

WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

Wednesday, June 15, 2016 9:30 am – 3:30pm

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

MEETING SUMMARY

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

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

Council Members Present	
Carol Ervest, Wahkiakum MRC	Mark Plackett, Citizen
Brian Sheldon, Shellfish Aquaculture	Michal Rechner, DNR
Casey Dennehy, Recreation	Michele Culver, WDFW
Dale Beasley, Commercial Fishing	Randy Lewis, Ports
David Fluharty, Educational Institution	R.D. Grunbaum, Conservation
Garret Dalan, Grays Harbor MRC	Rich Osborne, Science
Sally Toteff, Dept. of Ecology	Rod Fleck, N. Pacific MRC
Julie Horowitz, Governor's Office	Jessica Helsley, WCSSP
Larry Thevik, Commercial Fishing	Mark Cedergreen, Recreational Fishing
Doug Kess, Pacific MRC	

Council Members Absent	
Alla Weinstein, Energy Industry	Joshua Berger, Dept. of Commerce
Penny Dalton, Sea Grant	Randy Kline, WA State Parks
Tiffany Turner, Economic Development	Jeff Ward, Coastal Energy
Charles Costanzo, Shipping	

Liaisons Present	
Katie Krueger, Quileute Tribe Liaison	

Others Present (as noted on the sign-in sheet)	
Kevin Zerbe, Cascadia Consulting, Note-taker	Ross Barkhurst, WA Waterfowl
Jennifer Hennessey, Ecology (WCMAC Staff)	Kevin Decker, WA Sea Grant
Katrina Lassiter, DNR	Gus Gates, Surfrider
Libby Gier, DNR	Jessi Doerpinghaus, WDFW
Susan Gulick, Sound Resolutions, Facilitator	Craig Zora
Kelsey Gianou Ecology	Corey Niles, WDFW
John Foster, Quinault Nation	Kara Cardinal, TNC
Katie Wrubel, Makah Tribe	Kris Wall, NOAA (phone)

1. Welcome and Introductions – Agenda Review

Garrett Dalan welcomed everyone to the meeting. All attendees introduced themselves and were invited to provide updates. Members of the public were invited to provide comments (no public comments were made at this time).

- Casey Dennehy reported to the group that the Surfrider Leadership Academy nominations were due by Sunday, June 19 at 12 P.M., and encouraged members to talk to him for more information.
- Julie Horowitz thanked everyone who attended the Washington Shellfish Week festivities.
- Dale Beasley reported on the new dredge disposal sites planned for the Columbia River.
- RD Grunbaum mentioned that the North Sound Baykeepers/Friends of Grays Harbor published a report titled "Troubled Bridges over Clean Water" that may be of interest to WCMAC.
- Mark Plackett reminded the group that June 24-26 is the festival at Ocean Shores; July 5 is the coastal cleanup and information can be found at coastsavers.org.
- Garret Dalan informed the group that Libby Gier is moving to a different position within Ecology and will no longer be working with WCMAC.
- Susan Gulick reviewed the agenda. No questions were asked or comments made.

Adoption of April Meeting Summary

- Susan Gulick initiated the vote to adopt the April Meeting Summary after a few minor corrections were sent in via email.
- Brian Sheldon abstained from the vote; all other WCMAC members approved.
 - ! The April Meeting Summary was adopted.

Public Comment

- No public comments were made at the beginning of the meeting.

2. Overview: MSP contents and process, and potential recommendation gaps.

Jennifer Hennessey gave a presentation on the Marine Spatial Plan (MSP) - reviewing the scope of the planning area, potential uses, plan goals, and re-capped the State's role in the MSP. She also reviewed the outline of the MSP, which was included in hard-copy form in the meeting packet. She reminded the group that Parts 3 and 4 will not be drafted until the WCMAC policy recommendations are finalized. Once ready, an informal draft of the plan will be shared with WCMAC to: 1) Enable members to see how things are fitting together and 2) Identify any missing or incomplete information. After that, a draft plan will be released for formal public comment.

Key takeaways:

- The MSP has to rely on existing authorities. The plan cannot be used to establish new rules or regulations, and cannot undermine existing permitted activities or uses or those uses/activities currently undergoing permitting.
- The MSP provides a case for asking NOAA for approval to review federal actions in federal waters in conjunction with the MSP via the "geographic location description."
- The state is examining MSP requirements and potential gaps in WCMAC recommendations such as: refining ecosystem indicators, monitoring and reporting on plan implementation, developing a process for tribal coordination, and engaging the public as the plan is implemented and updated. As the state works on these, staff will seek WCMAC feedback on them

Questions and Comments

- Dale Beasley commented that the intent of the MSP is not only to address potential new uses but is also to preserve and protect existing uses. Jen explained that the plan will address potential conflicts between new

uses and existing uses. It will not tell existing uses where to operate (i.e. will not address where fishing or shipping or any other existing uses should or should not occur).

- David Fluharty asked what the nexus with NOAA was and need for their approval, since this is a non-regulatory plan. Would their review only apply to how we are treating federal waters? Jennifer Hennessey explained that since the state is using the marine spatial plan to further detail how we use of our state's federal consistency review authority (under the federal Coastal Zone Management Act), NOAA has a role in reviewing how the state proposes to refine and detail its coastal program in both state and federal waters. For example, through this plan and under the CZMA, a state can spell out specific data and information that will be required of applicants, but it needs to be tied back to the enforceable policies that are in a state's coastal zone management program.
- Sally Toteff asked if individuals will have the opportunity to comment on projects in federal waters. Kris Wall explained that, outside of the federal consistency process, individuals do not have much opportunity to comment – this is unique to CZMA.

Kelsey Gianou gave a short presentation on her progress with writing and coalescing the context chapters of the MSP (Parts 1 & 2). As part of the process, she conducts research, talks with experts, and reviews information from MSP projects. After a draft is developed, it goes first to a group of experts to ensure she has accurately captured the information, often this step includes experts from within WCMAC – depending on the topic of the chapter. The draft aquaculture chapter was made available to the group as part of the WCMAC meeting materials to provide an example of the type of content being summarized in the context chapters. Next chapters to be that will be ready for review soon include the ecology, fishing & recreation/tourism chapters.

Questions and Comments

- Sally Toteff asked if the sources used in the context chapters will be available to members. Kelsey assured the group that all sources will be cited.
- Larry Thevik commented that the meaning behind the visuals (i.e. maps) is critical, and that the data used to create those visuals is the best available. He also suggested that WCMAC be allowed to review and comment on the draft as soon as possible. Kelsey said she will be sharing individual chapters to sector representatives to streamline the review process, but once an entire draft is finished it will be shared with all of WCMAC.

3. Draft WCMAC Policy Recommendations

Susan Gulick gave a quick overview of the process the group has followed to develop the policy recommendations. She reported that she received a new round of comments since the April meeting that have been incorporated into the draft (provided in the meeting packet). She reminded the group that they will be able to reopen a policy recommendation later if needed, but the intent was to finalize the policy recommendations today, give them to staff to incorporate into the draft MSP, and begin to focus WCMAC's efforts on developing the spatial recommendations.

Questions and Comments

- Rich Osborne reminded the group that the public review period also allows for additional comments on the recommendations.
- Larry Thevik expressed a discomfort with handing off the recommendations without first seeing the plan itself. Garret Dalan emphasized that these are draft recommendations to be included in the draft MSP, and

that the goal is to let the recommendations move forward so WCMAC can view them within the context of the MSP.

Susan Gulick led a walk-through of the new comments. Additional editing and revising of the recommendations was captured via track changes in the draft document. Because not all comments were discussed by the group (e.g., if there was no objection), the below section highlights those comments the group discussed.

Discussion

- Regarding Dale Beasley's comment to add more RCW sections to the introduction – some members questioned if this was the most appropriate spot for them. Many want to avoid “cherry-picking” sections of statutes and instead include hyper-links to the full chapters of the RCW where appropriate. Some wanted the current sections left as written and add the hyper-links for Dale's new RCWs in addition to (and not instead of) the excerpts.
- Regarding Randy Lewis' comment on page 4 – Mike Rechner suggested to remove “permitting” since DNR is not a permitting agency. Larry Thevik suggested removing “benefits” and just state “economic impacts” to cover both negative and beneficial impacts.
- Regarding Larry Thevik's footnote on page 5 – the group agreed to include a list, but Dale Beasley suggested to include the list and add “including, but not limited to...”
- Regarding David Fluharty's comment to change title to “socioeconomics recommendations” – no objections.
- Regarding Larry Thevik's comment on page 6 – no objections to the content. Susan and Larry were charged with developing more concise language.
- Regarding Dale Beasley's new recommendation addressing escort tugs – many members felt this was something to consider for oil/hazardous waste transport, but the language needed revising to be explicit about what/who will be subject to escort tugs. It was decided this should be added to WCMAC's list of “other issues” to be addressed later.
- Regarding Dale Beasley's comment on page 7 (coastal sediment rights) – many members felt this exceeds WCMAC's authorities, and should be revised. Mike Rechner suggested WCMAC engage with the Governor's office or Ecology on this issue instead of addressing it through the MSP. The group agreed that more information is needed and to add this to WCMAC's list of “other issues” to be addressed later.
- Regarding Dale Beasley's comment on page 7 (entangled fishing gear) – most of the group felt that all WCMAC needs to recommend is that the project proposal include a plan to address the entanglement issue. Rod Fleck suggested removing the second sentence to remove the unreconciled burden of obligation; there were no objections from the group.
- Brian Sheldon recommended a definitions sections/appendix to be sure terms like “structures” are defined and understood. Jennifer Hennessey agreed and will be sure to include “structures” in a glossary or definitions section in the plan.
- Regarding Dale Beasley's revision to 1.3.3 – the group discussed whether replacing “or” with “and” weakens the recommendation. Jessica Helsley suggested adding “or both” to the end of the listed items with no objections from the group.
- Regarding Dale Beasley's revision to 2.1.1 – the group felt that replacing “address” with “prevent” was not needed since prevention is already mentioned in the recommendation.
- Regarding 2.1.4 – Brian Sheldon suggested changing “safety analysis” to “risk assessment.” No objections.
- Regarding Dale Beasley's new recommendation (2.1.5) – multiple members stated this was already covered in ORMA. To address the issue of cumulative impacts, Susan Gulick suggested moving this to the cumulative impacts recommendation to be created at a later date – no objections, but Katie Krueger requested language around coastal resources and uses be included in this future recommendation.

- Regarding Larry Thevik's comments on page 10 – no objections, but David Fluharty suggested that Coastal Islands NWR be included in Washington's coastline measurement.
- Regarding "other issues" – Larry Thevik suggested adding expansion of existing use of shipping (including crude oil out of Grays Harbor), arguing that expansion of this use would qualify as a new use (new for Grays Harbor).
- In the matter of reaching consensus to approve these draft recommendations: *Does WCMAC approve the draft recommendations for inclusion in the draft MSP?*
 - ! All in favor. The draft recommendations were approved.

4. Data Viewer Update.

Libby Gier presented an update on the data viewer, and gave an overview of how it works and where to find the data. The viewer can be found at msp.wa.gov. The list of data on the mapping application was included in the meeting packet.

Questions and Comments

- Brian Sheldon asked about the implications of not having the estuaries mapped. Libby stated that the maps include all the data from that were available for the estuaries.

5. WCMAC Spatial Recommendations

Garret Dalan gave a recap of the past work done by WCMAC to get to this stage (including the Spatial Analysis Workshops). He acknowledged that some members are concerned with MARXAN, and emphasized that it is a tool that relies on the input of good data in order to get useful results – it does not create or justify WCMAC's spatial recommendations.

Questions and Comments

- Rich Osborne reminded the group that they are required to cite in the MSP where the lowest number of impacts by new uses of Washington's coast occurs, and stated that MARXAN is the best way to identify these areas.
- Michele Culver stated that MARXAN is simply a tool that generates a result to answer whatever it gets asked. It will be up to WCMAC to interpret the results (much like a doctor interprets the results of a blood test), recognize the data caveats/gaps, and talk through the results as a group. All of the members agreed that MARXAN's usefulness will be dependent on the data being used. Some members commented on the need to reconcile potential issues with weighting the data if weighting is done subjectively.
- Mark Plackett asked why MARXAN was brought to the group. Garret Dalan explained that the MSP is required to include a series of maps and MARXAN can help give more detail on the analysis to create those maps. Susan Gulick reminded the group that MARXAN is a tool, and members could recommend a different tool if they have better ideas.

John Pierce gave an overview of the MARXAN scenarios, benefits/limitations, and their role in assisting WCMAC recommendations. He described three scenarios: 1) subsector map, 2) sensitive areas map, and 3) a combination of the previous two with extra weight on crab and crabber tow lines. He updated the analysis to consider a visual barrier effect, with new maps showing the 24-mile buffer zone. He also mentioned that the

models do not account for real potential impacts for different energy technologies – they currently assume all three wind energy types used in the analysis impact the environment and existing uses the same way.

Discussion

- David Fluharty explained that decision support tools like MARXAN do not make decisions for you. Their results will require further validation and analysis by WCMAC. He also stated that MARXAN is the most widely used and trusted decision support tool for marine spatial planning.
- Rich Osborne suggested using MARXAN to winnow down potential use areas to 4 or 5 instead of having to analyze the entire coast.
- Rod Fleck asked the group if their reservations about MARXAN is because it uses qualitative values instead of quantitative values. David Fluharty responded that the social data is not of high enough quality to assign numerical values; no data tool could do this. That is why you need a group like WCMAC to review the output and make recommendations that are informed by—but not dictated by—the output of MARXAN. WCMAC needs to overlay the qualitative information that cannot be quantified and included in MARXAN's output and make recommendations based on both MARXAN and the qualitative information that WCMAC members bring to the discussion.
- Dale Beasley commented that having to evaluate the MARXAN results based on the future potential of 200-500 MW of wind energy is not realistic, and is part of the reason why it is difficult to give the tool the right data.
- Larry Thevik commented that WCMAC needs to retain the opportunity to modify how the data gets characterized in the tool. He also stated that WCMAC is mapping high conflict areas, not high value and that U&A areas need to be mapped as well.
- Michele Culver stated that WCMAC is not required to recommend specifically where energy should go – they are only required to produce maps showing where energy would be suitable with minimal impacts on existing uses. She also reiterated that maps are not an assessment of impacts and that such an assessment will only happen once a project is proposed.
- Jessica Helsley cautioned that if WCMAC doesn't suggest where renewable energy should/could go now, the group leaves it up to politics to decide where it will eventually go.
- In response to questions from a couple members about State authority, Kris Wall explained that states have no authority to restrict federal activity in federal waters. CZMA allows states to identify areas of state-managed waters they want to exclude from federal activity, but will require reasons why it is necessary to exclude those areas and describe where that project would be allowed instead.
- Garrett Dalan tasked the Steering Committee to address ways for WCMAC to address spatial recommendations over the summer and be able to make progress before the September meeting.
- The Technical Committee will also work on spatial recommendations that address cumulative impacts, scale of projects (i.e. large projects are more problematic than small projects), data and analysis requirements for project proponents, and ongoing data needs for spatial analyses.

6. Updates

- Jennifer Hennessey reported that the work plan is being updated but she does not expect a final plan to be ready by December. The revised work plan reflects additional proposed meetings and an extended timeframe for finalizing the MSP.
- Katrina Lassiter reported that the NOAA ship conducting the sea floor mapping needed repairs, but it was able to survey a portion of the Quinault Canyon. A contract is the works for data-processing. The ship is also not only looking at bathymetry, but methane vents as well.

7. Public Comment

- Gus Gates updated WCMAC that the last MRAC meeting focused solely on the new report from the West Coast Ocean Acidification and Hypoxia Panel. The report can be viewed on their website.
- Ross Barkhurst asked that handouts be available to the public in the future. He also stated WCMAC should analyze the estuaries, and is concerned they are not being mapped. He commented that a “data blackout” won’t protect those areas.

Summary of Decisions

- ! The April Meeting Summary was adopted.
- ! The draft WCMAC policy recommendations were approved to be included in the draft MSP.

Links

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

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

Upcoming Meetings

- September 28, 2016
- November 9, 2016
- February 15, 2017
- May 10, 2017

Meetings will be held in Aberdeen unless otherwise noted