Wooding St., Aberdeen, WA

Council Members Present	
Casey Dennehy, Recreation	RD Grunbaum, Conservation
Penny Dalton, WA Sea Grant	Rich Osborne, Science
Doug Kess, Pacific MRC	Sally Toteff, Dept. of Ecology
Garrett Dalan, Grays Harbor MRC	Larry Thevik, WDCFA
Mark Plackett, Citizen	Randy Lewis, Ports
Michal Rechner, DNR	Julie Horowitz, Governor's Office
Dale Beasley, Commercial Fishing	Corey Niles, WDFW
Brian Sheldon, Shellfish Aquaculture	Alla Weinstein, Energy Industry
Jessica Helsley, WCSSP	

Council Members Absent	
Tiffany Turner, Economic Development	Rod Fleck, N. Pacific MRC
Charles Costanzo, Shipping	Jeff Ward, Coastal Energy
Carol Ervest, Wahkiakum MRC	David Fluharty, Educational Institution
Joshua Berger, Dept. of Commerce	

Liaisons Present	
Katie Krueger, Quileute Tribe Liaison (phone)	

Others Present (as noted on the sign-in sheet)	
Marie Novak, Cascadia Consulting, Note-taker	Jessi Doerpinghaus, WDFW
Erica Bates, Dept. of Ecology	Katrina Lassiter, DNR
Ashleigh McCord, DNR	Kevin Decker, Washington Sea Grant
Gus Gates, Surfrider Foundation	Susan Gulick, Sound Resolutions (Facilitator)
Jennifer Hennessey, Ecology (WCMAC Staff)	Molly Bogeberg, The Nature Conservancy
Claire Dawson, Hershman Fellow at TNC	Kara Cardinal, The Nature Conservancy

1. Welcome & Introductions, Agenda Review

Garrett Dalan welcomed everyone to the meeting. All attendees introduced themselves and were invited to provide updates.

- The Grays Harbor MRC will be holding an oyster growing speaker series at Grays Harbor College November 15 from 6-8 pm. Casey Dennehy will send Susan Gulick a flyer to circulate.
- Alla Weinstein encouraged people to visit the Bureau of Ocean Energy Management (BOEM) website (boem.gov) to view requirements for project development.
- Comments on the Chehalis Basin Strategy Programmatic EIS are due on Nov. 14th. Jess Helsley invited people to call the office of the Salmon Partnership to provide comments.

- Rich Osborne noted that the harmful algal bloom traveling up the coast appears to have subsided.
- RD Grunbaum announced that Hoquiam is reviewing a shoreline substantial development permit for Contanda Terminals LLC (formerly Westway Terminals). Comments are due Nov. 19th. They and the Quinault Nation will be providing comments in opposition of any crude oil terminal proposals.
- Sally Toteff announced that there is a Dept. of Ecology grant program for spill response equipment caches. More information is available on Ecology's website. Also, there are multiple public comment opportunities for the proposed Cowlitz County coal export terminal, including NEPA, Clean Water Act permit application through the Army Corps of Engineers, and the Clean Water Act Permit through the Dept. of Ecology, which close at the end of November.
- Dale Beasley announced that a Texas-based company is conducting a risk assessment for oil transport along the Columbia River, however their risk model does not apply to the mouth of the Columbia River. He brought up these concerns to the company in a public meeting; their report will be out in December.

Adoption of September Meeting Summary

Susan asked for amendments to the September meeting summary.

- Larry Thevik requested to add a sentence to his update on page 2. He had also mentioned the supreme court case which may clarify ORMA and its application, and could have far-reaching effects. Larry also requested that there be a clarification that he was referring to indirect impacts including non-human impacts as part of NEPA on page 4 under the draft recommendations from the technical committee.
- Brian Sheldon clarified his comments in section 6, expressing concern that by including estuaries in critical areas, they might be removed from further data collection. He is also aware that there can't be a blanket ban on net penning but that there needs to be recognition of the risks associated with escapement, disease, and introduction of nonnative species. (Brian was not requesting a change to the meeting summary, but was providing additional information to WCMAC members)
- ! The summary was adopted as amended.

2. Draft Policy Recommendations – Susan Gulick

The technical committee developed draft language for the definition of "cumulative impacts," and proposed including ecological and other impacts. Definitions were taken from NEPA.

Questions and Comments

- Larry expressed concern that the definition of cumulative impacts is based primarily on actions which are human-caused, and lacks the connection between environmental variability that can exacerbate impacts from human action. He provided the example of domoic acid, caused by toxic plankton blooms, which have shortened or closed shellfish seasons, impacting fleets, making them more vulnerable to stressors caused by additional new uses. Jennifer Hennessey commented that one place to potentially include this concern is in the MSP policy recommendations about data gathering and adaptive management (4.1.3), requiring applicants to establish a baseline with up-to-date information.
- There was discussion about changes to the wording that would address these concerns, and the group decided on the following language change: *WCMAC recommends that cumulative impacts, environmental baseline and variability, and potential tipping points for harm to existing uses be considered when applying the planning and project review criteria required by RCW 43.143.030.*
- ! WCMAC members agreed to the proposed recommendation regarding cumulative impacts, as amended.
- Larry also proposed two changes to policy recommendations 1.2.7 and 1.3.4:

- 1.2.7: WCMAC recommends that prior to permitting a new applicant include an assessment of the potential for gear entanglement and, if permitted, require a plan for monitoring for entangled fishing gear or other debris, including a plan to mitigate impacts.
- 1.3.4: For projects that pose risk for invasive species introduction, WCMAC recommends applicants be required to provide a risk assessment for potential invasive species impacts and, if permitted, be required to prepare a prevention, monitoring and control plan.
- There was discussion about whether to make the language specific to the SEPA/NEPA review process, but the group agreed that there may be situations where an assessment should be conducted that would not fall within the SEPA/NEPA framework, so that it was better to leave it as it is.
- ! WCMAC members agreed to the inclusion of changes to policy recommendation 1.2.7 and 1.3.4, adopting the revisions proposed by Larry.

Proposed Spatial Recommendations – Jennifer Hennessey

Jennifer Hennessey presented proposed spatial recommendations and solicited feedback, additional recommendations, and conceptual guidance for staff. Staff will use the guidance to develop draft spatial recommendations for inclusion in part 4 of the MSP as part of the Management Framework.

Questions and Comments

- Alla asked about inclusion of Bureau of Ocean Energy Management (BOEM) studies; Jennifer responded that there will be background chapters on marine renewables included in the MSP, including information from BOEM.
- Members asked that definitions of “high use” and “high intensity” be included, as well as consistent use of the terms “high use” and “high value use”.
- Mike Rechner proposed the following language to replace the second sentence of proposed recommendation #2, “When proposing projects in state waters, applicants should seek to locate them so the project will avoid impacting the greatest number of existing uses and ecologically important areas, as the higher the number or intensity of uses impacted will result in a more difficult permitting process.”
- Rich recommended including an index or table of contents to indicate where readers are in the MSP.
- Penny Dalton commented that it would be helpful to break up renewable energy recommendations into relevant parts for project developers (she provided an example of a renewable energy project in federal waters for which a cable only would pass through state waters).
- Larry recommended including gear entanglement zones as part of the Important, Sensitive, and Unique (ISU) areas definition under section F. Jennifer responded that the list of ISUs only includes areas for which they have data. Garrett commented that including it might lead to static zones even though gear entanglement areas could change seasonally. Larry withdrew his suggestion.
- Dale advocated for including community dependence as part of the definition of Important, Sensitive, & Unique areas (ISUs). Susan recommended that staff review existing WCMAC policy recommendations and compile those related to community dependency to ensure concerns about community dependence are covered adequately. The technical committee will review the list at a future meeting.
- Doug Kess asked about plans for a vessel traffic risk assessment on the Columbia River and recommended that the WCMAC invite someone to come and present. Sally offered to research and report back.

3. Post-MSP WCMAC Work Plan for 2017-2019 – Garrett Dalan

WCMAC has requested funding for the next biennium for activities after the MSP is finalized. The MSP is only one of multiple duties listed in the statute that created WCMAC. The group brainstormed ideas for a future work plan and discussed its role after the MSP.

- Members discussed the WCMAC's unique role in being able to convene critical conversations around issues that coastal communities are facing, and developing policy recommendations to address them. This could include hosting roundtable forums on specific issues and inviting legislators, agency staff, port representatives, community members, etc. to educate them about these issues, the various actors and their roles, data gaps, and potential solutions.
- Several members recommended developing a list of coastal research needs and priorities.
- Several topic ideas for future forums with presentations and discussions/workshops included:
 - Dredging
 - Existing management plans that are substantially inconsistent with the MSP (Katie Krueger could possibly share her work related to this)
 - Coastal erosion
 - Climate change resilience
 - Vulnerability assessments
 - Risks from hazardous materials transport
 - Vessel traffic risk and spill prevention & response

Questions and Comments:

- First identify what is already going on around certain issues so as not to duplicate other efforts. Make sure there is a value-add for WCMAC leadership, or piggy back on others.
- A subgroup could be formed (or the technical committee could be used) to develop the agenda and desired outcomes of these future meetings.
- Julie Horowitz will get clarification from the Governor's Office on the ability of WCMAC to host outreach seminars and the proper role for WCMAC, as a council under the Governor's office.
- Sally reminded members that the MSP is a living document and will need to be updated. She recommended having an MSP showcase every few years to educate people.
- RD commented on the need to serve as a conduit from project developers to policy makers to monitor and update the MSP and ensure that it remains relevant.
- Several members discussed the need to do outreach and education about the MSP to policy makers at the local level to help ensure that it is properly integrated with other tools and frameworks.
- Members agreed that if a WCMAC member receives notification of a project, they should notify the group in order to engage with the project developer.
- Randy recommended inviting developers to provide feedback on the Plan and its recommendations. This would provide them an opportunity to become familiar with the process, and raise any red flags for potential unintended consequences.
- Jennifer reminded members that the MSP provides information to support and apply federal consistency in state and federal waters, which project proponents will need to get from the State of Washington.

4. Updates

MRAC (Ocean Acidification Panel)

- In February there will be a Blue Ribbon Panel event hosted by MRAC. Garrett will ensure that the event is not held on the same day as WCMAC.

- There are three budget requests for MRAC in addition to the requested maintenance funding for WCMAC in the next biennium (\$150K for facilitation, \$25K for indicators):
 - 1) continued biological assessment for UW Ocean Acidification Center (\$200K)
 - 2) continued native shellfish hatchery restoration funding (\$400K)
 - 3) funding for Dept. of Ecology to add Puget Sound and coastal monitoring as part of baseline monitoring (\$333K).
- The Olympic Coast National Marine Sanctuary is working with partners to establish an Olympic Coast Ocean Acidification sentinel site.

Technical Committee Update

- The technical committee has been working on updated policy recommendations around cumulative impacts and will continue to work on them. The next call is November 17, 2:30-4:30 pm, an agenda and call-in information are forthcoming.
- Alla briefed interested WCMAC members about a wind energy project her company is working on in California. Members commented that the presentation was very informative. Some members who could not make it asked if it was recorded or whether it was possible to review the slides. Susan will check with Alla.
- Brian requested that the draft MSP include a definitions section that can be shared soon with other people in the shellfish industry for their feedback.
- Dale questioned whether one round of review for the preliminary MSP will be enough, and asked where data gaps will be identified in the plan. Jennifer clarified that there might be a stand-alone appendix for this purpose.
- Garrett suggested there may also be a need for more meetings or a working session in late March.

5. Upcoming Meetings

- The draft MSP will be discussed at the February 15 meeting.
- ! Members decided that the September 2017 meeting will be held September 27.

6. Public Comment

- Gus Gates thanked everyone for their continued time and efforts and reminded everyone that this Plan and process serves as a model for collaboratively addressing natural resource challenges. He emphasized the need to create a strong plan in a timely manner and continue to be leaders in this effort to protect sustainable uses, as well as the importance of conducting outreach on the MSP once it is finished.
- Claire Dawson said that the Nature Conservancy is working with WDFW to review data in ecologically important areas and ensure the information is sound. They also reviewed the entire Ecology chapter, and are open to future opportunities for collaboration, outreach, and data support.
- Julie Horowitz will be on leave for a few months. JT Austin from the Governor's Office will be filling in.
- Brian expressed concern about the Dept. of Health's automatic rainfall closures as a water quality management tool. He stated that these closures are not always founded, and have a negative impact on businesses.

Meeting adjourned at 3:17 pm.

Summary of Decisions:

- ! The September Meeting Summary was approved as amended.

- ! WCMAC members agreed to the proposed recommendation regarding cumulative impacts, as amended.
- ! WCMAC members agreed to the inclusion of changes to policy recommendation 1.2.7 and 1.3.4, adopting the revisions proposed by Larry.
- ! Members decided that the September 2017 meeting will be held September 27.

Upcoming Meetings

- February 15, 2017
- May 10, 2017
- September 27, 2017

Meetings will be held in Aberdeen unless otherwise noted