

# WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

## Draft Summary

Wednesday, September 28, 2016 9:30 am – 3:30pm

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

All meeting materials and presentations can be found on the WCMAC website:

<http://www.ecy.wa.gov/programs/sea/ocean/advisorycouncil.html>

Council Members Present	
Penny Dalton, Sea Grant	Mark Plackett, Citizen
Brian Sheldon, Shellfish Aquaculture	Michal Rechner, DNR
Casey Dennehy, Recreation	Corey Niles, WDFW
Dale Beasley, Commercial Fishing	Randy Lewis, Ports
David Fluharty, Educational Institution	R.D. Grunbaum, Conservation
Garrett Dalan, Grays Harbor MRC	Rich Osborne, Science
Joshua Berger, Dept. of Commerce	Rod Fleck, N. Pacific MRC
Julie Horowitz, Governor's Office	Jessica Helsley, WCSSP
Larry Thevik, Commercial Fishing	Jeff Ward, Coastal Energy
Tiffany Turner, Economic Development	Doug Kess, Pacific MRC

Council Members Absent <sup>1</sup>	
Alla Weinstein, Energy Industry	Sally Toteff, Dept. of Ecology
Carol Ervest, Wahkiakum MRC	Charles Costanzo, Shipping

Others Present (as noted on the sign-in sheet)	
Kevin Zerbe, Cascadia Consulting, Note-taker	George Galasso, NOAA
Jennifer Hennessey, Ecology (WCMAC Staff)	Kevin Decker, WA Sea Grant
Katrina Lassiter, DNR	Gus Gates, Surfrider
Shelly Wilkins, State Senate staff	Jessi Doerpinghaus, WDFW
Susan Gulick, Sound Resolutions, Facilitator	Mike Nordin, Citizen
Richard Lovely, Citizen	John Foster, Quinault Tribe

### 1. Welcome and Introductions, Agenda Review

- Garrett Dalan kicked off the meeting, reminding members to be polite and respectful to each other. He also encouraged members to offer only productive feedback. Members of the public were invited to provide comments (no public comments were made at this time). All attendees introduced themselves and were allowed to provide updates.
- Garrett Dalan informed the group that Mark Cedergreen resigned from the board, and that Corey Niles will be representing WDFW in place of Michele Culver.

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<sup>1</sup> State Parks and Recreational Fishing seats are currently vacant.

### *Member Updates*

- Jennifer Hennessey discussed the hiring of a new research/writing person who is starting 10/3/16. This person will take on writing sections of the MSP.
- Casey Dennehy discussed the Clean Water Classic Pro-Am happening 10/20 through 10/22, as well as the MRC Summit taking place in Long Beach.
- Doug Kess stated that Pacific County just finalized its Shoreline Master Program (SMP).
- Penny Dalton mentioned the Bellingham Bay Fisher Poets event taking place 10/1 and 10/2.
- Julie Horowitz mentioned the next meeting of the WA Shellfish Initiative will be taking place 10/3 in Aberdeen and to contact her for information.
- Larry Thevik mentioned the final EIS for the oil terminal at Grays Harbor will be released at the end of the week (9/30).
- Dave Fluharty discussed the new Dept. of Interior offshore wind strategy and that it does not mention WA State (more focused on the East Coast).
  - Randy Lewis added that the reason could be that the technology for floating structures needed for West Coast offshore wind has yet to be developed.
- Jessica Helsley informed the group that the Chehalis Basin Dam draft EIS will be open for comment soon.
- Mark Plackett discussed a project in which he is involved focusing on workforce development in WA's coastal towns.

### *Microfinance Presentation*

Lisa Smith, of Enterprise for Equity, was unable to attend the meeting so Rod Fleck gave a brief overview of her presentation on microfinance support for coastal communities. Rod informed the group that the Rural Coastal Microenterprise Initiative has been successful so far. The project area includes Northern Grays Harbor up to Clallam with the intent of going coast-wide with the securing of more funding. In general, the project offers microfinancing options to support a broad range of entrepreneurial efforts along the WA coast. A summary of the project was made available to WCMAC members.

### *Agenda Review and Adoption of June Meeting Summary*

Susan Gulick reviewed the agenda.

Susan Gulick initiated the vote to adopt the June meeting summary, and stated no comments or corrections were received. All WCMAC members approved the June meeting summary.

- ! The June Meeting Summary was adopted.

## **2. Other Potential MSP Recommendations**

Jennifer Hennessey presented agency-created draft recommendations that are thought to fill in gaps left by the current list of recommendations. Six draft recommendations were outlined, and a discussion guide was included in the meeting packet. Each was open for discussion amongst WCMAC members.

### *Discussion and Comments*

- Joshua Berger asked if it is sufficient to indicate that we will finalize indicators in the future as opposed to completing them and including them in the plan. Jennifer stated it is better to have them be ongoing than finishing them in next 6 months, because of the amount of work that would entail.

- Rod Fleck asked about time factors for the indicators and research agenda, and suggested that a review should be done every two years and that a specific agency be given that responsibility.
- Brian Sheldon commented that there seems to be no plan to address economic indicators in the research agenda. Jennifer clarified that economic indicators are included in the term “ecosystem indicators”. Brian recommended an individual action item focused on economic indicators or more specific mention of them be added.
- Dave Fluharty stated that established management priorities are needed before choosing indicators and that WCMAC needs to develop spatial explicit social and economic info
- Casey Dennehy suggested making sure the group reviewing the research agenda be as inclusive as possible. Jennifer agreed but the specific process used to get input and develop the research agenda could depend on what funding is available.
- Doug Kess asked if there is dedicated funding to maintain the data and mapping tool. Jennifer said the data sets pulled into the mapping tool are gathered from web services that get updated and automatically update the map, which requires no additional funding.
  - Mike Rechner also informed the group that the DNR viewer tool will be maintained.
- Penny Dalton agreed with Dave’s suggestion on spatially explicit detail and added that more specificity around research priorities is needed for researchers applying for funds.
  - Mike Rechner agreed more detail would be great, but not sure if it’s a WCMAC MSP responsibility. Jennifer added that specific priorities would be identified as part of the research agenda process, but not within the plan.
- Dale Beasley commented that there is no place for coastal stakeholders or MRC involvement in this document. He would like to see coastal stakeholder involvement in all areas. Jennifer responded that several recommendations mention involvement of WCMAC, so the intent is that coastal stakeholders will be involved.
- Jeff Ward asked why every eight years was chosen for a full review, and recommended shortening it to four years. Jennifer said it was modeled after the cycle for MSP updates.
  - Dave Fluharty suggested that WCMAC develop “triggers” that will initiate a full review. Jennifer said WCMAC could help with monitoring for such “triggers,” but still important have a minimum timeframe for a full review.
- Rich Osborne commented that WCMAC needs to be more explicitly listed in each section.
- Dale Beasley requested that WCMAC being explicitly listed in the second paragraph of the indicators recommendation (instead of “and others”).

### 3. Draft Recommendations Recommended by Technical Committee

Susan Gulick stated that the goal for this agenda item is to go over the cumulative impacts and data needs as a group. She reviewed each one, and they were also detailed in a discussion guide included in the meeting packet.

#### *Discussion and Comments*

- Dale Beasley commented that there are two styles of cumulative impacts that should be clarified: New use and cumulative impacts to existing uses. Susan suggested saying “...potential for cumulative harm to existing uses”.
- Dave Fluharty commented that this is generally applied to environmental impacts, but Dale refers to social/economic impacts. Susan responded that addressing socio-economic impacts was the intent and asked for ideas on how to re-word to make that more clear.

- Garrett Dalan believed the wording was clear and describes who is doing what and how to address cumulative impact concerns. Julie Horowitz agreed, but suggested adding “ecological, economic, and social/cultural” to the language.
- RD Grunbaum commented that “new use” is too limiting, and the sentence should read “new or expanded use.”
- Rod Fleck said it was important to cite which definition of cumulative impacts is being used and reference that in the language.
- Larry Thevik commented that projects will not happen in a vacuum, and any language around cumulative impacts needs to consider how some projects may exacerbate the impacts of other projects. This could potentially lead to tipping points. He also commented that WCMAC should ensure everyone defines cumulative the same way.
- Brian Sheldon agreed with RD on “expanded uses” and suggested creating a definition guide for the whole document.
- Garrett said the RCW that is referenced is pretty strong, and already addresses the language issues being brought up by WCMAC.
- Susan said she will rewrite the cumulative impacts section based on this feedback and bring it back next meeting.
- Regarding data needs, Brian Sheldon commented on the difference between data and information and that data is either available or not, so no need to include language like “if possible...”
  - Garrett said that without “if possible”, permitting could be stalled for proponent unnecessarily. Jessica Helsley recommended replacing “if possible” with “when it exists.”
- Garrett initiated a vote to approve the recommendation regarding data needs with agreed upon language changes: *WCMAC recommends that project applicants be required to use up-to-date data that is adequate to evaluate the project and its potential effects. If new data gathering is required, it should be done at the applicants' expense. When it exists, data should include multiple years and multiple seasons within those years.*
  - ! No opposed, the recommendation was approved.
- This recommendation will be added to the list of draft policy recommendations that was previously approved by WCMAC.
- Susan will bring a revised recommendation regarding cumulative impacts to next meeting, and encouraged members to participate in the Technical Committee if they want to wordsmith.

#### 4. WCMAC Spatial Recommendations

Jennifer Hennessey gave a presentation on potential components for the draft spatial recommendations and reviewed the discussion guide in the meeting packet. She detailed the draft criteria for Important, Sensitive and Unique areas (ISUs) and a list of potential, proposed ISUs. She then reviewed the use analysis process and past WCMAC work done within Marxan workshops. She reiterated that the maps Marxan creates are just an analysis, and not a recommendation. Specific details on potential spatial recommendations are included in the discussion guide.

##### *Discussion and Comments*

- Brian Sheldon suggested that shellfish beds should be included as ISUs.
- Garrett Dalan asked if there will be a recommendation for federal water. Jennifer said that these are specific to state waters with no counterpart for federal waters and is representative of the limits of WCMAC’s authority over federal waters.
- Dave Fluharty commented that the maps do not show transmission corridor lines going from offshore to onshore – and that will important as they may cross areas of high use.

- Larry Thevik suggested that WCMAC not be silent about its expectations for federal behavior outside of state waters. Jennifer reminded the group the information and recommendations in MSP will help the state convey its interests in federal waters and establish the ability to review federal projects in federal waters (through a Geographic Locator Description).
- Dale Beasley requested the unique nature of the WA coast be described in the MSP, and to ensure that people understand fishing in WA is much more vulnerable than any other state in the nation.
- Brian Sheldon suggested that shellfish beds be rated higher in the Marxan analysis since they are a protected area. He also worried that shutting off all activity in estuaries is a bit of a reach and WCMAC is ignoring an opportunity to get data.
- Corey Niles clarified that the shellfish penalty does not refer to shellfish beds. Brian commented that that represents a data gap.
- Larry wondered if WCMAC can capture the issue of entanglement in its maps and list those areas as ISUs. He also noted that decision-makers should be able to identify all the layers that are included in the maps. He asked that the MSP clearly lay out the findings on federal waters so that those can be taken into account when projects are proposed in federal waters.
- Mark asked if there has been any analysis of landing sites—locations where off-shore uses would bring their products/energy/etc. to shore?
- Mark also suggested that WCMAC be more realistic about what happens in the estuaries and need to determine what the group wants to protect/preserve. Garrett stated that estuaries are not off-limits in the analysis – the analysis includes them in the same category as highest use areas. He stated WCMAC could recommend that data gathering and analysis be performed in estuaries, but it is likely that they will have such a high count that doing such work might be a poor use of resources until an actual project requires that level of analysis in the estuaries.
- Dale asked how ISU-designation affects potential new use and how ISUs were selected. Jennifer responded that they were selected by Agencies based on their knowledge and expertise.
  - Dale suggested adding dredge disposal sites and soft bottom areas to ISUs. Doug Kess added that additional sea floor mapping might be needed to find where soft bottom areas are. Corey Niles reported that 90% of WA coast is soft bottom, so therefore it might be difficult to categorize all of it as ISU.
- Mike Rechner reminded the group that red areas on the map are not really protection, but areas where it will be difficult to get a permitted project.
- Penny Dalton wondered if Marxan can view ISUs in 3D since not all project affect the entire water column. Mike responded that the MSP is not going to that level of detail.
- Jennifer is hoping to revise spatial recommendations based on the feedback and have a deeper discussion in the November meeting.
- Garrett suggested a potential recommendation could focus on what analysis should happen when a proposal comes forward to address how to do a spatial analysis once a proposal is made. Mike added that the spatial analysis is really just to set the context, so the project specific analysis is “where the rubber meets the road.”
- Dave commented that WCMAC can state the standards with which they want federal project remain consistent.
- Randy Lewis suggested the data used to create the spatial analysis is helpful and should be reviewed by agencies doing the review/permitting.
- Dale informed the group of a recent study on stomach content of salmon smolt show a large amount is juvenile rockfish and that soft bottoms provide spawning ground for rockfish, which justifies them being an

ISU. Jennifer reminded the group that NOAA could push WCMAC to identify areas where they prefer a new use to go, if the spatial recommendations exclude other areas from development.

- Larry commented that WCMAC's statutory direction uses the term "high value areas", and value layers were used in other MSPs. He suggested WCMAC include a recommendation of areas that proponents should consider avoiding.
- Doug Kess said it might be helpful to look at a map that is just fishing impacts.
- Next steps: The spatial recommendations will be revised for more discussion and possible approval at the November meeting.

## 5. WCMAC Funding Recommendations

Garret Dalan presented his letter to the Governor (hard copy included in the meeting packet). The letter is in reference to the 2017-19 Biennial Budget Request from WCMAC.

### *Discussion and Comments*

- Dave Fluharty asked if WCMAC is missing an opportunity to say we have important unanswered questions that need funding.
- Joshua noted that it is a bad year to ask for more money, but we could enhance our request by noting how these funds could leverage some additional funding.
- Brian Sheldon wondered if WCMAC will be looking for money to beef up economic analysis. Katrina Lassiter stated that some of the biennium's budget included additional economic work and the FAQ created by Cascade Economics, but no other specific projects have been identified or proposed by WCMAC that would help further enhance economic understanding of the situation on the coast.
- There was some discussion on what WCMAC does after the MSP comes out. It was mentioned by several members that there is no sunset to WCMAC. The Steering Committee will need to look at the agenda for next several meetings, and have that exact conversation within the next few meetings around what WCMAC wants to be doing outside of MSP.
- Julie Horowitz informed the group that it is not recommended to ask for more than the baseline amount in their budget request.
- Garret initiated a vote for approval of letter in concept, but exact form of letter will be finalized later and will include language about leveraging funds.
  - ! No opposition. The letter was approved in concept.

## 6. Updates

Susan Gulick reported that the Technical Committee reviewed the adopted policy recommendations, made list of unresolved issues (included in meeting packet).

### *Discussion and Comments*

- Brian Sheldon discussed the resurgence of net penning in Puget Sound and the need to include estuaries in the recommendation to prohibit nonnative finfish aquaculture. Julie Horowitz agreed it is important to have a discussion of aquaculture, but framing it as prohibited is an issue in that it presupposes where the conversation would go. Penny Dalton suggested removing "nonnative" and just leave it as "finfish".
- Garrett Dalan said a future meeting will include a discussion to support funding of vessel traffic risk assessment for the coast. Larry Thevik reiterated that vessel traffic includes more than just oil ships.
- Garrett informed the group that the MRAC conversation is happening on Sept. 30th and is open to the public.

- Jennifer Hennessey discussed the ocean acidification sentinel site conference, and asked WCMAC to be aware that early conversations are happening. She also alerted the group to the updated draft work plan (in the meeting packet).
- Larry asked when WCMAC will see portions of the MSP. Jennifer responded that draft chapters will be made available soon but translating the recommendations into a management framework will take more time. A preliminary plan is expected sometime this winter.
  - Rich Osborne suggested to keep the outline with the document when sending out chapters.

## 7. Public Comment

- Mike Nordin informed WCMAC that the Pacific Conservation District Facebook page is up and running. He also suggested that there should be link on WCMAC page to show who is on the council, and to upload the current meeting agenda.

## Summary of Decisions

- ! June Meeting Summary was adopted.
- ! The data needs section of the Technical Committee Proposed Recommendations document was approved.
- ! The budget letter to the Governor was approved in concept.

All meeting materials may be found here:

<http://www.ecy.wa.gov/programs/sea/ocean/advisorycouncil.html>

### Upcoming Meetings

- November 9, 2016
- February 15, 2017 (tentative)
- May 10, 2017 (tentative)

*Meetings will be held in Aberdeen unless otherwise noted*

Proposed New Policy Recommendations  
For WCMAC Discussion and Approval  
November 9, 2016

**Cumulative Impacts**

- Recommendation from the Technical Committee

WCMAC recommends that cumulative impacts 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.

Definitions:\*

“**Cumulative impact**” is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

“**Effects**” or “**impacts**” include:

- (a) Direct effects, which are caused by the action and occur at the same time and place.
- (b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the agency believes that the effect will be beneficial.

\*Both definitions are taken from NEPA.

*For reference, here is the language from RCW 43.143.030:*

**43.143.030**

**Planning and project review criteria.**

- (1) When the state of Washington and local governments develop plans for the management, conservation, use, or development of natural resources in Washington's coastal waters, the policies in RCW [43.143.010](#) shall guide the decision-making process.
  - (2) Uses or activities that require federal, state, or local government permits or other approvals and that will adversely impact renewable resources, marine life, fishing, aquaculture, recreation, navigation, air or water quality, or other existing ocean or coastal uses, may be permitted only if the criteria below are met or exceeded:
    - (a) There is a demonstrated significant local, state, or national need for the proposed use or activity;
    - (b) There is no reasonable alternative to meet the public need for the proposed use or activity;
    - (c) There will be no likely long-term significant adverse impacts to coastal or marine resources or uses;
    - (d) All reasonable steps are taken to avoid and minimize adverse environmental impacts, with special protection provided for the marine life and resources of the Columbia river, Willapa Bay and Grays Harbor estuaries, and Olympic national park;
    - (e) All reasonable steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
    - (f) Compensation is provided to mitigate adverse impacts to coastal resources or uses;
    - (g) Plans and sufficient performance bonding are provided to ensure that the site will be rehabilitated after the use or activity is completed; and
    - (h) The use or activity complies with all applicable local, state, and federal laws and regulations.
- [1989 1st ex.s. c 2 § 11.]

### 1.2.7 Entangled Fishing Gear

Original Recommendation:

WCMAC recommends that permit conditions for new uses require a plan for monitoring for entangled fishing gear or other debris, including a plan to mitigate impacts.

Changes Proposed by Larry Thevik:

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 Invasive Species

Original Recommendation:

For projects that pose a risk for invasive species introduction, WCMAC recommends applicants be required to prepare a prevention, monitoring and control plan.

Changes Proposed by Larry Thevik:

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.

# MSP POLICY RECOMMENDATIONS

With Revisions from June 20, 2016 WCMAC Meeting

Recommendations from the Washington Coastal Marine Advisory Council (WCMAC) are intended to support and reinforce statutory requirements, including but not limited to [The Ocean Resources Management Act \(RCW 43.143\)](#) and [The Marine Waters Planning and Management Act \(RCW 43.372\)](#)

*Specific sections of the Marine Waters Planning and Management Act that guided the development of these recommendations include:*

**RCW 43.372.040 (4) (a-h):**

- (4) The marine management plan must be developed and implemented in a manner that:
  - (a) Recognizes and respects existing uses and tribal treaty rights;
  - (b) Promotes protection and restoration of ecosystem processes to a level that will enable long-term sustainable production of ecosystem goods and services;
  - (c) Addresses potential impacts of climate change and sea level rise upon current and projected marine waters uses and shoreline and coastal impacts;
  - (d) Fosters and encourages sustainable uses that provide economic opportunity without significant adverse environmental impacts;
  - (e) Preserves and enhances public access;
  - (f) Protects and encourages working waterfronts and supports the infrastructure necessary to sustain marine industry, commercial shipping, shellfish aquaculture, and other water-dependent uses;
  - (g) Fosters public participation in decision making and significant involvement of communities adjacent to the state's marine waters; and
  - (h) Integrates existing management plans and authorities and makes recommendations for aligning plans to the extent practicable.

*Specific sections of the Ocean Resources Management Act that guided the development of these recommendations include:*

**RCW 43.143.010**

- (1) The purpose of this chapter is to articulate policies and establish guidelines for the exercise of state and local management authority over Washington's coastal waters, seabed, and shorelines.
- (2) There shall be no leasing of Washington's tidal or submerged lands extending from mean high tide seaward three miles along the Washington coast from Cape Flattery south to Cape Disappointment, nor in Grays Harbor, Willapa Bay, and the Columbia river downstream from the Longview bridge, for purposes of oil or gas exploration, development, or production.
- (3) When conflicts arise among uses and activities, priority shall be given to resource uses and activities that will not adversely impact renewable resources over uses which are likely to have an adverse impact on renewable resources.

- (4) It is the policy of the state of Washington to actively encourage the conservation of liquid fossil fuels, and to explore available methods of encouraging such conservation.
- (5) It is not currently the intent of the legislature to include recreational uses or currently existing commercial uses involving fishing or other renewable marine or ocean resources within the uses and activities which must meet the planning and review criteria set forth in RCW 43.143.030. It is not the intent of the legislature, however, to permanently exclude these uses from the requirements of RCW 43.143.030. If information becomes available which indicates that such uses should reasonably be covered by the requirements of RCW 43.143.030, the permitting government or agency may require compliance with those requirements, and appeals of that decision shall be handled through the established appeals procedure for that permit or approval.
- (6) The state shall participate in federal ocean and marine resource decisions to the fullest extent possible to ensure that the decisions are consistent with the state's policy concerning the use of those resources.

**RCW 43.143.030**

- (1) When the state of Washington and local governments develop plans for the management, conservation, use, or development of natural resources in Washington's coastal waters, the policies in RCW 43.143.010 shall guide the decision-making process.
- (2) Uses or activities that require federal, state, or local government permits or other approvals and that will adversely impact renewable resources, marine life, fishing, aquaculture, recreation, navigation, air or water quality, or other existing ocean or coastal uses, may be permitted only if the criteria below are met or exceeded:
  - (a) There is a demonstrated significant local, state, or national need for the proposed use or activity;
  - (b) There is no reasonable alternative to meet the public need for the proposed use or activity;
  - (c) There will be no likely long-term significant adverse impacts to coastal or marine resources or uses;
  - (d) All reasonable steps are taken to avoid and minimize adverse environmental impacts, with special protection provided for the marine life and resources of the Columbia river, Willapa Bay and Grays Harbor estuaries, and Olympic national park;
  - (e) All reasonable steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;
  - (f) Compensation is provided to mitigate adverse impacts to coastal resources or uses;
  - (g) Plans and sufficient performance bonding are provided to ensure that the site will be rehabilitated after the use or activity is completed; and
  - (h) The use or activity complies with all applicable local, state, and federal laws and regulations.

# 1. Issues Related to All New Uses

## 1.1. Economic Recommendations

### Problem Statement

New uses (including significant expansion of existing uses) may have acute and cumulative impacts on the local economy, both positive and negative. There is concern that some new uses could have short-term economic gains followed by long-term economic loss due to displacement of current uses by short-term projects (such as pilot projects or abandoned or failed projects). Additionally, a new use could result in national or global economic gain, but a significant economic loss at the local level. Local stakeholders and affected parties would like a clear understanding of the potential economic impacts of new uses, and a clear understanding of the interactions with existing uses, prior to the use being permitted.

### Draft Recommendations

- 1.1.1. Prior to permitting new uses or expansions of existing uses which may cause impacts to either existing uses or to the local economy, an economic assessment should be completed. The purpose of this assessment is to provide agencies, the proponent, and stakeholders with information on economic impacts for consideration in conjunction with established review and permitting processes. When appropriate, the economic assessment should build on the baseline information of available economic and social studies<sup>1</sup>.

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<sup>1</sup> Baseline studies include but are not limited to:

- Taylor, M., Baker, J. R., Waters, E., Wegge, T. C., & Wellman, K. (2015). *Economic analysis to support marine spatial planning in Washington*. Prepared for the Washington Coastal Marine Advisory Council.
- Industrial Economics, Inc. (October 2014). *Marine Sector Analysis Reports: Aquaculture, Commercial and Recreational Fishing, and Recreation and Tourism*. Prepared for Washington Coastal Marine Advisory Council.
- BST Associates. (August 2014). *Washington Coast Marine Spatial Planning Assessment of Shipping Sector: Final Sector Assessment*. Prepared for Washington State Department of Natural Resources.
- Butler, K., Fryday, C., Gordon, M., Ho, Y., McKinney, S., Wallner, M., & Watts, E. (2013). *Washington's working coast: An analysis of the Washington Pacific coast marine resource-based economy* (Keystone Project). University of Washington Environmental Management Certificate Program.
- Radtke, H. (2011) *Washington State Commercial Fishing Industry Total Economic Contribution*. Prepared for Seattle Marine Business Coalition.
- Martin Associates (October 2014) *The 2013 Economic Impact of the Port of Grays Harbor*. Prepared for the Port of Grays Harbor.
- Resource Dimensions (2015) *Economic Impacts of Crude Oil Transport on the Quinault Indian Nation and the Local Economy*.
- National Marine Fisheries Service (2013). *Fisheries of the United States 2012*. Office of Science and Technology, Fisheries Statistics Division. Alan Lowther, editor.
- Point 97 and the Surfrider Foundation. (May 2015). *An Economic and Spatial Baseline of Coastal Recreation in Washington*. Prepared for Washington Department of Natural Resources.

The assessment should include:

a) Process

- Early stakeholder notice, including a detailed description of the project proposal.
- A designated time period for review and comment that provides time for stakeholder input at key stages throughout the assessment.
- A clear timeframe for response to comments.
- Independent third party expert review of the assessment and the stakeholder comments. The project proponent will be given an opportunity to review and respond to the assessment, stakeholder comments, and the independent review.

b) Content

- An assessment of the short-term and long-term economic costs and benefits to the affected community, including social costs and benefits. The assessment should specifically address the social costs to vulnerable ocean users, and the potential impacts on taxpayers (and, if appropriate, ratepayers). The determination of costs and benefits should not be completed without input from local stakeholders and affected parties.
- As appropriate, an assessment of the costs and benefits to the larger economy (state, national, global).
- An assessment of various scenarios which include the full project footprint, and scenarios where the new use fails and is abandoned or decommissioned.
- A discussion of how the project complies with all legal requirements, including but not limited to RCW 43.143.030 (e): *All reasonable steps are taken to avoid and minimize adverse social and economic impacts, including impacts on aquaculture, recreation, tourism, navigation, air quality, and recreational, commercial, and tribal fishing;*

## 1.2. Infrastructure and Technology Recommendations

### Problem Statement

New ocean<sup>2</sup> infrastructure presents many concerns to coastal communities, ranging from loss of views and aesthetics to safety concerns.

New infrastructure may pose an increased risk to the navigational safety of all vessel types and sizes. Impacts may be both direct impacts (including but not limited to collision, damage to or loss of fishing gear, and reduction or elimination of existing fishing operations and maritime commerce) and indirect impacts (such as impacts from changes in ocean conditions or traffic patterns). New uses that disturb the seafloor could harm or bury cultural or historic resources, habitat for marine species, and fishing

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<sup>2</sup> The terms “ocean” and “offshore” throughout this document include estuaries

grounds. New uses could also create hazardous ocean conditions that endanger existing uses and infrastructure.

Some types of fishing gear are "mobile" some are "fixed". On the Washington Coast even "fixed gear" (especially crab pots) moves during storm events. New infrastructure in the ocean presents an increased risk for entangling fishing gear. Gear entanglement results in lost and derelict gear, negative impacts on fishing opportunities and economies, and unintended mortality or harm to marine life.

Harsh coastal conditions on the Washington Coast, including storms and tsunamis, may harm or destroy infrastructure. If a structure becomes obsolete, is destroyed, or is abandoned, there are concerns about the ongoing impacts of leaving unmaintained structures in place, the impacts of the removal process, associated debris, and footprint scars.

## **Draft Recommendations**

### ***1.2.1. Navigational Safety***

WCMAC recommends that a vessel traffic risk assessment or a risk-based modelling analysis be presented or prepared prior to permitting to evaluate navigational safety. WCMAC recommends that permitting agencies deny permits that have an adverse impact on navigational safety.

### ***1.2.2. Dredge Disposal and Wave Amplification***

WCMAC recommends implementation of recommendations established by the updated Mouth of the Columbia River Regional Sediment Management Plan and local Shoreline Master Programs that address navigation safety and dredge disposal. WCMAC recommends that dredge disposal should be sited in areas where the disposal will provide beneficial use to the greatest extent possible.

### ***1.2.3. Historic and Cultural Resources***

WCMAC recommends that, for new uses that will impact the ocean floor, a high-resolution seafloor archeological assessment be conducted prior to permitting, and that the project be sited and mitigated to avoid and preserve historic and cultural resources.

### ***1.2.4. Coastal Erosion and Sea-Level Rise***

WCMAC recommends that state agencies continue to monitor erosion and sea-level rise on the Washington coast. The effects of projected coastal erosion, future sea-level rise, and other climate change impacts should be evaluated to determine the long-term suitability of a proposed new use prior to permitting.

### ***1.2.5. Aesthetics***

WCMAC recommends that the environmental review process require conceptual site drawings of visual impacts and assess the effect new infrastructure will have on views, aesthetics, and public access.

### **1.2.6. Structure Survivability**

WCMAC recommends that a survivability assessment be required for all new ocean structures. Permit conditions should include requirements that comply with RCW 43.143.030(2)(g): *Plans and sufficient performance bonding are provided to ensure that the site will be rehabilitated after the use or activity is completed.*

### **1.2.7. Entangled Fishing Gear**

WCMAC recommends that permit conditions for new uses require a plan for monitoring for entangled fishing gear or other debris, including a plan to mitigate impacts.

### **1.2.8. New Structures**

WCMAC recommends that, at a minimum, proposals for any new structures (including the creation of artificial reefs) consider the information in the Marine Spatial Plan, follow the MSP recommendations, and comply with the criteria described in RCW 43.143.030(2).

## **1.3. Ecological Recommendations**

### **Problem Statement**

New uses raise ecological concerns, including impacts to species and habitats; changes to migration routes and physical processes; degradation of water quality; impacts to the food web; and introduction of invasive species. In addition, offshore uses are often supported by on-shore infrastructure, and it is important to understand and assess the positive and negative impacts of changes to infrastructure on local coastal communities.

### **Draft Recommendations**

1.3.1. WCMAC recommends that, prior to permitting new uses or expansions of existing uses, an environmental assessment should be completed. Environmental assessments required under SEPA or NEPA should thoroughly address:

- Degradation of sensitive and important habitat for representative important species, including, but not limited to, ESA listed and commercially, recreationally and ecologically valuable species.
- Potential for direct injury or harm to species, including ESA listed and commercially valuable species (e.g. strikes, entanglement, etc.), or indirect injury related to exposure to noise, light, vibration, electromagnetic fields or other related stressors associated with the new use.
- Alteration or impairment of existing animal migration routes.
- Degradation of water quality (chemicals, petroleum products, nutrients, oxygen, temperature, acidification, etc.).

- Changes in physical processes, including, but not limited to, currents and waves, sediment processes, coastal erosion and accretion, electromagnetic fields, acoustics and wave amplification.
  - Unintended impacts, including, but not limited to, impacts to the food chain, changes to physical processes, introduction of disease or genetic pollution, and access to existing resources.
  - Inadvertent introduction of invasive species, organisms, etc.
  - Comparison of alternatives and best-available technologies, if appropriate.
  - Evaluation of impacts and demands on existing infrastructure, both on and offshore.
- If environmental review is not required by SEPA or NEPA, WCMAC recommends that state and local agencies ensure that these concerns are addressed by applicants for new uses.

1.3.2. WCMAC recommends that all environmental assessments include a process for stakeholder input, including scoping, review of draft assessments, and a period for public comment. Agencies should establish adequate time for notice and public comment based on the complexity of the project.

1.3.3. WCMAC recommends applicants be held liable for damages and provide mitigation of adverse impacts to coastal resources, coastal uses, or both, consistent with existing law.

1.3.4. For projects that pose a risk for invasive species introduction, WCMAC recommends applicants be required to prepare a prevention, monitoring and control plan.

## **2. Additional Issues Related to Specific New Uses**

### **2.1. OFFSHORE AQUACULTURE ISSUES**

#### **Problem Statement**

Offshore aquaculture presents unique concerns. The infrastructure and activities from offshore aquaculture could harm other species, particularly predators such as pinnipeds, cetaceans, and sharks. The infrastructure could also alter habitat and food sources for marine species. Offshore aquaculture may introduce new species, genetic mixing, and diseases into the environment, potentially harming existing populations and ecosystems. Fin-fish aquaculture could have economic, ecological and spatial impacts on existing fishing, and there is currently no feasible recovery method for escaped fin-fish from net-pen aquaculture.

#### **Draft Recommendations**

- 2.1.1. WCMAC recommends that applicants for offshore aquaculture prepare prevention, monitoring and response plans that address escapement, disease, and nutrient pollution.
- 2.1.2. WCMAC recommends that applicants for offshore aquaculture avoid and minimize impacts to pinnipeds, cetaceans, sharks and other species through facility design, siting and operation.
- 2.1.3. WCMAC recommends that agencies deny permits for offshore aquaculture facilities with species that pose a significant risk of introducing disease, impairing fish health, or potentially introducing genetic pollution into the area, in accordance with WAC 276.76.100: *A permit may be denied based on the determination by the director of significant genetic, ecological or fish health risks of the proposed fish rearing program on naturally occurring fish and wildlife, their habitat or other existing fish rearing programs.*
- 2.1.4. WCMAC recommends that pesticide controls should undergo risk assessment before their use is allowed.

### **3. Additional Issues Related to Protecting and Preserving Existing Sustainable Uses**

#### **Problem Statement**

New uses could irrevocably change coastal communities. While some new uses may bring positive changes, there are concerns that new uses could also harm communities in ways that are difficult to repair. There is a concern that harmful changes are likely to occur without adequate stakeholder involvement and input during all aspects of the decision-making process for new development.

The Washington coast is the shortest coast line of the three Pacific Coast states<sup>3</sup>, and has unique limitations on usage, including the Olympic National Park, the Coastal Islands National Wildlife Refuges, the Olympic Coast National Marine Sanctuary, areas of tribal sovereignty and off-shore treaty rights, restrictions by the US military, and severe weather. Ocean space is limited and already hosts multiple uses. Additional spatial displacement along the Washington coast could place an undue burden on existing uses, including fishing. New uses could preempt existing fishing space, resulting in smaller

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<sup>3</sup> Washington's Pacific Coastline is 157 miles, Oregon's is 296, and California's is 840. Source: NOAA Office for Coastal Management, General Coastline and Shoreline Mileage of the United States.

The coast of Willapa Bay is 129 miles and the coast of Grays Harbor is 89 miles. Source: T. Swanson. February 2001. "Managing Washington's Coast: Washington's Coastal Zone Management Program." Washington State Department of Ecology, publication 00-06-029. Olympia, WA.

The Marine Spatial Planning study area covers approximately 375 miles of Washington's marine and estuarine shoreline.

fishing areas. Smaller fishing areas may lead to overcrowded and dangerous fishing activities as well as reduced catch and negative socio-economic impacts.

There is concern that new uses could degrade or alter existing sustainable uses in the marine waters, including fisheries and aquaculture, in a variety of ways (impairment of estuary functions, degradation of water quality, impacts to fish and wildlife habitat, etc.). This could result in reduced harvest or reduced profitability for existing uses. New uses could also degrade recreational opportunities, public access, and aesthetics.

## **Draft Recommendations**

- 3.1.1. WCMAC recommends public and stakeholder involvement in all aspects of project development and review, including:
  - working collaboratively with stakeholders, including but not limited to fishing, aquaculture, maritime commerce, conservation, tourism and recreation interests;
  - providing timely and effective notice; and
  - initiating both formal and informal pre-application discussions between stakeholders and applicants.
- 3.1.2. WCMAC recommends a project review process that includes existing uses, appropriate agencies, and project proponents. The process should involve established fishing advisory groups, and should identify potential adverse impacts on commercial and recreational fisheries and opportunities to avoid, reduce, or mitigate impacts. Fishing advisory boards comprised of representatives of the affected fisheries could also be created for specific projects or sites.
- 3.1.3. WCMAC recommends that project proponents use WCMAC as a forum for early notification and discussion of potential proposals, including impacts to habitat, impacts on existing uses, project location and maximum size, etc.
- 3.1.4. WCMAC recommends that through the permitting and review process, applicants prepare site specific impact assessments addressing impacts to current uses, including, but not limited to, fishing, recreation, and aquaculture. The assessment should also describe how the project will comply with local Shoreline Master Programs.

## **4. Adaptive Management and Data Gathering**

### **Problem Statement**

As conditions change or as new information is gathered, it is important to update baseline information, apply adaptive management, and update the MSP.

- 4.1.1. WCMAC recommends that state agencies identify a systematic process to update existing datasets, gather new data to keep baseline information current, and fill data gaps.
- 4.1.2. WCMAC recommends that, based on new information or changing conditions, state agencies identify areas of the MSP's recommendations where changes may be needed, and recommend changes to the MSP or to existing implementation activities.
- 4.1.3. WCMAC recommends that project applicants be required to use up-to-date data that is adequate to evaluate the project and its potential effects. If new data gathering is required, it should be done at the applicants' expense. When it exists, data should include multiple years and multiple seasons within those years.<sup>4</sup>

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<sup>4</sup> This recommendation was added at the September 28, 2016 WCMAC meeting.

**NOTES:**

1. A definitions section will be added to the MSP to define key terms in these recommendations.
2. Cross-references to relevant sections of the full MSP will be added as appropriate (e.g. references to Olympic National Park, the Coastal Islands National Wildlife Refuges, the Olympic Coast National Marine Sanctuary, etc.)
3. Staff will research the miles of shoreline for WA, OR and CA and add a footnote with these numbers the problem statement in section 3.

DRAFT

# **WCMAC Discussion Guide**

## **November 9, 2016**

### **Draft Spatial Recommendations**

#### **Purpose**

WCMAC will discuss at this meeting their feedback on the suggested spatial recommendations, whether to approve them, and whether develop additional recommendations.

#### **Background**

At last WCMAC meeting, staff presented conceptual spatial recommendations for WCMAC's consideration. The revised proposed spatial recommendations are summarized below. The September discussion guide is reattached (pages 3-5) with some key maps for reference (pages 6 and 7).

#### **Proposed Spatial Recommendations**

Staff propose the following spatial recommendations:

1. Only community-scale industrial projects be permitted in state waters, and to minimize impacts to existing uses and resources, industrial-scale projects should be prohibited in state waters.
  - This recommendation would be supported by definitions of industrial-scale (energy at a scale for the regional grid—i.e. larger production/more devices) and community-scale (energy at scale for local community/communities—i.e. smaller production/fewer devices—and with the support of the local community).
2. Further evaluation of proposed projects, in state waters, should occur on a case-by-case basis. Projects would still need to provide information, meet criteria and statutory requirements, and follow the process described in the MSP. Applicants for renewable energy projects should avoid areas that are highly used by lots of existing uses and ecologically important areas in state waters, as these areas would likely be more difficult to permit.
3. Important, Sensitive, and Unique Areas (ISUs), where offshore development would be presumptively excluded in state waters, will be identified based on the criteria and proposed list (see pages 3 and 4). ISU maps provide the current, best available data, but protection extends to wherever those areas are identified.
4. Coastal estuaries, including Grays Harbor and Willapa Bay, are important ecological areas and are heavily used by existing uses. They are home to critical saltwater habitats<sup>1</sup> and Priority Habitats and Species<sup>2</sup>, such as spawning and juvenile rearing areas, aquatic habitats (e.g. eelgrass, kelp, mudflats, and shellfish beds), state-listed or candidate species, vulnerable aggregations, and species of commercial, recreational or tribal importance. A more detailed analysis for proposed projects will be required to avoid, minimize and mitigate impacts to the habitats, species, and uses in estuaries.
5. For projects in federal or state waters, applicants and agencies should use data presented in the Washington Marine Spatial Plan to understand and evaluate potential impacts to existing uses and

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<sup>1</sup> "Critical Saltwater Habitat" is defined in Shoreline Management Regulations at: WAC 173-26-221(2)(c)(iii)(C).

<sup>2</sup> Washington Department of Fish and Wildlife identifies and maintains information about "Priority Habitats and Species", more information at: <http://wdfw.wa.gov/conservation/phs/>.

resources, including any updated data available. Additional site specific analyses will be needed to further evaluate potential impacts from a particular proposal.

6. Where particular uses have similar coastal effects (e.g. structures or cables), applicants should use the criteria, information and process described for renewable energy as a starting point.
7. The Marine Spatial Plan provides baseline information and analyses that can assist applicants and agencies in evaluating potential impacts from other potential new ocean uses.

**Questions for WCMAC**

1. Do you support these recommendations?
2. Do you have suggested improvements to these recommendations?
3. Are there additional recommendations that should be added?

**WCMAC Discussion Guide:  
Draft Spatial Recommendations  
September 28, 2016**

**Purpose:**

To present the potential components of draft spatial recommendations for the Marine Spatial Plan and to discuss WCMAC's questions and initial feedback on them.

**Background:**

The state is proposing several potential components for draft spatial recommendations. They include:

1. Limitations and Background
2. Important, Sensitive and Unique Areas (ISUs)
3. Draft Spatial Recommendations for renewable energy based on use analysis process
4. Other Uses

More information on these components is provided below.

**1. Limitations and Background**

- a. Spatial recommendations only apply to state waters. The Coastal Zone Management Act does not provide the state with the ability to directly develop policies or recommendations for federal waters.
- b. Spatial recommendations should be based on coastal effects and substantial evidence. They should not discriminate against a particular use, user or activity.
- c. The data and analysis contained in the MSP provides important context to enable the state to review and influence projects in federal waters.

**2. Important, Sensitive and Unique Areas (ISUs)**

Development would be presumptively excluded from ISUs. Maps indicate current known location of ISUs, but designation applies wherever ISUs occur.

DRAFT Criteria

- a. Areas that are environmentally sensitive or contain unique or sensitive species or biological communities that must be conserved and warrant protective measures [RCW 43.372.040(6)(c)].
- b. Areas with known sensitivity to development and where scientific data indicates high certainty in and knowledge about the potential impacts.
- c. Areas with features that have limited, fixed and known occurrence.
- d. Areas with inherent risk or infrastructure incompatibilities (e.g. buoys or cables).

Potential ISUs

- a. Biogenic Habitats: Kelp and Coral
- b. Rocky Reefs
- c. Bird colonies
- d. Pinniped haul-outs
- e. Historic and archaeological sites
- f. Buoys and cables
- g. Other key fish habitats:
  - i. Essential Fish Habitat for juvenile rockfish.

- ii. Forage fish spawning areas and nursery areas for breeding sharks, including within the estuaries.

### 3. Spatial Recommendations

The Marine Spatial Planning law requires a plan to include a series of maps that identify: “appropriate locations with high potential for renewable energy production with minimal potential for conflicts with other existing uses or sensitive environments” RCW 43.372.040(6)(c)

WCMAC has played an important role in advising on the criteria for the process and recommended actions for the outputs of the Use Analysis throughout the process, including maps of ecologically important areas, maps of human activities, workshops on fisheries maps (November 2015) and the Marxan tool and outputs (May and June 2016).

The **Use Analysis** involved the following main activities:

- i. Assessing and compiling data on existing uses and ecological information in two ways:
  - o Intensity of uses – how frequently an area is used
  - o Number of uses – how many uses occur in an area, regardless of how often
- ii. Using spatial analysis tools to compare existing use data to renewable energy data. Marxan was used to enable spatial analysis of multiple sets of spatial data (GIS or mapped) using different scenarios to produce different options that meet multiple planning objectives.
  - o The analysis was structured to find areas for renewable energy at various scales of development (“industrial” 300-400 MW) and for various types of energy and technologies. Various parameters were applied, such as clumped vs. dispersed and cost thresholds, to illustrate results.
  - o The analysis compared renewable energy potential with available, mapped information on existing uses (intensity, where available) and ecologically important areas.
  - o The analysis incorporated feedback from WCMAC on the treatment of data, particularly crab data.
- iii. Developing spatial recommendations

#### Potential spatial recommendations:

These draft spatial recommendations focus on the intersection between renewable energy potential and existing uses and ecologically important areas.

- a. Potential for conflict exists everywhere. Outputs from analysis illustrated areas with high potential for renewable energy and fewer uses or less heavily used areas.
- b. Recommend no industrial-scale projects in state waters to minimize impacts to existing uses and resources. Potential definitions:
  - Industrial - energy at scale for regional grid (larger production/more devices).
  - Community-scale - energy at scale for local community/communities (smaller production/fewer devices) and with support of local community.

- c. Recommend renewable energy projects avoid areas that are highly used by lots of existing uses and ecologically important areas in state waters. These areas would be very difficult to permit.
- d. Recommend further evaluation of proposed projects in areas that have moderate or lower level of use by existing uses and ecologically important areas on a case-by-case basis. Projects would still need to provide information, meet criteria and statutory requirements, and follow the process describe in the MSP.

#### **4. Other Uses**

The MSP is addressing a range of other ocean uses – offshore aquaculture, mining (sand/gravel, methane hydrate), bioextraction, and new dredge disposal sites. There is limited spatial data available on the areas of interest for these potential uses and the spatial scale of some uses is too small for the use analysis to be helpful.

##### Draft spatial recommendations:

- a. The plan provides data and information that can be used to understand potential conflicts with existing uses and resources. Recommend using the data to understand potential conflicts, resources and concerns.
- b. Where particular uses have similar coastal effects (e.g. structures or cables), recommend applicants use the criteria, information and process described for renewable energy as a starting point.

##### **Key Questions:**

- What clarifying questions do you have about the potential components for draft spatial recommendations?
- Do you support the proposed criteria to identify ISUs?
- Do you support the potential spatial recommendations?
- What changes would you suggest and why?

Figure A. Existing Uses and Ecologically Important Areas: Penalty Input Map

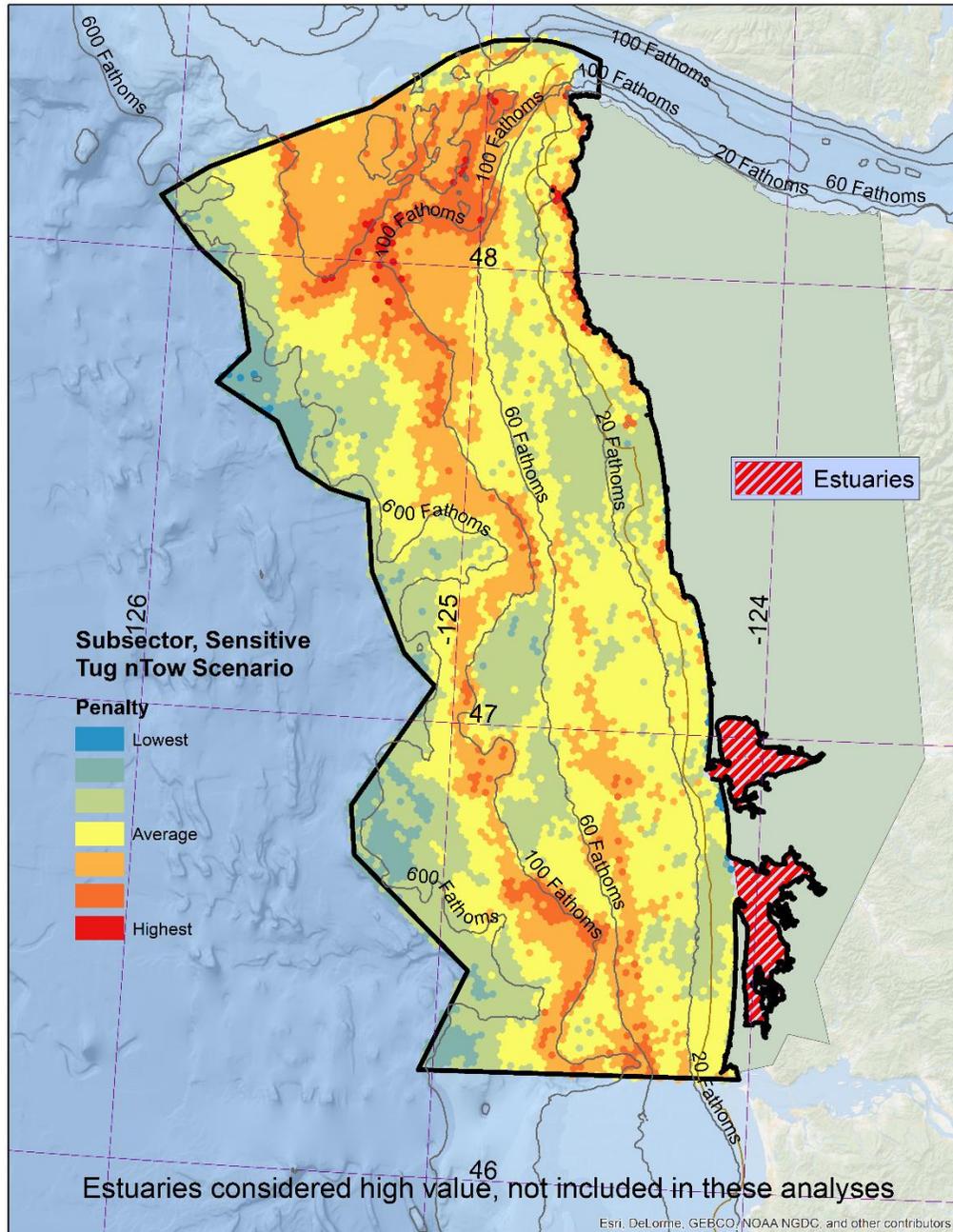
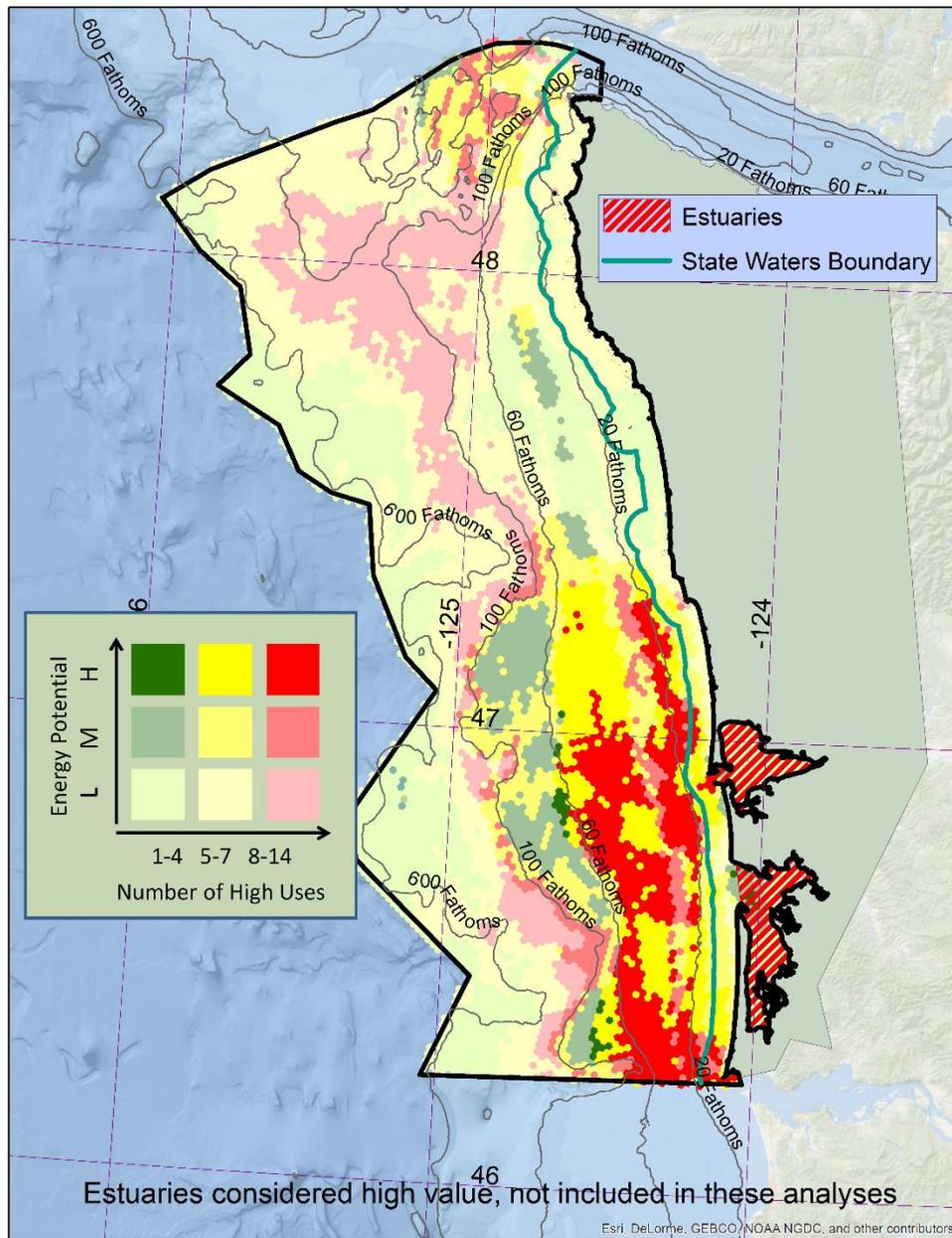


Figure B. Comparison of Wind Energy Potential and Existing High Uses/Ecological Hotspots



## **RCW 43.143.050**

### **Washington coastal marine advisory council.**

(1) The Washington coastal marine advisory council is established in the executive office of the governor to fulfill the duties outlined in RCW [43.143.060](#).

(2)(a) Voting members of the Washington coastal marine advisory council shall be appointed by the governor or the governor's designee. The council consists of the following voting members:

(i) The governor or the governor's designee;

(ii) The director or commissioner, or the director's or commissioner's designee, of the following agencies:

(A) The department of ecology;

(B) The department of natural resources;

(C) The department of fish and wildlife;

(D) The state parks and recreation commission;

(E) The department of commerce; and

(F) Washington sea grant;

(iii) The following members of the Washington coastal marine advisory council established by the department of ecology and as existing on January 15, 2013:

(A) One citizen from a coastal community;

(B) Two persons representing coastal commercial fishing;

(C) One representative from a coastal conservation group;

(D) One representative from a coastal economic development group;

(E) One representative from an educational institution;

(F) Two representatives from energy industries or organizations, one of which must be from the coast;

(G) One person representing coastal recreation;

(H) One person representing coastal recreational fishing;

(I) One person representing coastal shellfish aquaculture;

(J) One representative from the coastal shipping industry;

(K) One representative from a science organization;

(L) One representative from the coastal Washington sustainable salmon partnership;

(M) One representative from a coastal port; and

(N) One representative from each outer coast marine resources committee, to be selected by the marine resources committee.

(b) The Washington coastal marine advisory council shall adopt bylaws and operating procedures that may be modified from time to time by the council.

(3) The Washington coastal marine advisory council may invite state, tribal, local governments, federal agencies, scientific experts, and others with responsibility for the study and management of coastal and ocean resources or regulation of coastal and ocean activities to designate a liaison to the council to attend council meetings, respond to council requests for technical and policy information, perform collaborative research, and review any draft materials prepared by the council. The council may also invite representatives from other coastal states or Canadian provinces to participate, when appropriate, as nonvoting members.

(4) The chair of the Washington coastal marine advisory council must be nominated and elected by a majority of councilmembers. The term of the chair is one year, and the position is

eligible for reelection. The agenda for each meeting must be developed as a collaborative process by councilmembers.

(5) The term of office of each member appointed by the governor is four years. Members are eligible for reappointment.

(6) The Washington coastal marine advisory council shall utilize a consensus approach to decision making. The council may put a decision to a vote among councilmembers, in the event that consensus cannot be reached. The council must include in its bylaws guidelines describing how consensus works and when a lack of consensus among councilmembers will trigger a vote.

(7) Consistent with available resources, the Washington coastal marine advisory council may hire a neutral convener to assist in the performance of the council's duties, including but not limited to the dissemination of information to all parties, facilitating selected tasks as requested by the councilmembers, and facilitation of setting meeting agendas.

(8) The department of ecology shall provide administrative and primary staff support for the Washington coastal marine advisory council.

(9) The Washington coastal marine advisory council must meet at least twice each year or as needed.

(10) A majority of the members of the Washington coastal marine advisory council constitutes a quorum for the transaction of business.

[2013 c 318 § 1.]

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## **RCW 43.143.060**

### **Washington coastal marine advisory council—Duties.**

(1) The duties of the Washington coastal marine advisory council established in RCW [43.143.050](#) are to:

(a) Serve as a forum for communication concerning coastal waters issues, including issues related to: Resource management; shellfish aquaculture; marine and coastal hazards; ocean energy; open ocean aquaculture; coastal waters research; education; and other coastal marine-related issues.

(b) Serve as a point of contact for, and collaborate with, the federal government, regional entities, and other state governments regarding coastal waters issues.

(c) Provide a forum to discuss coastal waters resource policy, planning, and management issues; provide either recommendations or modifications, or both, of principles, and, when appropriate, mediate disagreements.

(d) Serve as an interagency resource to respond to issues facing coastal communities and coastal waters resources in a collaborative manner.

(e) Identify and pursue public and private funding opportunities for the programs and activities of the council and for relevant programs and activities of member entities.

(f) Provide recommendations to the governor, the legislature, and state and local agencies on specific coastal waters resource management issues, including:

(i) Annual recommendations regarding coastal marine spatial planning expenditures and projects, including uses of the marine resources stewardship trust account created in RCW [43.372.070](#);

(ii) Principles and standards required for emerging new coastal uses;

(iii) Data gaps and opportunities for scientific research addressing coastal waters resource management issues;

(iv) Implementation of Washington's ocean action plan 2006;

(v) Development and implementation of coast-wide goals and strategies, including marine spatial planning; and

(vi) A coastal perspective regarding cross-boundary coastal issues.

(2) In making recommendations under this section, the Washington coastal marine advisory council shall consider:

(a) The principles and policies articulated in Washington's ocean action plan; and

(b) The protection and preservation of existing sustainable uses for current and future generations, including economic stakeholders reliant on marine waters to stabilize the vitality of the coastal economy.

[2013 c 318 § 2.]

# List of Potential Issues for WCMAC Work Plan

## A. MSP Implementation Tasks

1. Developing key ecosystem indicators.
2. Monitor implementation of the MSP.
3. Identify data gaps, create a strategy to acquire scientific information, and create a process to adjust plans with new scientific information.
4. Identify and report on existing management plans that are substantially inconsistent with the MSP.

## B. Topics Identified by Technical and Steering Committees

1. Shipping of hazardous materials
2. Vessel traffic/navigational safety
3. Oil terminals
4. Finfish aquaculture
5. Coastal erosion
6. Ocean conditions
7. Changing fishing fleets
8. Alternative fishing methods
9. Burrowing shrimp

November 9 2016

**Washington Coastal Marine Advisory Council  
Draft Work Plan**

The WCMAC work plan is a living document. It will be continually updated and used as a guide for planning WCMAC meetings. WCMAC members are encouraged to identify agenda requests as early as possible.

<b>Meeting</b>	<b>Information</b>	<b>Advice/Action</b>
November 9, 2016	<ul style="list-style-type: none"><li>• Discuss spatial recommendations (continued)</li><li>• Update on draft MSP</li><li>• Discuss 2017 WCMAC work plan</li></ul>	<ul style="list-style-type: none"><li>• Approve any additional Technical Committee recommendations</li><li>• Finalize WCMAC spatial recommendations</li></ul>
February 15, 2017	<ul style="list-style-type: none"><li>• Technical Committee update</li><li>• Update on draft MSP</li><li>• MSP outreach update</li></ul>	<ul style="list-style-type: none"><li>• Approve/discuss Technical Committee recommendations</li><li>• Input on MSP: Management Framework/Preliminary Plan</li><li>• Input on MSP outreach</li></ul>
May 10, 2017	<ul style="list-style-type: none"><li>• Update on draft MSP</li><li>•</li></ul>	<ul style="list-style-type: none"><li>• TBD</li></ul>
<i>September TBD (20/27?)</i>	<ul style="list-style-type: none"><li>•</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>

Other information needs to fit in:

- Background on state vs. federal jurisdiction.
- Lessons-learned from other planning processes.

Other topics, issues, or recommendations may be addressed through the process set up by the Council and as time and resources allow.