

# WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

Wednesday March 8, 2023
Part 1 from 9:30am - 11:50am
Part 2 from 1:00pm - 3:00pm

Zoom link: https://us06web.zoom.us/j/82773525135?pwd=ekdBRW8vaHU3VE5EUUEzTG9JSmYrQT09

Meeting ID: 827 7352 5135 Passcode: 817779

# March 8<sup>th</sup>, 2023 Agenda

Time	Agenda Item and Description	Objective (Information, Discussion, Action)	Presenter(s)
9:30 (20 min)	<ul> <li>Welcome and Introductions, Agenda Review</li> <li>Welcome and roll call introductions</li> <li>Review agenda</li> <li>Encourage public comments via chat</li> <li>Adopt summary of December meeting minutes</li> </ul>	Information, Action Reference Materials:  • March 2023 Agenda  • Draft December 2022 Meeting Summary (Appendix A)	<ul><li>Rod Fleck, Chair</li><li>Dale Beasley, Vice Chair</li><li>Mike Chang, Facilitator</li></ul>
<b>9:50*</b> (45 min)	WCMAC Updates  • Membership updates  • Announcements  • 2022 Accomplishments  • In-person meetings	Information, Discussion Reference Materials: • Draft 2022 WCMAC Accomplishments (Discussion Guide)	<ul> <li>Mike Chang, Facilitator</li> <li>Nicole Gutierrez, Facilitator</li> <li>Casey Dennehy, Ecology</li> </ul>
<b>10:35*</b> (35 min)	<ul> <li>Updates</li> <li>Governor's Office Updates</li> <li>MRC Updates</li> <li>Agency Updates</li> <li>General Coastal Updates</li> <li>MRAC Update</li> </ul>	Information, Discussion	<ul> <li>Mike Chang, Facilitator</li> <li>Carrie Sessions, Governor's Office</li> <li>Other State Agency representatives</li> <li>WCMAC members</li> </ul>
<b>11:10*</b> (15 min)	Resiliency Briefing Committee Updates  • Updates on the Resiliency Briefing Committee	Information, Discussion	<ul> <li>Jimmy Kralj, Facilitator</li> <li>Rod Fleck and Russell Callender, Committee Co- leads</li> </ul>



Time	Agenda Item and Description	Objective (Information, Discussion, Action)	Presenter(s)
<b>11:25*</b> (25 min)	Public Comment	Discussion	<ul><li>Public/Observers</li><li>Mike Chang, Facilitator</li></ul>
11:50*	1-hour break Reconvene at 1:00 pm using same Zoom link		
<b>1:00*</b> (45 min)	Aquatic Science Research – Highlights from the WA State Outer Coast  • Presentation on various research efforts relevant to the WA State Outer Coast (25 min)  • Questions and discussion (20 min)	Information, Discussion Reference Materials: • PowerPoint Presentation (Appendix B)	Vera Trainer, UW
<b>1:45*</b> (20 min)	Olympic Coast National Marine Sanctuary Management Plan  • Presentation on the draft OCNMS Management Plan	Information, Discussion Reference Materials: • PowerPoint Presentation (Appendix B)	Becky Briggs, OCNMS
2:05* (25 min)	Offshore Wind Technical Committee Updates  Progress updates on the OSW Committee goals  Update on addressing data needs objective and new approach  Technical committee co-chair	Information	<ul> <li>Casey Dennehy, Ecology</li> <li>Mai Aoki, Ecology</li> <li>Dale Beasley and Larry Thevik, Committee co- chairs</li> <li>Nicole Gutierrez, Facilitators</li> </ul>
2:30* (15 min)	Public Comment	Discussion	<ul><li>Public/Observers</li><li>Mike Chang, Facilitator</li></ul>
2:45*	Adjourn and Next Steps		





# **WCMAC Discussion Guide**

## **Aquatic Science Research – Highlights from the Washington State Outer Coast**

This presentation will focus on research efforts and initiatives by Olympic Natural Resources Center (ONRC).

The presentation is in Appendix B.

## **Olympic Coast National Marine Sanctuary Management Plan**

This presentation will focus on the overview and an opportunity for comments on OCNMS' Management Plan.

The presentation is in Appendix B.





# **Appendix A. December 2022 Meeting Summary**





## Summary

Wednesday, December 14, 2022 Part 1 from 9:30am – 12:00pm Part 2 from 1:00pm – 3:00pm

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

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

#### **Highlights**

- Updates from the Resilience Work Group and Offshore Wind Technical Committee.
- Presentation from Hecate Wind on their unsolicited lease request for offshore wind development.
- Presentation from WDFW and the Department of Health regarding Dungeness crab biotoxin management.

#### **Summary of Decisions**

- Committee members appointed Rod Fleck and Dale Beasley as the next chair and vice-chair, respectively, of the WCMAC.
- The WCMAC approved the Principles of Engagement developed by the Offshore Wind Technical Committee outlining how the state should engage with BOEM. Appendix A.
- The WCMAC agreed to provide a letter of support for the bill to grant the Department of Health the authority to manage biotoxins in Dungeness crab.

#### **Upcoming Meetings**

- March 8<sup>th</sup>, 2023
- June 14<sup>th</sup>, 2023
- September 13<sup>th</sup>, 2023
- December 6<sup>th</sup>, 2023

Council Members Present	
Brian Sheldon, Shellfish Aquaculture	Mike Rechner, Department of Natural Resources
Mara Zimmerman, WA Coastal Salmon Partnership	Corey Niles, Washington Department of Fish and Wildlife
Dale Beasley, Commercial Fishing	Nives Dolšak, Educational Institution
Doug Kess, Pacific Marine Resource Committee	Garrett Dalan, Grays Harbor Marine Resource Committee
Randy Lewis, Ports	Gus Gates, Recreation
Jay Carmony, State Parks	Paula Culbertson, Wahkiakum Marine Resource Committee



Rod Fleck, North Pacific Marine Resource Committee	Larry Thevik, Commercial Fishing
Rich Doenges, Department of Ecology	Mike Rechner, WA DNR
Michele Conrad, Economic Development	RD Grunbaum, Conservation
Brian Polagye, Coastal Energy	Mike Cassinelli, Recreational Fishing
Russell Callender, Washington Sea Grant	Carries Sessions, Governor's Office
Chris Meinig, PNNL	

Council Members Absent	

Others Present (as noted on the Teams log-in)		
Mike Nordin, Grays Harbor and Pacific Conservation District	Ken Clark, BOEM	
Mai Aoki, Ecology	Casey Dennehy, Ecology	
Tom Carlson, USGS	Natalie Lowell, Makah Tribe	
Heather Hall, WDFW	Ann Skelton, Pacific County MRC	
Mike Okoniewski, Pacific Seafood Consultant	Stephanie Bowman, Department of Commerce	
Henry Bell, Ecology	Greg Shaughnessy, Ocean Gold Seafoods	
Kyle Pauley, KXRO, Mayor of Cosmopolis	Heather Hall, WDFW	
Mike Conroy, Responsible Offshore Development Alliance	Teressa Pucylowski, Ecology	
Diane Sullivan	Teri Wright, Wild Orca	
Paul Turner, Hecate	Whitney Roberts, WDFW	
Jenna Rolf, Makah Tribe	J. Lilah Ise	
Dani Toepelt, WA Department of Health	Susan Chambers, WCSPA	
Katie Wrubel	Tim Thompson	
Jaime Mooney	Hernann Ambion	
Olivia Zimmerman	Sarah Fisken	
Diane Sullivan, Hecate	Sarah Round	



Erin Kester	Kyle Pauley
Jenna Keeton, WA Sea Grant	Cami Shigaya
Chris Butler-Minor, Olympic Coast National Marine Sanctuary	Mark Zweig, Hecate
Alla Weinstein, Trident Wind	Mike Chang, Cascadia Consulting Group
Jimmy Kralj, Environmental Science Associates	Nicole Gutierrez, Cascadia Consulting Group
Alle Brown-Law, Cascadia Consulting Group	

## **Welcome and Introductions**

Mike Chang welcomed participants to the meeting and Rod and Garrett followed with a welcome address. Afterward, he provided an overview of the agenda.

Dale asked when in-person meetings would resume. Mike Chang explained that the majority of WCMAC members preferred virtual meetings, however, next year WCMAC anticipates a return to some in-person meetings.

Mike Chang introduced Chris M. from PNNL who will be serving on the WCMAC as a council member.

# **Meeting Summary Review**

- Larry T. provided one minor correction to the September meeting summary: under "General Updates", the second hollow bullet refers to the wrong U.S. Coast Guard study; it should be changed to "USCG Pacific Port Access Route Study".
- The meeting summary was adopted as amended.

## **Chair and Vice Chair Elections**

Mike Chang explained the nomination and election process and noted that there was one nominee for chair (Rod Fleck) and one nominee for vice-chair (Dale Beasley).

- Rod F. provided remarks that highlighted his desire to resume in-person elements of WCMAC meetings as well as his desire to see WCMAC implement projects and initiatives that meet sustainability objectives.
- Dale B. provided remarks and noted that Washington is the only state to have developed marine spatial planning intended to protect and preserve existing ocean uses including commercial fishing. Dale B. noted his desire to make sure these uses are protected in the future.
- Brian Sheldon noted that he had nominated Mike Nordin and questioned why he was not identified as a nominee. Mike Chang explained that Mike Nordin has not yet been formally appointed to the WCMAC by Governor Inslee through the Board's and Commission Office



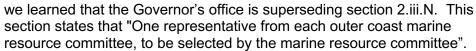
- and as such, he is not eligible to serve as a WCMAC chair. Carrie S. provided additional information and Brian S. requested it be included in the meeting summary that he was protesting the fact that he had made a nomination that was refused.
- Doug K. noted that Mike Nordin had applied for the position many months ago and would like to see the Governor's office quickly confirm his appointment.
- Larry T. appreciated Rod F.'s willingness to serve again as WCMAC chair, however, he noted that it was unfortunate that a process issue under the Governor's office was limiting a potential nominee for the chair position.
- Carrie S., Mike Nordin, and Brian S. will follow up after the meeting.

Gus G. made a motion to move to a vote which was seconded by Randy L. The committee voted for Rod F. and Dale B. to serve in the chair and co-chair positions, respectively.

# **WCMAC Updates**

- Nicole G. provided an update regarding the rapid response mechanism that has been discussed at previous WCMAC meetings.
  - The proposed approach would include a bi-monthly email listserv update with information about open comment periods, press releases, etc. The steering committee would also have the option to call a special meeting for the full committee to discuss particular topics.
  - In the past, WCMAC has called special meetings on various topics (e.g., offshore wind several years ago).
  - Casey D. noted there may be several restrictions involving the Open Public Meetings Act. He suggested that at a future meeting it may be useful to share guidance from the Attorney General about meeting requirements and public participation. Another constraint is resources, including facilitation contracts.
  - o Paula C. clarified that email updates would come twice a month, not twice a week.
  - Dale B. noted that if resources are the problem for addressing issues, then WCMAC should request additional funding during the upcoming legislative session. He added that WCMAC has a responsibility to address coastal issues and, over the past year, WCMAC has missed many opportunities to address issues that affect coastal communities.
- Carrie S. provided updates regarding WCMAC membership.
  - o Carrie S. thanked Rod F. and Garrett D. for their leadership over the last year.
  - There are several vacant seats open that the Governor's office is working to fill: coastal shipping, coastal community, and the Department of Commerce seat.
  - o Two people are stepping down from WCMAC: Doug K. and Gus G.
  - Additionally, Carrie S. will be reaching out to members who have served two terms to have conversations about transitioning off WCMAC. Carrie S. noted that it is standard practice in the Governor's Boards and Commission Office to limit participation to two consecutive four-year terms.
  - o Brian S. provided the following comment in the chat:
    - It's a concern that the Council is not being allowed to adhere to the RCW by the Governor's Office. Section 43.143.060.5 allows Council members to be reappointed and makes no mention of term limits. In 2020 we were informed by the Governor's office representative that the governor had a policy to limit terms to two. It was requested at that time that a copy of that policy be delivered to the Council, but no such policy has ever been delivered. Today





- Larry T. added that the law does not mention anything about term limits and highlighted that when members are replaced, WCMAC loses a large amount of institutional knowledge.
- Carrie S. explained that their intent is to not devalue knowledge and expertise, and the Governor's office will not remove someone from their position creating a vacancy.
- Doug K. encouraged the Governor's office to confirm Mike Nordin to his seat quickly.
- Paula C. noted that a similar situation to Mike Nordin's occurred with her when she applied for her seat. She added that these delays lead to a loss of credibility in the Governor's office, especially since individuals volunteer to participate on these committees.
- o Brian S. echoed comments about the importance of institutional knowledge.
- Mike Chang thanked Gus G. for his service to the WCMAC.

# **Coastal Updates**

#### MRC Updates

- Garrett D. shared that WDFW now has a dedicated staff position to help facilitate coastal MRCs which will help increase capacity moving forward.
- Doug K. shared that they have had a series of presentations recently including one from the Pew Foundation.
- Paula C. shared that four individuals have recently been reappointed to the MRC and approved by county commissioners. Additionally, the robotics team placed second at a national competition and has worked with the Seattle Aquarium on various demonstrations.
- Rod F. announced that the MRC is hoping to work with the company that was awarded salvage rights for the SS Pacific and West End shipwreck effort.

#### State Agencies

No updates

#### Governor's Office

 The Governor's budget will be released later in the afternoon and includes many investments in climate and salmon recovery. Carrie S. also alerted the group to track Ecology's budget request for coastal hazards and resilience.

#### General Updates

- Mara Z. provided an updated that over the next year two technical workshops about climate change and habitat restoration will be held. The first will be on January 25<sup>th</sup> and invitations will be sent later today. Registration is free but required.
- Larry T. noted that the coastal crab season has been delayed because of late molt.
   There are also some domoic acid issues in Southern Oregon. Last season's catch was valued at over \$100 million (state and tribal combined).
- Larry T. also noted that BOEM recently completed a public lease auction for offshore wind in CA which generated \$757 million for five total leases.
- Dale B. shared his desire to review the various pieces of legislation that deal with WCMAC and ocean management, particularly as it relates to the unsolicited lease requests for offshore wind development.
- Brian Sheldon provided an update on burrowing shrimp issues. At last count, 1,150 acres of active shellfish beds were lost. There is a need for effective control of



- burrowing shrimp to address this problem. Brian S. also spoke about the invasive European green crab and stated that the Lummi Sea Pond is an active source of green crab and needs to be addressed to mitigate impacts of the species in Puget Sound.
- Michele C. provided an update about her project to develop a roadmap for resilience with Westport and Ilwaco. The group has identified focal areas related to community concerns and impacts on fisheries: healthy oceans for the future, addressing potential effects on the ocean from climate change and new ocean uses, economically viable fisheries (Dungeness crab in particular, also salmon, groundfish, forage fish, and shellfish fisheries), and vibrant infrastructure along the coast.

## **Hecate Offshore Wind**

Diane Sullivan, Paul Turner, and Mark Zwieg provided a brief presentation on Hecate Wind's recently submitted unsolicited lease request to develop offshore wind off the Washington Coast.

- The project is currently in a very early phase and the purpose of the unsolicited lease request is the opportunity to study the proposed area for potential offshore wind development.
- The identified area of interest is off of Grays Harbor and Willapa Bay and only a portion of the total area would be evaluated for turbine installation. The area shown would comprise the study area, however, turbines would be installed in only a portion of the proposed area.
- This area was evaluated using bathymetry as well as for the potential of visual, biological, and cultural impacts and conflicts with existing ocean uses.
- Currently, Hecate is conducting pre-leasing outreach activities including work to evaluate economic impacts of offshore wind development.
- Interested individuals can visit <a href="www.cascadiaoffshorewind.com">www.cascadiaoffshorewind.com</a> to learn more about the project and sign-up for email updates.
- Discussion
  - Brian S. pointed out WCMACs previous ocean mapping efforts through the marine spatial plan and asked how this proposal would interfere with existing ocean uses.
    - Hecate representatives expressed an interest in obtaining the marine spatial plan mapping information to learn about these conflicts.
  - Tom Carlson asked how these turbines would be designed to withstand winter waves and storms.
    - Paul T. noted that several floating wind developments in the North Sea experience similar wave heights and conditions.
  - Gus G. pointed out that the WA Marine Spatial Plan was not listed on the slide about the screening process and asked how and when that information will be incorporated.
    - Diane S. noted that the presentation was not a comprehensive list of sources used and Tim Thompson added that the Marine Spatial Plan was referenced.
  - Doug K. asked about the potential impacts of offshore wind development on coastal upwelling processes and potential ecosystem impacts.
    - Diane S. noted this will be considered as a scoping item.
  - Larry T. reiterated the importance of considering the Marine Spatial Plan and provided a summary of potential use conflicts between areas of existing ocean uses and the proposed Hecate Area. Larry T. asked how this potential area was selected



given how many conflicts are present. Additionally, he noted that there is no infrastructure on the coast that could handle the power generated by these potential sites. Larry T. also pointed out policy constraints related to enforceable policies under the Marine Spatial Plan and Ocean Resources Management Act.

- Diane S. stated that the presentation was not a comprehensive report of all data considered and that Hecate is aware of potential use conflicts in the area. They intend to further study the area and better understand potential conflicts.
- Russell C. asked if the numbers about job creation were specific to Washington or based on other areas.
  - Diane S. said that the numbers were based on another area in the US and not specific to Washington.
- Teri W. asked if information is available about impacts from offshore wind on marine mammals, specifically related to noise.
  - Diane S. shared that they have not evaluated noise impacts on marine mammals in Washington but this is something that would occur in the survey phase. Diane S. offered to share studies from the East Coast with Teri.
- o Rich D. asked how much oil or lubricants are stored in each turbine.
  - Hecate did not know.
- Chris M. shared a link to PNNL work conducted to evaluate wind and wildlife interactions: https://www.pnnl.gov/wildlife-and-wind
- Dale B. asked about the size of the proposed wind turbines as well as the draft of the proposed structures.
  - Diane S. noted that the installation of turbines is 10 years away at a minimum. Conservative estimates have been made for what equipment might be available 10 years from now. Paul T. added that the technology is advancing very rapidly and it is hard to say what the machinery might look like a decade from now.
- Larry T. asked if Hecate intends to secure lease sites before a thorough analysis of potential environmental impacts.
  - Diane S. said yes and noted that BOEM, in other locations, has undertaken an environmental impact assessment before lease auctions.
  - Larry T. noted that the environmental impact assessment before the lease auction is not a thorough analysis.
  - Tim T. added that Hecate is committed to following the science and data as it relates to environmental impacts and to draw from past efforts like the Marine Spatial Plan to learn more.
- Corey N. asked how Hecate determined the size of the potential area given the uncertainty of the technology and machinery ten years from now.
  - Decisions about spacing and the actual size of the installation are still many years away. The proposed area was selected for further analysis and will eventually be refined.
- Dale B. asked why Hecate chose Washington as opposed to Southern Oregon where winds are more persistent.
  - Paul T. noted that production costs are higher in Washington, but the area is closer to distribution points.



- Dale B. asked if power produced in Washington would stay in Washington or be directed to California like much of the power produced in the Columbia River Gorge.
- Paul T. shared that a transmission line would not be used to transmit wind energy generated in Washington to California, but they have not reached that point in the planning process.

## **Public Comment**

- Alla W. provided an update on the recent California lease sale auction process. The auction included a multi-factor auction credit which created bid credits that would direct a portion of the lease sale money to local communities instead of all of it going to the US Treasury. This allows developers to choose how credits and funding would support communities including supply chain and workplace training, fishing support, and other community initiatives. It will be important to continue to work with BOEM and find ways to increase the amounts of these credits and make them mandatory instead of voluntary in future leasing processes. Alla W. suggested that the technical committee discuss these credits at future meetings.
- Mike O. stated that it is impossible to avoid displacement in areas where people fish. The
  number of proposed offshore wind sites is important because some areas could be left open
  for fishing. Additionally, there are no studies about the impact of offshore wind development
  on the California Current ecosystem. The Makah and Hoh Tribes have issued comments
  about the need for a programmatic environmental impact statement.
- Greg S. noted that as a fishery-dependent business, the area identified by Hecate is right at
  the heart of fishing operations for communities in Westport. Greg asked when they would
  start overlaying fisheries data on these proposed areas to assess impacts. He highlighted
  the need to look at alternative sites that would protect communities on the Washington
  coast.
- Mike Nordin asked if there would be a threshold that makes Hecate and other developers chose to halt progress toward development.
- Alla W. noted that decisions for activities in federal waters are a federal decision, but BOEM
  does work with the state to determine the needs of communities. However, it is ultimately a
  federal decision and BOEM/DOI decides whether or not they want to issue a lease.
  Developers have to then decide if they want to implement construction activities. Alla W.
  also noted that it is not a given that lease requests will go through the non-competitive
  process.
- Mike Nordin asked if the state has a say in the transmission process and distribution of power. Alla W. said yes, but more decisions are primarily made through the Bonneville Power Administration.
- Garrett D. thanked Doug K. for his service to the WCMAC.

# **Update on Resiliency Briefing Committee**

Jimmy Kralj shared that the Resilience Work Group held its briefing to state legislators on November 15<sup>th</sup>. There was strong engagement from legislators, their staff, and coastal tribes at the briefing.

- Rod F. and Russell C. thanked Jimmy K. for his efforts to plan and coordinate the briefing.
- Rod F. also hoped to share similar information with the federal delegation in the spring.



- Russel C. summarized discussions during the briefing about European green crab and burrowing shrimp management and pointed out that announcements from NOAA about coastal resilience grant funding are expected soon.
- The group will lead a similar effort in the spring with the Congressional delegation.

# **Offshore Wind Committee Updates**

- Larry T. provided the following updates about the work of the Offshore Wind Committee:
  - The final principles of engagement have been drafted and will be reviewed today with the full WCMAC committee.
  - In 2023, the committee will shift its focus towards supporting data needs to inform offshore wind development and leasing.
  - Larry T. reviewed the identified objectives for data needs related to the offshore wind process.
- Nicole G. noted that the data needs objectives will be the next step for the committee. The
  list of objectives Larry T. shared is very preliminary and it will be refined in the new year.
- Dale B. noted that the group specifically needs to focus on the cost of power that would be generated by the offshore wind developments and the effect it would have on coastal communities. The price of power generated by offshore wind will be very important for coastal people.
- Chris M. noted that wind power would improve the resilience of coastal communities.

# Offshore Wind Energy Committee – Principles of Engagement

Nicole reviewed the principles of engagement developed by the technical committee and stated that the goal is to reach consensus on the principles of engagement developed by the technical committee. Nicole also noted that the principles are not ordered to indicate priority.

- General Comments:
  - Garrett D. asked why these were named "Principles of Engagement". Brian Polagye explained the purpose was to highlight expectations from the committee for how BOEM should engage compared to past efforts in other states.
  - Carrie S. expressed her thanks to the workgroup for the development of the principles and looks forward to sharing these with the Governor.
  - o Gus G. thanked technical committee members for their work on this issue. He hopes that these principles will help create a better engagement process.
  - Paula C. asked if the committee wants to include a set timeline for BOEM to provide responses and engagement.
    - Nicole G. explained that this was discussed by the committee but chose to include more general language to not be too specific. Language is focused more on "timely" approaches.
- Principle 1: Transparent Process
  - No comments were received from the Committee.
- Principle 2: Engagement Opportunities
  - This principle included two different language options: one requesting a stakeholderled process in lieu of BOEM's traditional task force option, and the other option allows for more flexibility while still highlighting the need to engage stakeholders.



- Michele C. noted that both options capture that the standard process used by BOEM is not preferable for the WCMAC, and instead they want some stakeholder participation. Under the "in lieu" option, BOEM could theoretically come back and state that they can only do the task force process, and interpret the language to mean that no engagement process would be followed. Option two still captures the same points but provides added flexibility.
- Larry T. noted that the intent of this principle is for stakeholders to have a greater say in the BOEM process.
- The group decided to move forward with the option 2 language.
- Principle 3: Data and Information
  - Chris M. asked about how this language relates to required documentation for BOEM specifically regarding the phrase "vetting the data".
    - Nicole G. explained that much of the data that BOEM has presented in other states have not aligned with the actual experience of coastal communities, especially those related to fishing. The purpose of this principle is to make sure that the full data picture is captured in the environmental review process. Vetting is intended to confirm the scope and scale of data that BOEM is using to make decisions.
  - Dale B. spoke about BOEM's omission of critical fishing data during the Oregon process. Dale B. noted there needs to be an honest representation of data shared by BOEM
  - Mike Rechner stated that there might be a sequencing issue regarding the language asking for a programmatic environmental impact statement (pEIS) and that such a request might lead to roadblocks from BOEM.
  - Michele C. noted that a cumulative impacts statement might be required for development and that BOEM is not required to do a pEIS, but they do have the ability to conduct one.
  - Larry T. noted that NOAA is currently conducting a programmatic EIS in CA for offshore aquaculture opportunity areas before the approval of any projects. There should be an impacts analysis completed before leasing decisions being made. This could include modeling of potential buildouts, displacement presumptions, etc.
  - Michele C. suggested listing a "cumulative impact analysis" with a pEIS listed as an example.
  - Brian P. noted that the pace of offshore wind technology development is so rapid that a programmatic EIS would be out of date before it is completed. Additionally, with the way that offshore wind development is heading, it is likely that other ocean uses would be allowed within offshore wind areas.
  - Mike R. noted that the cumulative impact analysis should be part of a larger sequenced environmental review process.
  - Dale B. emphasized that there will be zero crabbing and trawling allowed in areas of offshore wind development.
- Principle 4: Local and Community Knowledge
  - o No comments were received from the Committee.
- Principle 5: Relevant Laws and Policies
  - Larry T. explained that the purpose of this principle was to easily list the underlying laws and policies that guide ocean planning and management.
  - Paula C. requested clarification about who the "decision makers" are. Larry T. clarified that this includes the state as there is a role for the state in the leasing process through Coastal Zone Management consistency certifications.
- All five principles of engagement were adopted as amended. Please see Appendix A.





- Heather Hall and Dani Toepelt led a presentation on House Bill 1508 which was introduced in 2021 to allow the Department of Health (DOH) to regulate crab management in regard to biotoxin contamination. The bill has support from coastal crab fishing communities and is intended to extend the jurisdiction of DOH to cover Dungeness crab.
- Currently, DOH cannot require evisceration of crab and there is no ability to recall crab if domoic acid levels reach federal thresholds.
- The bill would provide clear thresholds for closure, opening, opening with restrictions (evisceration), as well as provisions for the harvest, recall, and tracing of crab.
- The bill did not pass in 2021 and is being reintroduced in 2023. Heather H. and Dani T. are requesting WCMAC provide a letter of support for the legislation.
- Larry T. explained that evisceration as a way to conduct the coastal crab fishery has
  historically been opposed, as the preference from the industry was to wait for the biotoxin
  event to end. However, there are significant limitations placed on fisheries when seasons
  are moved or delayed. For example, the California season was delayed in response to a
  biotoxin event and then finally reopened right in the middle of the humpback whale migration
  which led to many entanglements.
- Michele C. suggested the letter be addressed to both the Senate and House natural resources committees. Michele C. emphasized how this supports flexibility in crab fishery management.
- Mike Rechner stated his support for the legislation, however as a state agency, WA DNR is not able to formally support any legislation. Similar restrictions for other state agencies.
- Rod F. suggested a footnote could be included with the letter saying that state agency representatives abstained in the vote.
- The WCMAC agreed to draft a letter of support to support the legislation with the caveat of finding a senate companion for the bill.

## **Public Comment**

- Mike O. noted that BOEMs mission is to lease ocean space and BOEM will not consider fishing protections. He highlighted the need to study the cumulative impacts on fishing.
- Greg Shaugnessy thanked WCMAC members for their advocacy and work on ocean issues.
  He expressed his concern that fishing communities in Westport will be replaced by offshore
  wind development. Large-scale wind projects have the potential to change uses in these
  waters.
- Mike Nordin thanked everyone for attending the meeting and thanked Doug Kess and stated that he looks forward to being formally appointed to the WCMAC.
  - o Carrie S. will call Mike later to have further discussions on this.
- Alla W. thanked WCMAC members for their hard work. Alla W. does not believe that
  offshore wind has to be at odds with existing ocean uses. The BOEM process cannot be
  feasibly changed, but working with the process that exists now to improve participation of
  the fishing industry in decision-making processes will be important.





# **Appendix A - Recommended Principles of Engagement**

#### **Recommended Principles of Engagement**

The Bureau of Ocean Energy Management (BOEM) process must be transparent. WCMAC recommends a transparent public engagement process. Such a process must provide sufficient time for BOEM to understand stakeholder and coastal community concerns, while aligning with the sequential review of environmental considerations such proposals must undertake. BOEM must clearly, and iteratively, articulate the overall process that they will utilize and identify when key decisions are going to be made (e.g., announcement of call areas, designation of wind energy areas, leasing, permitting, and engagement opportunities).

There have been concerns in other regions about the transparency of decision making during offshore wind planning processes, including transparency regarding data sources, permitting decisions, and the engagement processes. WCMAC recommends that for BOEM to achieve transparency in their process, the following principles of engagement would need to be followed.

**BOEM** and the state need to provide consistent, timely, meaningful, and responsive engagement opportunities. This means meeting multiple times a year with key affected communities, stakeholders, rightsholders, and agencies, and that appropriate consultation with these groups is done **prior** to important decision-making such as siting, leasing, and permitting.

WCMAC supports a joint planning or coordination agreement that includes affected stakeholders and local, state, and federal government executives and agencies to inform the BOEM process. WCMAC recommends an alternative approach to standard intergovernmental task forces that includes participation of affected stakeholders. WCMAC also expects BOEM and the State to include robust government-to-government consultation and engagement with Tribes.

BOEM, the state, and other relevant agencies must engage with key stakeholders, fishing industries, and coastal community members to publicly inform and vet the data and information used in decision making (e.g., siting and leasing) to establish and verify data and areas of potential conflict. Utilizing current research, data, and information as well as filling data and information gaps is of paramount importance to inform the understanding of large scale and cumulative environmental, socioeconomic, and ecosystem impacts from offshore wind development. WCMAC strongly recommends that a cumulative impact analysis (e.g. a Programmatic Environmental Impact Statement) be initiated and completed before leasing to comprehensively evaluate these potential impacts to the region and the California Current Large Marine Ecosystem.

If relevant information is unavailable, WCMAC expects that BOEM and the state address research needs and/or will describe how uncertainty is integrated into decision-making, such as the designation of avoidance areas.





#### **Recommended Principles of Engagement**

4

5

BOEM and the state need to integrate local and community knowledge into decision making throughout the leasing and permitting process. WCMAC believes this can be achieved by:

- Providing multiple forums and methods for meaningful engagement and information dissemination. WCMAC expects that public forums, working groups, and fisheries advisory bodies will be formed as needed to ensure robust public engagement. Additionally, multiple opportunities for input need to be provided so that the affected public can participate.
- Ensuring meetings and workshops are accessible and conducted in a way suitable for the intended audiences. The state and BOEM must meet communities where they are at and respect local timing considerations, such as fishing seasons. This could mean hosting both in-person meetings for smaller communities or holding hybrid meetings for others. It is critical that engagement efforts support and facilitate dialogue between the impacted communities, the state, and BOEM.
- Being transparent and sharing where local and community knowledge has been recognized and incorporated in the decision-making processes.

WCMAC expects that BOEM and the state will review and apply relevant laws and policies, using them to guide and inform engagement with BOEM, and that those laws and policies will be made readily available to the public.

Examples of relevant laws and policies include, but are not limited to:

- Marine Spatial Plan for Washington's Pacific Coast
- Ocean Resources Management Act
- Local Shoreline Master Programs
- Fisheries Use Protection Standards
- Important, Sensitive and Unique Areas Protection Standards
- Other Enforceable Policies under the CZMA
- Outer Continental Shelf Lands Act

WASHINGTON COASTAL MARINE ADVISORY



# **Appendix B: PowerPoint Presentations**



# Aquatic Science research overview

highlights from the Washington State outer coast

Vera L. Trainer, Ph.D.

Marine Program Director

Olympic Natural Resources Center

# Olympic Region Harmful Algal Bloom partnership

# **ORHAB** partners

- ONRC (Lead)
- Quileute, Quinault, Makah, Hoh tribes
- State agencies: WDFW, WDOH
- Federal agencies: IOOS, OCNMS, ONP



**ORHAB** sampling sites



**ORHAB training class** 

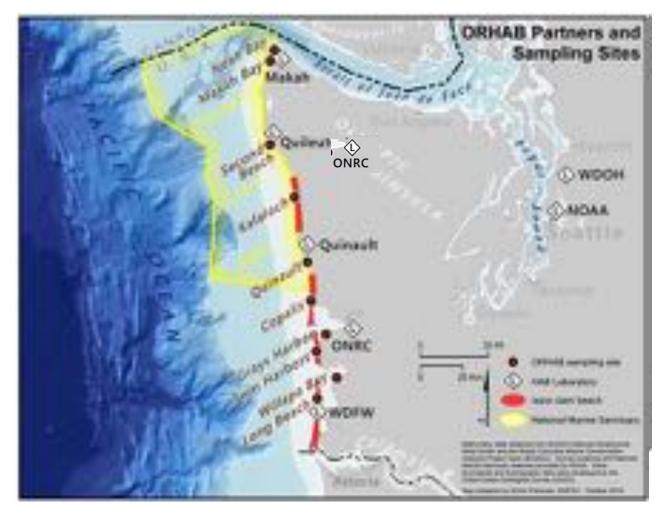




tribal members digging clams

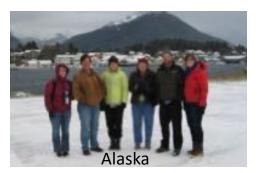
**Pacific Northwest HAB Bulletin** 

# ORHAB has practiced collaborative science since 2000

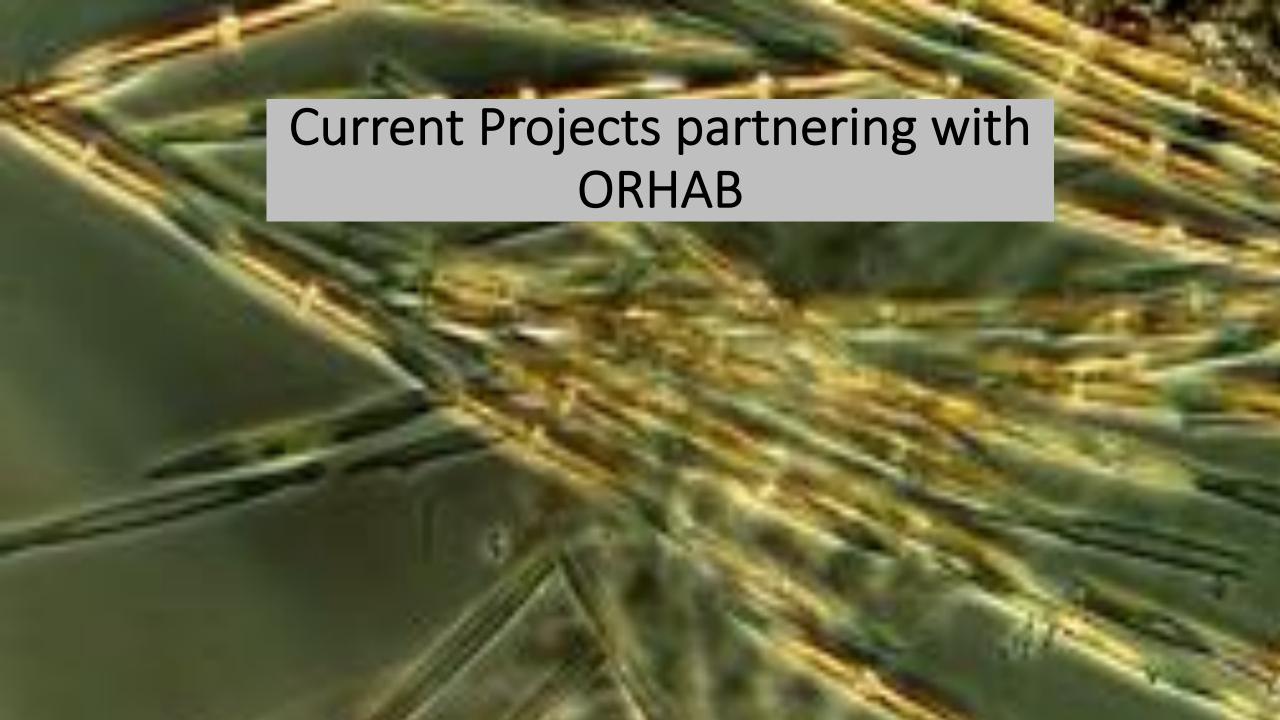






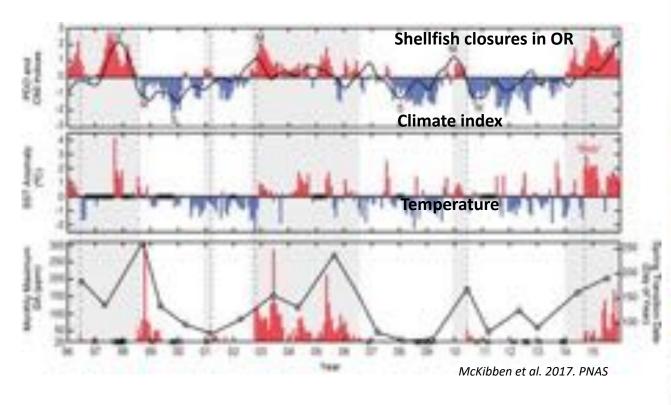


 ORHAB principals & lessons learned have spread to other parts of the USA and world



# Seasonal forecast: *Pseudo-nitzschia* blooms (HABs) are correlated with ocean warming

Linkage to warm ocean conditions (Climate Change)



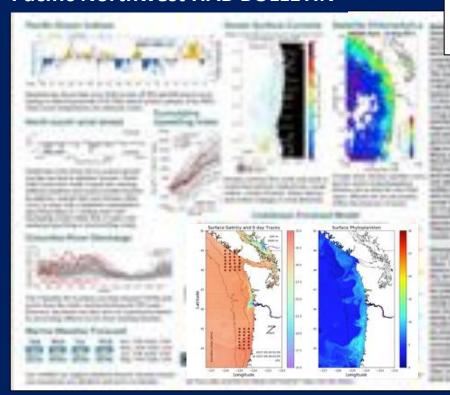


# Forecasting Harmful Algal Blooms

## Data integration & interpretation:

- Toxin & cell monitoring at coast
- Offshore boat sampling at hotspots
- Weather predictions
- Models (cell transport & Columbia River plume)
- Climate change indicators

## **Pacific Northwest HAB BULLETIN**



## Facilitates management decisions:

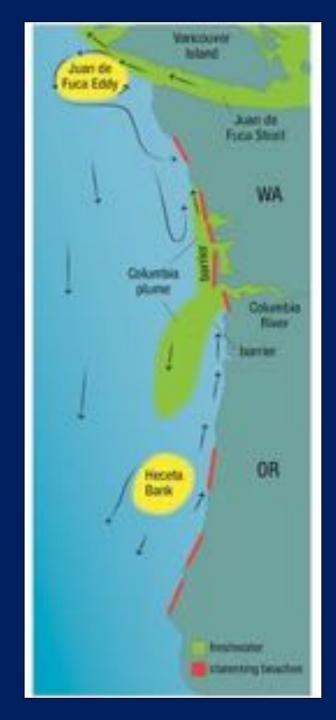
Selective harvest at safe locations

Pre-emptive increase in harvest limit

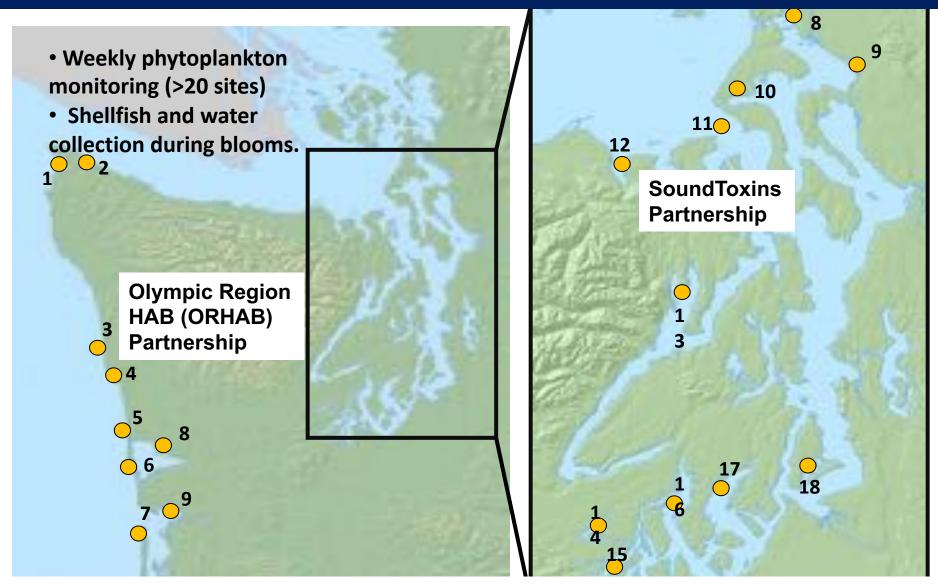
Matt Hunter (ODFW) testimonial (May 2017) – "The Long Beach, Washington razor clam opening and increased bag limit was a boon for OR north coast economies as well. Astoria businesses sold a lot of digging equipment. A lot of people were hungry for clams"

#### **Pacific Northwest HAB Bulletins**

www.nanoos.org/products/habs/ www.orhab.org



# Foundation of the Harmful Algal Bloom forecast – phytoplankton & shellfish monitoring



Partners include WDFW, WDOH, UW ONRC, Tribes

Partners include Taylor, Coast, & Penn Cove Shellfish, Tribes, WA SeaGrant, UW, Evergreen College, volunteers

# **Real-Time HAB Mapping System managed by SoundToxins**



# Autonomous vehicle deployment for HAB sampling



Joint NANOOS, APL, NMFS. and OceanAero project

Collecting water samples and associated metocean data

Samples to be analyzed at the Makah tribal lab.

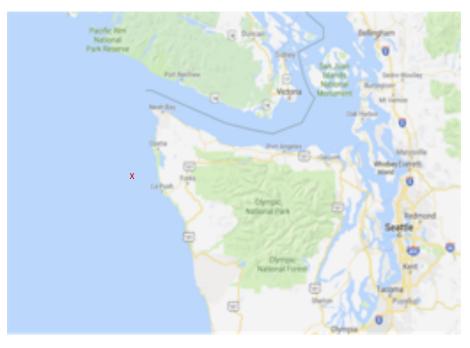








AUV deployed as a platform for taking water samples for HAB organisms



# Economic Impacts of Harmful Algal Blooms on Fishery-Dependent Communities

Michael Weir, Melina Kourantidou, and Di Jin



Mr Scienceste et al.



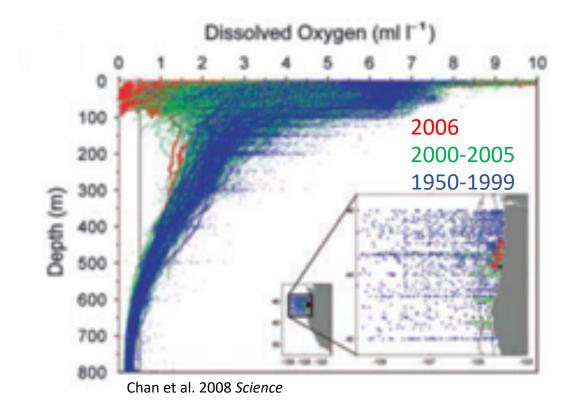
Fig. 6. Superb ACTES Disreptions across inchigit Steamoure Communical and a communical dealers, Sweety and Salton, Substitutes and Advantages and Advantages

# Integrated multi-stressor observations, modeling, and experiments to inform management in the Northern California Current 2022-2026



Oxygen, temperature, ocean acidification, harmful algal blooms

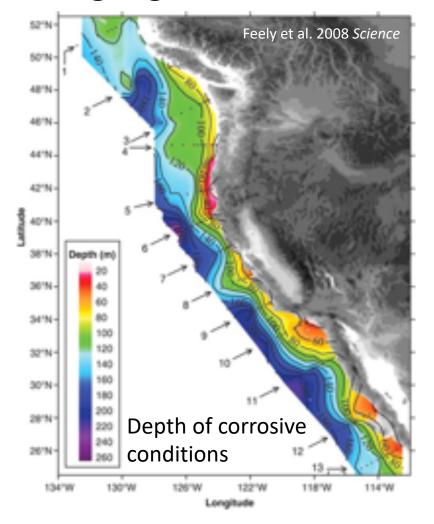
Expanding low oxygen (hypoxic) zones

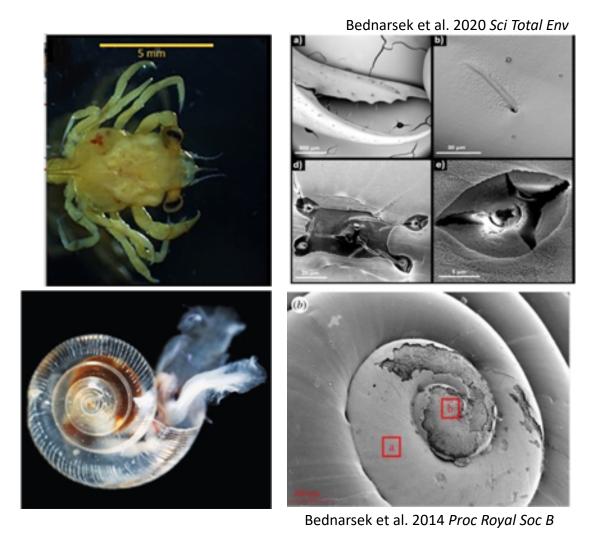




that suffocates marine life

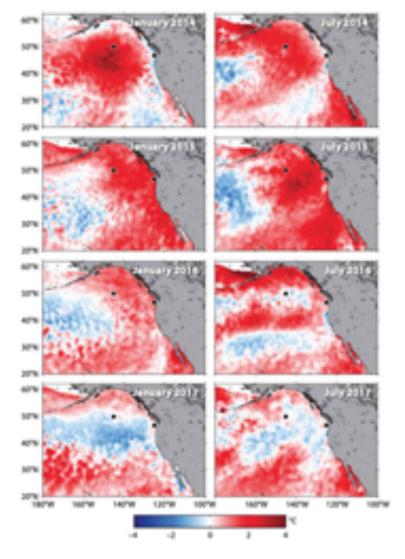
# Expanding regions of acidified waters





that is dissolving the shells of marine life

# **Unprecedented Marine Heatwaves**

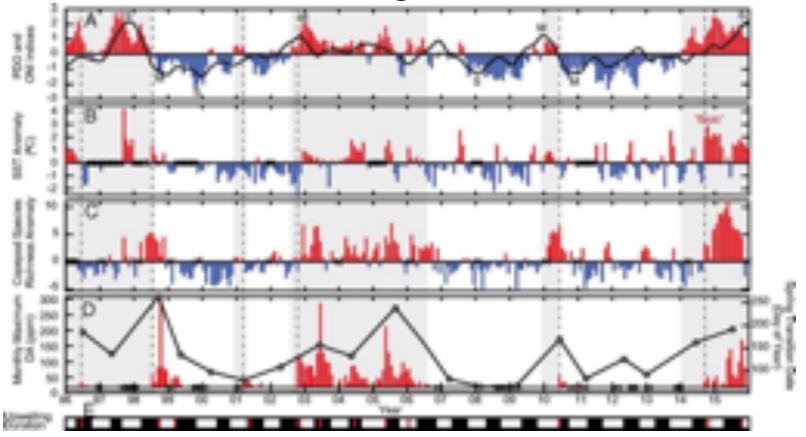




https://oregonmarinereserves.com/2019/10/24/urchins/

that are reorganizing food webs

# Climate-linked harmful algal blooms



Here's why the West Coast Dungeness crab season has been delayed

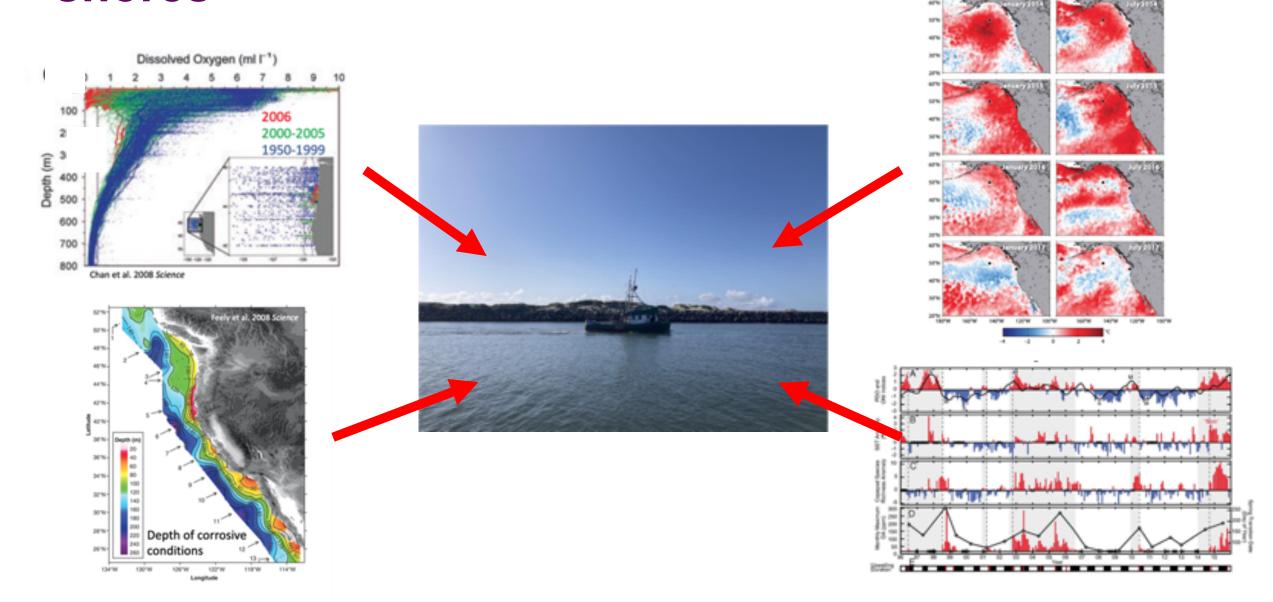




Testing for meat fill and domoic acid will determine when Oregon's ocean commercial crabbing season can open.



Multiple stressors are landing together on our shores



# What are our objectives?

**Objective 1**: Construct a comprehensive synthesis of multi-stressor exposure in the nCCE

**Objective 2**: Understand risks and vulnerabilities of Dungeness crab and krill populations to change

**Objective 3**: Predict what the future will hold

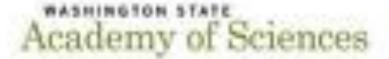
**Objective 4**: Co-develop climate-ready management options for the Dungeness crab fishery

" Academy of Sciences

### Tribal Engagement and Collaboration Committee

#### Objectives for the Tribal Engagement Committee in 2022/2023

- Identify training and educational resources for committee members and the organization as a whole
- Identify potential external experts to join the committee as advisors
- Identify potential overlapping concerns for state and tribal entities in the context of WSAS
- Assist in the creation of policies and procedures for tribal interactions as part of project preparation
- Develop a plan to investigate the issues of concern to Washington tribal entities and initiate communications to learn more about communications with those communities.
- Identify interested stakeholders.



### University of Washington College of the Environment

EarthLab

Climate Change

Ocean Health

Freshwater

Conservation

Mentorship

Summer camps

Community Seminars and Conversations

School of Environmental and Forestry Science

School of Aquatic and Fishery Sciences

School of Marine and Environmental Affairs

Washington Sea Grant

Center for American Indian and Indigenous Studies

Nature and Health

#### **Education & Outreach**





Quinault tribe – summer camp 2010 ta'aWshi xa'iits'os means "clam hungry"

Makah tribe – summer camp 2009

#### **ORHAB**

Federal funding - NOAA from 2000-2005 (Trainer, PI)

WA State funding - House Bill 1620 established in 2003 with a tax to shellfish license fees

Modified in 2009 with an increase

# Vera Trainer verat@uw.edu

- NOAA Oceanographer (through 31 Dec 2022)
- ONRC Marine Program Director & Research Scientist (1 January 2023)



# Acknowledgements







# Olympic Region Harmful Algal Blooms PARTNERSHIP













# Olympic Coast National Marine Sanctuary Management Plan Review

Public Scoping
March 2023

# National Marine Sanctuary System

30

Sanctuaries connect people and communities through science, education, and stewardship. We rely on these networks to inspire community-based solutions that help us understand and protect our nation's most spectacular underwater habitats, wildlife, archaeological wonders, and cultural seascapes.



sanctuaries.noaa.gov

# How Sanctuaries Work



- Research and monitoring to gather critical data on threats and assess the status of sanctuary resources
- Resource protection to reduce human threats and promote appropriate uses of the sanctuary
- Education & Outreach on issues facing the sanctuary and promoting awareness



### Office of National Marine Sanctuaries





- Promote long term conservation while allowing compatible uses
- Protect ecosystems and promote sustainability
- Engage the public in protecting special places

### Public Involvement in Sanctuary Management



- Sanctuary Establishment
- Development of Sanctuary Management Plan
- Management Plan Implementation
- Periodic review of sanctuary management plan to reflect public values and identify emerging concerns at the site



### Sanctuary Management Plan Review



#### Sanctuary management plans

present goals, strategies, and actions to guide the development and prioritization of future budgets and management activities.

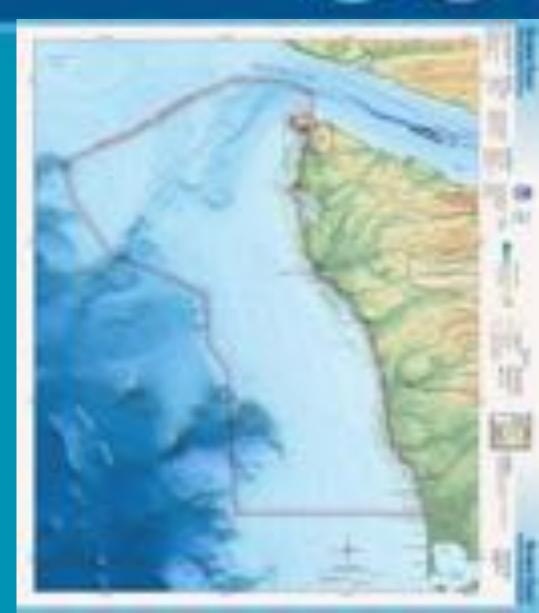
We are seeking public input on the strategic priorities of OCNMS and help determining what activities the site should undertake for the next five-to-seven years that reflect broader ONMS and sanctuary-specific goals



### Olympic Coast National Marine Sanctuary

30

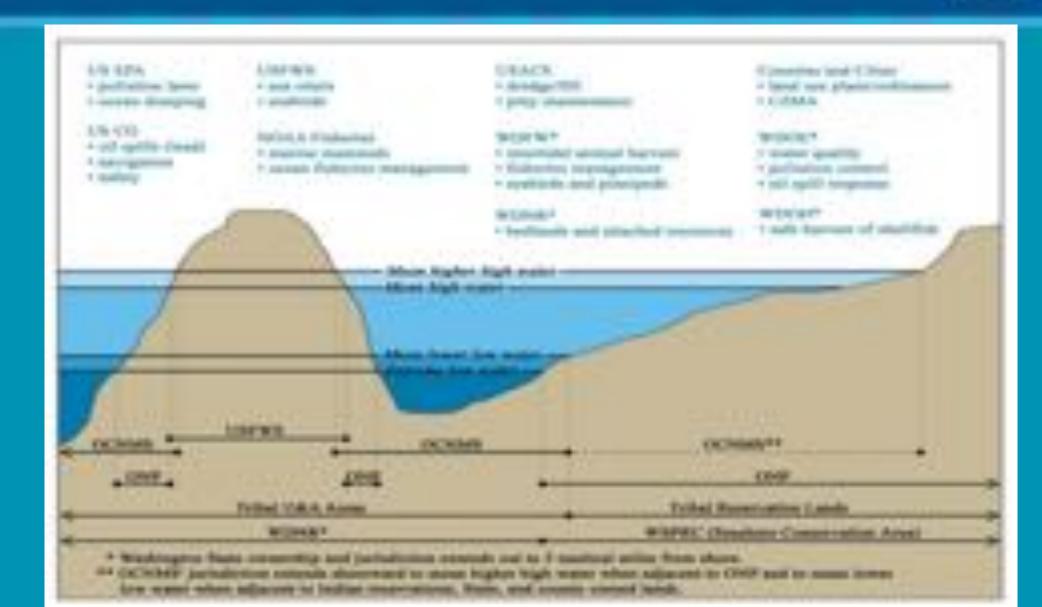
- Established in 1994
- 3,188 sq. mi. of marine waters
- Located in the northern portion of the California Current Large Marine Ecosystem
- Extends 25 to 45 miles seaward, covering much of the continental shelf and parts of submarine canyons



# Olympic Coast National Marine Sanctuary







# Current (2011) Management Plan



#### **Priority Issues:**

- Fulfill Treaty Trust Responsibility
- Achieve Effective Collaborative and Coordinated Management
- Conduct Collaborative Research, Assessments and Monitoring to Inform Ecosystem-Based Management
- Improve Ocean Literacy
- Conserve Natural Resources in the Sanctuary
- Understand the Sanctuary's Cultural, Historical and Socio-economic Significance

# Treaty Trust Responsibilities

- Fulfill Treaty Trust Responsibility







Photo: Larry Workman, Quinault Indian Nation

# Who we work with

8

- Achieve Effective Collaborative and Coordinated Management



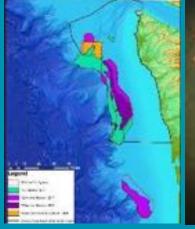
### Primary partners include:

- Sovereign governments of four Coastal Treaty Tribes
- Federal government
- State government
- Academic and nongovernmental organizations

### RESEARCH AND MONITORING

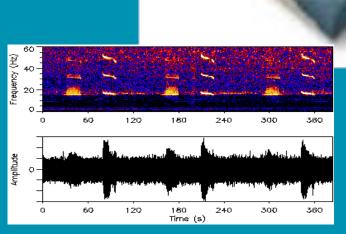
- Conduct Collaborative Research, Assessments and Monitoring to Inform Ecosystem-Based Management

- To gather critical data on threats and the status of sanctuary resources
  - Oceanographic moorings, intertidal and kelp monitoring, deep-sea coral and sponge cruises, seafloor mapping, acoustics/noise monitoring









# EDUCATION AND OUTREACH

- Improve Ocean Literacy

- To educate the public on issues facing the sanctuary and promote awareness.
  - Improve ocean literacy through K-12 and higher education, place-based education and funding opportunities, visitor services and community outreach







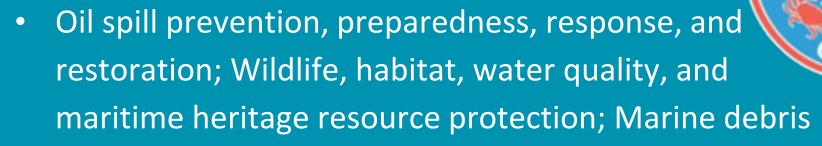




# RESOURCE PROTECTION

- Conserve Natural Resources in the Sanctuary





Issue permits for some prohibited activities - Coastal

**Treaty Tribes review** 

# Maritime Cultural Heritage

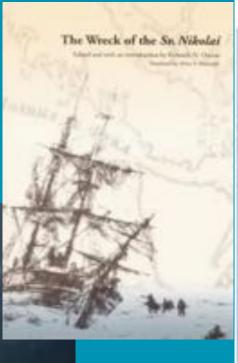
- Understand the Sanctuary's Cultural, Historical and Socio-economic Significance







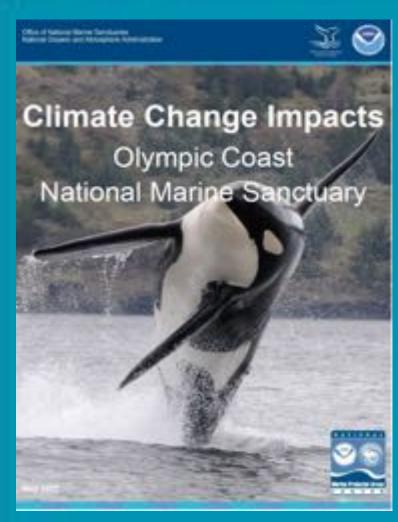






# Navigating the future





### **Changing Ocean Conditions:**

- Sea level rise
- Rising ocean temperatures and/or marine heat waves
- Ocean acidification
- Increasing storm frequency, coastal erosion
- Decreasing dissolved oxygen levels

#### **Emergent or Expanding Human Uses:**

- Offshore renewable energy
- Aquaculture
- Use of uncrewed systems (e.g., drones) as tools for research and monitoring

# Navigating the future



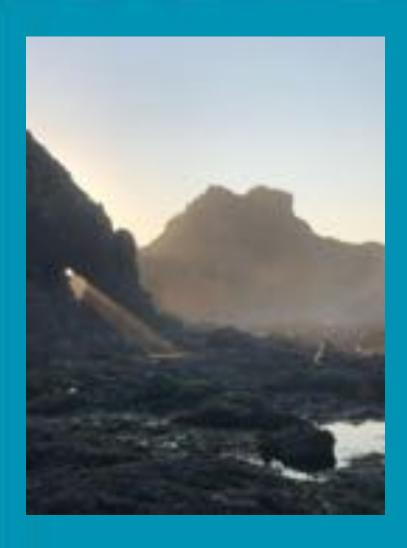
Thank you for helping shape the future of the Olympic Coast by contributing your valuable input to the sanctuary management plan review process!

### **Next Steps:**

- Comment period until 3 April
- Review, analysis of comments
- Draft report, additional public review

# Public comment period





### WE want to hear from YOU:

- What should we do more of?
- What should we do less of?
- What should we do differently?
- How can we take on new activities with existing resources?
- How can we be responsive to emerging conditions, issues, and trends?

# Comments accepted until April 3





Docket number NOAA-NOS-2023-0003 at www.regulations.gov or QR code:





#### Mail written comments to:

NOAA Olympic Coast National Marine Sanctuary

Attn: Management Plan Revision

115 East Railroad Avenue, Suite #301

Port Angeles, WA 98362

### Olympic Coast National Marine Sanctuary Management Plan Review



Learn more about your Sanctuary:



Learn more about Management Plan Review:



Submit your comments directly on regulations.gov:



Comments accepted until April 3, 2023



# Questions?







#### **Appendix C: Technical Committee Meeting Summaries**





# WASHINGTON COASTAL MARINE ADVISORY COUNCIL

#### **OSW Technical Committee Meeting Summary**

November 17, 2022 | 2 – 4 PM

#### **Meeting Highlight**

- Revisions to the draft Principles of Engagement were discussed and the next iteration is included below (*Table 1. Revised Principles of Engagement*). The upcoming 11/29 meeting will be the final meeting to discuss the Principles of Engagement before the 12/14 WCMAC meeting.
  - Please send line edits or comments on the revised Principles of Engagement and Accompanying Letter draft to Nicole prior to the November 29<sup>th</sup> OSW TC meeting.

#### **Meeting Summary Contents**

Attendees	1
Engagement and Offshore Wind Process	2
Revised Principles of Engagement	2
Accompanying Letter Draft	
Meeting Summary	
Welcome and Agenda Overview	6
Principles of Engagement Discussion	
Next Steps	

#### **Attendees**

- Dale Beasley, Commercial Fishing Rep (TC Co-Chair)
- Larry Thevik, Commercial Fishing Rep (TC Co-Chair)
- Doug Kess, Pacific County Marine Resources Committee
- Mike Okoniewski, Pacific Seafood Consultant
- Ann Skelton, Pacific County Marine Resources Committee
- Corey Niles, WDFW

- Arthur "RD" Grunbaum, Grays
   Harbor Marine Resources Committee
- Nives Dolšak, Educational Institution Rep
- Casey Dennehy, Ecology
- Mai Aoki, Ecology
- Nicole Gutierrez, Cascadia Consulting Group
- Alle Brown-Law, Cascadia Consulting Group
- Jimmy Kralj, ESA





#### **Engagement and Offshore Wind Process**

#### **Revised Principles of Engagement**

Below are preliminary principles of engagement that could be provided from WCMAC and directed to the Governor's office and state agencies. **Feedback from the 11/17/22 OSW Technical Committee meeting have been incorporated.** Please note that not all edits discussed are reflected below due to level of specificity or due to being better suited for future recommendations pertaining to data needs and gaps.

**Goal:** Finalize the draft principles of engagement by November 29<sup>th</sup> for the December WCMAC meeting. Please send any line edits or comments to Nicole prior to the 29<sup>th</sup> meeting.

Table 1. Revised Principles of Engagement

#### **Draft Principles of Engagement**

The Bureau of Ocean Energy Management (BOEM) process must be transparent.

WCMAC recommends a transparent public engagement process that is timely and aligns with the sequential review of environmental considerations and clearly and repeatedly articulates the overall process and when key decisions are going to be made (e.g., announcement of call areas, designation of wind energy areas, leasing, permitting, and engagement opportunities).

1

There have been concerns in other regions about the transparency of decision making during offshore wind planning processes, including transparency regarding data sources, permitting decisions, and the engagement processes. WCMAC believes that for BOEM to achieve transparency in their process, the following principles of engagement would need to be followed.

Principle #1 – This principle was reorganized to highlight the recommendation for a transparent engagement process and how this process must align with sequential review of environmental considerations (this would include processes such as NEPA).

The Committee also discussed the need to state that this principle, which highlights transparency, is an overarching need that can be achieved in part by adhering to the following principles of engagement.

2

**BOEM** and the state need to provide consistent, timely, and meaningful engagement opportunities. This means meeting multiple times a year with key affected communities, stakeholders, rightsholders, and agencies, and that appropriate consultation with these groups is done **prior** to important decision-making such as siting, leasing, and permitting decisions.

 Option 1: WCMAC supports a joint planning or coordination agreement that includes affected stakeholders' and state and federal agencies in lieu of an intergovernmental task force.





#### **Draft Principles of Engagement**

- Option 2: WCMAC believes any joint planning efforts must incorporate stakeholder input and engagement and supports the formation of a stakeholder working group or joint planning effort to participate in and inform the BOEM process.
- Option 3: WCMAC supports a joint planning or coordination agreement that
  includes affected stakeholders', state, and federal agencies to inform the BOEM
  process. WCMAC recommends an alternative approach to standard
  intergovernmental Task forces that includes participation of affected
  stakeholders.
- WCMAC expects BOEM and the State to include robust government-togovernment consultation and engagement with Tribes.

Principle #2 – The beginning was expanded to include rightsholders and examples were added to elaborate on what is meant by "important decision making".

Three options for consideration regarding stakeholder involvement in the BOEM process are included.

- Option 1 was identified as the preferred option for most TC members and was expanded to make clear that this option would include state and federal agency representative on the joint planning effort.
- No changes recommended for Option 2.
- Option 3 was added to capture the point made in Option 1, but to offer alternative language that elaborates on the need for an alternative approach be developed for Washington.

Please note that it is not the intention for all options to be presented to the full WCMAC if consensus can be reached amongst the OSW TC.

BOEM, the state, and other relevant agencies must engage with key stakeholders and coastal community members to inform and vet the data and information used in decision making (e.g., siting and leasing). Utilizing current research, data, and information is of paramount importance to inform the understanding of large scale and cumulative environmental, socioeconomic, and ecosystem impacts from offshore wind development. WCMAC strongly recommends that a Programmatic Environmental Impact Statement (PEIS) be initiated to comprehensively evaluate these potential impacts to the California Current region.

3

If relevant information is unavailable, WCMAC expects that BOEM and the state address research needs and/or will describe how uncertainty is integrated into decision-making, such as the designation of avoidance areas.

Principle #3 – Originally, the need for a PEIS was the opening point for this principle. However, recognizing that this list of recommendations is for **principles of engagement**, and not addressing data needs/gaps, the insertion of WCMAC advising a PEIS be conducted has





4

been integrated into the need for BOEM to engage with key stakeholders and community members to inform and vet current data and information.

Additional language was added to highlight the importance of using the most current and informed data to understand ecosystem and socioeconomic impacts.

BOEM and the state need to integrate local and community knowledge into decision making used throughout the leasing and permitting process. WCMAC believes this can be achieved by:

- Providing multiple forums and methods for meaningful engagement and information dissemination. WCMAC expects that public forums, working groups, and fisheries advisory bodies will be formed as needed to ensure robust public engagement. Additionally, multiple opportunities for input need to be provided so that the affected public can participate.
- Ensuring meetings and workshops are accessible and conducted in a way suitable for the intended audiences. The state and BOEM must meet communities where they are at and respect local timing considerations, such as fishing seasons. This could mean hosting both in-person meetings for smaller communities or holding hybrid meetings for others. It is critical that engagement efforts support and facilitate dialogue between the impacted communities, the state, and BOEM.
- Being transparent and sharing where local and community knowledge has been recognized in the decision-making processes.

Principle #4 – Added in workshops as a method of meaningful engagement. Bullet points were slightly modified to flow better, and the key sentence was underlined.

**BOEM** and the state should review relevant laws and policies to guide and inform engagement. WCMAC expects that BOEM will describe to affected stakeholder and coastal communities how projects will comply with these laws.

- **5** Examples of relevant laws and policies include:
  - Ocean Resources Management Act
  - Fisheries Use Protection Standards
  - Outer Continental Shelf Lands Act
  - Local Shoreline Master Programs

Principle #5 – Added language to identify an action that would be expected from BOEM in relation to reviewing relevant laws and policies. Added Local Shoreline Master Program as an example of relevant laws and policies.

#### **Accompanying Letter Draft**

• Letter would be formatted using the WCMAC template and modeled similar to previous letters to the governor (see the <u>WCMAC 2021 Recommendations</u> for example).



- The principles of engagement recommendations will be submitted with an opening statement/letter that describes why WCMAC is putting forth these principles of engagement and how WCMAC believe these recommendations should be used.
  - Letter could allude to the sentiment that lack of timely engagement happened in Oregon, and it would not be acceptable in Washington.
  - Letter will set the spatial scale (Washington Coast, Pacific Coast)
  - Letter will discuss the fishery protection standards.

**SUBJECT**: Washington Coast Marine Advisory Council 2022 Offshore Wind Principles of Engagement

Dear Governor Inslee,

The members of the Washington Coastal Marine Advisory Council (WCMAC) wish to thank you for your continued support in building a resilient coastal Washington. Presently, the Bureau of Ocean Energy Management (BOEM) has received two unsolicited lease requests to develop offshore wind projects off the coast of Washington. As representatives of coastal partners and interests that will be most impacted by offshore wind development, members of the WCMAC have developed a suite of recommendations and expectations about how coastal communities should be meaningfully engaged by BOEM as it advances its review and consideration of these requests.

WCMAC was created, in part, to provide recommendations to the governor, Legislature, and state and local agencies on coastal resource management issues (43.143.060 RCW). The governor's office requested WCMAC identify and recommend key principles of engagement related to the BOEM offshore wind leasing and permitting processes. This request came in the wake of an unsolicited lease request from <a href="Trident Winds">Trident Winds</a> (292 square miles). This was then followed by an additional unsolicited lease request for an even larger offshore wind farm from <a href="Hecate Energy">Hecate Energy</a> (403 square miles). The growing interest in developing offshore wind energy off our coast calls for timely and strong leadership to set the state's expectations for BOEM to conduct robust engagement efforts with affected communities.

In August 2022, WCMAC formed the Offshore Wind (OSW) Technical Committee to execute two main objectives:

- 1. Provide recommendations on principles of engagement to the state and BOEM.
- 2. Review existing data and community research needs considering the offshore wind unsolicited lease requests.

At the December 2022 WCMAC meeting, members came to consensus on a list of key principles of engagement that would be necessary for BOEM and the state to follow to ensure a transparent, meaningful, and inclusive engagement process (*Approval TBD*). We believe that these recommended principles represent broad engagement standards that BOEM should



follow and must be further developed collaboratively amongst BOEM, the state, and Washington's coastal communities.

Additionally, WCMAC members have noted past challenges and shortcomings of BOEM's engagement efforts with coastal stakeholders in other Pacific states during similar leasing and permitting processes. As such, these principles of engagement convey the importance of avoiding these pitfalls in Washington. Washington must urge BOEM to understand that timely and meaningful engagement with coastal communities is required. The state must also confirm that BOEM understands this requirement is due in large part to our state's Marine Spatial Plan (MSP) which explicitly states that offshore wind development must not have significant adverse impacts to defined important, sensitive, and unique areas (ISUs) and must comply with established protection standards for fisheries. As such, new ocean uses involving offshore wind development must demonstrate that a proposed project will have no adverse effects on an ISU located within or adjacent to the project site. Projects must also demonstrate no likely long-term significant adverse effects to fisheries and that all reasonable steps are taken to avoid and minimize social and economic impacts to fishing and fish dependent communities.

The WCMAC membership is committed to supporting these principles of engagement using our capacity as a group and through the organizations we represent. To ensure BOEM fulfills these principles of engagement, we ask you to consider the following requests:

- Present these recommendations to BOEM leadership to make clear how the state expects BOEM to engage with coastal communities throughout offshore wind leasing and permitting processes.
- Commit to work with WCMAC and relevant state agencies to further develop and implement our Principles of Engagement.
- Other?

We appreciate your leadership, as well as the expertise and energy of state agency staff, which enables WCMAC to serve as a conduit for creating sustained partnerships that address the most pressing issues facing coastal Washington ecosystems and communities. Please give your support to our voices so that our Washington coast can be resilient, thrive, and continue to contribute strongly to the state's prosperity.

#### **Meeting Summary**

#### **Welcome and Agenda Overview**

- Nicole reviewed the 10/27 OSW Meeting Summary Draft and asked if anyone had any
  edits. She noted that Larry had sent in edits, which were reflected in the current Meeting
  Summary draft.
- Larry noted several edits to the Summary.





- On page 1, the second hollow bullet: "By default these zones would prevent offshore wind development within the fairways."
- On page 3: Adding "local" to "state and tribal governments, as well as "or provide other opportunities for joint planning or coordination agreement as provided in CFR 585.102." I want it to be understood that this is proposed in BOEM's own guidelines, and that there is a difference between a small t "taskforce," versus a big T "Task Force." A big T "Task Force" is what happened in Oregon. I wanted to show that there is a basis for what I'm asking to do, or what some of us collectively are asking to do.
- On page 4: Editing the sub-bullet to read: "Larry also noted that cumulative impacts vary and differ between the impacts from a single turbine array/development\_and a full scale coastwide offshore wind buildout over time."
- Mike mentioned the importance of evaluating cumulative impacts, particularly socioeconomic and ecosystem effects. There is a big difference between 4-5 wind farms and 45 wind farms, for fishermen and the environment.

#### **Principles of Engagement Discussion**

#### Principle 1

- Casey asked who had suggested adding the word "sequentially," and why?
  - RD summarized his suggestion, saying that "sequentially" reflects a sequential review of steps; BOEM should sequentially look at these things, similar to NEPA, ORMA, and in some respects, SEPA.
  - Casey understood what RD was trying to include, but thought it was confusing in this sentence.
  - o RD was open to any wordsmithing that would make that clearer.
- Larry appreciated what RD was recognizing that transparency is more than a statement or a collection of meetings, which may or may not satisfy a box-check by BOEM. That doesn't mean that they've listened or responded to any comments that were submitted. "Sequentially" gets at the idea that BOEM claims they are transparent, but how can they create a process that is responsive to the meetings they have conducted?
  - o RD agreed with what Larry said.
- Larry suggested adding "leasing and permitting processes" after offshore wind in the first sentence and add "designation of Wind Energy Areas (WEAs)" after call areas in the last sentence.
- Mike shared that there needs to be serious consideration, dialogue, communication, building a bridge to find meaningful solutions to problem areas is as important as transparency to the process. As of now, we've asked a lot of questions of BOEM and gotten no response. The transparency was there: they just told us they weren't going to answer the questions. Engagement is more than just transparency itself; I look at it as a medium instead of an action. It is what takes place after they provide transparency that I think matters.
  - Nicole thanked Mike for his comments and noted that the later principles go farther to define meaningful engagement.



- Dale agreed with what Mike said, mentioning that there's more to this than transparency. It has to do with the responsiveness of BOEM, and BOEM hasn't been responsive. He proposed adding the language: "with open consensus-building discussions before decisions are made." BOEM must listen to what's going on and try to incorporate it in a consensus-based process, like we do at WCMAC.
  - o Mike agreed with Dale's comments about asking for a consensus-driven process.
  - Larry added that the key part of transparency is the response to participants that offer comments within the engagement process. With OR and CA, when hundreds of comments were sent to BOEM, BOEM never offered any specific answers to the submitted comments/queries. BOEM must create a mechanism to account for where all the comments go, and who is responding to them. I've seen EIS processes where the overseeing agencies (like DOE, ECY) would answer each comment that was submitted, and there seems to be nothing within what BOEM claims as a "transparent process" that captures that necessary piece of engagement.
  - Nives asked, in the chat, if what we meant by transparency was a regular feedback loop on how they incorporate feedback?
  - Nives added that one essential element is that BOEM respond and show how they've incorporated the feedback. She also mentioned that Principle #2 captured what Mike was asking for.
- Nicole noted that transparency is a theme that runs throughout the next several Principles of Engagement. She asked if people were interested in noting that the elements of transparency are addressed in other principles.
  - RD suggested including a sentence says: "Including but not limited to those items cited below."
  - o Casey suggested "elements of transparency are further described below."
  - Larry countered that we need to better elaborate what transparency would mean, either in process or result, in Principle 1.
  - Jimmy suggested editing the sentence that starts with "WCMAC recommends a transparent public engagement process..." to say "engagement process that is timely, aligns with the sequential review of environmental considerations, and clearly and repeatedly articulates..."
  - Larry stated we must demonstrate that each principle brings its own solutions to its own posed problem, but also points back to the original issue of transparency.

- Larry requested that we reference the CFR in Principle 2, to show there is a basis for non-governmental stakeholder groups to be involved in BOEM's engagement. In the 585.211B Siting Requirements/Area Identification Requirements, BOEM states "We will do this in consultation with federal, state, local, tribes, and other interested parties."
   "Other interested parties" would be WCMAC. Either way, BOEM must actively and meaningfully engage with this stakeholder group.
  - Larry added that BOEM's existing guidelines dictate that "other interested parties" are included in that decision-making, particularly for the most important decision





- points, like siting. Yet, "other interested parties" are excluded from BOEM's (capital T) Task Force. Larry suggested that it is important for WCMCAC to request the (small t) task force in lieu of the (capital T) Task Force, because the (small t) task force could include other interested parties (aka non-governmental stakeholders).
- Mike offered a slightly different view on Option 1 versus Option 2. WDFW could convene a stakeholder group of recreational and commercial fishermen who could work as an advisory body (a (small t) task force). We are learning on these state agencies to protect our interests, the state's interests, and maintain the laws it would be a real advantage to have non-agency stakeholders as part of that group.
- Mike suggested that the language of "affected parties" rather than "interested parties," because anyone could be an interested party.
- Larry added that any taskforce should not preempt what is already a requirement in the MSP: that the WDFW will conduct industry discussions. Those would be under the auspices of WDFW and would be in addition to the theoretical (small t) task force. A (small t) task force would not preempt WDFW or other agencies to convene a stakeholder group through their agency. The only reason he referred to the 585.102 and 585.211B guidelines is because those are BOEM's guidelines, and seem to present an opportunity for WCMAC to be involved.
- Dale mentioned how important it is that we have knowledgeable stakeholders at the table. In 2021, at the Oregon Task Force meeting, BOEM showed fishing harvest maps that only showed 10% of the total harvest area, and no one on the OR Task Force questioned that map. That's why it's important to have someone who is familiar with the circumstances and is willing to speak up.
- Nicole asked for each committee member's option preference:
  - o Dale preferred Option 1, as long as we clarify the "affected" stakeholders.
  - o Doug preferred Option 1, and liked Dale's edit.
  - o RD preferred Option 1, and liked Dale's edit. He suggested "affected stakeholders and other interests," to expand it enough.
  - Corey did not have a preference at this time.
  - Nives did not want to give up the potential for two processes and thus had a slight preference for Option 2.
  - Mike leaned towards a hybrid option with stakeholders and related agencies convening in addition to the WDFW advisory process.
  - Larry preferred Option 1 and clarified that "in lieu of" means in lieu of a (capital T)
     Task Force that *only* includes government representatives and excludes any
     affected stakeholders. Larry noted that the WDFW advisory process would be
     especially important if we don't do Option 1.
    - Dale agreed with Larry's comment.
- Nives asked if tribes should be addressed in the beginning sentence. Do we need to add "right holders" in addition to "stakeholders" in the top?
  - Larry responded that this shouldn't be exclusive of tribal treaty rights. However,
     CFR 585.102 specifically lists tribal participation in a (capital T) Task Force (it calls





for state, local, and tribal government participants). We are trying to add in the affected stakeholders that are non-governmental. If it is helpful to re-assert that tribal governments can be in the (small t) task force, we can.

#### Principle 3

- Mike noted that the Programmatic Environmental Impact Statement (PEIS) is not a replacement for a project EIS. The project EIS is not going to cover the cumulative impacts that a programmatic EIS would cover. They are meant to go hand in hand.
- Dale seconded Mike's comment, noting that when there are environmental, social, and ecosystem effects, they must be thorough analyses, not just check the box.
  - Nicole noted that this Principle talks about data needs (like the programmatic EIS) and recommends any information and data used is informed by stakeholder perspectives.
  - Dale agreed, mentioning he wants to ensure there is sufficient data/scientific inquiry. We must make sure there is more certainty in the decision-making, rather than allowing uncertainty to reign.
- Larry added that the PEIS is a fundamental piece of the Principles of Engagement. When you look at the comments submitted to BOEM up and down the coast, by so many different and diverse stakeholder groups, there is an echoing request for a Programmatic EIS for these projects. It's fundamental that we make this request.
  - Larry recommended that we insert a sentence or capture the concept that this PEIS and its included data must satisfy analysis requirements in MSP guidelines.
     PEIS must provide sufficient data to allow comparison to enforceable policies and MSP guidelines.
- Mike commented that uncertainty is usually accompanied by a buffer in fishing. We want
  to prescribe that, in decision-making, high uncertainty should lead to a more cautious
  approach to the projects themselves.
- Casey noted that language about meeting MSP guidelines may be redundant as it is implied by words "necessary data and information."
- Casey suggested that this principle be separated into two separate principles. The
  bolded sentence at the top makes it seem like whole principle is about a Programmatic
  EIS. We don't want to bury the lead that information and data is incredibly important to
  decision-making and process.
  - Doug stated he felt ok to combine these two things.
  - RD noted that, for the individual stakeholder who is less familiar with review processes, it would be helpful to expand the language so it is clear that the PEIS must be comparable to MSP guidelines.
  - Nives liked both portions of text and wanted to keep them.
- Dale suggested that we add stronger language at the start "believes" isn't a strong enough word, we could change believes to "needs."
  - Larry agreed that we should be more explicit at the start. There are a host of other entities who have requested a PEIS, and these statements might help us feel more comfortable about strengthening our language.



- Dale noted that BOEM has clearly stated in the past that they will not change their process to include a PEIS. That doesn't mean we have to roll over and let it be. BOEM has set up a process where they can't fail but to lease ocean.
- Doug suggested that we simplify the language: "WCMAC believes there must be a Programmatic EIS to ensure.."
- Larry agreed with Doug's suggestion.
- Nicole asked if these changes ("WCMAC believes there must be...") capture a stronger request?
  - Larry added that WCMAC could also "Request" or "Recommend." He
    welcomed anything that would strengthen that language, with the
    fundamental understanding that WCMAC wants and requests a PEIS.
  - Mike agreed, the more forceful we are the better we can't force BOEM, but we can certainly recommend that it must be done.
  - Dale agreed that "recommends" is much stronger than believes.
- Mike argued that separating Principle 3 is a better way to go. He stated that research
  and the need for data is of paramount importance, and it fits into more aspects of the
  Principles of Engagement than just a PEIS or an EIS down the road. The research is
  needed; there are many environmental systems (temperature, upwelling, chlorophyll)
  that need a better understanding.
  - Nicole agreed that this principle could be separated, as it would allow both principles to stand out.
- Larry suggested that we add "prior to leasing" after "ecosystem effects are analyzed" in the first sentence.
  - Nives agreed, noting that Massachusetts has also requested a programmatic EIS prior to leasing.

- Mike stated that any information about fishing or fishing practices needs to be vetted by
  fishing community experts that are currently fishing and that have historical knowledge.
  BOEM's data and mapping, whether done by a working group or advisory body, needs to
  be means-tested and vetted by prolific fisherman who know what's going on and have
  some historical background as well.
- Mike suggested that we add "workshops," because he's found workshops to be one of the most effective engagement methods.

#### Principle 5

• Did not have enough time to discuss Principle 5.

## **Next Steps**

 Nicole noted that the last OSW Technical Committee meeting before the December WCMAC is on 11/29. Nicole will share the revised document before the meeting so people can read through the changes and come to the meeting ready to discuss further.



- ...
- Casey added that the Committee only has two more hours, so we really need to focus on fine-tuning. We can't make major changes at this point, please do your homework in advance, so you can come with specific, minor tweaks.
- o Mike asked if we could reserve three hours on 11/29. Larry agreed.
- Nicole responded that three hours is a long meeting, and we don't want to exclude folks who can't attend. The next meeting will be facilitated with this timing in mind, and the goals is to reach consensus on the principles of engagement as a committee.





## **OSW Technical Committee Meeting Summary**

**ADVISORY COUNCIL** 

November 29, 2022 | 10:30 AM - 12:30 PM

### **Meeting Highlights**

Final revisions to the draft Principles of Engagement were discussed and the Committee agreed to present the draft Principles to the full WCMAC in the December WCMAC meeting.

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## **Attendees**

#### **Voting Members**

- Dale Beasley, Commercial Fishing Representative (TC Co-Chair)
- Larry Thevik, Commercial Fishing Representative (TC Co-Chair)
- Arthur "RD" Grunbaum, Community
   Seat
- Brian Polagye, University of Washington, Energy Seat
- Corey Niles, WDFW, Agency Representative
- Michele Conrad, Coastal Economic Development Seat
- Nives Dolsak, Educational Institution Seat

#### **Non-Voting Members**

- Alicia Mahon, PNNL
- Ann Skelton, Pacific County MRC
- Casey Dennehy, Ecology
- Henry Bell, Coastal Planner, Ecology
- Mai Aoki, Ecology
- Mike Okoniewski, Pacific Seafood Consultants

#### **Facilitation Team**

- Nicole Gutierrez, Cascadia
- Jimmy Kralj, ESA
- Alle Brown-Law, Cascadia





## **Engagement and Offshore Wind Process**

## **Final draft Principles of Engagement**

#### **Final Draft Principles of Engagement**

The Bureau of Ocean Energy Management (BOEM) process must be transparent. WCMAC recommends a transparent public engagement process that provides sufficient time for BOEM to understand stakeholder and coastal community concerns and aligns with the sequential review of environmental considerations and clearly, and iteratively articulates the overall process and when key decisions are going to be made (e.g., announcement of call areas, designation of wind energy areas, leasing, permitting, and engagement opportunities).

1

There have been concerns in other regions about the transparency of decision making during offshore wind planning processes, including transparency regarding data sources, permitting decisions, and the engagement processes. WCMAC recommends that for BOEM to achieve transparency in their process, the following principles of engagement would need to be followed.

BOEM and the state need to provide consistent, timely, meaningful, and responsive engagement opportunities. This means meeting multiple times a year with key affected communities, stakeholders, rightsholders, and agencies, and that appropriate consultation with these groups is done **prior** to important decision-making such as siting, leasing, and permitting.

#### Option 1

2

WCMAC supports a joint planning or coordination agreement that includes affected stakeholders and local, state, and federal government executives and agencies in lieu of a limited participation intergovernmental task force. WCMAC also expects BOEM and the State to include robust government-to-government consultation and engagement with Tribes.

#### **Option 2 (Majority of OSW Technical Committee members preferred Option 2)**

WCMAC supports a joint planning or coordination agreement that includes affected stakeholders and local, state, and federal government executives and agencies to inform the BOEM process. WCMAC recommends an alternative approach to standard intergovernmental task forces that includes participation of affected stakeholders. WCMAC also expects BOEM and the State to include robust government-to-government consultation and engagement with Tribes.

BOEM, the state, and other relevant agencies must engage with key stakeholders, fishing industries, and coastal community members to publicly inform and vet the data and





### **Final Draft Principles of Engagement**

information used in decision making (e.g., siting and leasing) to establish and verify data and areas of potential conflict. Utilizing current research, data, and information as well as filling data and information gaps is of paramount importance to inform the understanding of large scale and cumulative environmental, socioeconomic, and ecosystem impacts from offshore wind development. WCMAC strongly recommends that a Programmatic Environmental Impact Statement (PEIS) be initiated and completed before leasing to comprehensively evaluate these potential impacts to the region and the California Current Large Marine Ecosystem.

If relevant information is unavailable, WCMAC expects that BOEM and the state address research needs and/or will describe how uncertainty is integrated into decision-making, such as the designation of avoidance areas.

**BOEM** and the state need to integrate local and community knowledge into decision making throughout the leasing and permitting process. WCMAC believes this can be achieved by:

- Providing multiple forums and methods for meaningful engagement and information dissemination. WCMAC expects that public forums, working groups, and fisheries advisory bodies will be formed as needed to ensure robust public engagement. Additionally, multiple opportunities for input need to be provided so that the affected public can participate.
- Ensuring meetings and workshops are accessible and conducted in a way suitable for the intended audiences. The state and BOEM must meet communities where they are at and respect local timing considerations, such as fishing seasons. This could mean hosting both in-person meetings for smaller communities or holding hybrid meetings for others. It is critical that engagement efforts support and facilitate dialogue between the impacted communities, the state, and BOEM.
- Being transparent and sharing where local and community knowledge has been recognized and incorporated in the decision-making processes.

WCMAC expects that decision makers will review and apply relevant laws and policies, which will be used to guide and inform engagement with BOEM, and that those laws and policies will be made readily available to the public.

Examples of relevant laws and policies include, but are not limited to:

- Marine Spatial Plan for Washington's Pacific Coast
- Ocean Resources Management Act
- Local Shoreline Master Programs
- Fisheries Use Protection Standards
- Important, Sensitive and Unique Areas Protection Standards
- Other Enforceable Policies under the CZMA
- Outer Continental Shelf Lands Act



4

5



**SUBJECT**: Washington Coast Marine Advisory Council 2022 Offshore Wind Principles of Engagement

Dear Governor Inslee,

The members of the Washington Coastal Marine Advisory Council (WCMAC) wish to thank you for your continued support in building a resilient coastal Washington. Presently, the Bureau of Ocean Energy Management (BOEM) has received two unsolicited lease requests to develop offshore wind projects off the coast of Washington. As representatives of coastal partners and interests that will be most impacted by offshore wind development, members of the WCMAC have developed a suite of recommendations and expectations about how coastal communities should be meaningfully engaged by BOEM as it advances its review and consideration of these requests.

WCMAC has been operating as a forum for a wide range of coastal stakeholders with a variety of interests, inviting tribal participation in meetings and engagement processes, for nearly a decade. It was created, in part, to provide recommendations to the governor, Legislature, and state and local agencies on coastal resource management issues (43.143.060 RCW). The governor's office requested WCMAC identify and recommend key principles of engagement related to the BOEM offshore wind leasing and permitting processes. This request came in the wake of an unsolicited lease request from <a href="Trident Winds">Trident Winds</a> (292 square miles). If developed, Trident Wind would be one of the largest floating offshore wind developments along the West Coast and anywhere in the world. This was then followed by an additional unsolicited lease request for an even larger offshore wind project from <a href="Hecate Energy">Hecate Energy</a> (403 square miles). The growing interest in developing offshore wind energy off our coast calls for timely and strong leadership to set the state's expectations for BOEM to conduct robust engagement efforts with affected communities.

In August 2022, WCMAC formed the Offshore Wind (OSW) Technical Committee to execute two main objectives:

- 1. Provide recommendations on principles of engagement to the state and BOEM.
- 2. Review existing data and community research needs considering the offshore wind unsolicited lease requests.

At the December 2022 WCMAC meeting, members came to consensus on a list of key principles of engagement that would be necessary for BOEM and the state to follow to ensure a transparent, meaningful, and inclusive engagement process. We believe that these recommended principles represent broad engagement standards that BOEM should follow and must be further developed collaboratively amongst BOEM, the state, and Washington's coastal communities and affected stakeholders.



Additionally, WCMAC members have noted past challenges and shortcomings of BOEM's engagement efforts with coastal communities and affected stakeholders in other Pacific states during similar leasing and permitting processes. Previous engagement processes have been too rapid, have not provided early nor sufficient notice of engagement opportunities, and BOEM's past engagement efforts have lacked adequate information to ensure coastal communities and affected stakeholders can make informed decisions. As such, these principles of engagement convey the importance of avoiding these same pitfalls in Washington. Washington must urge BOEM to understand that timely and meaningful engagement with coastal communities and affected stakeholders is required. The state must also confirm that BOEM understands this requirement is due in large part to our state's Marine Spatial Plan (MSP) which explicitly states that offshore wind development must not have significant adverse impacts to defined important, sensitive, and unique areas (ISUs) and must comply with established protection standards for fisheries. As such, new ocean uses involving offshore wind development must demonstrate that a proposed project will have no adverse effects on an ISU located within or adjacent to the project site. Projects must also demonstrate no likely long-term significant adverse effects to fisheries and the ecosystems fisheries depend on, and that all reasonable steps are taken to avoid and minimize social and economic impacts to fishing and fish dependent communities.

The WCMAC membership is committed to supporting these principles of engagement using our capacity as a group and through the organizations we represent. To ensure BOEM fulfills these principles of engagement, we ask you to consider the following requests:

- Present these recommendations to BOEM leadership to make clear how the state expects BOEM to engage with coastal communities throughout offshore wind leasing and permitting processes.
- Commit to work with WCMAC and relevant state agencies to further develop and implement our Principles of Engagement.
- Make clear to BOEM that WA stakeholders feel that the BOEM task forces convened to date have **not** been effective at incorporating affected stakeholder priorities in the leasing process and that significant changes to the process are required.

We appreciate your leadership, as well as the expertise and energy of state agency staff, which enables WCMAC to serve as a conduit for creating sustained partnerships that address the most pressing issues facing coastal Washington ecosystems and communities. Please give your support to our voices so that our Washington coast can be resilient, thrive, and continue to contribute strongly to the state's prosperity.





## **Welcome and Agenda Overview**

• The 11/17 OSW Meeting Summary was held for review until next meeting, to leave sufficient time for review of the Principles of Engagement.

## **Principle 2**

- Larry had suggested edits based on CFR 585.102, which outlines the BOEM task force process with state, local, and tribal governments.
  - Casey guestioned the language of "federal government executives."
  - Larry answered that the CFR specifically says, "executives from local, state, tribal, and federal governments." He wanted to capture the CFR's existing language while not excluding agency participation, because the CFR doesn't specifically mention agencies, so he added in agencies and kept the "executives" language.
  - Casey understood Larry's concern but expressed that the sentence is slightly confusing as is.
- Corey (in chat) noted a grammatical edit (delete an apostrophe on stakeholders).

#### • Option Preferences:

- Michele preferred Option 3.
- o RD preferred Option 3 as long as we have the next bullet that includes the tribes.
- Larry splits his vote between Option 1 and Option 3.
- o Brian preferred Option 3.
- Corey abstained.
- o Dale preferred Option 1, as long as it includes the public and fishing interests.
- Mike preferred Option 3. Option 1 seemed to a leave possibility for not including affected stakeholders.
- Nives preferred Option 3.
- The Committee will suggest Options 1 and 3 to the full WCMAC and incorporate the line edits in the version that will be presented.
- Corey commented that the Committee seems to be expressing that the overall engagement and decision-making timeline cannot be rushed, and that we need to add language that explains this.
- Larry mentioned that he offered an edit to the last bullet (on tribal participation), which suggested WCMAC recognize that the tribes can, at any time, participate in this process with the WCMAC. Tribes are always welcome to be involved with WCMAC, if they choose to be.
  - Casey shared that Ecology has recently reached out to the tribes, to make sure they are aware and welcome to participate.



- Larry responded that this will be a public document as much as it is an internal document, so we should include this recognition of tribal participation.
- Nicole suggested that we include that recognition in the letter to the Governor.
- o Henry agreed (in chat) that including this in the cover letter makes sense.
- Dale noted that "timely, meaningful engagement" does not fully cover what we want to do. WCMAC has missed multiple opportunities for public comment in the last several months. Our quarterly meeting schedule doesn't allow us to engage with these opportunities. We must figure this out, so the entire process doesn't pass us by.
- Corey mentioned that BOEM asked the State of Oregon how they wanted to do planning, and how long planning should take. Corey asked the Committee if there was a length of time that felt adequate. We want meetings to align with decision-making points.
  - Dale proposed that WCMAC's meeting schedule must change so WCMAC can be timely and responsive as a group.
  - Larry appreciated Corey's comment but noted that there is a distinction between timely responses and setting a timeline. We don't want to box ourselves into a timeline, but we want to have more timely responses where it seems appropriate. This is captured in the red text explanation of the Principles.

- Mike commented that fishing experts need to vet and confirm BOEM's data and maps, because in previous BOEM engagement processes, BOEM used inaccurate data to evaluate fisheries impacts. Without review from fishermen, the engagement isn't meaningful. His edits add this fisheries review/vetting process.
  - Corey noted that the WDFW fisheries stakeholder engagement process includes this kind of review. There's no harm in including this in the Principles.

#### • Option Preferences:

- Nives shared that the above option is too long and might lose readers' attention.
   She preferred the below option, or moving key text from Mike's suggestion to the context paragraph that begins with "Utilizing current research..."
- Dale agreed with Mike's additions in the above option; it's very important to elaborate on vetting information with fishing experts. He preferred the more specific option, so that BOEM can't do the same process they've done in other places.
- Michele supported the language and intent of Mike's comment. She inquired about the reference to landing data, since that is unlikely to be a data source that BOEM would use in siting decisions or selection of call areas. She proposed removing the word "landing," because the intent is to have the fishing community review any data used by BOEM.
  - Mike agreed that "landing" could be removed.



- RD agreed with Michele's edit, and Nives' comment about not making this too long, and perhaps incorporating this into the bottom portion.
- Larry supported Mike's comment about BOEM's past data, noting that data gaps have allowed BOEM to make false claims. He suggested the following edit to incorporate Mike's comments: "BOEM, the state, and other relevant agencies must engage with key stakeholders, fishers/fishing industry, and.... to establish and verify data and areas of potential conflicts."
  - Mike agreed with Larry's suggestion but added that the vetting process should be done publicly. Previously, BOEM has been selective and private about who they've talked to.
  - o Dale agreed with Mike about getting the right people to the table.
- Nives noted in the chat that if we keep the below section, we should include a public review of data used in BOEM selection process, and suggested the language of "utilizing current data, filling in the gaps, and publicly reviewing the data used..."
- The Committee agreed on the edited language.

- Larry added language to clarify that data should specifically be "incorporated."
- Nives and RD gave thumbs up, and no one had additional comments.

## **Principle 5**

- Larry noted that we can include a link to the enforceable policies under the CZMA. Nicole also confirmed that all the hyperlinks would be live.
- Casey suggested we include one link to an Ecology website or document that summarizes the enforceable policies.
  - Henry provided the enforceable policy links to include:
    - Website: <a href="https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Coastal-zone-management/Programs-policies/Federal-consistency">https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Coastal-zone-management/Programs-policies/Federal-consistency</a>
    - Document: https://apps.ecology.wa.gov/publications/SummaryPages/2006013.html
- Corey proposed edits to the language about BOEM's compliance with the laws, noting that we want to encourage a state and federal discussion with BOEM, rather than allowing BOEM to describe to us what will happen. We want an independent state review process.
  - Larry agreed with Corey. He added that what the state considers consistent with our enforceable policies is not determined by BOEM. There will be a state-led process to determine whether any proposed projects comply with Washington's enforceable policies, and that decision will be up to the state, not BOEM.



- Nicole clarified that this language specifically refers to each policy's rules of engagement with stakeholders, rather than consistency certification.
- Larry responded that we don't want BOEM to have the final say on whether or not projects are in compliance with the enforceable policies.
- Henry agreed with Nicole's clarification. These policies should be guiding and informing engagement, which is very different than BOEM reviewing a state's enforceable policies. That process is well established. The question here is whether we want policies to inform BOEM's engagement.
- Henry mentioned that it is good to leave the bullet "enforceable policies under the CZMA" because that leaves it open for changes in the future.
- Nives asked (in chat) if the state's review and decision accomplish what we are trying to do in this Principle.
  - Larry noted that it is important for BOEM to consider these laws/policies at the outset. We are placing a responsibility on BOEM, even though they will not be the final determiners of that consistency. We're not substituting BOEM's look at the laws for the state's evaluation of the laws.
  - Nives expressed concern that if we create principles for processes that already exist, they might take weight away from the principles.
    - Larry suggested removing the references to BOEM and state that these laws should be referenced and utilized throughout the engagement processes.
  - Corey responded that the public should understand what the laws are and how they're going to be evaluated. He suggested the language: "WCMAC expects that the public understand relevant laws and policies, which will be used to guide and inform engagement."
  - Larry commented that this needs to be more inclusive and suggested "WCMAC
    expects the public and decision-makers will identify/review relevant laws and
    policies, which will..." or "WCMAC expects the public and decisionmakers will
    review laws and policies, which will be used to guide and inform engagement
    with BOEM."
    - Nives suggested (in chat) the words review or utilize.
    - RD suggested (in chat) "... review and apply relevant laws"
- Dale noted that, in past experiences, he's had trouble understanding each Agency's interpretation of the policies' meaning, since they often differ.

- Dale suggested that we need a stronger word than "believes" in the last sentence. Nives proposed "expects," and Larry proposed "recommends."
- No additional edits were proposed.





- Corey noted he would argue that BOEM is being transparent now, and the Committee's
  concern is actually about the speed at which decisions are being made. The only word
  that conveys that concern is "meaningful" engagement, which communicates our need
  for slower timelines.
  - Ann suggested (in chat) that we add language about meeting a sufficient number of times.
  - Larry cautioned against setting a timeline, since BOEM sticks to their own timeline whether they have adequate data and public comment, or not. We don't want to put ourselves in the same trap, so the emphasis should be on "timely" engagement, rather than timelines.
- Larry suggested that "meaningful" could be interpreted quite broadly and with varied results. He suggested: "BOEM and the State need to provide consistent, timely, meaningful, and responsive engagement opportunities."
- Nives reflected that both the words "adequate" and "meaningful" are open to interpretation and asked if we could suggest an arbiter review the engagement/data and give confirmation that BOEM could move on to the next step. Perhaps that arbiter could be WCMAC?
  - Nicole responded to Nives' suggestion, saying that we might have to hold this Principle back before sending to the full WCMAC.
- Corey responded to Larry's concerns, noting that Larry seems to not be concerned about a timeline in general, but about too short a timeline.
- Michele clarified that Corey and Larry are saying two different things. Corey addressed that the overall process should take whatever time is necessary to work through the issues, ensure that BOEM understands what the stakeholder concerns are, and that stakeholders understand how BOEM is planning to address these concerns. Larry's focus on "timely" means that there is adequate time, advance notice, and understanding on the part of the stakeholders. Michele suggested these ideas both need to be captured here. The language in Principle 1 could be edited to: "public engagement process, that provides sufficient time for all parties to sequential review of environmental considerations."
  - Michele noted that the engagement process should be iterative. It should provide adequate time for stakeholders to understand the process and for BOEM to understand and address stakeholder concerns.
- Mike noted that transparency also includes taking stakeholder concerns into account in a transparent way. The parties involved should feel that they have a say in the outcome.
- RD shared (in chat) that the final adequacy of the process would presumably be determined through litigation.



## **Consensus Vote on finalizing the Draft Principles of Engagement**

- Can the Committee move forward without objection to present these as draft principles to the full WCMAC in December?
  - Yes, all in agreement to share these with the full WCMAC (5 Thumbs Up, 0 Thumbs Down).

#### Letter to the Governor

- Larry suggested an addition: "If developed, Trident Wind would be one of the largest floating offshore wind developments along the West Coast and anywhere in the world."
  - o Mike agreed with Larry's addition.
- Larry suggested an addition to fifth paragraph, in the last sentence: "and the ecosystems that fisheries depend on."
- Corey noted that BOEM gives a lot of deference/weight to what the Governor thinks. We
  want to emphasize that what we're asking for: that the Governor ask BOEM to engage
  with WCMAC in the process.
- In the third bullet on the final page of the letter, Corey suggested adding more context about WCMAC's concerns with the previous engagement processes: timelines are too fast to make an informed decision, and engagement has been ineffective.
  - o Dale agreed with Corey's suggestion.
- Nicole noted that we will incorporate a note that tribal engagement is voluntary and we have extended the invitation to tribes.

## **Next Steps**

- Nicole summarized that she will incorporate these edits and make clean version for the December WCMAC discussion guide. Additionally, she will add the suggestions into the Governor's letter.
- Nicole will follow up via email to organize OSW Committee meetings in 2023.
- Casey thanked everyone for their time and effort on the Principles of Engagement.

## **Appendix A - PEIS & cumulative impact analysis requests**

During the development of the Principles of Engagement, Larry Thevik provided the following summary of several examples of PEIS and Cumulative impact analysis requests from a variety of stakeholder and interested entities. Larry noted that this list excludes Seafood industry requests for the same (which are numerous).

**Oceana**: We urge a Programmatic EIS that considers BOEM's offshore wind energy program throughout the California Current ecosystem. Until such a comprehensive analysis is conducted,



neither the government nor the public will have the information to properly assess the tradeoffs associated with offshore wind development in this area

**Defenders of Wildlife**: BOEM has ample precedent for preparing and EIS early in the commercial wind leasing and permitting process. The agency routinely prepares Programmatic EISs for Five-Year Oil and Gas Leasing Programs and lease sales.

**Quileute, Quinault, Hoh**: The cumulative impacts to salmon from such dams were unforeseen at the time of construction, and the minimal mitigation conducted (i.e. fish ladders) proved ineffective over time, leaving fish unable to migrate up or down these river systems. Looking to the current proposal, we are mindful that the California Current is a designated Large Marine Ecosystem (LME) and the "river" that supports the ecosystems of the west coast.

AMERICAN BIRD CONSERVANCY: An Environmental Impact Statement is Appropriate, Rather Than An Environmental Assessment Appropriate siting is far and away the most important aspect of minimizing the environmental impacts of wind energy facility development and operation. For this reason, an environmental impact statement (EIS) is appropriate now, in the early stages of planning for this WEA, to ensure that this location is reasonable for development, i.e., impacts to wildlife will be minimal. More in-depth analysis at the outset of this process would not only provide an opportunity to ensure that impacts of this new industry are minimized, but this would reduce the chances for stakeholder conflict later in the review process. A Robust Analysis of Cumulative Impacts is Needed The rapid pace at which OSW energy planning and development is occurring does not allow for meaningful learning about impacts with sufficient time to adjust practices as additional facilities are being built. A robust cumulative impacts analysis should be conducted for wind energy planning in the U.S. Pacific that takes into account the risks of collisions with turbines, displacement, and barrier effects, and how these interact with other industrial activities with regard to impacts on birds. A cumulative impacts assessment should encompass port development to support the OSW industry, if needed, as this is related and may result in substantial environmental and social impacts.

**OCEAN FOUNDATION:** The Humboldt Wind Energy Area (OSW "Proposed Project") needs a full NEPA process, including preparation and public review of a full Environmental Impact Statement, to be done now, not just an incomplete Environmental Assessment (EA).

Submitted by the Natural Resources Defense Council, National Audubon Society, Whale and Dolphin Conservation, Humboldt Baykeeper, Ocean Conservation Research, Surfrider Foundation: 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.

**OCEANA:** We urge a Programmatic EIS that considers BOEM's offshore wind energy program throughout the California Current ecosystem. Until such a comprehensive analysis is conducted, neither the government nor the public will have the information to properly assess the tradeoffs associated with offshore wind development in this area. At a minimum, BOEM must consider the



impacts of the full project as a lease is an irretrievable commitment of resources the practical effect of which will result in the installation of a large floating offshore wind facility off California

**DEFENDERS OF WILDLIFE:** BOEM has ample precedent for preparing and EIS early in the commercial wind leasing and permitting process. The agency routinely prepares Programmatic EISs for Five-Year Oil and Gas Leasing Programs and lease sales, despite the fact that such actions are taken well in advance of site-specific exploration or development and production activities. Leasing for offshore wind development is no different; leasing is a necessary preliminary step that will influence future planning and permitting decisions. An EIS is needed to analyze the reasonably foreseeable environmental consequences of issuing commercial wind leases in the Humboldt WEA. Not only is such analysis required to meet the requirements of NEPA, but such analysis will provide important information regarding impacts and alternatives at a point in the process where meaningful decisions can be made to avoid or reduce significant impacts.

Quileute, Quinault, Hoh: 8/22/22 Letter to BOE--Comments regarding "Guide1ines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 CFR Part 585," Docket ID, BOEM-2022-0033: The cumulative impacts to salmon from such dams were unforeseen at the time of construction, and the minimal mitigation conducted (i.e. fish ladders) proved ineffective over time, leaving fish unable to migrate up or down these river systems. Looking to the current proposal, we are mindful that the California Current is a designated Large Marine Ecosystem (LME) and the "river" that supports the ecosystems of the west coast. The proposed series of large offshore wind projects off the west coast must consider cumulative impacts to the overall west coast ecosystem, not just the local project area. Projects of the scale proposed will have local and regional impacts over time that have yet to be determined. It is the responsibility of BOEM, not proposed developers, to slow the leasing and permitting process for west coast offshore wind development to enable BOEM and affected communities to develop full understandings of the immediate and long-term environmental, socio- economic and Treaty impacts of constructing, operating and eventually decommissioning these massive facilities, including those being placed in the California Current LME.

Makah: Oregon Call areas: BOEM2022-0009-0001 See attached Specific PEIS request: Cumulative Impacts--Need for Programmatic EIS for West Coast: we recommend that BOEM conduct a programmatic EIS for proposed offshore energy development on the West Coast to better understand the cumulative impacts of offshore energy development on the California Current ecosystem. We understand that BOEM has previously conducted a PEIS for offshore renewable energy in 2009 after it was added to BOEM's authorities. The scale and scope of the proposed technology for offshore renewable energy has evolved considerably since this time, as our understanding of climate change impacts in the marine environment--making the 2009 EIS largely obsolete. Most of the technology being proposed for the West Coast (floating offshore wind) doesn't exist at anywhere near the scale of the proposals we are seeing. We want to emphasize that NOAA is conducting an extensive EIS process as part of analyzing Aquaculture Opportunity Areas on the West Coast. The Makah Tribe has also had to undergo extensive EIS



processes in order to exercise the treaty right to whale, which have much smaller-scale and more spatially-limited scope of impacts.

**OREGON WILD: BOEM-202-0009-001**; There are six proposed "Call Areas" for offshore wind development on the U.S. West Coast, all of which are within the globally significant California Current ecosystem which is used by a wide variety of fish & wildlife. The cumulative impacts of development in all these areas considered together should be studied in a programmatic Environmental Impact Statement (PEIS) before any decisions are made. A West Coast-wide Programmatic Environmental Impact Statement (PEIS) is necessary before identifying Wind Energy Areas to avoid piecemeal 3 permitting and to make sure that siting is informed by a cumulative-impacts analysis. Seabirds, whales and fish range widely across multiple areas now under consideration for wind development. A PEIS will provide a transparent consideration of larger, ecosystem wide issues and it can be done in a way that does not delay the process and could lead to better outcomes.

Portland Audubon · American Bird Conservancy · Oceana · Surfrider Foundation
Kalmiopsis Audubon Society · Cape Arago Audubon Society · Audubon Society of Lincoln
City Lane County Audubon Society · Umpqua Valley Audubon Society · Salem Audubon
Society Audubon Society of Corvallis · Rogue Valley Audubon Society · Klamath Basin
Audubon Society East Cascades Audubon Society · Redwood Region Audubon Society ·
Native Fish Society Oregon Wild · Oregon Chapter of the American Cetacean Society ·
Coast Range Forest Watch Oregon Shores Conservation Coalition: Prepare a Programmatic
Environmental Impact Statement (PEIS) for Pacific Coast FOSW projects before identifying WEAs
off Oregon to ensure full consideration of the high-value biological resources and
oceanographic dynamics in the CCLME off Oregon (pp. 10-13)

Pacific Fisheries Management Council (PFMC): Sept: 2021 letter to BOEM; "that the direct and indirect effects of wind energy areas on fisheries, habitats, and ecological resources should inform all wind energy scoping process and must do so in advance of leasing, permitting, and construction phases of wind energy development" PFMC-2022-0009-0001: the Council believes more focused analysis and engagement is necessary before WEAs are identified. Adverse effects on fishing communities are likely to be irreversible and long-lasting. BOEM should take the time to ensure that the decision on how to meet wind energy goals while minimizing adverse impacts to fisheries is open, transparent, and thorough. Lastly, the Council understands BOEM is unlikely to switch to a programmatic approach to environmental impact analysis, but nonetheless echoes the belief that it would be an improvement. The current process leaves detailed environmental impact analysis to the very end, and again, when the time and funding expended effectively forecloses the consideration of alternative project locations and when an action alternative would appear to be all but a foregone conclusion. A programmatic approach would better account for reasonably foreseeable wind energy acreage needs and improve public understanding of the likely cumulative impact to the California Current and its fishing communities.

Conduct a comprehensive cumulative effects analysis during the Area Identification phase to examine the likely combined effects of all activities associated with individual lease sales and



multiple lease sales on ocean processes and habitats on the Oregon Coast and the California Current Ecosystem

**ODFW Comments on Oregon Call Areas:** ODFW recommends that BOEM (and/or partners) conduct a robust cumulative effects analysis evaluating the effects of multiple activities on ocean processes and habitats on the Oregon Coast and throughout the California Current Ecosystem (Affected Environment) as soon as possible, and no later than during NEPA. This analysis should encompass all proposed, existing or reasonably foreseeable offshore wind sites off California, Oregon, and Washington, and spatial designations other than OSW that also may affect existing resources or existing uses within the Affected Environment.

California Coastal Commission: Comments on Humboldt Call and WEAs: The Commission agrees that a primary focus for this CD is to analyze effects of lease exploration activities—such as site characterization and assessment—and that it is not possible at this time to analyze the precise effects that future construction and operation of offshore wind projects will have on coastal resources. However, it is reasonably foreseeable that the leases will lead to construction and operation of at least some offshore wind facilities. It is also feasible to describe, at least at a high level, the types of impacts that such facilities could have on coastal resources. Review of this consistency determination is the state's opportunity to examine the impacts of offshore wind development at a programmatic level and to assess whether the Humboldt WEA is an appropriate place to site offshore wind in California.

On behalf of Whale and Dolphin Conservation, Natural Resources Defense Council, National Wildlife Federation, Center for Biological Diversity, National Audubon Society, and NY4WHALES, and our members and supporters, we submit these comments on the **Bureau of Ocean Energy Management (BOEM) Call for Information and Nominations (Call)** for Commercial Leasing for Wind Energy Development on the Outer Continental Shelf (OCS) Offshore Oregon: We recommend BOEM conduct a PEIS to ensure a comprehensive and transparent analysis to identify suitable WEAs. The area covered by this analysis should be advised by this Call, and incorporate review of areas that may be proposed to the west of the current Call Area boundaries, beyond a depth of 1,300 m, as siting development in deeper waters may reduce conflict with especially vulnerable marine life and with existing ocean uses. A PEIS would also analyze cumulative impacts to at-risk species, especially important given the additional offshore wind locations planned elsewhere on the West Coast. For species that utilize large areas of the California Current Ecosystem (CCE), including large whales and migratory seabirds, development in multiple parts of their habitat, especially if one or more of those areas is essential for foraging, breeding, or any activity critical to a species' survival, can exacerbate risk. A cumulative impacts analysis is crucial to identify and understand the collected risk.



# WASHINGTON COASTAL MARINE ADVISORY COUNCIL

Offshore Wind (OSW) Technical Committee Meeting Summary

January 17, 2023 | 1pm - 3pm

#### **Meeting Highlights**

- The Technical Committee reflected on successes in 2022.
- Mai Aoki presented Ecology's proposed data needs assessment framework, and TC members discussed pressing data needs, mapping updates, and goals for 2023.

## **Participants**

#### **Voting Members**

- Dale Beasley, Commercial Fishing representative (TC Co-Chair)
- Larry Thevik, Commercial Fishing representative (TC Co-Chair)
- Nives Dolšak, Educational institution representative
- Brian Polagye, Energy representative
- Arthur "RD" Grunbaum, Coastal Conservation group representative
- Michele Conrad, Coastal Economic Development Seat

#### **Non-Voting Members & Facilitators**

- Alicia Mahon, PNNL
- Mike Okoniewski, Pacific Seafood Consultants
- Ann Skelton, Pacific County MRC
- Casey Dennehy, Ecology
- Mai Aoki, Ecology
- Nicole Gutierrez, Cascadia
- Alle Brown-Law, Cascadia
- Jimmy Kralj, ESA

## **Meeting Summary**

#### **Welcome and Agenda Overview**

Nicole welcomed attendees to the Technical Committee meeting and asked if anyone had questions or edits to the Meeting Summaries for the 11/17/2022 or 11/29/2022 committee meetings.

- Larry asked if he could send any edits to Nicole in the next few days. He appreciated
  that the 11/29 Meeting Summary included other entities' submitted comments on the
  BOEM engagement process. He asked if the statements were shared with the full
  WCMAC.
  - Nicole noted that finalized technical committee summaries are always attached to the quarterly WCMAC meeting discussion guide, so the statements would be included there.



#### **Announcements**

 Alicia shared information about an upcoming webinar on the Transmission Siting and Economic Development Grants program, hosted by the Grid Development Office.
 Webinar information will be distributed to the rest of the technical committee after the meeting.

#### **OSW Technical Committee Objectives & Review Progress to Date**

- Nicole reviewed the Technical Committee (TC) objectives (see status table in Discussion Guide).
- Nicole thanked everyone for working on and finalizing the Principles of Engagement. The final letter of principles of engagement was sent to the Governor's office.
- Casey celebrated the committee's successes thus far and thanked everyone for their work on the principles of engagement.
- Dale commented that one overriding TC objective should be to do no harm to our coastal communities, as they exist today.
  - Larry agreed with Dale's comment. The fundamental purpose of the MSP, besides presenting data, was to find areas off our coast that would potentially offer opportunities for alternative uses but would not interfere or cause harm to existing ocean uses. We were charged to find areas where there was minimal impact on existing uses before an alternative use would then be allowed.
  - Casey discussed that an objective of "do no harm" would be a difficult standard to hit. Washington's laws and policies are intended to minimize any long-term impact. The objective of reviewing existing data and research needs acknowledges that we can't look at new ocean uses without data in hand to test and ensure we are minimizing impacts. We are driving to those standards, that's why the work we will do in the coming year is incredibly important, to see that we live up to those standards.
- Larry noted that, in the Discussion Guide's objectives table, the third bullet should expand to say "...ORMA, enforceable policies under the CZMA, and other relevant ocean use policies."
  - Nicole mentioned that the objectives are intentionally broad as we determine our next steps.
- Brian noted that he was surprised by the amount of money spent for the BOEM lease sale in California. He had assumed that amount to be the anticipated lifetime payment to BOEM, but it is actually money out the door today for the potential to develop. Brian was surprised by how large this value was considering the lack of market for offshore wind energy in California. Additionally, he reviewed Washington's 2021 State Energy Strategy (the state's projected energy use to 2050). For Washington to try and meet its clean energy goals, it must replace fossil generation. Per the 2021 State Energy Strategy, all additional electricity is forecasted to come from expanded transmission lines from Montana and Wyoming. Washington's electrical capacity does not change. Under any potential constraint conditions, then some offshore wind energy would be needed to generate sufficient electricity. Under this scenario, offshore wind would come into use around 2040.
  - Larry appreciated Brian's input and added that what Brian summarized is something that we need to include in our data needs. Particularly, information on the expectations of need, alternatives, and potential cost of OSW off the coast of WA.



- Larry also agreed with Casey's comment on how important data collection and analysis
  will be. However, Larry argued that there is a difference between *minimal* impacts and *minimizing* impacts. Minimizing impacts does not come close to minimal impacts. We
  must be careful to not be trapped by use of the word "minimizing."
- Dale added that one of his largest concerns is for getting new, young fishermen into our business. Our next generation of fisherman are going to feel impacts from floating OSW that we don't feel today. How are we going to study the long-term impacts, which will be on the next generation of fishermen? The information, as we look ahead, will be impossible to nail down. We must use a precautionary approach, because as Larry said, there is a big difference between "minimal" impacts and "minimized" impacts.
- Mike commented that fishermen are the best resource to speak about the impacts of OSW on the fishing industry. We need that qualitative information to go along with the quantitative data collection, because data collection alone can be spotty. There are two things that keep getting left out of discussions: the ecological impacts of offshore wind development, and the potential impacts on food security.

#### Data Needs / Data Gaps Assessment

- Nicole noted that the Committee has a longer timeline with the second objective (data needs) than the timeline for the principles of engagement. A final deliverable for this objective could be a letter of recommendation to the governor, but that's not the only possible outcome.
- Mai explained Ecology's proposed approach for identifying data needs. The approach
  focuses on four topics: biology, ecology, socioeconomics, and culture. Much of this work
  was informed by a data assessment completed by Ecology in 2020. From the data gaps
  identified through that process, Ecology will focus on those related to potential ocean
  use conflicts. The purpose of this data gaps assessment is to identify and prioritize
  information needed to assess the potential impact of new ocean activities.
- Larry asked for the documents developed by Mai to be distributed to the technical committee. He also noted that he summarized some data needs at the December WCMAC meeting, and would like follow up on some of the suggestions he made. Additionally, Larry reminded the Committee that updating our marine resources maps and identifying areas of conflict between potential and existing uses was not discussed during the 2020 data assessment.
- Brian suggested an additional question that asks, "Why is this data need is a priority?"
  - Mai answered that she will include this question for consideration. Much of the "why" will come from whether the data will help the state evaluate future projects.
- Dale raised recent examples from the East Coast about negative impacts from offshore surveys and wind development on whales and other marine mammals. When we get to the ocean, data needs that are necessary are next to impossible to acquire. Some of the data needs that need to be developed are impossible to gather. He noted the challenge of these uncertainties.
  - RD agreed with Dale and Larry's comments.
- Michele appreciates what Mai presented. She explained that the information presented by Mai outlines the initial steps to identify data that is currently available and data that is still needed. This effort is not an attempt to capture all sources of information, but this provides a useful starting point in finding a path to move forward.
- Nives noted the areas that she has more experience in, and is happy to help with. She thanked Mai for planning a schedule for the year.



- Mike agreed with Dale's comments about the whale deaths on the East Coast. It
  emphasizes the importance of cross-referencing data and information with fishermen, to
  assess the cumulative impacts of new industrialization in the ocean.
- Larry asked when the Committee will discuss updates to the use maps (such as including DOD flyways), and when the work to update resource and use maps would occur?
  - Mai stated that this would be included under known information since it has already been developed and only needs updating.
- RD shared (via Chat) that he was greatly impressed by a demonstration of Delf3D and ran across this: <a href="https://www.sciencedirect.com/science/article/pii/S2352340919312764">https://www.sciencedirect.com/science/article/pii/S2352340919312764</a>.
   Perhaps we could get this model to present the WA coast.
- Nives noted (via Chat) that for the socioeconomic and culture topic areas, we have a starting point with the Puget Sound Partnership data/indicators:

Cultural wellbeing: <a href="https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/21">https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/21</a>
Economic vitality: <a href="https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/22">https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/22</a>
Good governance: <a href="https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/24">https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/24</a>
Stewardship: <a href="https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/25">https://vitalsigns.pugetsoundinfo.wa.gov/VitalSign/Detail/25</a>

- Dale discussed that crab is the only commercial species that can support Washington's coastal communities over time. However, in use mapping, crab fishing was weighted the same as recreational activities. Therefore, the use maps do not adequately map the needs of our coastal communities. In addition, maps used in Oregon during the offshore wind planning process inaccurately represented fishing uses along the Oregon coast. Dale noted the importance of being able to ground-truth information related to existing fishery-dependent communities, to ensure we have viable coastal communities and coastal ports.
  - Mai shared that analyzing existing maps will be a step after this first step of identifying data needs and data gaps. These issues are important to consider during that map analysis phase.
- Mike noted that he is concerned about what we might be missing, particularly since what's happening in Washington is on an unprecedented scale.
- Nives asked which data needs to be georeferenced (mapped) as opposed to data that can be aggregated coast-wide? For data that must be georeferenced, we have to determine the location and scope of that analysis.
- Larry appreciated Nives' question. He clarified that the mapping updates he has referred
  to meant adding new map layers that currently do not exist in the MSP maps. For
  example, adding more avian species, DOD flyways, critical habitat, and the California
  Current system. Thus, he is not asking to update present maps, but to identify gaps in
  our current maps and fill those gaps.
- Dale noted that the WCMAC does not have the budget to develop the amount of data required for a thorough analysis. He noted the potential to request additional funding from the legislature to develop the data but expressed frustration about the WCMAC's ability to react in a timely, responsive manner, which may pose a barrier to requesting more funding.
  - Casey thanked Dale for his comments, and explained that Ecology is taking the potential impacts and threats from offshore wind as seriously as possible. We are trying to be ahead of the OSW process, particularly by identifying the data, information, and research that we need to inform decision-making, before BOEM starts their process. If there's available information, we want to get it, and if there is data that doesn't exist, we want to collect it.



- Dale explained that the uncertainty around the timing of BOEM's process, and whether we have enough time to develop the data needs investigation, is one of his biggest concerns. Fishing and coastal communities should be a priority.
- Nicole expressed that she understands Dale's urgency, but stated that the Committee has time to create a robust planning effort to identify the data gaps and needs.
- Casey noted that there are some elements that are not present in the Marine Spatial Plan data viewer, like military use, however there is already existing data that can be added. Improvements will be made to data at the *same time* as these discussions, not only when the discussion process is done.
- Nives asked (via Chat) where the MSP map viewer is.
  - Casey shared the map viewer link: <a href="http://mapview.msp.wa.gov/default.aspx">http://mapview.msp.wa.gov/default.aspx</a>
- Mike suggested that oceanographic dynamics should fall under the ecological focus area.
  - Casey agreed and informed the Committee that physical oceanography will fall under the ecology category.
- Larry added that we need to find and collect the information and data that does exist. There's a lot of emerging research from the North Sea that we can draw from.
- Nicole and Mai will work together to send the data needs proposal to the Committee for members to respond to and reflect on.

#### **Additional Focus Areas**

- Dale reiterated his request for a review of the original WCMAC legislation, and legislation related to coastal resources, in order to determine the legislative intent behind the various laws.
- Mike noted the importance of asking fishermen where they fish and involving coastal communities in the BOEM engagement process. He suggested hosting coastal meetings at the community level, because making short comments in a BOEM meeting doesn't create any constructive progress.
  - Nicole added that this speaks to the Recommended Principles of Engagement about vetting data with fishermen.
- RD, Dale, and Larry reiterated that Mai's proposal should be sent around to the Committee so they can review. All meeting materials should be distributed prior to future meetings.
- Brian noted the need to consider timing issues. For example, if we plan to forecast out to 2050, it would be challenging to have accurate ecological information on a timeline that long.
- Larry made final comments. First, he noted that ORMA requires proposals have an
  identified national need as well identified alternatives to the proposal. Second, he
  mentioned that we need to get started filling serious data gaps. Third, he shared that we
  need to expand our present definition to include the entire California current ecosystem
  when we examine cumulative impacts.

#### **Next Steps:**

- Nicole will send around Mai's proposal.
- The Committee now has recurring meetings on the third Tuesday of every month, from 1
   3 PM. Please let Nicole know if you have any conflicts.



## **Appendix A. Data Gap Prioritization - WCMAC**

**Purpose**: To obtain input from WCMAC and coastal stakeholders and communities on high priority data gaps that are essential for assessing potential new ocean uses.

**Process**: WCMAC and Coastal stakeholders and communities will review data gaps that have been identified as important, building off a 2020 data assessment effort by Ecology. Review of data gaps will also include a review of whether information contained in the Marine Spatial Plan should be updated. The assessment will focus on prioritizing data gaps that will help the State review potential future ocean use projects. Specifically, these are data needs relevant to:

- Avoid ocean use conflicts.
- Evaluate compliance and consistency with enforceable policies.

The data gaps have been organized by topic and grouped into four categories: Biology, Ecology/Physical Oceanography, Socioeconomics, and Culture. Approximately two Technical Committee sessions (1 hour per meeting) are dedicated to each category.

Each session will discuss a topic's:

- Relevance
- Known Information (MSP and General)
- Unknown Information (General, Offshore Wind, and Offshore Aquaculture)

After identifying any additional data needs, the discussion will shift to prioritizing the data gaps and categorizing each as "High Priority," "Medium Priority," or "Low Priority." Below are questions for participants to consider as we assess each topic.

#### Questions:

- Are there any important data gaps missing from the list?
- Which data gap should be addressed first? Consider:
  - Need
  - Frequency of change
  - Feasibility
- Are you aware of currently available data/research that addresses a data gap?
- What are key research suggestions?
- If possible, should the information be added to the MSP Data Viewer?

All "High Priority" data gaps will be further ranked and prioritized after all categories have been reviewed.

**Outcome**: Identify high priority data needs and prepare a Letter of Recommendation to the Governor.

#### **UPCOMING**

Feb. 21, 2023 WCMAC Monthly Offshore Wind Technical Committee Meeting: Review Biology Category



#### **WCMAC Resilience Working Group Meeting**

January 24th, 2023

#### Participants:

- Russell Callender, Washington Sea Grant
- Casey Dennehy, Ecology
- Rod Fleck, City of Forks
- Tommy Moore, Northwest Indian Fisheries Commission
- Jimmy Kralj, Environmental Science Associates

#### **Meeting Summary:**

- Follow-up from State Briefing
  - Casey said Ecology's Coastal Climate Hazards budget request is likely to be approved by the Legislature given its broad support and inclusion in the Governor's budget.
  - One of the WCMAC recommended proposals from State Parks was not included in the Governor's budget, however, it still may be approved by the Legislature.
- Planning for Federal Briefing
  - During previous discussions in Summer 2022, the group considered hosting a briefing with the WA Congressional delegation in March 2023. Russell had asked the UW Federal Relations team to coordinate the briefing with Representative Kilmer's office as a sponsor. At the time, the group proposed including language requesting support for the Coastal Zone Management Program and Sea Grant.
  - Russell shared that he will be in Washington D.C. from February 27<sup>th</sup> to March 3<sup>rd</sup> for Sea Grant-related business. He connected with UW Federal Relations and they are willing to help schedule a hybrid (in-person and remote) briefing during that time to discuss the Resilience Recommendations.
  - Others supported the idea of a hybrid briefing; Rod noted that Mondays do not work for his schedule.

#### Content

- The group noted the importance of including testimonials as part of the briefing. Jimmy will connect with Jamie to see if she is willing to speak again.
- Much of the content from the State Briefing can remain the same. Only a few slides need to be added about the federal specific asks.
- Tribal Engagement
  - The group agreed to have a similar level of engagement with coastal tribes as was followed during the State Briefing.
  - Tommy stated that the memo used to describe the State Briefing could be updated for the Federal Briefing and distributed to the Commissioners.
  - The next commissioners meeting is February 28<sup>th</sup>, however information can be distributed via email as well.
- Federal Request

- Sea Grant support
  - The collective Sea Grant programs have developed language related to support for the Sea Grant program as a whole. This includes support for coastal resilience and enhancing diversity, equity, and inclusion related work. Russell provided this information via email (see attached).
- Coastal Zone Management Program
  - Ecology's request will be communicated through the Coastal States Organization. Jimmy will follow up with Bobbak on specific information related to this request.

#### Next Steps

- Russell will connect with UW Federal Relations to secure a date for the briefing.
- Jimmy will update the memo to share with Tommy and the Northwest Indian Fisheries Commission.
- Jimmy will follow up with Bobbak regarding the CSO request, and other individuals to provide testimonials.
- Jimmy will provide draft edits to the presentation and share them with Casey and Russell for editing.
- o Jimmy will contact Jaime to see if she is willing to provide a testimonial.
- Jimmy will schedule the next planning meeting.

## Sea Grant Association

## FY 2024 Programmatic Requests for Sea Grant

## The Sea Grant Association (SGA) has two programmatic requests for Fiscal Year 2024:

\$147,325,000 for the National Sea Grant College Program

+ \$18,000,000 for Sea Grant Aquaculture Research

\$165,325,000 for the total Sea Grant Program

#### National Sea Grant College Program (Sea Grant) Background and Request: \$147,325,000

Sea Grant's mission is to enhance the practical use and conservation of coastal, marine, and Great Lakes resources to create a sustainable economy and environment. Sea Grant has had consistent bipartisan congressional support since its creation in 1966 in the *National Sea Grant College Program Act of 1966* (33 USC § 1121 et seq. Sea Grant). Most recently, bipartisan support led to the five-year reauthorization, the *National Sea Grant College Program Amendments Act of 2020* (P.L. 116-221).

Sea Grant has supported coastal and Great Lakes communities through research, extension, and education for over 50 years. This unique network of 34 university-based programs awards over 90 percent of its appropriated funds to coastal states through a competitive process to address issues identified as critical by coastal communities. A joint

federal, state, and local investment, Sea Grant provides solutions for issues affecting our nation's coastal communities—including the Great Lakes; Gulf of Mexico; and communities on the Atlantic, Caribbean, and Pacific coasts—yielding quantifiable economic, social, and environmental benefits. Sea Grant's partnerships are cost effective, as the program leverages nearly \$3 for every \$1 appropriated by Congress.

The funding request for FY 2024 is \$147,325,000. This request is based on the authorized amount for FY 2024 (\$107,325,000) and an additional \$35,000,000 to support state-based work in coastal resilience and \$5,000,000 to support state-based efforts in incorporating diversity, equity, inclusion, justice, and accessibility (DEIJA) principles into their programs.

#### FY 2024 Programmatic Request for National Sea Grant College Program

FY 2024 Appropriations Bill	Commerce, Justice, Science Appropriations Bill
Agency	National Oceanic and Atmospheric Administration
Account	Operations, Research, and Facilities
Office	Oceanic and Atmospheric Research
Program	National Sea Grant College Program
FY 2022 Final Appropriation	\$76,000,000
FY 2023 Final Appropriation	\$80,000,000
FY 2024 Administration Request	
FY 2024 SGA Request	
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#### FY 2024 Programmatic Request for Sea Grant Aquaculture Research

Agency Account Office Program FY 2022 Final Appropriation FY 2023 Final Appropriation FY 2024 Administration Request:	\$14,000,000 TBD
FY 2024 SGA Request:	. \$18,000,000

#### FY 2024 Sea Grant Aquaculture Research Program Request: \$18,000,000

This amount requested would expand Sea Grant's support for local aquaculture farmers who produce sustainable seafood, reducing U.S. reliance on imports and providing a safe and nutritious source of protein.

#### **Justification for the Sea Grant Program Request**

In 2020, the federal investment of \$87 million was leveraged with non-federal funds and resulted in an estimated \$519.5 million in economic benefits. Sea Grant helped improve hazard resilience in 285 communities; created or supported 11,000 jobs; created or sustained 1,332 businesses; enabled over 11,000 people to adopt safe and sustainable fishing practices; helped restore or protect an estimated 4.2 million acres of habitat; and supported the education and training of nearly 2000 undergraduate and graduate students.

Increasing capacity through each state program in the Sea Grant network will provide a measurable difference in the program's already significant impact and will enable more work around the following topics:

Coastal Resilience: Sea Grant has supported the resilience efforts of coastal communities since it was founded in 1966. Currently, Sea Grant is not able to meet increasing community requests for support at existing funding levels, lacking sufficient human capacity and resources to meet the growing need for technical information, assistance, facilitation, and engagement required by coastal communities. As of October, our nation has experienced 15 weather and climate billion-dollar disaster events in 2022 — those where overall damages and costs reached or exceeded \$1 billion. In 2021, 20 billion-dollar events cost a total of \$152.6 billion and resulted in over 700 deaths¹. With increased funding, Sea Grant will better serve the diverse state/local planners, governments, engineers, community leaders, developers, fisheries coalitions, citizen community groups, tribes, land/property owners, businesses, non-profit organizations, and economically disadvantaged groups it supports. SGA is requesting funds for:

- Capacity building to support recruitment of additional resilience extension, communication, or education staff in each state Sea Grant program and to support a state-based national Sea Grant resilience coordinator.
- Research, engagement, decision support, implementation to be directly allocated to state Sea Grant programs to support research, training, technical assistance, and coordination to help address community resilience needs at the state and local levels.

**Diversity, Equity, Inclusion, Justice, and Accessibility (DEIJA):** Sea Grant supports local communities—those who do the work of Sea Grant as well as those who benefit from its work—and has long-standing and trusted relationships with local, tribal, and Indigenous communities that depend on the coastal and marine environment for livelihood, sustenance, and culture. SGA is requesting funds to advance innovative initiatives to further connect to, learn with, and empower underserved and underrepresented communities by:

- Supporting research, training, mentorship, and fellowship opportunities supporting underserved and underrepresented communities.
- Ensuring that its workforce is representative of the diversity of people whom the program serves by hosting trainings to provide its workforce with knowledge, skills, and tools to create inclusive and welcoming environments.

#### **Justification for Aquaculture Research Request**

The 2019 U.S. seafood trade deficit in 2019 was \$16.9 billion. Sea Grant's \$13 million investment in FY 2020 resulted in over \$80 million in economic impact, creating or sustaining over 1,000 aquaculture-related jobs and over 400 aquaculture-related businesses. Sea Grant conducts research and provides technical assistance and outreach to aquaculture producers, resource managers, scientists, and consumers to ensure the safety and quality of sustainably cultured seafood products. Sea Grant also provides aquaculture literacy programs for the next generation of farmed seafood producers through K-12 education.

1 NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2022). https://www.ncei.noaa.gov/access/billions/, DOI: 10.25921/stkw-7w73

The Sea Grant Association (SGA) is a non-profit organization dedicated to furthering the Sea Grant Program concept. SGA's regular members are the academic institutions that participate in the National Sea Grant College Program. The SGA advocates for greater understanding, use, and conservation of marine, coastal and Great Lakes resources.

For more information, please visit www.sga.seagrant.org or contact:

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#### **WCMAC Resilience Working Group Meeting**

February 15th, 2023

#### Participants:

- Russell Callender, Washington Sea Grant
- Casey Dennehy, Ecology
- Tommy Moore, NWIFC
- Bobbak Talebi, Ecology
- Jimmy Kralj, ESA

#### Discussion:

The group discussed planning and preparation for the upcoming briefing to Washington's Congressional Delegation.

- Russell noted that it would be best to shift the meeting to be entirely virtual as opposed to a hybrid option discussed earlier.
- Russell is in contact with UW Federal Relations to help schedule the briefing date. After the meeting, Russell connected with staff in Representative Kilmer's office regarding available dates. The tentative date for this briefing will be Friday, March 17<sup>th</sup>.
- Russell agreed to provide an introduction to the briefing and review the purpose and intent of WCMAC. Rod will present the economic pieces as he did during the state briefing. Jimmy contacted Gus and he is willing and available to present on the coastal hazards pieces.
- One major focus of the state briefing was to focus on the Ecology budget request related to climate resilience planning. For this briefing, the content will focus on the processes followed to develop the recommendations and highlight steps being taken in Washington to address coastal resiliency (including the budget request) while showing how federal initiatives and funding are in alignment with ongoing efforts in the state.
- The group also discussed including an additional testimonial to show how federal funding is being used to support resilience projects like the Lower Columbia Estuary Partnership project.
  - o Russell will connect with Jackson to see who might be able to speak about this.
- The ask of federal legislators will be focused on three parts:
  - o Policies directly related to the WCMAC recommendations.
  - o Highlighting the importance of infrastructure investments.
  - Support for programs and organizations helping advance community needs related to coastal resilience, like Washington Sea Grant.
- Tommy noted it would be great to invite tribes to attend the briefing, similar to the state briefing. Ecology will reach out through its network to provide formal invitations after a final date is confirmed.

#### Next Steps and Action Items

- Jimmy will update the presentation slides and circulate them for comments and review.
- Jimmy will update the memo to share with the NWIFC.

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