

WASHINGTON COASTAL MARINE ADVISORY COUNCIL MEETING

Wednesday December 14, 2022

Part 1 from 9:30am – 11:30am

Part 2 from 1:00pm – 3:00pm

Zoom link: <https://us06web.zoom.us/j/81414375550>

Call in information: 1-253-215-8782; Meeting ID: 814 1437 5550

Agenda

Please try to log-in around 9:15am as the meeting will start promptly at 9:30am.

Time	Agenda Item and Description	Objective (Information, Discussion, Action)	Presenter(s)
9:30 (15 min)	Welcome and Introductions, Agenda Review <ul style="list-style-type: none"> Welcome and roll call introductions Review agenda Encourage public comments via chat ! Adopt summary of September meeting minutes 	Information, Action <i>Reference Materials:</i> <ul style="list-style-type: none"> December 2022 Agenda Draft September 2022 Meeting Summary (Appendix A) 	<ul style="list-style-type: none"> Rod Fleck, Acting Co-Chair Garrett Dalan, Acting Co-Chair Mike Chang, Facilitator
9:45* (15 min)	WCMAC 2023 Chair & Vice-chair Elections <ul style="list-style-type: none"> Nominee announcements ! Confirmation or vote 	Action	<ul style="list-style-type: none"> Mike Chang, Facilitator
10:00* (10 min)	WCMAC Updates <ul style="list-style-type: none"> WCMAC response mechanism Membership update Announcements 	Information	<ul style="list-style-type: none"> Mike Chang, Facilitator Casey Dennehy, Ecology Carrie Sessions, Governor's Office
10:10* (35 min)	Updates <ul style="list-style-type: none"> Governor's Office Updates MRC Updates Agency Updates General Coastal Updates MRAC Update 	Information, Discussion	<ul style="list-style-type: none"> Mike Chang, Facilitator Carrie Sessions, Governor's Office Any other State reps
10:45* (60 min)	Hecate Offshore Wind <ul style="list-style-type: none"> Presentation Discussion 	Information, Discussion	Hecate Energy <ul style="list-style-type: none"> Diane Sullivan, SVP Environmental and Permitting Paul Turner, SVP Business Development

Time	Agenda Item and Description	Objective (Information, Discussion, Action)	Presenter(s)
11:45* (15 min)	Public Comment	Discussion	<ul style="list-style-type: none"> Public/Observers Mike Chang, Facilitator
12:00*	1-hour break Reconvene at 1:00 pm using same Zoom link		
1:00* (10 min)	Resiliency Briefing Committee Updates <ul style="list-style-type: none"> Updates on the Resiliency Briefing Committee 	Information, Discussion <i>Reference Materials</i> <ul style="list-style-type: none"> <i>Resiliency Briefing Committee Meeting Summaries (Appendix C)</i> 	<ul style="list-style-type: none"> Rod Fleck and Russell Callender, Committee Co-leads Jimmy Kralj, Facilitator
1:10* (10 min)	Offshore Wind Technical Committee Updates <ul style="list-style-type: none"> Update on next steps on addressing data needs objective 	Information <i>Reference Materials</i> <ul style="list-style-type: none"> <i>Offshore Wind Technical Committee Meeting Summaries (Appendix C)</i> 	<ul style="list-style-type: none"> Dale Beasley and Larry Thevik, Committee Co-leads Nicole Gutierrez and Mike Chang, Facilitators
1:20* (60 min)	Offshore Wind Technical Committee: Principles of Engagement <ul style="list-style-type: none"> Review the drafted Principles of Engagement Open for discussion ! Approve Principles of Engagement by consensus 	Discussion, Action <i>Reference Materials:</i> <ul style="list-style-type: none"> <i>Draft Principles of Engagement and accompanying draft letter to the Governor (Discussion Guide)</i> 	<ul style="list-style-type: none"> Nicole Gutierrez and Mike Chang, Facilitators OSW TC co-lead share out
2:20* (25 min)	Coastal Dungeness Crab Biotoxin Management <ul style="list-style-type: none"> Presentation Discussion ! Approve providing a letter of support for HB 1508 by consensus 	Information, Discussion, Action	<ul style="list-style-type: none"> Heather Hall, WDFW Dani Toepelt, DOH Mike Chang, Facilitator
2:45* (15 min)	Public Comment	Discussion	<ul style="list-style-type: none"> Public/Observers Mike Chang, Facilitator
3:00*	Adjourn and Next Steps		

* All times are estimates and subject to change.



WCMAC Discussion Guide

Hecate Offshore Wind Energy

Goal: To discuss and listen to WCMAC’s comments and concerns and to establish a working relationship with WCMAC.

Presentation attached in Appendix B.

Offshore Wind Technical Committee: Principles of Engagement

Draft Principles of Engagement

Goal: Review and approve the drafted Principles of Engagement through consensus. Final letter to be sent by WCMAC Co-chairs.

Presentation attached in Appendix B.

Overview: The Offshore Wind Technical Committee identified five key principles of engagement to be provided to the Governor’s office and state agencies. These engagement principles represent a suite of recommendations and expectations about how coastal communities and affected stakeholders should be meaningfully engaged by BOEM as it advances its review and consideration of the unsolicited lease requests to develop offshore wind projects off the coast of Washington.

Final Draft Principles of Engagement

1

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).

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.

Final Draft Principles of Engagement

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>Option 1 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.</p> <p>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.</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 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.</p> <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>

Final Draft Principles of Engagement

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 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.</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

Discussion Questions

- Does WCMAC have any other considerations to these five principles of engagement?

Coastal Dungeness Crab Biotoxin Management

Goal: Representatives from the Washington Department of Fish and Wildlife (WDFW) and the Department of Health (DOH) will provide an update on [House Bill 1508](#). WCMAC will hear from WDFW and DOH on the bill and discuss whether to formally provide a letter of support to the legislature.

Presentation attached in Appendix B.

Brief Summary of Substitute Bill (HB 1508)

- Provides that the Department of Health has authority to regulate health and safety of commercially harvested crab in relation to biotoxin contamination.
- Requires the State Board of Health to adopt rules regulating crab harvesting, tracking, and recalls by July 2023.



Appendix A. September 2022 Draft Meeting Summary

Washington Coastal Marine Advisory Council Meeting

Draft Summary

Wednesday, September 14, 2022

Part 1 from 9:30am – 11:30am

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>

<p>Highlights</p> <ul style="list-style-type: none"> • Updates from state agencies regarding budget items. • Presentation on the DNR-led eelgrass and kelp conservation plan and engagement opportunities. • Discussion about WCMAC communication strategy, coastal resilience, and offshore wind energy. <p>Summary of Decisions</p> <ul style="list-style-type: none"> • Committee members agreed to endorse the various state agency budget requests. • Larry and Dale will serve as co-chairs of the Offshore Wind Energy Committee. <p>Follow-up Items</p> <ul style="list-style-type: none"> • The communication strategy document will be finalized and distributed to WCMAC members for comment. 	<p>Upcoming Meetings</p> <ul style="list-style-type: none"> • December 14, 2022 • March 8th, 2023 • June 14th, 2023 • September 13th, 2023 • December 6th, 2023
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Council Members Present	
Rich Osborne, Science	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 Robinson, Economic Development	RD Grunbaum, Conservation
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Council Members Absent	
Brian Sheldon, Shellfish Aquaculture	Russell Callender, Washington Sea Grant
Brian Polagye, Coastal Energy	Mike Cassinelli, Recreational Fishing

Others Present (as noted on the Teams log-in)	
Meg Chadsey, WA Sea Grant	Ken Clark, BOEM
Kevin Decker, WA Sea Grant	Tommy Moore, NWIFC
Tess Brandon, Ecology	Cody Rebh, Taylor Shellfish
Heather Hall, WDFW	Anne Skelton, Pacific County MRC
Karie Silva, Coos Bay, OR	Shawn Humphreys, Pacific County
Henry Bell, Ecology	Max Showalter, DNR
Kyle Pauley, KXRO, Mayor of Cosmopolis	Cynthia Haberson, WDNR
Brian Blake, Citizen Grays Harbor	Jason Creech, David Evans Associates
Brent Paine, ED of United Catcher Boats	Teri Wright, Wild Orca
Jennifer Hennessey, Ecology	Bobbak Talebi, Ecology
Alicia Mahon, Pacific Northwest National Laboratory	Lisa Olsen, Pacific County Commissioner
Alla Weinstein, Trident Wind	Mike Chang, Cascadia Consulting Group
Jimmy Kralj, Environmental Science Associates	Nicole Gutierrez, Cascadia Consulting Group
Kristina Zeynalova, Cascadia Consulting Group	

Welcome and Introductions

- Mike welcomed participants to the meeting and Garrett followed with a welcome address.
- The following comments were provided on the June 2022 Meeting Summary from Larry Thevik:
 - Welcome and Introductions:
 - Under the first point about the meeting summary and its importance, Larry asked to add that we should be recording these meetings.

- For the second bullet about Doug Kess’s question, Larry suggested it should be revised to be more inclusive and say “the leasing for offshore wind would occur prior to impact analysis which is required by NEPA and the Outer Continental Shelf Lands Act”.
 - Under the third bullet point, Larry clarified that there is no cumulative impacts analysis done by BOEM prior to or after leasing. Cumulative impacts are more than just those on commercial fishing. The cumulative impacts and displacement issues include ecosystem (CA Current Ecosystem) considerations, socioeconomic issues, and other effects that will occur as a result of multiple turbine arrays installed up and down the coast. Larry asked to broaden this point.
- WCMAC Workplan Updates
 - There have been discussions about potential impacts on downstream wind and upwelling effects. This is linked to the CA Current Ecosystem effects. Larry requested to broaden this statement beyond upwelling and capture ecosystem-wide effects.
- Marine Spatial Plan Implementation of Data Needs
 - In the section that begins, “Larry asked for data...”, Larry clarified that the request was about the “critical” habitat designation for ESA listed humpback and killer whales. Critical habitat designations bring certain legal requirements and policy considerations.
- The meeting summary was adopted as amended.
- Mike started recording the meeting.

WCMAC Updates

- Mike provided the group with the upcoming dates of WCMAC meetings in 2023:
 - March 8th
 - June 14th
 - September 13th
 - December 6th
- WCMAC Elections
 - Both Chair and Vice Chair positions are open for the upcoming WCMAC elections.
 - Mike provided an overview of the election process over the next few months.
 - After this meeting, members will receive a survey for self- or other nominations. Survey will be open for a few weeks.
 - Nominated individuals will be contacted in October and November to confirm their capacity and interest.
 - Each nominee will be asked to share about their qualifications and vision for WCMAC at the December meeting.
 - If there is only one nominee, the committee will confirm this person with “thumbs up”. If there are multiple nominees, the committee will vote.

Budget Requests Discussion

- At the previous meeting, state agency representatives were asked to share information on their upcoming budget requests. Mike reviewed the budget requests and invited state agency representatives to provide any additional context during today’s meeting.

- Dale Beasley stated that WCMAC needs to fully consider expanding its budget in order to develop a rapid response process to provide comment on multiple public processes affecting WA offshore in a timely manner.
 - Mike noted that the WCMAC budget is part of Ecology's operating budget. Addressing rapid responses can be incorporated and discussed in the communications strategy.
- Review of Requests:
 - Ecology
 - Coastal Climate Hazards Budget Proposals.
 - \$2 million grant program will start in 2025.
 - Rich emphasized that the budget proposal has been talked about and discussed in prior meetings. Highlighted that 1/3 of the total budget going to grant program to support communities directly.
 - WDFW
 - Climate resilience and emerging fishery implementation.
 - Corey noted that these budget items also presented at previous meetings.
 - Rich asked about the creation of gear purchase fund and whether that was to find alternatives to gill nets. Corey confirmed that he believed this was correct.
 - Gus asked if this included monitoring non-native predatory fish and about the spatial distribution. Corey answered that it does encompass activities all across the State. For non-native species, they are focusing on freshwater species (bass, walleye, pike) that predate on salmon.
 - DNR
 - Requests supports accelerating removal of derelict structures and creosote pilings.
 - This effort is modeled after the derelict vessel program.
 - There is not a prioritized list of sites, but rather a list of large sites that need funding and a multi-agency effort.
 - Gus asked if a mapping exercise has been completed to prioritize areas where the effort will be happening. Mike R. confirmed there is a list but is more a status of sites rather than a prioritization. No prioritization has been done yet.
 - Rich asked how much of the funding will support coastal areas and if restoration was included. Mike R. said the coast will be included and there is some funding for contamination clean-up.
 - Teri asked if there was a plan to make those responsible for derelict structures bear some of the cost of removal. Mike R. said there are already mechanisms in place to have the owner bear some costs, but some sites are too old and the State is responsible for this.
 - Rich asked if DNR is considering bonding some of the revenue to jump start progress on the backlog of projects. Mike R. responded that there are lots of removals to be done and the money is being deposited into a designated account, so just need appropriations.
 - State Parks
 - Phase 1 of Twin Harbors project.
 - MRAC

- Support for Ocean Acidification Sentinel Site conference, website, and coordinated messaging.
 - Gus noted that there is momentum to address ocean acidification on the outer coast.
- Gus made a motion that WCMAC provide support for these budget options and adopt via consensus.
 - Arthur G. seconded that motion.
 - Motion was adopted. Co-chairs will develop a letter of support for these budget requests over the next few weeks.

Coastal Updates

General updates were provided by the following organizations:

- MRCs
 - Doug Kess - Pacific County MRC
 - Doug is going to retire as chair of committee at the end of this year.
 - He and others are looking forward to the Wahkiakum MRC Summit.
 - Paula Culbertson – Wahkiakum MRC
 - Summit is next week 9/21 - 9/23 and should be a great program.
 - The MRC is expecting 33 in-person attendees and 7 remote attendees.
 - Garrett Dalan - Grays Harbor MRC
 - No major updates. Also looking forward to the Wahkiakum MRC Summit.
- State Agencies
 - Ecology
 - Bobbak shared that Ecology will soon be hiring an ocean planning assistant to follow through on data prioritization work for WCMAC. The role is a 2-year project position. Ecology is interviewing for the position now, and the individual should be starting in the next few weeks.
 - Parks
 - Looking for candidates on the coast to hire for park ranger positions and other roles. Parks had another record-breaking visitation rate this summer.
 - DNR
 - Mike Rechner: the vessel *Hero* on the Palitz River has been removed after securing a special \$3 million appropriation.
 - The legislation that was passed to take 25% of the watercraft excise tax and use it for the derelict vessel program has gone into effect.
- General Updates
 - Dale provided additional comments on the needs for WCMAC to develop an approach for rapid response to ocean uses and policy concerns. These notes are attached at the end.
 - Larry responded to Dale's request about providing budget to accommodate quick responses by WCMAC. Larry shared that the Coast Guard has recently released its Pacific Port Route Access Study. The study was fundamental to determining the kinds of protections for marine navigation that could be put into place on the Pacific coast and what those measures might look like. Larry shared that WCMAC could have had a chance to comment on this report, but the committee is not structured to provide timely comments on plans and programs like this.

- Larry also noted that there has been a second unsolicited lease request for offshore wind development and that it reflects a broad misunderstanding of the Marine Spatial Plan. Larry believes this is another example of why WCMAC should develop an approach to provide timely comments on proposed ocean uses.
- Gus shared that Saturday September 17th is international coastal cleanup day. More information is available with WA CoastSavers website.
- Bobbak shared that he was notified of the Coast Guard planning process, but late in its development and asked to provide comments.

Resiliency Briefing Committee Updates

Jimmy Kralj provided the following updates regarding the Resilience Briefing Committee.

- Federal Briefing
 - The committee has decided to hold the federal briefing in spring 2023, likely in March.
 - During planning discussions, the group wanted to engage with tribes and coastal community members to prepare for the briefing. The work to advance this level engagement was more than could be accomplished prior to a late-August briefing as was originally intended.
 - Russell Callender has been working with UW Federal Relations and Rep. Kilmer's office to coordinate briefing logistics.
- State Briefing
 - Current plan is to hold the state briefing in October.
 - In early July the group identified a list of prospective State Senators and Representatives to invite.
 - More details will be discussed at the next meeting of the resilience workgroup.
- Tribal Engagement
 - Jimmy will be meeting with Tommy Moore next week to discuss opportunities for tribal engagement and how to best proceed. The group will consider options at the next meeting.

Public Comment

- Teri Wright asked if WCMAC can recommend that unsolicited lease requests for offshore wind energy development receive "no" as the response.
 - Larry shared that the unsolicited lease requests initiate a process led by BOEM that otherwise would not have occurred and that the results of these processes have not yet to be determined.

WCMAC Communications Strategy

Nicole Gutierrez provided an overview of WCMAC Communications Strategy and its sections.

- Vision and Goals
 - The strategy document provides strategic communication tactics to complement the WCMAC goals of advising Governor and Legislature on ocean policy needs and building a resilient future.

- Communication Strategy Goals
 - Tells the story of who WCMAC is, what WCMAC needs, and why a communication strategy is needed for WCMAC.
- The strategy also outlines the three main WCMAC priorities:
 - Advise the Governor, Legislature, and state and local agencies on coastal resource management issues.
 - Create sustained partnerships with state agencies that help coastal communities address challenging issues of the present and shape a prosperous future.
 - Be a leader in building a resilient Washington coast.
- The strategy also outlines engagement opportunities and considerations for target audiences:
 - The Engagement and Communication Spotlight outlines strategies and approaches for working with select groups of partners and stakeholders including tribes and coastal communities.
 - For each target audience, the strategy includes:
 - Audience descriptions
 - Target audience influences
 - Desired actions
 - Potential barriers
 - Strategies and tactics to strengthen relationships.
 - Nicole walked through examples of what each of these items looks like in the strategy.
- The draft strategy will be finalized with feedback from the steering committee and Ecology. Afterwards, the strategy will then be shared with the full WCMAC for comments and feedback.
- The strategy will comply with accessibility requirements and will be piloted by the Resilience Briefing Committee as they prepare for engagement with state and federal officials.
- Larry provided the following comments on the strategy:
 - Larry said the strategy needs to include an opportunity to build in a rapid response approach.
 - Larry also suggested the strategy include media outlets.
- Nicole stated that a quick response mechanism will be worked into the draft before it is shared with the full WCMAC.
- Dale was supportive including media outlets in the strategy. Engaging with the media has the potential to educate and reach members of the public on issues important to WCMAC.
- Randy noted the importance of providing guardrails on media engagement since the primary goal of WCMAC is to inform the Governor and Legislature.
- Larry responded to Randy's comment that there may be circumstances that may require a media release from WCMAC. The key will be identifying appropriate times and getting WCMAC approval. However, not all WCMAC actions will warrant a press release.

Kelp Forests and Eelgrass Meadows

Max Showalter, Policy Advisor at DNR gave a presentation on the Engagement Plan component of the DNR-led Kelp Forest and Eelgrass Meadow Health and Conservation Plan. The presentation was also supported by the plan's co-lead Cynthia Harbison.

- The goal of the Kelp Forest and Eelgrass Meadow Health and Conservation Plan is to identify 10,000 acres of kelp forest and eelgrass meadow habitat for conservation.
- The presentation today is focused on the Engagement Plan component of the Conservation Plan.
- Kelp and Eelgrass meadows are declining across Washington. Max shared examples from San Juan Island and Squaxin Island showing significant recent declines.
- Previous planning efforts have been developed to recover kelp including two focused on Puget Sound. This planning effort focuses on kelp and eelgrass recovery in Puget Sound as well as along the Washington coast.
- This planning effort is guided by SB 5619. The requirements of that legislation are to:
 - Collaboratively create a framework for prioritizing areas of conservation for kelp and eelgrass.
 - Create a community engagement plan.
 - Identify 10,000 acres of priority habitat.
 - Identify current and future stressors.
 - Identify current and future conservation tools and strategies.
 - Monitor distribution and trends of eelgrass and kelp.
- Max provided an overview of the Engagement Plan
 - The plan focuses on a spectrum of engagement:
 - The plan outlines four paths for participation:
 - Path 1 - Receive: Intended for people and organizations interested in understanding and engaging with the plan after it is developed and finalized.
 - Path 2 - Review: Intended for people interested in reviewing draft versions of the plan and providing feedback.
 - Path 3 - Inform: Intended for people and groups who can provide information during plan development.
 - Path 4 - Steer: Focused on individuals and groups with expertise in the field of eelgrass and kelp recovery who will help steer and guide creation of the plan.
 - Development of the plan will include a series of public workshops:
 - Kickoff Workshop
 - Winter or Spring 2023
 - The purpose of this workshop will be to gather input regarding the draft priority framework.
 - Background information about eelgrass and kelp recovery as well as the requirements of SB 5619 will also be provided.
 - The kickoff workshop will be followed by two regional workshops, one focused on Puget Sound and one focused on the Outer Coast, to gather additional feedback and guidance.
 - Both of these workshops will occur in mid-spring 2023.
 - Tribal Consultation and Engagement
 - Tribes are welcome to participate in any of the pathways listed above, but there will also be an explicit tribal consultation pathway led by DNR.
 - Timeline:
 - The Engagement Plan will be finalized in fall 2022.
 - Engagement Plan draft will be submitted to the legislature in December 2022 as required by SB 5619.

- Workshop series will begin in winter 2023 followed by regional workshops in mid-spring.
 - Final draft of the engagement plan will be developed in summer 2023.
 - Final plan will be submitted to legislature in December 2023.
 - Max invited WCMAC members to contact him with any additional comments or questions:
 - Max.Showalter@dnr.wa.gov
 - 360-791-1040
- Questions and Comments
 - Max shared that while the plan focuses on both Puget Sound and Coastal populations, DNR's data shows that kelp and eelgrass on the coast is of less concern than populations in Puget Sound.
 - Gus recommended that DNR collaborate with staff from the Olympic Coast National Marine Sanctuary on engagement plan development.
 - Larry inquired about processes to establish baseline conditions for kelp and eelgrass on the coast in order to determine if the same declines seen in Puget Sound are occurring on the coast.
 - There is limited information about kelp and eelgrass on the coast to make that determination.
 - Larry also asked about the stressors facing eelgrass and kelp and specifically how they can be addressed by management actions.
 - Max shared that some of the stressors will be more challenging to address than others, like water temperature.
 - However, there are others, like water quality and sedimentation, that have the potential to be influenced by the actions of DNR and other agencies.
 - The Snohomish Basin Plan (released in February) is an example of this approach. The plan includes eelgrass and kelp and examines upland stressors.
 - Ultimately, DNR hopes the plan can help alleviate multiple concurrent stressors facing eelgrass and kelp.
 - Larry also commented that he has fished on the Washington coast for five decades. In that time, he has hardly ever seen kelp islands floating in the ocean while crab fishing in Washington. However, he has encountered lots of kelp islands when fishing in Oregon.
 - Doug asked if the plan will differentiate between *Zostera marina* and *Zostera japonica* and noted that oyster growers in Willapa Bay do not like *Zostera japonica*. He also added that Curtis Wagoner at NOAA has developed new radar that can be used to identify species of plants using a drone.
 - The plan will not differentiate between native and non-native eelgrasses.

Offshore Wind Energy Committee Updates

Mike led a discussion regarding updates from the Offshore Wind Energy Committee and considerations regarding offshore wind development in Washington.

- The overall purpose of this discussion was to seek clarification from the full committee about the charge from WCMAC for the Offshore Wind Energy Committee and its priorities.
- Mike provided a review of the committee's objectives:

- Provide guidance on engagement and/or principles of engagement to the state and BOEM.
- Review existing data and community research needs in light of the offshore wind energy unsolicited lease requests.
- Afterwards, committee members had an opportunity to comment on the objectives. The following comments were received:
 - Doug Kess shared that a vast number of organizations have already submitted letters and statements about offshore wind development in Washington and WCMAC could have taken a similar approach had there been a system in place to provide rapid and timely comments.
 - Dale explained that the first objective of the Committee should be to carry out the intent of the legislature as outlined in the Ocean Resource Management Act (ORMA).
 - Randy Lewis suggested the objectives be revised to discuss the relationship between offshore wind and the Marine Spatial Plan.
 - Larry stated that the foundational purpose of WCMAC is to find opportunities for ocean uses which present minimal risks to other existing ocean uses. Larry believes it is important to identify the objectives of the legislature and various pieces of ocean related legislation and then determine how they do, or do not, align with offshore wind proposals.
 - Larry emphasized that community data and research needs are very important. He requested language be added to state that data to be reviewed in light of unsolicited lease requests should also include information and lessons learned through similar processes in Oregon and California.
 - Processes and events in Oregon and California can provide partners in Washington with valuable insights regarding offshore wind evaluation.
 - Corey stated that the Marine Spatial Plan was developed by WCMAC in accordance with the intent of the legislature and various pieces of legislation. The Marine Spatial Plan has been used to justify many coastal policies.
 - Corey shared that in other states, the review process for offshore wind development feels very rushed. Providing sufficient time and information should be a major focus during offshore wind analysis and consideration.
 - Henry expanded upon Corey's point and stated that previous planning efforts, including the Marine Spatial Plan, have already been developed in accordance with the intent of the legislature and ocean related legislation.
 - Larry stated that the Washington Supreme Court ruled on the interpretation of ORMA. Larry suggested that new ocean uses, including offshore wind, be evaluated using the requirements outlined in the law. ORMA includes eight statutory requirements that should be used to evaluate proposed ocean uses.
 - Similarly, Larry also stated that offshore wind projects should be evaluated against the requirements outlined in the Outer Continental Shelf Lands Act.
 - Bobbak asked how these newly proposed objectives are reviewed. Mike shared that because these objectives are specific to a technical committee, the formal vetting process is not needed.
 - Mike updated the objectives of the committee and draft principles of engagement based on the feedback received.
- The group then discussed co-leads for the Committee.
 - Doug asked to withdraw as co-lead.
 - Larry offered to serve as co-lead along with Dale.
 - The third slot for a co-lead will be kept open for future consideration.

- WCMAC members agreed that both Dale and Larry would serve as co-leads, but given that they represent similar interests (commercial fishing) in WCMAC, that an additional co-lead would be appropriate and open to be filled at a future time.

Public Comment

- Alla Weinstein noted that just because an unsolicited lease request has been submitted to BOEM, that does not mean that areas identified in the proposals will be the exact areas considered for development.
 - Alla added that now that there are two unsolicited lease requests, there is likely an expression of commercial interest. Now BOEM will initiate a process similar to what was observed in Oregon.
- Brent Paine expressed frustration that WCMAC is not sufficiently addressing the offshore wind issue. Brent stated that WCMAC was formed to serve as a voice for coastal communities. He expressed his hope that there will be future forums and opportunities for coastal communities to provide input on the offshore wind development process.
 - Brent stated his belief that it does not seem that WCMAC is interested in taking positions on the unsolicited lease requests and that he is dissatisfied with the work of this committee.
 - Corey noted that the processes led by WCMAC and the Offshore Wind Energy Committee are separate from the fisheries stakeholder engagement process led by WDFW. The WCMAC work will consider issues beyond just commercial fishing.
 - Corey also noted that everyone is waiting to hear if this will now go out to a competitive process.
- Teri Wright shared a request for additional information. Recently, a vessel sank in the San Juan Islands and research scientists were working to keep southern resident killer whales away from the oil spill. Teri and her organization felt that the response to the spill was not timely and she asked where she can share her concerns in order to make sure there are sufficient supplies and individuals available in the San Juan Islands for the next spill.
 - Rich shared that staff from the spills program at Ecology were on-site. Rich will follow up with Teri and connect her with the spill response team.
- Larry thanked Alla for providing clarification about the next steps in BOEM's offshore wind development process and he clarified that the unsolicited lease requests initiated a process that wouldn't have otherwise been initiated by BOEM.

Attachments

Attachment A: Comment from Dale

Washington Coastal Marine Advisory Body

14 Sept 2022

NEED: **Rapid Response Process** adequately funded by the legislature

While WCMAC has been on a 3 month scheduled sabbatical this summer a significant number of extremely important open public comment periods have occurred with ZERO advice from the state body that the legislature has designated as the point of contact for Washington concerning marine water environmental impacts and ocean use that have an effect on the coast and its people as designated in the ORMA legislation and further illuminated in the unanimous 9 – 0 Supreme Court decision in the Grays Harbor oil terminal case.

As a point of reference - No advice has been generated on:

USACE PR&G Modernization – permit required for offshore wind

BOEM Fisheries Mitigation – assumes offshore wind lease will occur before an EIS is contemplated

BOEM “call for interest” in southern Oregon for potential lease of 2200 square miles of productive ocean

USCG PACPARS Study on offshore fairways to protect and preserve existing marine water vessel traffic routes

EPA WOTUS 401 Water Quality recertification

SBA BOEM listening sessions on BOEM ocean lease activities

Hecate Energy’s Cascadia Wind unsolicited lease request of BOEM in primary fishing grounds inside 100 fathoms in prime fishing grounds

Earlier in the year WCMAC missed update on NEPA process as well.

All of these open public comment periods will have an significant impact on Washington offshore ocean use potential that will strongly influence the quality of life and wellbeing of coastal water dependent communities on the UNIQUE Washington coast that houses the 4th most Fish Dependent Community in the nation that MUST have open ACCESS to Fish/Crab for sustainable harvest to maintain coastal viability and stability of the socioeconomic coastal communities that the legislature sought to maintain in ORMA legislation.

Today WCMAC should have had a comprehensive ocean use map available of SW Washington offshore marine waters for this meeting that shows just how much USE CONFLICT is developing in the ocean in 2022 with two new emerging industrial complexes proposing to devour over 700 square miles of existing use areas in only 38 miles of coast via unsolicited offshore wind lease request of BOEM in a process that has ZERO Cumulative Impact analysis that could lead to a NEPA No Action Alternative. The Fishing Industry was concerned by the initial Olympic Wind

proposal straddling the Grays Harbor/Pacific County line between 300 and 700 fathoms, but the Cascadia Wind proposal is nothing more than total disregard for all existing marine water use of the area from inside the Quinault U&A gobbling up the crabber towlanes, and displacing fishing over a very large 400 square miles of fishing grounds up on the continental shelf inside of 100 fathoms besides complete overlap of new USCG vessel traffic zones all this before BOEM puts out a call for interest on the Washington coast. It should be noted that in California, offshore Morrow Bay when Castle Wind applied an unsolicited lease request of BOEM the original area expanded 4 fold.

CCF/CRCFA has on multiple occasions requested a thorough all-inclusive WCMAC review of important materials relevant to WCMAC actions including but not limited to all recent ORMA legislation and the resulting RCWs that only apply to the 4 Washington coastal counties and we should include the Washington Coastal Marine Spatial Plan that are our foundational reason for any actions that WCMAC undertakes to help understand the INTENT of the legislation in Washington is UNIQUE in the Nation as the only state to legislate Coastal Marine Spatial Planning to PROTECT and PRESERVE the Seafood Industry in our state, all other states in the nation installed CMSP legislation to install ocean energy. It is from this UNIQUE perspective that the Washington Coastal Marine Advisory Council must proceed to help guide the new emerging industrial facilities that AVOID CONFLICT with existing uses including but not limited to fishing.

Without a **Rapid Response Process** in place the current WCMAC will sink into irrelevancy as new emerging offshore industrial development passes us by – delayed actions will not help shape the future of our Coastal Seafood Dependent Communities, protect their wellbeing, or safeguard the quality of life as INTENDED by the legislature when ORMA was expanded over a decade ago.



Appendix B: PowerPoint Presentations



December 2022

Cascadia Offshore Wind



Introductions



Dr. Paul Turner
*SVP Business
Development*



Diane Sullivan
*SVP Permitting
& Environmental*



Mark Zweig
*Development
Manager*

Our Team:

Consulting partners supporting stakeholder engagement, communications, environmental, engineering and legal services.



About Hecate Energy

- **Founded in 2012** and **headquartered in Chicago** with 60 employees.
- Leading renewable energy developer with a pipeline of **40 GW under development** in the US, Europe and Africa including battery storage, solar, and wind.
- \$100 MM balance sheet with a **successful record** of raising billions in financing and entering into 3.6 GW of power purchase agreements across 31 counterparties.
- In 2021, **welcomed Repsol as a long-term minority investor**. Repsol is a multi-energy company present in more than 40 countries, employing over 25,000 staff. Domestic headquarters in Houston, TX.



What is proposed?

- We are at the very beginning of this process. Hecate submitted a lease request off of the coast of Washington to start discussions about offshore wind.
- No project layout has been developed. Our goal is to listen and learn from the communities near our proposed offshore wind project.
- Up to 134 floating WTGs, each with an anticipated capacity of 15 MW, resulting in 2,000MW. Deployed on floating foundations anchored to the seabed. Turbines would be interconnected and utilize an export cable to the onshore transition to the grid.

Why here?

- **Wind Resource:** Washington has an abundant wind resource that could support the state's carbon-free energy mandate (State Ocean Caucus, 2018). Average wind speeds are 8.25 to 8.5 m/s at a 90-meter hub height.
- **Transmission Capacity:** Hecate has performed a transmission analysis of various points of interconnection along coastal Washington and Oregon.
- **Clean Energy Future:** Washington is committed to a clean energy future. Offshore wind generated electricity and associated public benefits may serve the Pacific Northwest and meet state and federal renewable energy targets and climate action goals.

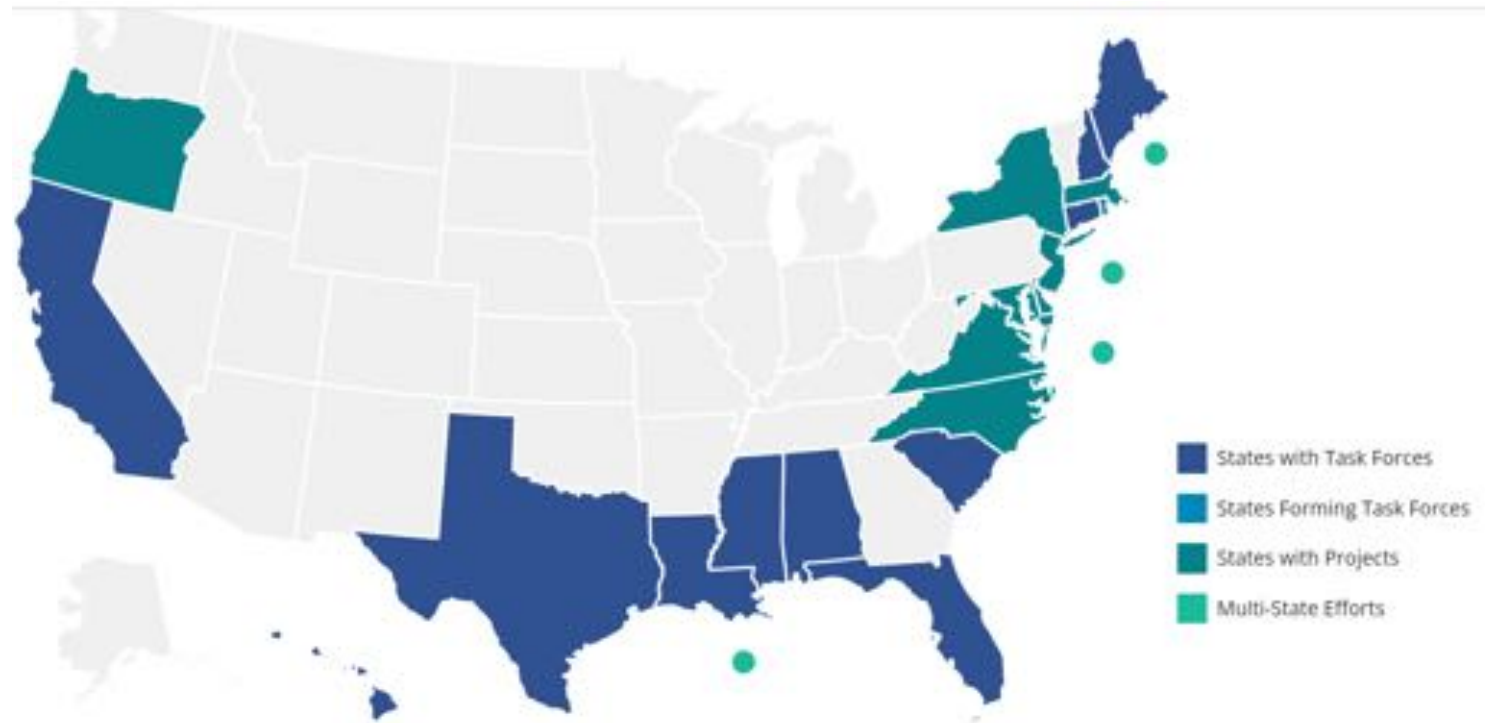


US Offshore Wind Activity by BOEM

BOEM is working closely with several states to develop projects on the OCS.

- BOEM has reviewed 10 Construction and Operations Plans for projects proposed in the Atlantic region.
- Current administration proposed first California OSW lease area in May 2022.
- BOEM held lease auction for 2 North Carolina OSW lease areas totaling \$315 million in May 2022.
- BOEM held lease auctions for 6 New York OSW lease areas totaling \$4.3 billion in February 2022.

Federal offshore wind activity has not started in Washington State.

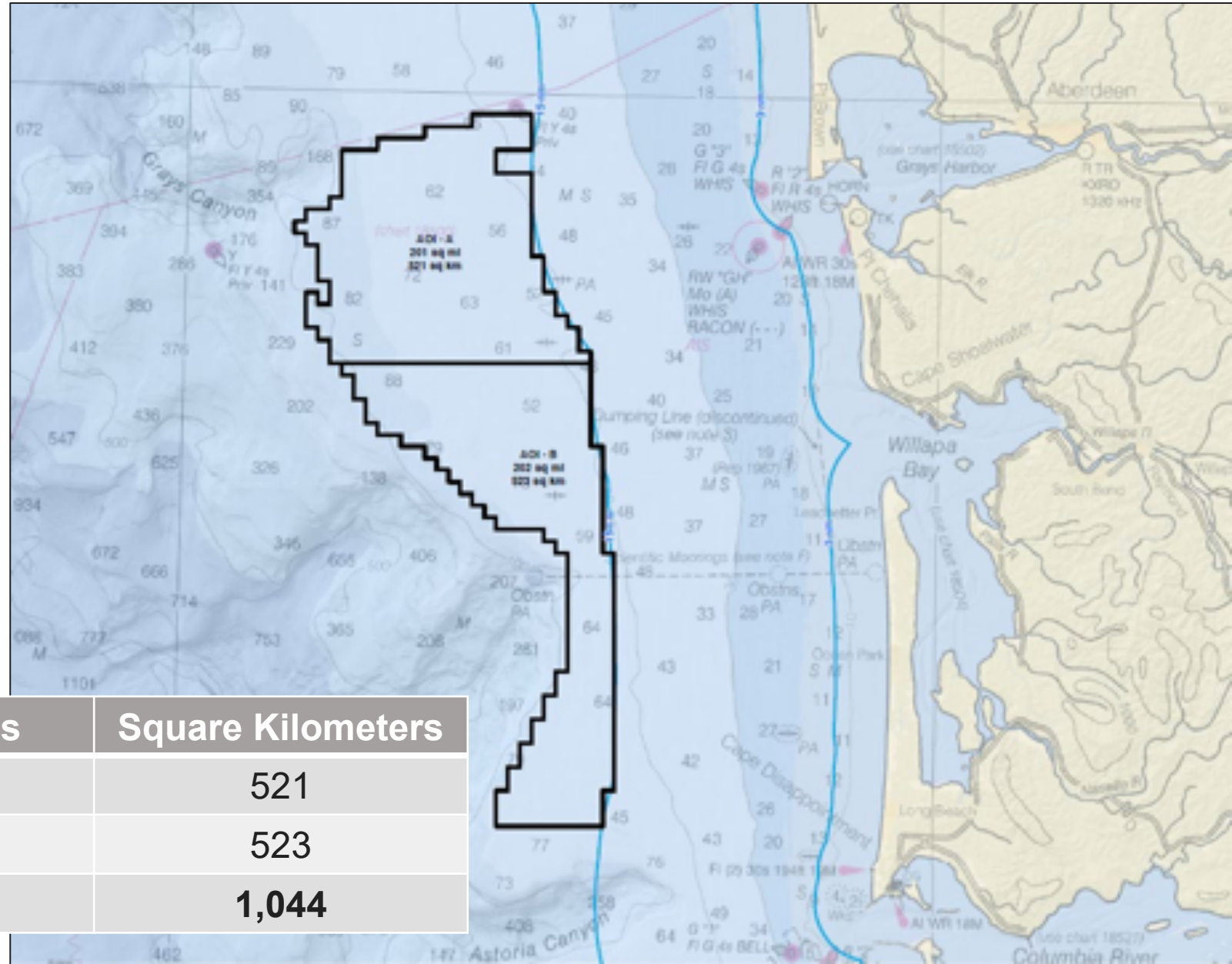


The current administration has a goal of deploying 30 GW of offshore wind energy by 2030.



Areas of Interest (AOI)

- AOI on Outer Continental Shelf (OCS) federal waters
- Approximately 17 miles offshore to 32 miles western extent
- Areas A & B capacity at 3MW per sq km base case
- Approximately 2,000 MW overall capacity

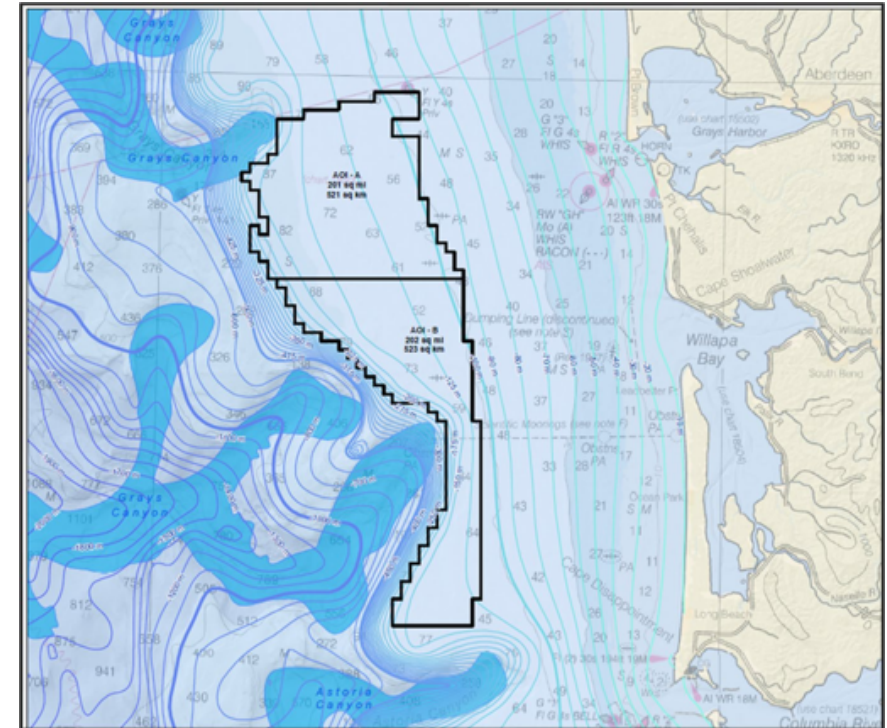


Area of Interest	Square Miles	Square Kilometers
A	201	521
B	202	523
Total	403	1,044

Screening Process to Identify Initial AOIs

Starts with evaluation of points of interconnection and utility considerations, then building from initial feasibility, evaluate:

- Wind, ocean and seafloor resources
- Bathymetry and geologic conditions
- Environmental considerations
- Visual and cultural impacts
- Military and other ocean uses



Many site-specific studies would be conducted within a Wind Energy Area if Hecate were awarded an offshore wind lease.



Constraints Mapping

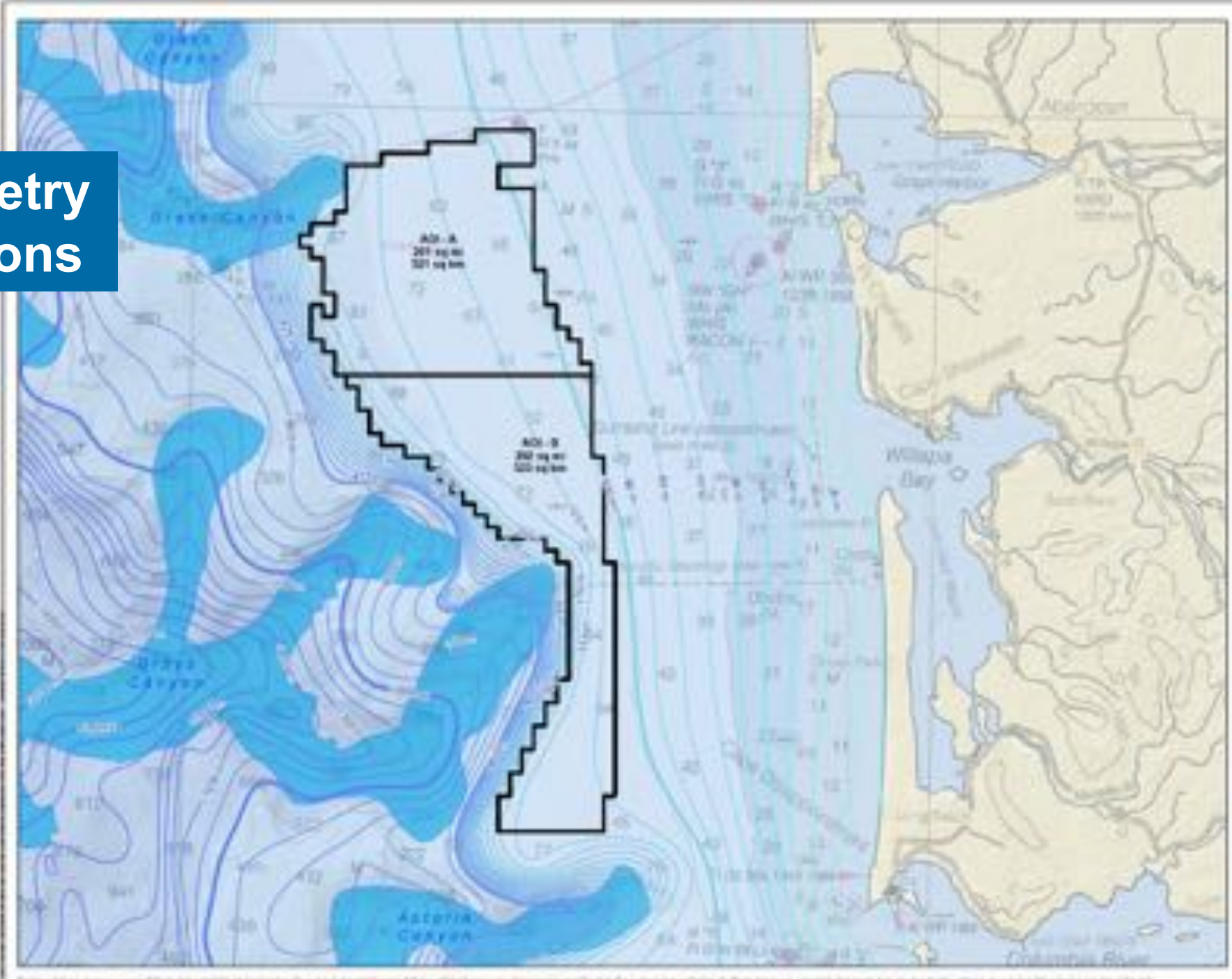
Hecate has initially assessed the existing environmental conditions within the proposed lease area based on a review of publicly available literature, databases, and surveys. If this requested lease area is awarded, further studies in the requested lease area would be required prior to developing an offshore wind energy project.

Current constraints and environmental conditions include:

- Waves and Currents
- Bathymetry and Geology
- Marine Mammals
- Sea Turtles
- Fish and Fisheries
- Glass Sponges and Sea Pens
- Birds and Bats
- Protected Areas
- Military Use Areas and Aviation
- Vessel Traffic and Navigation
- Telecommunication Cables
- Visual Resources and Cultural Resources



Bathymetry Conditions



Bathymetry

Project: **Wecor Energy Columbia Offshore Wind Project**

Map Scale: 1:50,000

North Arrow

Scale: 0 1 2 Miles

Legend:

- Area of Interest (AOI)
- Bathymetry Contours (m)
- Submarine Canyons

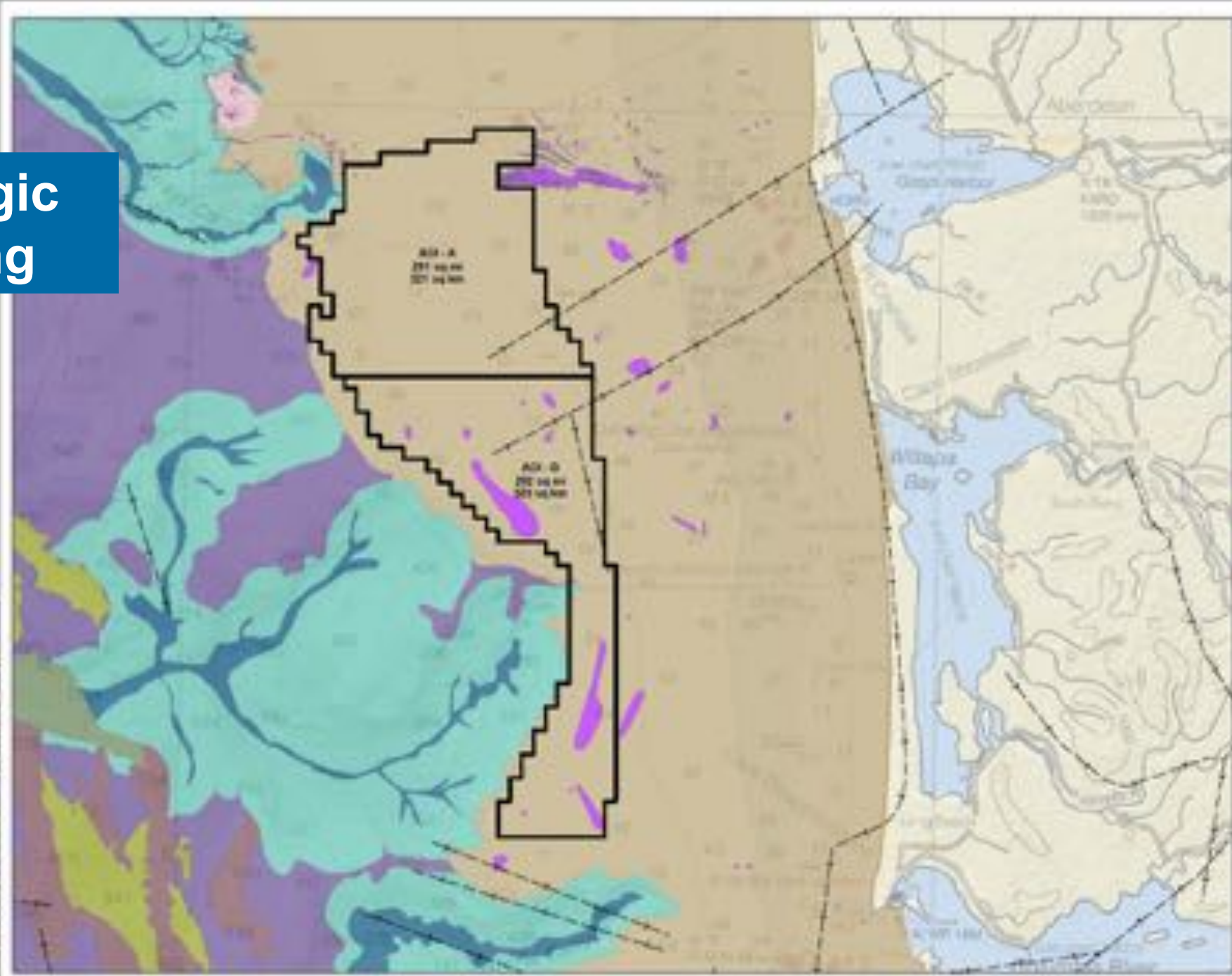


Notes:

1. Contour Interval: 10m (30 feet)
2. Bathymetry Data: 2011 - 2012
3. Data Source: NOAA Chart 1811
4. Contour Interval: 10m

Stantec

Geologic Setting



Scale: 1:50,000
Geologic Setting
Project: Newell Energy - Caswell Offshore Wind Project
Map Date: 2012
Scale: 1:50,000
Scale: 1:50,000

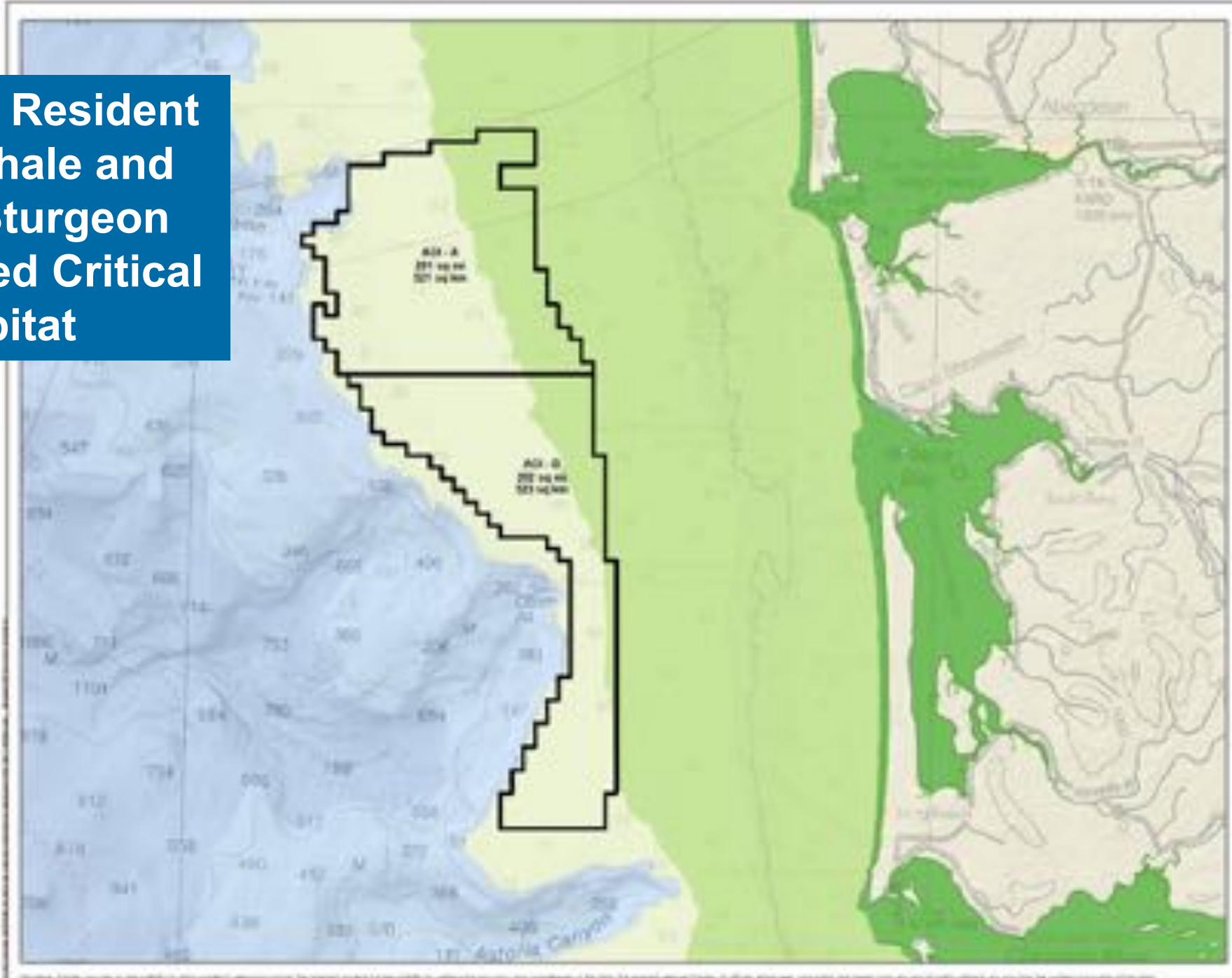
- Area of Interest (AOI)
- Falls
- Offshore Geology
 - Sedimentary Slope Channel
 - Sedimentary Slope Canyon Wall
 - Sedimentary Slope Canyon Floor
 - Sedimentary Slope
 - Sedimentary Shelf
 - Sedimentary Edge
 - Sedimentary Bank
 - Rocky Slope Canyon Wall
 - Rocky Slope Canyon Floor
 - Rocky Slope
 - Rocky Shelf
 - Mixed Slope Canyon Wall
 - Mixed Slope Canyon Floor
 - Mixed Slope
 - Mixed Shelf



Notes:
1. Contour interval: 100 feet (30.5 meters)
2. Data source: NOAA 1:50,000 scale bathymetry and topographic data (2002)
3. Data source: NOAA 1:50,000 scale bathymetry and topographic data (2002)
4. Source: Stantec



Southern Resident Killer Whale and Green Sturgeon Designated Critical Habitat



Scale:
 1:50,000
Southern Resident Killer Whale and Green Sturgeon Designated Critical Habitat
 Project:
 Pacific Energy Canada's Offshore Wind Project
 Revision:
 001
 Date:
 2023-07-20
 Prepared by:
 Stantec
 Approved by:
 Stantec



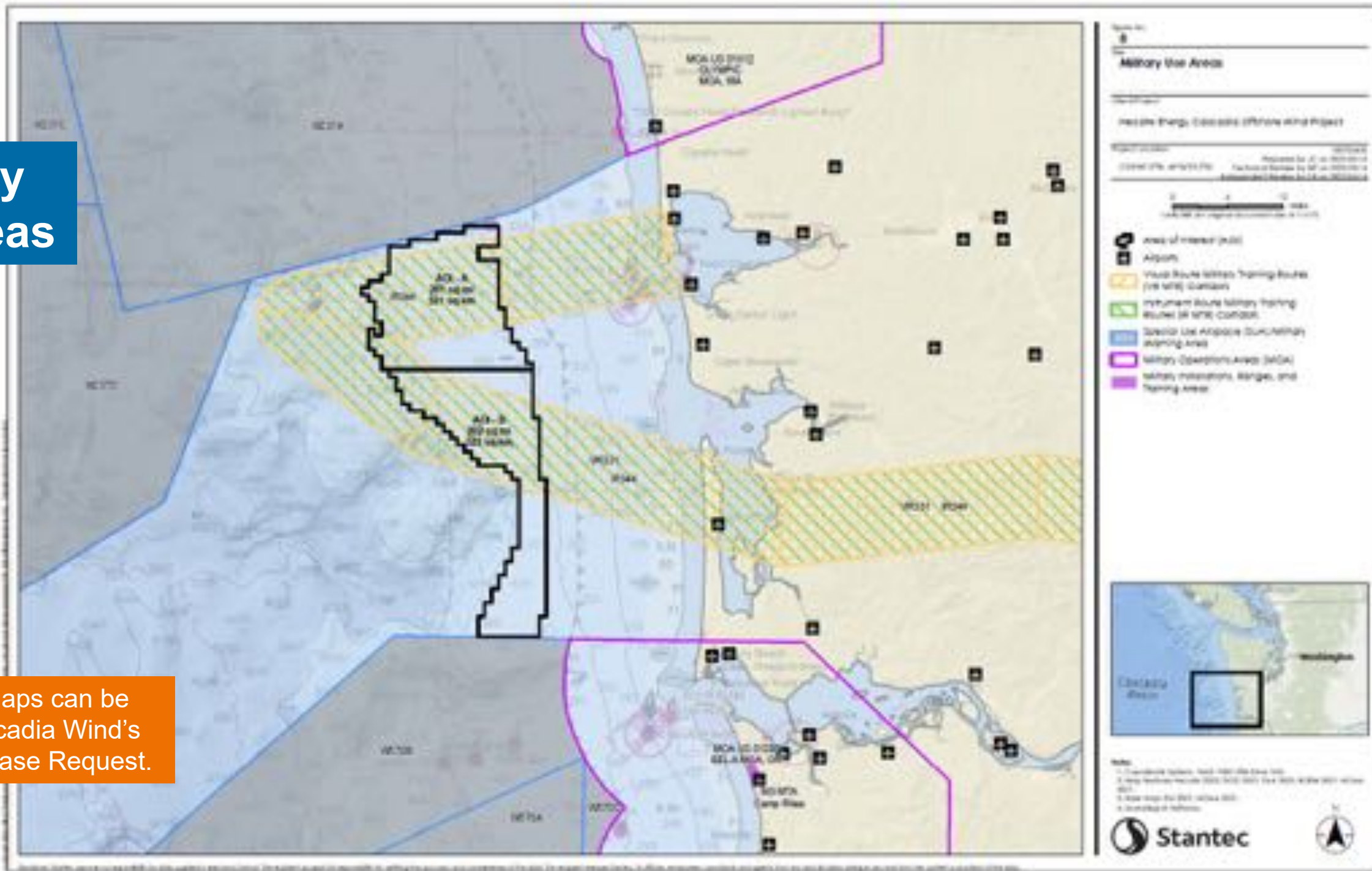
- Area of Interest (AOI)
- Southern Resident Killer Whale Critical Habitat
- Green Sturgeon Critical Habitat



Notes:
 1. Coordinate system: NAD 83 UTM Zone 18N
 2. Map scale: 1:50,000
 3. Data source: NOAA NED
 4. Contour interval: 5 meters

Military Use Areas

Additional maps can be found in Cascadia Wind's Unsolicited Lease Request.



The Federal Leasing Process

The federal leasing process involves four phases:



The areas off of Washington have not entered this process.

No applications have yet been deemed ready for public review.

Hecate Energy will be fully compliant during the federal leasing process.



Current Activities

- Listening and learning from communities near our proposed offshore wind project to avoid conflicts.
- Working with BOEM to evaluate lease area request. Supportive of early pre-leasing planning and analysis activities that may lead to competitive or non-competitive leasing.
- Implementing initial pre-leasing outreach activities with key stakeholders.
- Building the technical, engineering, and legal team that will support project development.
- Evaluating grid interconnection and transmission routing areas.
- Developing economic benefit analysis and identifying host community opportunities and partnerships.



Community Benefits of Future Project

Community benefits can be applied beyond traditional boundaries to include broader regional perspectives or key stakeholder groups. Initiating the discussion of community benefits before entering a lease agreement is advantageous so that agreements can be evaluated in the bid price and considered in the **long-term planning process**.

Potential Direct Benefits	<ul style="list-style-type: none"> • Community benefit agreements • Infrastructure improvement agreements • Tax revenues
Job Creation (Construction & Operations)	<ul style="list-style-type: none"> • Cable installation • Ports & harbors • Turbine installation • Vessel operations • Facilities maintenance • Wind turbine technicians
Potential Indirect Benefits	<ul style="list-style-type: none"> • Economic impacts to local communities during the project's lifespan • Spending at local restaurants, hotels, retail and grocery stores

A recent study estimated that developing **30 GW** of offshore wind could support up to **83,000 jobs** by 2030.¹

In addition, an economic impact study for the Vineyard Wind offshore wind facilities in Massachusetts estimated that the construction of **1,600 MW** of offshore wind power would generate **3,171** direct employees, **3,618** indirect employees, and **3,063** induced employees.²

1. American Wind Energy Association (AWEA). "U.S. Offshore Wind Power Economic Impact Assessment". 2020.
 2. Vigeant, P., Donovan, A., et al. "2018 Massachusetts Offshore Wind Workforce Assessment". Massachusetts Clean Energy Center. 2018.



Contact Us:

www.cascadiaoffshorewind.com





December 14th Council Meeting

Part 1 from 9:30am – 12:00pm

Part 2 from 1:00pm – 3:00pm



WASHINGTON
COASTAL
MARINE
ADVISORY
COUNCIL

Agenda Overview

Welcome, Agenda Review

2023 Chair and Co-chair Election

WCMAC Updates

General Updates

Hecate OSW Presentation

Public Comment Period

BREAK

Resiliency TC and OSW TC Updates

Principles of Engagement (Review and vote to approve)

DOH Harmful Algae Bloom Presentation

Workplan Review

Public Comment Period

Adjourn





WCMAC Chair and Co-chair Election

Present Nominees and Confirmation/Vote



WCMAC Updates

- ✓ WCMAC Response Mechanism
- ✓ Membership Update
- ✓ Announcements

Updates



- ✓ Governor's Office Updates
- ✓ MRC Updates
- ✓ Agency Updates
- ✓ General Coastal Updates
- ✓ MRAC Update

A scenic photograph of a lighthouse perched on a cliffside overlooking the ocean. The lighthouse is white with a black top section. The cliff is covered in green moss and has several tall, dark evergreen trees. The ocean is blue with white waves crashing against the shore, creating a large splash of white water. The sky is clear and blue.

Public Comment Period



Break

Reconvene at 1:00 pm





Proposed Principles of Engagement

Goals

- ✓ Review the final draft principles of engagement
- ✓ Discuss any considerations
- ✓ Approve principles of engagement by consensus

Overview

The Offshore Wind Technical Committee identified **five key principles of engagement** to be provided to the Governor's office and state agencies. (Included in the discussion guide.)

These engagement principles represent a suite of **recommendations and expectations about how coastal communities and affected stakeholders should be meaningfully engaged by BOEM** as it advances its review and consideration of the unsolicited lease requests to develop offshore wind projects off the coast of Washington.

Final Draft Principles of Engagement

Principle 1

The BOEM process must be **transparent**. Focuses on the engagement process and how providing sufficient notice of engagement opportunities to stakeholders and coastal communities, which aligns with sequential review of environmental considerations, is key.



Final Draft Principles of Engagement



Principle 2

BOEM and the state need to provide **consistent, timely, meaningful, and responsive engagement opportunities** *prior* to important decision making.

Two options for defining an alternative joint planning/coordination agreement:

- “in lieu of a limited participation intergovernmental task force”
- “WCMAC recommends an alternative approach to standard intergovernmental task forces that includes participation of affected stakeholders.”

Final Draft Principles of Engagement

Principle 3

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.**

- “strongly recommends that a Programmatic Environmental Impact Statement (PEIS) be initiated and completed before leasing”
- “WCMAC expects that BOEM and the state address research needs and/or will describe how uncertainty is integrated into decision-making”



Final Draft Principles of Engagement

Principle 4

BOEM and the state need to integrate local and community knowledge into decision making throughout the leasing and permitting process.



- Provide multiple forums and methods for meaningful engagement and information dissemination.
- Ensure meetings and workshops are accessible and conducted in a way suitable for the intended audiences.
- Share where local and community knowledge has been recognized and incorporated in the decision-making processes.

Final Draft Principles of Engagement

Principle 5

WCMAC expects that decision makers will review and apply relevant laws and policies 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



Discussion

- Does WCMAC have any considerations to these five principles of engagement?
- Note that these principles of engagement will be sent with an accompanying letter that has been drafted and reviewed by the OSW Technical Committee.





Public Comment Period



Biotoxin Management for Commercial Dungeness Crab

**Washington Department of Fish and Wildlife and Washington Department of
Health**

Washington Coastal Marine Advisory Council

December 14, 2022

Substitute House Bill 1508

- Adds a new section to RCW 69.30 which authorizes the Department of Health "to regulate crab with respect to health and safety in relation to biotoxin contamination."
- Requires that the State Board of Health (SBOH) shall adopt rules regulating crab harvesting, tracking, and recalls.
- Passed the House in 2021 by a vote of 98-0
- Passed Senate policy committee, but was not voted upon on the Senate floor
- Reintroduced in 2022, passed the Senate Committee on Agriculture, Water, Natural Resources, & Parks, Passed Senate Ways & Means Committee returned to House Rules Committee but was not voted on

Why is this needed?

- Overall: sanitary control rules and a program for crab relative to biotoxins would provide authority, predictability, and transparency
- Biotoxins have become increasingly prevalent, particularly on the coast
- The coastal crab fishery is one of the highest valued fisheries in Washington
- DOH only has the authority to close the crab fishery when biotoxin levels reach federal thresholds
- Extending, existing DOH authority to Dungeness crab, similar to what is already in place for molluscan shellfish, provides necessary flexibility and options for opening the crab fishery in a way that is enforceable and protects public health when biotoxins are persistent
- Gives buyers in other states and countries reassurance when we are monitoring all waters, not just the coast

2020-2021 crab season experience

- After delaying the typical December season opening, WDFW opened the fishery on February 16th and required crab delivered from areas affected by domoic acid to be eviscerated.
- Evisceration regulations were lifted on April 6th
- The opening relied primarily on voluntary compliance
- Not ideal and may not work like that in the future
- No ability to recall crab if domoic acid levels reached federal thresholds

Rules provide flexibility and protects public health

- Most coastal state fishery participants do not want to open when biotoxins are present
- However, having options is critical if biotoxin events are persistent
- We need clear and enforceable regulations
- Mechanism to recall crab if biotoxin levels change
- Rule making process will include stakeholder and tribal co-manager input

Vision if a bill is passed

- Bill would: Revise Chapter 69.30 RCW to authorize SBOH rulemaking
- **Next step:** SBOH would then collaborate to alter rule (WAC 246-282 or New Rule)
- Already existing rule for molluscan bivalves. We can structure similarly, but not exactly the same
- Rulemaking would involve Stakeholder and Tribal input
- Give CLEAR thresholds for:
 - Closure
 - Opening
 - Opening with restriction (i.e. evisceration)
 - Harvest, recall, and tracing of crab

2023 Legislative Process

- Representative Chapman has pre-filed House Bill 1010 which mirrors the language in HB 1508
- WDFW and DOH support the need for the proposed changes to RCW 69.30

Questions?



Appendix C: Technical Committee Meeting Summaries

WCMAC Resilience Workgroup – Meeting 5

September 28th, 2022

Participants:

- Russell Callender, Washington Sea Grant
- Gus Gates, Surfrider
- Tommy Moore, NWIFC
- Bobbak Talebi, Ecology
- Jimmy Kralj, ESA

Meeting Summary:

- Bobbak shared that the Climate Hazards Budget Request from Ecology was ranked number one in the list of proposals to be provided to the Governor.
 - Ecology will now work with the Governor's office to advance the budget request.
- Earlier this month, Jimmy met with Tommy to discuss opportunities to engage with the NWIFC and tribes regarding the upcoming state briefing.
 - Tommy suggested the workgroup develop a memo to share with the Commissioners at their October Commissioners Meeting that summarizes the purpose and intent of the briefing.
 - The group discussed proposed content to include in the memo. The memo will include a descriptions of the resilience recommendations, the intent of the briefing, and an invitation for tribal policy managers and staff to attend the briefing.
 - The group also noted that the memo should be broad and focus primarily on the resilience recommendations and briefly discuss the Ecology Climate Hazards request and its connection to WCMAC's work.
 - Jimmy will develop a draft of the memo and distribute it to workgroup members by October 5th.
 - Workgroup member were asked to provide comments by Monday, October 10th so the final memo can be sent to Tommy by October 12th, two weeks before the Commissioners Meeting (October 26th and 27th).
 - Russell is free to attend the Commissioners Meeting and discuss the memo on the 27th, but not the 26th.
- The group also discussed a proposed timeline for the briefing and identified November 14th or 15th as tentative dates. Russell will check his availability and a final date will be selected in the coming weeks.
 - The group decided to not extend an invitation to the full WCMAC and instead only have Resilience Workgroup members attend.
- Briefing content will include a summary of the WCMAC purpose and goals, the process and outcomes of developing the resilience recommendations, the Ecology Climate Hazards budget request, and testimonials from coastal partners regarding the importance of the recommendations.
 - The briefing will include a 30-minute presentation followed by 15-20 minutes of dialogue and time for questions.
 - The group suggested coastal testimonials be provided by Jamie Judkins or Nick Bird. Bobbak and Russell will coordinate on who should attend.
 - The group also agreed that Garrett should attend the briefing as WCMAC co-chair.

- The group reviewed the draft list of invitees developed during the July meeting and added some individuals to the list:
 - Senator Christine Rolfes – 23rd LD
 - Senator Kevin Van De Wege – 24th LD
 - Senator Jeff Wilson – 19th LD
 - Senator Jesse Solomon – 32nd LD
 - Senator Liz Lovelett – 40th LD
 - Representative Mike Chapman – 24th LD
 - Representative Davina Duerr – 1st LD
 - Representative Joe Fitzgibbon – 34th LD
 - Representative Cindy Ryu – 32nd LD
 - Representative Tarra Simmons – 23rd LD
 - Representative Steve Tharinger – 24th LD
 - Representative Jim Walsh – 19th LD
- The group decided invitations should be sent from the WCMAC co-chairs. Jimmy will coordinate with Mike and the co-leads.
- The next meeting will be scheduled for the week of October 17th
 - Jimmy will work to develop draft briefing content for review.

Action Items:

- Russell will provide an update regarding his availability for the proposed briefing dates (November 14th or 15th)
- Russell, Bobbak (and Jackson) will work to identify individual(s) from the coast to provide testimonial during the briefing.
- Bobbak will ask Ecology staff about other representatives to invite to the briefing.

WCMAC Resilience Workgroup – Meeting 6

October 18th, 2022

Participants:

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

Meeting Summary:

- The group made the following decisions about the upcoming state briefing:
 - Date: November 15th, 2022
 - Time: 10:00 – 11:00AM
- The group also reviewed and accepted proposed language to include in an email invitation to state senators and representatives.
 - Bobbak will work with Ecology to get email addresses and the invitations will be sent by the WCMAC co-leads, as coordinated with Mike Chang.
 - A single Zoom invitation will be sent to all identified senators and representatives.
 - The letter from WCMAC to Governor Inslee will be attached.
- Tommy will be presenting the memo and discussing the upcoming briefing at the NWIFC October Commissioner's meeting.
 - Formal invitations to the briefing from Ecology will be sent to Tribes after the Commissioner's Meeting on 10/26.
- Bobbak will coordinate with Nick and Jamie to provide testimonials during the briefing.
- The group also reviewed the draft PowerPoint presentation for the briefing.
 - Participants suggesting shortening the number of slides. Jimmy will provide one slide that lists the Hazard Recommendations and another that lists the Economic Recommendations. Individual slides for each recommendation will be moved to the end of the document in case particular questions arise.
 - Additionally, the slide about the climate hazards budget request will be revised to reflect the efforts of WCMAC members and anticipated next steps in advancing the resilience recommendations.
 - A draft of the presentation will be circulated to members for review.
- Presentation Roles
 - Rod will open the briefing and provide a brief welcome.
 - Russell will follow and describe the background and process that was used to generate the recommendations.
 - Gus will then describe the recommendations and provide an overview of the budget request.
 - Then Nick and Jaime will provide their testimonials.
- Next Steps
 - The group will meet again the week of 10/31, finalize any last minute details and do a dry run of the briefing.

**Washington Coastal Marine Advisory Council (WCMAC) – Coastal Resilience
State Briefing
November 15th, 2022**

Attendees:

- Russell Callender, Washington Sea Grant
 - Ann Dasch, Legislative Assistant to Representative Davina Duerr
 - Casey Dennehy, Ecology
 - John Elder, Legislative Assistant to Senator Jesse Salomon
 - Zach Ellis, Legislative Assistant to Representative Tarra Simmons
 - Rod Fleck, City of Forks
 - Gus Gates, Surfrider Foundation
 - Jennifer Hagen, Quileute Nation
 - Jamie Judkins, Shoalwater Bay Tribe
 - Haley Kennard, Makah Tribe
 - Tommy Moore, Northwest Indian Fisheries Commission
 - Joe Schumacker, Quinault Indian Nation
 - Peter Steelquist, Senior Legislative Assistant to Senator Kevin Van De Wege
 - Bobbak Talebi, Ecology
 - Jeff Wilson, Senator, 19th Legislative District
 - Nicole Gutierrez, Cascadia Consulting Company
 - Jimmy Kralj, Environmental Science Associates
-
- The WCMAC Resilience Working Group gave a presentation on the coastal hazards and economic resilience recommendations developed by the WCMAC in 2021. Presenters included Rod Fleck, Russell Callender, Tommy Moore, and Gus Gates.
 - At the end of the presentation, Jamie Judkins provided a brief testimonial about efforts of the Shoalwater Bay Tribe to improve resilience to sea level rise, tsunami risk, and other hazards.
 - The Shoalwater Bay Tribe is located in Tokeland, WA at an elevation of 5 feet above sea level. The adjacent shoreline is one of the fastest eroding in the state.
 - In the past, large storms have isolated the community and led to disruptions in power and other utilities.
 - The tribe has worked to purchase 4,000 acres of upland property adjacent to its current location in order to provide a more resilient location to move to.
 - The tribe has developed several grant applications to assist with resilience efforts including the construction of road and infrastructure to improve connections between the current location of the tribe and upland areas.
 - Additional efforts by the tribe include projects to improve power reliability and determine the most resilient building materials and methods.
 - The last portion of the briefing was reserved for questions:

- Senator Jeff Wilson asked about any updates regarding the recommendations for burrowing shrimp management and European green crab.
 - Russell shared that there have been no updates. A working group is discussing burrowing shrimp management and groups are working towards developing a statewide management plan for European green crab.
 - Senator Wilson agreed with the need for a statewide green crab policy and commended Jamie and the Shoalwater Bay Tribe on their efforts to improve resiliency.
- Joe Shumacker asked about the recommendation related to additional coastal resilience staff positions and how they would interact with coastal communities.
 - Bobbak shared that the four positions would be employees of Ecology, Washington Sea Grant, the Washington Emergency Management Division, and Washington State University Extension. Individuals in these positions would work with coastal partners to build capacity for grant funding and other initiatives.
 - These positions would also help improve information sharing and knowledge exchange.
- Jennifer Hagen added to Joe's comments and expressed the importance of having individuals in these staff positions interact and build relationship with coastal communities. It is essential that staff in these positions be based on the coast and not in the Puget Sound region.
 - Russell agreed and noted it is necessary to embed these individuals in the communities they will be serving.
 - Jamie added that working with Jackson from Washington Sea Grant has been immensely helpful in their efforts to improve resiliency.

WASHINGTON COASTAL MARINE ADVISORY COUNCIL

Offshore Wind (OSW) Technical Committee Meeting Summary

October 12, 2022 | 2pm – 4pm

Meeting Highlights

- Updates to the Principles of Engagement were discussed and the next iteration is included below (*Table 1. Draft Principles of Engagement*). Review of the Principles of Engagement will be a recurring agenda item until the draft is finalized.
- Data needs were discussed.
- Potential workplan elements were discussed.

Participants

- Dale Beasley, Commercial Fishing representative (TC Co-Chair)
- Casey Dennehy, Ecology
- Arthur Grunbaum, Coastal Conservation group representative
- Jenna Keeton, Washington Seat Grant
- Doug Kess, Pacific County Marine Resources Committee
- Corey Niles, WDFW representative
- Mike Okoniewski, Pacific Seafood Consultants
- Brian Polagye, Energy Industry seat
- Michele Robinson, Economic Development seat
- Ann Skelton, Pacific County Marine Resources Committee
- Larry Thevik, Commercial Fishing seat (TC Co-Chair)
- Alle Brown-Law, Cascadia
- Mike Chang, Cascadia
- Nicole Gutierrez, Cascadia
- Jimmy Kralj, ESA

Welcome and Housekeeping Items

- Recording Meetings: Will not be able to record meetings as recordings conflict with public meeting requirements (OPMA). Detailed meeting notes will be taken by the consulting team and provided to the Committee with the opportunity to amend in the form of meeting summaries.
 - Larry had requested that the general WCMAC meetings and workgroup meetings both be recorded. Larry asked if the full WCMAC meetings will be recorded.

- Casey clarified that this will apply to the full WCMAC meetings as well. Ecology has received this guidance
- Larry thinks expanded meeting summaries be produced during future meetings to compensate.
- Dale and Larry were confirmed as co-leads during the September WCMAC meeting. Still seeking a 3rd co-lead for the OSW Technical Committee. Members can reach out to Mike and Nicole if interested.

Review Committee Objectives

Nicole read over the below objectives, which were developed by the Committee and reviewed by the full WCMAC.

Objectives
Provide guidance on engagement and/or principles of engagement to the State and BOEM.
Review existing data and community research needs considering the OSW Energy unsolicited lease requests, including: <ul style="list-style-type: none"> ● See how OSW will fit (or not fit) with the MSP ● Lessons learned from other OSW processes ● Review of projects alignment with ORMA and other relevant policies

Draft Principles of Engagement

- Nicole reviewed the draft principles of engagement developed by the workgroup. (*Table 1. Draft Principles of Engagement* below has been edited based on the following discussion/feedback)
- **Dale** asked questions about how to bring BOEM to the table in a meaningful way that avoids the problems seen in Oregon.
 - How can we engage BOEM in a manner that focuses on outcomes?
 - Doug noted that fishing and environmental groups have been ignored in the past by BOEM and the principles need to identify ways in which to meaningfully engage BOEM.
 - Larry noted that some of the language is ambiguous, like “decisions” in principle #2. Need to understand which decisions are most important. Decisions from BOEM, by Ecology, etc. Some of these decisions should be identified by what they are and who will make them.
 - Larry also noted that a programmatic EIS would help reduce uncertainty on potential impacts by offshore wind development.
- **RD** shared that the recreational and tribal communities should be included in the principles.

- Tribes were removed from the draft principles as there is a separate government to government engagement process with tribes outside of the WCMAC-led efforts.
- RD said that tribes should still be included in the principles to recognize the importance of the issue.
- Doug asked that the WCMAC be kept up to-date on the progress of tribal consultations with BOEM.
- Casey noted that Ecology will be engaging with tribes and invite them to participate in WCMAC led efforts moving forward.
- **Larry** noted that an invitation should be extended to tribal communities (and recreational communities) for these and other WCMAC meetings.
 - In the research needs and data collection, public statements made by tribal communities should be included.
- **Mike O** noted that #3 Principle of engagement, “dialogue” should be added to note that these sessions are intended for idea sharing.
 - Mike provided an example of how dialogue can improve work products and outcomes in settings like this.
- **Corey** stated that the goal of NEPA is to provide decision makers and the public with timely information and meetings are intended to provide decision makers with feedback at the right time.
 - **Corey** also asked about clarifying the role of WCMAC in other state-wide efforts.
 - **Dale** asked who the “central hub” for will be for communicating between the state and Ecology.
 - In Oregon, the hub was the taskforce but there were challenges with that.
 - Casey said there is an opportunity to clarify this for the state by providing these recommendations to the Governor.
 - Dale noted that these task forces do not have affected communities (fishing, etc.) on the task force and there are very limited public engagement opportunities.
 - Casey noted that the state and Governor’s office are paying attention and tracking development of these principles of engagement.
 - Corey added that the state has recognized the need for dedicated stakeholder engagement opportunities to avoid what occurred in Oregon.

Draft Principles of Engagement (10/12/22 edited version)

One overall edit includes removing the word “expects” from the principle of engagement statements. This was found to be a low impact framing of these recommendations. More discussion on framing will be needed to finalize.

Future topic of discussion will include the need for a letter that introduces and establishes the need of these principles of engagement. This letter will set the foundation and provide an overview of WCMAC’s role in providing these principles. The

letter can also reiterate/highlight WCMAC's support for BOEM to have strong tribal engagement efforts and call out the importance of specific stakeholders/interest groups such as recreationalists.

Table 1. Draft Principles of Engagement

Draft Principles of Engagement (in no particular order)	
1	<p>Consistent and timely engagement is provided by the Bureau of Ocean Energy Management (BOEM) and Washington State. This means meeting multiple times a year with affected stakeholders, and agencies, and that appropriate consultation is done prior to important decision-making.</p> <ul style="list-style-type: none"> • WCMAC supports the formation of a stakeholder working group or joint planning effort to participate in and inform the BOEM process. • WCMAC expects BOEM and the State to include government-to-government consultation and engagement with Tribes.
	<p>#1 was edited to clarify what type of engagement WCMAC would support/expect moving forward in this process. Discussion at the meeting noted that a task force (not only limited to federal and state agencies) could be one mode to encourage more consistent and timely engagement. Also, this is a principle where highlighting tribal engagement efforts could be incorporated.</p>
2	<p>Offshore wind decisions (e.g., leasing) by BOEM, the state, and other relevant agencies related to offshore wind development are informed by stakeholder perspectives and key data/information. 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.</p> <p>WCMAC sees a need to work towards requiring a programmatic EIS before leases are issued so that large scale and cumulative environmental impacts are analyzed. This would help provide necessary data and information needed to inform decision making.</p>
	<p>#2 was edited to specify what types of decisions this principle is related to, and to incorporate the discussion on requiring a programmatic EIS prior to issuing leases.</p>
3	<p>Multiple forums for meaningful engagement and multiple methods of information dissemination are provided. There is a diversity of stakeholders, and using one type of engagement (e.g., listening sessions) is insufficient to meaningfully engage and support dialogue with all the types of stakeholders and communities affected by offshore wind. 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.</p> <p>Meetings must be 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</p>

Draft Principles of Engagement (in no particular order)	
	hosting both in-person meetings for smaller communities or holding hybrid meetings for others. It is critical that engagement support and facilitate dialogue between the impacted communities, the state and BOEM.
	#3 was edited to capture the importance of dialogue in future engagement needs. Additionally, principle #6 was incorporated into #3 due to similarities.
4	The BOEM process should be transparent. There have been concerns in other regions about the transparency of decision making during offshore wind planning processes, including transparency regarding data sources and transparency in engagement processes. WCMAC recommends a transparent public engagement process that clearly articulates the overall process and when key decisions are going to be made – such as permitting decisions and engagement opportunities.
5	The state and BOEM need to integrate local and community knowledge into the data sources used throughout the permitting process. This can include using fishing locations and other types of community knowledge that is offered.
6	WCMAC expects that all meetings are accessible and conducted in a way suitable for the intended audiences. This could mean hosting both in-person meetings for smaller communities or holding hybrid meetings for others. This is related to Principle #3. (Combined with Principle #3)
6	The state and BOEM and should review other relevant laws and policies (e.g., OCSLA) to guide and inform engagement.
7	TBD, if any

Data Needs

- Ecology has hired an ocean planning position and they will begin the position next week (10/19).
 - Primary duties will help identify and coordinate data needs in regard to data needed for understanding offshore winds impacts, including impacts to oceanographic processes.
 - Data assessment not starting from scratch, will be building on previous work
 - Position will be responsible for research and providing information as well
 - One thing that has been mentioned multiple times and will be a focus is the impacts of cumulative effects of offshore wind on oceanographic processes – needs research, information, processes
 - Expect them to be at next technical committee meetings, WCMAC

- **Mike O** is excited to hear that the Ocean Planning Assistant is starting soon. He shared that we have been talking about these ocean effects with BOEM, but they turn a deaf ear – and we are missing information. Essential fish habitat is often focused on fixed bottom structures, but leaves water and hydrological processes out. Would seem like taking wind and diminishing the amount of energy it imparts to the ocean could have a lot of dire impacts to the ocean (plankton) – Larry or others would be happy to talk with Ocean Planning Assistant to update her on what we've done so far.
- **Dale** appreciated the note about understanding cumulative effects. In Washington, there have been substantial cumulative effects on crab fishing in Washington (35% reduction in fishing determines disaster declarations by NOAA/NMFS – and WA Fisheries hit that years ago. 50% reduction in access to fish and crab on our coast). Any additional cumulative effects that deny access to crab fishing on the coast will make it impossible for future generations to fish in Washington.
- **Larry** noted that it will be important to recognize how deeply the inquiry into what floating offshore wind development may in fact mean. Site-specific, cumulatively, and overtime – all fundamental to the decision whether or not, or where such industrialization should/would/could occur. He was glad that ECY is taking a foundational approach.

Data Needs Discussion

- Nicole asked the following questions to the group for consideration:
 - What do you think are our primary data needs?
 - How do you think we should address our data needs?
 - How do you see the OSW Technical Committee engaging with the State on data needs?
 - What is the Technical Committee's role in fulfilling data needs?
- **Larry** provided the following, and noted that at this time, there is not a set prioritization of these data needs.
 - Need to update use maps in the MSP, add new overlays (Department of Defense areas, newly designated critical habitat for SRKW and humpback whales, Coast Guard fairway zones, etc.), impacts to fishing industries, cumulative impacts.
 - Research needs are much broader but equally important.
 - Also need to understand impacts on federally listed species and potential take concerns. Specifically, short-tail albatross.
 - In critical habitat areas, actions approved or funded by the Federal government are bound by many regulatory considerations associated with water quality, noise, migration patterns, impacts on forage species, etc.
- **Jenna, Brian, Michele, and Ann** had no comment at this time
- **RD** appreciated what Larry brought up, about the resident orca population and shared that we probably need to look at the pelagic birds and the whole

interactive ecosystem, sea birds, sea mammals: and ask, how would this be affected? Cumulative effects are the key phrase in this whole thing – if anyone is successful in their bid, there is going to be a lot of pressure to acquire further leases. RD stated that he understands what Dale is saying – there is a whole community that could be totally excluded at some point. And we have continental law, but we have WA laws, like ORMA and SEPA, and Marine Spatial Plans – we need to have all of that worked in prior to the leasing so the restrictions and cautions are put out here first

- RD's comment about pelagic sea birds reminded **Corey** of what the CA Energy Commission has been doing with 3D models of how pelagic birds use the oceans (related to their SeaScape planning). Not WDFW's purview, but there is an aspect of energy planning side that we're not hearing – what are the transmission needs, the energy side. Everybody is thinking about 15 megawatts traditional turbines – how much acreage is going to be needed for this?
- **Jenna** seconded Corey's point and stated that there is a need for more information on necessary port infrastructure to accommodate potential cables.
- **Corey** recommended looking at California effort. Talking about the effect on the ecosystem. When we say "cumulative impacts" I am thinking – in 20-30 years, what will the impact be? Not ignoring what's going on in Oregon and California either – California current as a whole. Changes in the ecosystem – even if there are no projects up in Washington, our communities could still be impacted.
- **Mike O** noted that it is difficult to truly assess the "cumulative impacts" unless you understand how many wind farms, how much space will be occupied – but you can do modeling – work backwards from 2050. CA keeps talking about "potential"
 - Wind deficit behind the turbines – what effects will that have on ocean hydrology?
 - Wind wakes, upwelling, stratification, spawning habitat (particularly for forage fish who go offshore to spawn), predatory relationship for those forage fish, cumulative impacts, extent of plans to do the modeling, possibility of experimental turbines before going full-in, extraction effects during times of ocean stress (like El Nino)
 - Two places to look – what's occurred in Europe and the CA coast (modeling behind the turbines)
 - Research is needed but data is already out there (academic)
- **Larry** stated the following data needs:
 - Marine Spatial Plan – on the avian species, there was no mention of one species that is endangered and is determinative in the other ocean uses, if takes of that species occur above a certain level – Short-tailed Albatross (was not mentioned in original mapping exercise, or in any original BOEM reports)
 - Need to look at all these species lists to see if there are gaps
 - Overlays – within those overlays, there are requirements: like the DOD exclusionary zones. Now the PAC PAR study by the coast guard (not approved yet, but should be mentioned or rolled in)

- Critical Habitat descriptions – these carry certain requirements: any federally funded/permitted project that affects water quality, movement of forage fish, migration of animals in the critical habitat, or acoustic noise levels – if they affect any of those elements, those projects are not supposed to occur. Regulatory overlays have requirements.
- **Brian** said that he doesn't necessarily know if this is the right way to think about near-term actions. The data that he thinks is most useful is how to guide the development of OSW in a way that enables existing uses and existing habitat
 - Moving farther offshore – looking more like the terrestrial use of wind where agriculture occurs beneath wind turbines.
 - Doesn't see OSW being developed on the WA coast so long as the cost of OSW exceeds other energy sources.
 - Projections of OSW in 2030 and 2035 – forecasting no OSW off the US coast until 2040
 - In the long-term, OSW will probably be part of the mix, but it might not be a great use of our time now, since it might happen 10-20-30 years
 - Economics drives everything in the energy space, and OSW is currently much more expensive than the other options. The BOEM leasing process still requires environmental permitting under the National Environmental Policy Act (NEPA) and there will be many opportunities for WCMAC to provide input and guidance during the leasing phase as it moves forward.
 - **Larry** appreciated Brian's perspective, however, having watched what is going on in the leasing process, as currently BOEM applies it – there's a rush to develop OSW way ahead of some of the significant issues that Brian brought up – they aren't looking at the issues, they are leasing space. We need to develop as much information and research as possible. From what Larry is seeing so far, BOEM and developers and lenders are rushing to put projects in place way ahead of any precautionary principle, or comparing them to other alternatives
 - There may be constraints on the development, but there doesn't seem to be much constraint on the PUSH on the development
 - *Following is back and forth committee members had on the topic of OSW leasing pressure*
 - **Brian:** I agree, BOEM is driving hard on this. And the executive level targets are being flowed down to BOEM, so they are pushing the leases so they can claim progress on those goals. Leases are cheap to come by, but the construction of these projects is massively expensive – we're talking billions of dollars of investment to bring projects to fruition. There are more guardrails on the construction side than the leasing.
 - **Larry:** lease sales of off Atlantic coast totaled \$3.7 B – that seems to be a significant investment
 - **Brian:** The projects on the East coast are not floating projects – standing projects are less expensive; and East coast has higher energy at higher costs, so there are two economic factors on the East coast

- Mike O: everything I've seen so far in last 4 years has been a push – I don't think it's coming from BOEM, it's coming from administration – at any cost. Reduce the amount of environmental review to speed it up even more. 34-35 different companies that are interested in the west coast right now.
 - **RD** posed the question: If someone has a lease, can the lessee prohibit access to the area?
 - Casey shared that if a lease is issued, they cannot exclude people from that area, but that lease gives the holder to extract energy from that area but doesn't exclude other uses.
 - Larry added that there is no legal right to exclude other activities within a lease area; but in practice, there is a de facto exclusion of other activities; that would likely conflict with other activities in the ocean.
- **Corey** noted that a potential higher level data need is: if OSW will be developed, how can it be compatible with existing uses? This seems to be the biggest theme.

Workplan Discussion

The following list of workplan elements were provided to the committee:

- **Baseline Information & Resources**
 - Develop principles of engagement to be provided from WCMAC and directed to the Governor's office and state agencies
 - Review similar OSW efforts taking place on the coast
 - Stakeholder database
- **Engagement**
 - Understanding BOEM process and where WCMAC can engage
- **Data Needs**
 - Working through existing MSP framework
 - Review of prior data needs assessment
 - Identify data needs and provide recommendations

Nicole asked the Committee: What workplan elements are missing?

- **Dale** answered that the committee could investigate power purchase agreements
 - Need to understand who would buy this energy, and where it would go. Particularly, at the expense of fishing impacts.
 - Need to also account for inflation rates.
 - **Doug** noted that where power goes is a less important consideration now as for impacts on WA.
 - **Brian** agreed with a lot of what Dale is saying; we want to understand power purchasing agreements – Coos Bay was blocked by public utility commission as being against state law – understanding that a little bit – what those drivers look like for CA, OR, and WA

- **Mike** shared that he was able to recently attend a Webinar – learned that one of the biggest players was Microsoft; they had made arrangements to acquire 4 GW – if companies like Microsoft and Google are investing in this, they are likely researching this heavily.
- **Brian** added that where geographically Microsoft is purchasing that energy is key. If we're talking about fixed bottom wind, those corporate investments make a lot of sense – look at where geographically those investments are being made – West coast is a different beast than East coast
- **Larry** shared that the Committee should look at Chapter 4 of the marine spatial plan and what that recommends in regard to engagement.
 - Also need to clarify what the guideposts are established by state, local, and federal law. Examine the fishery protection standards, data needs to assess impacts and if a proposal would meet consistency issues.
- **Corey** noted that it will be important to look at technological side of things - agree with what Brian & Larry were talking about earlier; also agree with Larry's comments (above). Will be important to build understanding about the process generally.
 - Casey added that understanding federal consistency and enforceable policies work is confusing. Thinks it's a good time to step back, look at MSP & Ch. 4 that goes into enforceable policies (that goes into data required to make decisions). Shared that he is happy to work on this and create better understanding around it.
- **Dale** stated that "Discrimination" is important in CZMA language. Ecology made Pacific County say "no fixed structures" instead of "no offshore wind", but NOAA said that language was discriminatory. Need clarification of what that word means.
 - **Corey** responded and added that fishery use protection standard that has passed NOAA's test of discrimination – that's where our focus should be. Hope to talk about this more.

Next Steps

- Committee will meet 2-3 more times prior to Dec 14th WCMAC meeting
 - Nicole will send out scheduling poll ASAP
- Principles of engagement will be updated and included in the meeting summary. Final draft of principles will be finalized in November ahead of the December full WCMAC meeting.
- Further discussion for data and workplan development is needed and will be a focus in the next meeting
 - Consulting team will synthesize data needs and recommended workplan elements to be included in the next discussion guide.

WASHINGTON COASTAL MARINE ADVISORY COUNCIL

Offshore Wind (OSW) Technical Committee Meeting Summary

October 27, 2022 | 1pm – 3pm

Meeting Highlights

- Revisions to the draft Principles of Engagement were discussed and the next iteration is included below (*Table 1. Revised Principles of Engagement*). Review of the Principles of Engagement will be a recurring agenda item until the draft is finalized.

Participants

- Dale Beasley, Commercial Fishing representative (TC Co-Chair)
- Larry Thevik, Commercial Fishing representative (TC Co-Chair)
- Henry Bell, Ecology
- Casey Dennehy, Ecology
- Mai Aoki, Ecology
- Nives Dolšak, Educational institution representative
- Arthur Grunbaum, Coastal Conservation group representative
- Heather Hall, WDFW
- Alicia Mahon, PNNL
- Corey Niles, WDFW representative
- Mike Okoniewski, Pacific Seafood Consultants
- Ann Skelton, Pacific County MRC
- Olivia Zimmerman, Ecology
- Nicole Gutierrez, Cascadia
- Jimmy Kralj, ESA

Meeting Summary

Welcome and Agenda Overview

- The 10/12 OSW Meeting Summary draft was reviewed, and the following edits were provided:
 - Larry clarified that the 35% reduction threshold in fishing catch is NOAA/NMFS threshold that is used to determine fisheries disaster declarations. This is not a BOEM threshold.
 - Larry noted that the Coast Guard is proposing fairway zones for vessel traffic which prevent the construction of fixed structures. By default, these zones would prevent offshore wind development within the fairways.

- Larry requested the list of regulations related to federally designated critical habitat be expanded to include migration routes and impacts on forage fish species.
- Nicole will reconcile the draft and send out a meeting summary finale to Committee members.
- Meeting Reschedule. Originally, the group had proposed to hold a meeting on November 10th, but the group had little availability.
 - The group agreed that a mid-November meeting would be necessary to prepare for the December full WCMAC meeting.
 - Nicole will send a scheduling poll for a meeting in mid-November and reschedule the existing Meeting invite.

Engagement and Offshore Wind Process

- Nicole provided a summary of the revisions made to the draft principles since the last meeting of the workgroup. Revisions were included in the meeting packet provided prior to the meeting.
- The order of the principles was revised to begin with those related to the overall engagement process, followed by those focused on more specific aspects of stakeholder engagement.

Principle of Engagement Edit Discussion

- Dale stated that the Principle 2 (consistency and timely engagement) is not specific enough to avoid the pitfalls observed in the Oregon process. The BOEM engagement process must allow for public participation. The purpose of WCMAC and the MSP are to protect existing ocean uses including fishing.
- Mike noted that under Principle 1 (transparency), transparency has many different facets. It is important to understand the difference between the guidelines that BOEM follows and the rules that are in place. Additionally, it will be important to learn the decision-making process and who is involved in making decisions.
- Larry stated that Principle 1 captures the intent of that principle. He proposed adding “permitting decisions and engagement” to the language and adding “leasing, permitting, and engagement” at the end.
- Nives noted that at present, the list appears to align with BOEM’s engagement steps at the surface level. Given that the workgroup has expressed serious concerns with BOEM’s engagement efforts in other states, she suggested more details be added to clarify what is expected of BOEM in Washington. She proposed explicitly listing what occurred in Oregon and why it should not be repeated in Washington.
 - Adding more details (like the make-up of a taskforce, meeting frequency, etc.) can help point towards a clearer understanding of the processes desired in Washington.
 - Larry noted that the recommendation of a stakeholder inclusive taskforce is an important decision, however, details about its composition, etc. may not be able to be made by this workgroup.

- Casey suggested including an opening statement at the beginning of the document that explains why the principles were developed and what process should be followed in Washington.
 - This statement could include language about what went poorly in Oregon.
 - Casey also noted that the full WCMAC will review these principles in December and they will then be sent to the Governor. Given the timeline, there may not be time to add additional details at this point.
- Larry shared that the problem with the BOEM-led intergovernmental task force is that it excludes stakeholders. However, federal statute says that BOEM can invite local state and tribal governments to a task force or provide other opportunities for joint planning or coordination agreement as provided in CFR 585.102. This may be an opportunity to support a more stakeholder inclusive process.
 - Larry suggested the WCMAC support the development of a stakeholder inclusive taskforce in lieu of the BOEM-led intergovernmental task force.
 - Casey suggested changing the language of Principle 2 to read “WCMAC believes any joint planning efforts incorporate stakeholder input and engagement”.
- Corey agreed with Casey’s proposal to include an introductory paragraph and suggested the group discuss the stakeholder engagement components with the full WCMAC committee.
 - Corey also stated the introductory paragraph discuss the fishery protection standards.
- Dale suggested the group review the original language in the legislation that established WCMAC and agreed with Larry that a stakeholder inclusive process is necessary.
- Larry clarified that his proposal for a stakeholder inclusive task force is in addition to the WDFW-led fishing stakeholder group.
- Nives questioned that if this workgroup recommends WCMAC support a stakeholder inclusive process in lieu of the BOEM-led intergovernmental task force, will the process miss out on anything?
 - Casey suggested that language be included that supports a stakeholder inclusive process instead of “in lieu” language.
 - Henry proposed that several versions of the language could be developed and presented to the full WCMAC as a suite of options.
 - Larry suggested the workgroup could note their preferred option.
 - Larry stated that his preference is something similar to the “in lieu” language.
 - Mike stated that he doesn’t think we can get anything worse than the current process by asking for something different.
- Nives asked if an environmental assessment could be completed before a call area is determined.
 - Alicia stated that some environmental assessment occurs during the transition from call area to wind energy area.
 - Corey shared that BOEM’s argument is that they cannot complete environmental analysis before a call area is determined.
- Larry proposed editing principle 3 to include socioeconomic impacts and ecosystem effects.

- Dale shared that the cumulative impacts in WA are much higher than in CA and OR given the limited area along the WA coast that has the potential for offshore wind energy development. BOEM must consider cumulative impacts well before leasing is completed.
 - 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. He suggested keeping the term “cumulative” in the third principle to capture the wide range of potential impacts.
- Nives stated that the third principle is similar to what was outlined in Oregon related to data collection and stakeholder engagement. She suggested making it more clear at the beginning that a programmatic assessment is needed.
- Brian Polayge (not present) provided text comments and said that a programmatic assessment could be a non-starter for BOEM.
- Larry shared that the state also has authority to “say no” by not issuing a consistency certificate under the Coastal Zone Management Act.
 - Casey clarified that the state can object, but it is not “saying no”. Federal agencies can appeal an objection to the U.S. Secretary of Commerce.
 - However, Casey noted that the state can use the federal consistency determination to influence projects and add certain design criteria.
- Dale shared that the WCMAC should support the Coast Guard fairway zone proposal which would provide protections against fixed structures.
- Larry suggested adding “leasing process” to all references of permitting to capture the full spectrum of BOEM decisions.
- Nives suggested shortening principle 4 to make it more concise.
- Henry stated that principle 5 should point back to previous principles related to transparency and engagement.
- Dale suggested language be included to have BOEM show how local input was integrated into decision making.
- Larry proposed removing the statement about using fishing locations and other types of data because there are so many examples and we don’t want to be limiting.
- Larry said that specific laws should be added to principle 6 including ORMA, Fisheries Protection Standards, OCSLA (specifically, the congressional policy statement).
 - Dale and Larry stated that hyperlinks to the laws should be added so people can readily access them.

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. **Edits from the 10/27/22 OSW Technical Committee meeting have been incorporated.**

Goal: Finalize the draft principles of engagement by November 29th for the December WCMAC meeting.

Overall edits:

1. Providing more details and context (where appropriate) will be important. These 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 use protection standards.

Table 1. Revised Principles of Engagement

Draft Principles of Engagement	
1	<p>The BOEM process should be transparent. There have been concerns in other regions about the transparency of decision making during offshore wind planning processes, including transparency regarding data sources and transparency in permitting decisions and the engagement processes. WCMAC recommends a transparent public engagement process that clearly articulates the overall process and when key decisions are going to be made – such as announcement of call areas, leasing, permitting, and engagement opportunities.</p>
<p>Principle #1 - It was discussed that “transparency” has many different facets and we may need to elaborate on what is meant by a transparent process. Do we feel that the definition as stated captures what is meant by a transparent process?</p>	
2	<p>Consistent and timely engagement is provided by the Bureau of Ocean Energy Management (BOEM) and Washington State. This means meeting multiple times a year with affected stakeholders, and agencies, and that appropriate consultation is done prior to important decision-making.</p> <ul style="list-style-type: none"> • Option 1: WCMAC supports a joint planning or coordination agreement that includes stakeholder interests in lieu of an intergovernmental task force. • 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. • WCMAC expects BOEM and the State to include robust government-to-government consultation and engagement with Tribes.
<p>Principle #2 - Two options for consideration regarding stakeholder involvement in the BOEM process. Committee should select an option that is preferred.</p>	
3	<p>WCMAC believes that a programmatic EIS is needed to ensure that large scale and cumulative environmental, socioeconomic impacts, and ecosystem effects are analyzed. This would help provide necessary data and information needed to inform decision making.</p>

Draft Principles of Engagement	
	Information and data used in offshore wind decisions (e.g., leasing) by BOEM, the state, and other relevant agencies related to offshore wind development must be informed by stakeholder perspectives and key data/information. 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.
Principle #3 - edits involved reframing the recommendation for a programmatic EIS – stating why WCMAC believes one should be done, but not explicitly stating that it should be done before leases are issued. This principle was rearranged to highlight that large scale and cumulative impacts should inform decision making.	
4	<p>The state and BOEM need to integrate local and community knowledge into the decision making used throughout the leasing and permitting process.</p> <ul style="list-style-type: none"> • Multiple forums for meaningful engagement and multiple methods of information dissemination must be provided. 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. • Meetings must be 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 support and facilitate dialogue between the impacted communities, the state and BOEM. • BOEM should be transparent as to where local and community knowledge has been recognized in the decision-making processes.
Merged principle #4 and #5 and refined the points on community engagement.	
5	The state and BOEM should review relevant laws and policies (e.g., ORMA, Fisheries Protection Standards, OCSLA) to guide and inform engagement.
Principle #5 - Edited to fix typos and include relevant laws and policies. The relevant laws and policies would be hyperlinked in final version.	
6	TBD, if any

A draft opening statement that incorporates points made by the committee will be included in the upcoming 11/17 Meeting Agenda Packet.

Workplan Development

We did not get to this portion of the agenda; however, this will be a focus once the draft principles of engagement are finalized.

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 "Guidelines 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 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.