

Washington Coastal Marine Advisory Council

c/o Washington of Ecology SEA Program PO Box 47600 Olympia WA 98504-7600

The Honorable Jay Inslee
Governor of Washington
PO Box 40002
Olympia, 98504-0002

January 10, 2023

SUBJECT: Washington Coast Marine Advisory Council 2022 Offshore Wind Recommended 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, WCMAC developed a suite of recommendations and expectations on 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](#)). Your 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 [Trident Winds](#) identifying 292 square miles of potential lease area. 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 [Hecate Energy](#) who identified 403 square miles of potential lease area. The growing interest in developing offshore wind energy along 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.

Recommended Principles of Engagement

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| 1 | <p>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).</p> <p>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.</p> |
| 2 | <p>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.</p> <p>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.</p> |
| 3 | <p>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.</p> |

Recommended Principles of Engagement

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| | <p>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.</p> |
| 4 | <p>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:</p> <ul style="list-style-type: none"> • <u>Providing multiple forums and methods for meaningful engagement and information dissemination.</u> 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. • <u>Ensuring meetings and workshops are accessible and conducted in a way suitable for the intended audiences.</u> 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. • <u>Being transparent and sharing where local and community knowledge has been recognized and incorporated in the decision-making processes.</u> |
| 5 | <p>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.</p> <p>Examples of relevant laws and policies include, but are not limited to:</p> <ul style="list-style-type: none"> • 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 |

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.

Sincerely,



William "Rod" Fleck
Chair
WA Coastal Marine Advisory Council

CC:

- Nick Streuli, Office of the Governor
- Carrie Sessions, Office of the Governor
- Ken Camp, Department of Ecology
- Casey Dennehy, Department of Ecology
- Members, Washington Coastal Marine Advisory Council